

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, April 3, 2013 • 2:00 p.m.

East Los Angeles College

Performing & Fine Arts Complex – S2-Recital Hall

1301 Avenida Cesar Chavez • Monterey Park, California 91754-6099

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 2:10 p.m. with President Steve Veres presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Daniel Campos was present.

Chancellor Daniel J. LaVista was present.

Trustee Candaele led the Pledge of Allegiance to the Flag.

WELCOMING REMARKS BY FARLEY HERZEK, INTERIM PRESIDENT, EAST LOS ANGELES COLLEGE

President Veres introduced Mr. Herzek and on behalf of the Board expressed his appreciation to Mr. Herzek for his outstanding leadership at East Los Angeles College (ELAC).

Mr. Herzek welcomed everyone to ELAC. He introduced the following individuals from ELAC:

Mr. Tom Furukawa, Vice President, Administrative Services; Mr. Oscar Valeriano, Vice President, Student Services; Mr. Ryan Cornner, Dean, Research; Ms. Carol Kozeracki, Interim Dean, Academic Affairs; Mr. Laureano Flores, Interim Dean, Career and Technical Education; Ms. Adrienne Mullen, Dean, Continuing Education; Ms. Paulina Palomino, Counselor and Faculty Member; and Mr. Al Rios, Dean, Academic Affairs (South Gate Educational Center).

APPROVAL OF MINUTES

Motion by Trustee Svonkin, seconded by Trustee Field, to approve the following minutes:

Regular Meeting and Closed Session – February 20, 2013

Regular Meeting and Closed Session – March 6, 2013

Special Meeting and Closed Session – March 13, 2013

Special Meeting – March 19, 2013

Regular Meeting and Closed Session – March 20, 2013

Student Trustee Advisory Vote: Aye (Campos)

APPROVED: 7 Ayes

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

None.

ANNOUNCEMENTS FROM THE COLLEGE PRESIDENTS

Mr. Nabil Abu-Ghazaleh, President, West Los Angeles College (WLAC), announced that for the first time, a team of Aviation Maintenance Technician students from WLAC competed in the Aviation Maintenance Technician (AMT) Society's Maintenance Skills Competition that was held in Las Vegas from March 13 to 15, 2013. He announced that the WLAC team won first place in the "Turbine Engine Event."

PUBLIC AGENDA REQUESTS

Oral Presentations

None.

Proposed Actions

None.

REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – MULTIPLE AGENDA MATTERS

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

Trustee Candaele reported on the Legislative Committee meeting.

Trustee Svonkin reported on the Finance and Audit Committee meeting.

Student Trustee Campos reported on the Student Affairs Committee meeting of March 22, 2013.

Proposed Actions

The following action items, considered as a part as if fully set forth hereto and certified copies of which will be on file in the Office of the Board of Trustees, were presented by the Board of Trustees and action taken as indicated.

Com. No. BT1. Resolution – District Classified Employees Retirement

Motion by Trustee Park, seconded by Trustee Svonkin, to adopt Com. No. BT1. as follows:

WHEREAS, The classified employees identified below have been employed with the Los Angeles Community College District for many years; and

WHEREAS, The classified employees have contributed significantly toward providing the highest quality of services to our students and the public on behalf of the Los Angeles Community College District; now, therefore, be it

RESOLVED, That the Personnel Commission and the Board of Trustees of the Los Angeles Community College District do hereby commend the employees for their contributions and extend best wishes in their retirement.

SUMMARY OF RETIRED CLASSIFIED EMPLOYEES
February 1, 2013 – February 28, 2013

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 *Love	Jack	Sign Language Interpreter Specialist II	35	Trade-Tech
2 Santana	Sandra	Senior Facilities Assistant	26	District
3 *Villa	Bertha	Administrative Aide	20	Mission
4 *Jacobsmeier	Thomas	Vice President, Administrative Services	15	Valley

*Due to late processing, the following employees were not listed on previous report
Jack Love – Effective date of February 12, 2013
Bertha Villa – Effective date of February 27, 2013
Thomas Jacobsmeier – Effective date of February 7, 2013

