

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – ANNUAL ORGANIZATIONAL AND REGULAR MEETING

Wednesday, July 10, 2013 • 2:00 p.m.

East Los Angeles College

Performing and Fine Arts Complex S2 – Recital Hall

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

The annual organizational and regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 2:15 p.m. with President Steve Veres presiding.

On roll call the following members were present: Mona Field, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Michael J. Griggs was present.

Interim Chancellor Adriana D. Barrera was present.

Trustee Svonkin led the Pledge of Allegiance to the Flag.

* * *

There being no objection, President Veres took out of order Welcoming Remarks.

WELCOMING REMARKS BY MARVIN MARTINEZ, PRESIDENT, EAST LOS ANGELES COLLEGE

President Veres introduced Mr. Martinez, President, East Los Angeles College (ELAC).

Mr. Martinez welcomed everyone to ELAC. He welcomed newly elected Board members Eng and Moreno and congratulated Trustee Pearlman on her reelection. He introduced the following individuals from ELAC:

Dr. Richard Moyer, Vice President, Academic Affairs; Ms. Laura M. Ramirez, Acting Vice President, Workforce Development; Mr. Tom Furukawa, Vice President, Administrative Services; Mr. Alex Immerblum, Academic Senate President; Mr. Jeffrey Hernandez, Academic Senate Vice President; Dr. Armida Ornelas, AFT Chapter President; Ms. Laura E. Ramirez, AFT Staff Chapter Chair; Mr. Alex Almeida, Representative, SEIU Local 721; Mr. Filiberto Barajas and Mr. Paul Valdez, Representatives, SEIU Local 99; Mr. Chris Holbert, Representative, Building and Construction Trades Council; and Mr. Jesse Orellana, ASU President.

Mr. Martinez expressed his appreciation for his appointment as President of ELAC.

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President Veres reported that on July 3, 2013, Interim Chancellor Barrera was informed that the Accrediting Commission for Community and Junior Colleges (ACCJC) voted and approved reaffirmation for Los Angeles Harbor College (LAHC), Los Angeles Pierce College (LAPC), and West Los Angeles College (WLAC). He indicated that three other colleges—Los Angeles Mission College (LAMC), Los Angeles Southwest College (LASC), and Los Angeles Valley College (LAVC)—received a warning, which is the lightest type of infraction that the ACCJC can offer. He indicated that each of these colleges has a plan of action to come to full accreditation. He expressed his appreciation to the faculty, staff, and administrators at all of the colleges for their continued commitment to accreditation.

OATH OF OFFICE

President Veres introduced The Honorable Paul Koretz, Los Angeles City Council Member, District 5.

Councilman Koretz administered the Oath of Office to Trustee-elect Nancy Pearlman.

President Veres introduced Mr. John Chiang, California State Controller.

Mr. Chiang administered the Oath of Office to Trustee-elect Mike Eng.

President Veres introduced The Honorable Gloria Molina, Los Angeles County Supervisor, 1st District.

Supervisor Molina administered the Oath of Office to Trustee-elect Ernest H. Moreno.

Trustee Pearlman expressed her appreciation for the support she received during her reelection campaign. She introduced her friends who were in attendance for her swearing-in ceremony.

Trustee Eng indicated that he is looking forward to the task of ensuring student success for the people that he was elected to serve. He expressed his appreciation to Mr. Chiang for administering his Oath of Office.

Trustee Moreno expressed his appreciation to Supervisor Molina for administering his Oath of Office and indicated that she is a graduate of ELAC. He discussed his educational and employment background. He emphasized the importance of providing quality training and education for all LACCD students. He expressed his appreciation to everyone who supported him during his election campaign.

RECESS

There being no objection, the annual organizational and regular meeting recessed to a reception at 3:00 p.m.

RECONVENE PUBLIC SESSION

The public session reconvened at 3:29 p.m. with President Veres presiding.

The following members were present: Mike Eng, Mona Field, Ernest H. Moreno, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Michael J. Griggs was present.

Interim Chancellor Adriana D. Barrera was present.

President Veres expressed his appreciation to Ms. Carol Justiniano and Ms. Lupe Orozco for their administrative support. He also thanked the administrators, the College Presidents, and the representatives of the various collective bargaining units for their support during his term as Board President.

Trustees Svonkin, Santiago, and Pearlman expressed their appreciation to President Veres for his outstanding leadership.

President Veres expressed his appreciation to Trustees Svonkin and Santiago for chairing the Finance and Audit Committee and the Capital Construction Committee respectively during the past year.

ELECTION OF OFFICERS: PRESIDENT AND VICE PRESIDENT(S)

President Veres declared that nominations were open for the position of President of the Board of Trustees for 2013-2014. He stated that a second is not required under *Robert's Rules of Order*.

Trustee Pearlman nominated Trustee Field.

President Veres nominated Trustee Santiago.

There being no further nominations, President Veres declared the nominations closed.

Trustee Field welcomed Trustees Eng and Moreno to the Board. She discussed her qualifications for serving as Board President and requested the support of her colleagues.

Trustee Santiago requested that the Board members make their best judgment with respect to voting for the Board President.

Trustee Pearlman indicated that she would prefer to have well-established leadership that understands the needs of the District and can devote 100 percent of the time to the District.

On behalf of Trustee Santiago, Trustee Svonkin indicated that his vote would be about reform, leadership that has been shown during the time he has been on the Board, and cooperation with fellow Board members.

Ms. Camille Goulet, General Counsel, requested that each Trustee articulate the candidate for whom he or she is voting.

President Veres requested that the Trustees indicate their vote by a roll call.

The following votes were recorded: Student Trustee Advisory Vote: Santiago (Griggs)
Field: 2 votes (Field, Pearlman)
Santiago: 5 votes (Eng, Moreno, Santiago, Svonkin, Veres)

President Veres relinquished the gavel to President-elect Santiago.

President Santiago declared that nominations were open for the position of First Vice President of the Board of Trustees for 2013-2014. He stated that a second is not required under *Robert's Rules of Order*.

Trustee Pearlman nominated Trustee Field.

Trustee Moreno nominated Trustee Svonkin.

There being no further nominations, President Santiago declared the nominations closed. He requested that the Trustees indicate their vote by a roll call.

Trustees Field and Svonkin expressed their appreciation for the nominations.

The following votes were recorded: Student Trustee Advisory Vote: Svonkin (Griggs)
Field: 2 votes (Field, Pearlman)
Svonkin: 5 votes (Eng, Moreno, Santiago, Svonkin, Veres)

Ms. Goulet indicated that the Board Rules require that a motion be entertained to elect a Second Vice President of the Board. She stated that this motion would require a second. She indicated that this motion would require a majority vote. If this motion passes, the Board would proceed to an election for the Second Vice President. If the motion fails, there will be no Second Vice President for the next year.

President Santiago entertained a motion to elect a Second Vice President of the Board for 2013-2014.

Motion by Trustee Pearlman, seconded by Trustee Field, to elect a Second Vice President of the Board for 2013-2014.

Student Trustee Advisory Vote: Aye (Griggs)
FAILED: 2 Ayes (Field, Pearlman)
4 Noes (Eng, Moreno, Svonkin, Veres)
1 Abstention (Santiago)

APPROVAL OF MINUTES

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

Regular Meeting and Closed Session – June 12, 2013
Regular Meeting and Closed Session – June 26, 2013

Student Trustee Advisory Vote: Aye (Griggs)
APPROVED: 5 Ayes (Field, Pearlman, Santiago, Svonkin, Veres)
2 Abstentions (Eng, Moreno)

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals addressed the Board from the Resource Table:

Ms. Velma Butler, President, AFT College Staff Guild; Ms. Diva Sanchez, SEIU Local 99; Ms. Joanne Waddell, President, Los Angeles College Faculty Guild; Mr. Jesse Orellana, ASU President, ELAC, and Student Representative at the Resource Table; and Ms. Angela Echeverri, Secretary, District Academic Senate.

ANNOUNCEMENTS FROM THE COLLEGE PRESIDENTS

None.

PUBLIC AGENDA REQUESTS

Oral Presentations

President Santiago read the cautionary language for speakers and their personal responsibility and, potentially, personal liability for defamatory remarks.

Scheduled speakers Mr. Jeffrey Hernandez and Mr. Kristopher Kale were not present.

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

None.

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 Svonkin, seconded by Trustee Field, to adopt Com. No. BT2. 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

<u>Last Name</u>	<u>First Name</u>	<u>Job Classification</u>	<u>Years of Service</u>	<u>Location</u>	<u>Retirement Date</u>
Singer	Alan	Instructional Assistant Industrial Technology	41	Trade-Tech	6/4/13
David	Myrna	Office Assistant	23	Pierce	5/31/13
Meldrum	Melody	Office Assistant	22	City	6/29/13
Eisner	Rhonda	Instructional Assistant, Language Arts	17	Valley	6/15/13

Student Trustee Advisory Vote: Aye (Griggs)

ADOPTED: 7 Ayes

Trustee Svonkin expressed his appreciation to the above-listed classified employees for their service.

Com. No. BT2. Conference Attendance Ratification/Authorization

Trustee Veres indicated that due to illness, he was unable to attend the Dr. John W. Rice Diversity & Equity Awards ceremony on July 9, 2013. Therefore, he requested that this item be withdrawn as follows:

~~**A. Ratify payment of necessary expenses for Steve Veres, member of this Board of Trustees, to have attended the Dr. John W. Rice Diversity & Equity Awards ceremony (California Community Colleges) held on July 9, 2013 in Sacramento, California.**~~

~~**Background: To be funded by the Office of Diversity Programs, Los Angeles Community College District Office.**~~

Withdrawn.