Student Trustee Advisory Vote: Aye (Campos)
ADOPTED: 7 Ayes

Com. No. BT2. 2013 California Community College Trustees Board of Directors Election

Motion by Trustee Svonkin, seconded by Trustee Park, that the following individual(s) be elected to the CCCT Board of Directors for 2013:

1. *Cy Gulassa, Peralta CCD
2. *Louise Jaffe, Santa Monica CCD
3. *Isabel Barreras, State Center CCD
4. Garrett Yee, Ohlone CCD
5. Jeffrey Lease, San Jose-Evergreen CCD
6. Linda S. Wah, Pasadena Area CCD

*Incumbent

Student Trustee Advisory Vote: Aye (Campos)
ADOPTED: 7 Ayes

Com. No. BT3. Adopt the Legislative Committee's Recommendations (March 20, 2013)

President Veres noted the following amendment:

The following motion is presented by Legislative Committee members Candaele, Field, **and** Park, ~~and~~ **Santiago (Alternate):**

A. Support SB 4 (Pavley) Oil and Gas; Hydraulic Fracturing

This bill would define, among other things, the terms hydraulic fracturing and hydraulic fracturing fluid. This bill would require the Secretary of the Natural Resources Agency, on or before January 1, 2015, to cause to be conducted an independent scientific study on hydraulic fracturing treatments. The bill would require the division, on or before January 1, 2015, to adopt rules and regulations specific to hydraulic fracturing and require an operator to apply for a permit. The bill would make persons who violate specified provisions relating to hydraulic fracturing subject to a civil penalty of not less than \$10,000 and not to exceed \$25,000 per day per violation. The bill would allow moneys described above to be used for all costs associated with hydraulic fracturing including scientific studies required to evaluate the treatment, inspections, and any air and water monitoring and testing performed by public entities. This bill would require the supervisor, on or before January 1, 2016, and annually thereafter, to transmit to the Legislature and make available publicly a comprehensive report on hydraulic fracturing in the exploration and production of oil and gas resources in the state.

- B. Support SB 284 (De León) Income Taxes: Credits: Contributions to Education Funds
 This bill, under the Personal Income Tax Law and the Corporation Tax Law, for taxable years beginning on or after January 1, 2014 and before January 1, 2017, would allow a credit equal to a certain percentage of a contribution to the College Access Tax Credit Fund, established by this bill, for specified education purposes, as provided. This bill would specify that the aggregate amount of credit that may be allocated under both laws shall not exceed \$500 million for each calendar year.
- C. Support SB 285 (De León) Student Financial Aid: Cal Grant Program
 This bill would appropriate, without regard to fiscal years, an amount certified by the Student Aid Commission as available for expenditure from the College Access Tax Credit Fund to the commission for distribution to students to supplement Cal Grant B access cost awards to bring those students' total annual awards for access costs to not more than \$5,000 from the current limit of \$1551 annually.
- D. Oppose AB 955 (Williams) Community Colleges: Intersession Extension Programs
 This bill would authorize the governing board of any community college district to maintain an extension program offering credit courses during summer and winter intersessions. The bill would provide that an extension program established under the bill may include any courses that are part of a course of study leading to a certificate, degree, or transfer to an institution that awards baccalaureate degrees.
- E. Oppose AB 450 (Jones-Sawyer and Bocanegra) Postsecondary Education; Community College Trustee Areas
 Existing law requires members of the governing board of the Los Angeles Community College District to be elected a large in odd-numbered years in a specified manner, except as specified commencing with the 2013 election. This bill, instead, would require the Board of Trustees of the Los Angeles Community College District to establish 7 trustee areas in the district by July 1, 2014, and would require members of the board of trustees to be elected by trustee area, as specified.

Background: The Board's Legislative Committee met on March 20, 2013 and after full discussion, voted to support SB 4, SB 284, and SB 285 and to oppose AB 955 and AB 450.

Motion by Trustee Field, seconded by Student Trustee Campos, to adopt Com. No. BT3. as amended.

Student Trustee Advisory Vote: Aye (Campos)
 ADOPTED AS AMENDED: 7 Ayes

Com. No. BT4. Adopt the Legislative Committee's Recommendations (April 3, 2013)

President Veres noted the following amendments:

The following motion is presented by Legislative Committee members Candaele, and Field, ~~Park, and Santiago (Alternate):~~

- A. **Oppose** SB 520 (Steinberg) as proposed to be amended. The measure, as proposed to be amended, would provide that students could get credit for online courses. While the specific amendments have not been released, the discussion has been that the measure would provide for the application of credit from approved massive online courses.
- B. **Support** SCA 3 (Hill, Leno, Pavley) would condition the imposition, extension, or increase of a parcel tax by a school district, community college district, or county office of education upon the approval of 55 percent of its voters voting on the proposition.
- C. **Support** AB 13 (Chavez and Quirk-Silva) would exempt former members of the Armed Forces, who were honorably discharged or released from active duty within the immediately prior year, from paying nonresident tuition at the California State University and California Community Colleges.

- D. **Support** AB 1100 (Levine) would remove a cap on the amount of reimbursements community colleges can receive for discounted telecommunications services through the California Public Utilities Commission's (CPUC) California Teleconnect Fund.
- E. **Support** SB 39 (De León and Steinberg) would require the Office of Public School Construction, in consultation with the State Energy Resources Conservation and Development Commission and the Public Utilities Commission, to establish a school district assistance program to distribute grants, on a competitive basis, for energy efficiency upgrade projects pursuant to the California Clean Energy Jobs Act. The bill would require the office, in consultation with the State Energy Resources Conservation and Development Commission, to establish a program to evaluate the potential to fund energy efficiency and clean energy projects for schools, including colleges and universities, through the use of matching funds, low-interest loans, or other financing methods.
- F. **Support** AB 1348 (Perez) would repeal the provisions establishing and providing for the duties of CPEC and would establish the California Higher Education Authority, under the administration of a 13 member board of directors. The bill would set forth the responsibilities of the authority relating to public and private postsecondary education in this state. Among other duties, the authority would be responsible for developing, presenting and monitoring post-secondary education goals for the state. The authority would make recommendations about how to improve the performance of the post-secondary segments. It would also develop and recommend strategic finance policy to the Governor and the Legislature on topics including, but not limited to, the allocation of state appropriations among the post-secondary education segments, student fee policy, and student financial aid. The authority would act as the primary source of information for the Legislature, the Governor, and other agencies.

Motion by Student Trustee Campos, seconded by Trustee Candaele, to adopt Com. No. BT4. as amended.

Student Trustee Advisory Vote: Aye (Campos)
ADOPTED AS AMENDED: 7 Ayes

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Comments from the Chancellor Regarding District Activities and Upcoming Issues

Chancellor LaVista presented comments regarding topics of relevance to the LACCD.

LACCD Strategic Plan: East Los Angeles College Presentation Aligning District and College Objectives Toward Student Completion

A document entitled "ELAC Innovation – Advancing the way we serve students" was distributed.

Chancellor LaVista introduced Mr. Herzek.

Mr. Herzek gave a PowerPoint presentation and discussed the document with respect to the first steps of a multi-year systemic approach to provide ELAC students with the highest quality of instruction and student support services.

President Veres initiated a question and answer session regarding the presentation.

CONSENT CALENDAR

Matters Requiring a Majority Vote

President Veres entertained a motion to adopt the Consent Calendar on Matters Requiring a Majority Vote as amended.

Motion by Trustee Svonkin, seconded by Trustee Park, to adopt the Consent Calendar on Matters Requiring a Majority Vote as amended.

President Veres requested that Board members identify items about which they had questions.

Discussion was requested regarding Com. No. BSD1. Ratifications for Business Services Item L. Service Agreements, Agreement Numbers 4500134164 and 4500183460 and Com. No. FPD1. Facilities Planning and Development Routine Report Roman Numeral XI. Authorize Purchase Orders.

President Veres indicated that the Student Trustee's vote would not apply to HRD1., ISD2., PC1., and the Correspondence.

Com. No. BF1. Budget Revisions and Appropriation Transfers

Com. No. BSD1. Ratifications for Business Services (with the exception of Item L. Service Agreements, Agreement Numbers 4500134164 and 4500183460)

Com. No. BSD2. Business Services Routine Report

With respect to Roman Numeral IV. Authorize Contract for Executive Search Firm, Trustee Svonkin noted for the record that the process to search for a new Chancellor is underway.

Com. No. FPD1. Facilities Planning and Development Routine Report (with the exception of Roman Numeral XI. Authorize Purchase Orders)

Dr. Adriana D. Barrera, Deputy Chancellor, noted the following amendment:

Com. No. FPD1 – Resource Document

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II. AUTHORIZE AMENDMENT TO PROFESSIONAL SERVICE AGREEMENTS

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C. Action

Authorize an agreement with AECOM Technical Services, Inc. to provide program management services for Proposition A/AA and Measure J Bond Program from April 4, 2013 through April 3, 2018 at a cost not to exceed \$ 94,617,987 inclusive of eligible reimbursable expenses.

Background

Program management services for the Proposition A/AA and Measure J Bond program have been provided from inception of the Bond Program. The previous five (5) year contract expired April 11, 2012. On April 12, 2012 the District issued a short term program management contract to URS Corporation which expires April 30, 2013. This timeframe allowed revisions to the program management agreement to be completed and a new competitive selection process to be conducted.

On October 3, 2012 a Request for Proposals was posted. The District received proposals from three (3) firms. Extensive evaluations were conducted and the three (3) firms were invited to interviews. The Executive Director of Facilities Planning and Development then entered into negotiations with the top ranked firm. As a result, the Executive Director of Facilities Planning and Development and the Chancellor are recommending that the Board of Trustees authorize a contract with AECOM Technical Services, Inc. to provide these services.

Funding is through **Proposition A/AA and** Measure J Bond proceeds. Program Management 40J5J90.05. All Phases.

Com. No. FPD2. Authorize Master Service Agreements

Com. No. HRD1. Personnel Services Routine Actions

Com. No. ISD1. Approval of Educational Programs and Courses

Trustee Field commended the LACCD faculty, support staff, and administration for their efforts in developing the educational programs and courses that benefit the students.

Com. No. ISD2. Authorization of Student Travel

Com. No. PC1. Personnel Commission Action

Correspondence

Student Trustee Advisory Vote: Aye (Campos)
ADOPTED AS AMENDED: 7 Ayes

Com. No. BSD1. Ratifications for Business Services Item L. Service Agreements, Agreement Numbers 4500134164 and 4500183460

Motion by Trustee Svonkin, seconded by Student Trustee Campos, to adopt Com. No. BSD1. Item L. Agreement Numbers 4500134164 and 4500183460.

Trustee Svonkin indicated that these two items have to do with mobile phones and that he would like to make sure the District has a master agreement with AT&T Mobility to provide these phones.

Student Trustee Advisory Vote: Aye (Campos)
ADOPTED: 7 Ayes

Com. No. FPD1. Facilities Planning and Development Routine Report, Roman Numeral XI. Authorize Purchase Orders

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. FPD1. Roman Numeral XI.

Trustee Svonkin requested clarification regarding Items A. and B. as they relate to the cost effectiveness of the Voice Internet Protocol (VoIP) projects at Los Angeles Pierce College (LAPC) and Los Angeles Valley College (LAVC).

Mr. Jorge Mata, Chief Information Officer, Information Technology, explained the VoIP projects and indicated that these projects will result in a cost savings for the District.

Student Trustee Advisory Vote: Aye (Campos)
ADOPTED: 7 Ayes

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With respect to Com. No. FPD1. Roman Numeral II. Authorize Professional Service Agreements Item C., which was adopted as part of the Consent Calendar, President Veres noted for the record that the Board approved the selection of AECOM Technical Services, Inc. as the new Building Program Manager for the District. He expressed his appreciation to everyone who participated in the evaluation process that resulted in this selection.

Trustee Svonkin expressed his appreciation to the leadership of the District for their efforts in implementing this agreement. He requested that a status report be provided by AECOM Technical Services, Inc. in 90 days so that the Board can determine what needs to be done in order to move towards implementing and completing the bond program as promised to the public.

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Matters Requiring a Super Majority Vote

Com. No. BSD3. Ratify Lease of District Facilities

Motion by Trustee Field, seconded by Student Trustee Campos, to adopt Com. No. BSD3.

There was discussion regarding Com. No. BSD1. with respect to the agreement with Brandman University to lease office facilities at West Los Angeles College for the purpose of providing upper-division curriculum for its students.

Student Trustee Advisory Vote: Aye (Campos)
ADOPTED: 7 Ayes

RECOMMENDATIONS FROM THE CHANCELLOR

None.

NOTICE REPORTS AND INFORMATIVES

Com. No. HRD/A. [Collective Bargaining Informative] Initial Proposal of the Service Employees International Union, Local 99 to the Los Angeles Community College District Regarding Reopener on Compensation Issues of the Collective Bargaining Agreement for 2012-2013

Presented by Chancellor LaVista.

Com. No. HRD/B. [Collective Bargaining Notice] District's Initial Proposal to the Exclusive Representatives of the Service Employees International Union, Local 99 Regarding Reopener on Compensation Issues of the Collective Bargaining Agreement for 2012-2013

Noticed by Chancellor LaVista.

Com. No. ISD/A. [Informative] Notification of Student Travel

Presented by Chancellor LaVista.

Com. No. ISD/B. [Notice] Amend Board Rule 18110 – Guidelines for Implementation

Noticed by Chancellor LaVista.

Trustee Field requested that a brief presentation be given regarding this item when it is presented for action at the next regularly scheduled Board meeting.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS BY MEMBERS OF THE BOARD OF TRUSTEES

None.

REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – CLOSED SESSION AGENDA MATTERS

None.

RECESS TO CLOSED SESSION

There being no objection, the regular meeting recessed to Closed Session at 3:32 p.m.

(Trustee Park and Student Trustee Campos left at 3:35 p.m.)

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 5:57 p.m. with President Steve Veres presiding.

All of the Board members were present with the exception of Trustee Park and Student Trustee Campos.

Chancellor Daniel J. LaVista was present.

Report of Actions Taken in Closed Session – April 3, 2013

President Veres indicated that the Board is required to report certain matters determined during Closed Session.

The Board reports that it voted to accept a settlement in lieu of termination of an employee. A copy of the agreement is available from Michael Shanahan, Senior Associate Vice Chancellor, Human Resources. The vote was four in favor, with Trustee Park absent and Trustees Santiago and Svonkin voting no.

The Board took no further actions required to be reported.

ADJOURNMENT

There being no objection, the regular meeting was adjourned at 6:00 p.m.

DANIEL J. LAVISTA
Chancellor and Secretary of the Board of Trustees

By: *Laurie Green*
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Steve Veres
Steve Veres
President of the Board

Date May 1, 2013



Board of Trustees

LOS ANGELES COMMUNITY COLLEGE DISTRICT
770 Wilshire Boulevard, Los Angeles, CA 90017 213/891-2000

AGENDA

ATTACHMENT A

CLOSED SESSION

Wednesday, April 3, 2013

**East Los Angeles College
Room G1 301C Admin. Bldg.
1301 Avenida Cesar Chavez
Monterey Park, CA 91754**

- I. Public Employee Appointment**
(pursuant to Government Code section 54957)
 - A. Position: Chancellor
 - B. Position: College Presidents
- II. Public Employee Evaluation**
(pursuant to Government Code section 54957)
 - A. Position: College Presidents
 - B. Position: Vice Chancellors
 - C. Position: Deputy Chancellor
 - D. Position: General Counsel
- III. Public Employee Discipline/Dismissal/Release/Charges/Complaints**
(pursuant to Government Code section 54957)
- IV. Conference with Legal Counsel - Existing Litigation**
(pursuant to Government Code section 54956.9(a))
 - A. *Van de Kamps Coalition v. LACCD*
 - B. *LACCD v. Constantino Gabrie*
 - C. *Charles Littles v. LACCD*

Closed Session
April 3, 2013
Page 2

D. Jacqueline Hall v. LACCD

E. Carlos Perez v. LACCD

F. Christian Daly v. LACCD

G. LACCD v. RROS dba Studios Architecture

V. Conference with Legal Counsel - Anticipated Litigation
(pursuant to Government Code section 54956.9(b))

A. Potential litigation – 1 matter