B. Authorize payment of necessary expenses for Michael J. Griggs, student member of this Board of Trustees, to attend the Community College League of California Student Trustees Workshop to be held on August 16-17, 2013 in Garden Grove, California.

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. BT2. as amended.

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

Com. No. BT3. Appoint Community Members to Chancellor Search Committee

Motion by Trustee Eng, seconded by Trustee Svonkin, to adopt Com. No. BT3.

Trustee Veres indicated that the two community members—Mr. Raymond Cheng and Mr. David Rattray—are well qualified to serve on the Chancellor Search Committee and are looking forward to participating in the search process.

Trustee Eng commended Mr. Cheng on his appointment. He inquired as to the status of the other appointments to the Chancellor Search Committee.

Interim Chancellor Barrera responded that the Committee is fully comprised. She indicated that she would provide the Board members with a list of the Search Committee members following the Board meeting.

ADOPTED: 7 Ayes

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Comments from the Chancellor Regarding District Activities and Upcoming Issues

Interim Chancellor Barrera welcomed Trustees Eng and Moreno to the Board and welcomed back Trustee Pearlman. She indicated that she was unable to attend the Dr. John W. Rice Diversity & Equity Awards ceremony on July 9, 2013. She announced that at this ceremony in Sacramento, the LACCD Project MATCH program was one of the two recipients of the Dr. John W. Rice Diversity & Equity awards. She acknowledged Mr. Gene Little, Director, Diversity Programs; Ms. Lisa Winter, Program Manager; and Mr. David Beaulieu, Vice President, District Academic Senate for their efforts on behalf of Project MATCH. She indicated that Dr. Rice is the father of former Secretary of State Condoleezza Rice.

CONSENT CALENDAR

Matters Requiring a Majority Vote

Motion by Trustee Field, seconded by Trustee Moreno, to adopt the Consent Calendar on Matters Requiring a Majority Vote.

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

Discussion was requested regarding Com. No. BSD2. Business Services Routine Report, Com. No. FPD1. Facilities Planning and Development Routine Report, and Com. No. PC1. Personnel Commission Actions.

President Santiago indicated that Com. Nos. BSD2., FPD1., and PC1. are separated for the vote.

It was noted that the Student Trustee's vote would not apply to HRD1., PC1., and the Correspondence.

Com. No. BF1. Budget Revisions and Appropriation Transfers

Com. No. BSD1. Ratifications for Business Services

Com. No. FPD2. Authorize Master Procurement Agreements

Com. No. HRD1. Personnel Services Routine Actions

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

Correspondence

Student Trustee Advisory Vote: Aye (Griggs)

ADOPTED WITH THE EXCEPTION OF COM. NOS. BSD2., FPD1., AND PC1.: 7 Ayes

Com. No. BSD2. Business Services Routine Report

With respect to Roman Numeral III. Ratify Service Agreements Item B. as it relates to an agreement with Phoenix Business Consulting to provide project and application support for the Office of Information Technology, Trustee Moreno inquired as to why the total contract amount is being increased by \$321,150 and what type of services are being provided.

Mr. Jorge Mata, Chief Information Officer, Information Technology, responded that the services being provided are predominantly programming and the development of new applications. He indicated that the total contract amount of \$3.5 million is from the inception of this contract, which began in 2009. He further indicated that the increase amount of \$321,150 is for six months. He stated that if personnel are hired within Information Technology before the end of the year, the contract would be terminated.

Interim Chancellor Barrera indicated that Com. No. PC1., if adopted, would establish several new SAP system related classifications that would eliminate the need for outside support. She indicated that any funds left over from the contract would be used for the salaries of these positions.

Student Trustee Advisory Vote: Aye (Griggs)

ADOPTED: 5 Ayes (Eng, Field, Pearlman, Santiago, Veres)

2 Noes (Moreno, Svonkin)

Com. No. FPD1. Facilities Planning and Development Routine Report

With respect to the Resource Document Roman Numeral XIII. Ratify Assumption of Lease as it relates to a lease agreement from Taisei Construction Company with Williams Scotsman, Inc. for one modular building, to provide continued temporary swing space facilities at Los Angeles Pierce College, Trustee Eng inquired if the total of \$7,110 plus applicable taxes is the amount that the District is required to pay but for the action of the construction company.

Mr. James D. O'Reilly, Chief Facilities Executive, Facilities Planning and Development, responded that this is the assumption of a lease from a general contractor that the District is in negotiations with on this particular project. He indicated that this is a sixth project being added on to five other projects for which the Board of Trustees has already approved assumptions of leases.

Student Trustee Advisory Vote: Aye (Griggs)

ADOPTED: 7 Ayes

Com. No. PC1. Personnel Commission Actions

With respect to the establishment of new SAP system-related classifications, Trustee Eng inquired if these are new positions that would require new personnel or if they are existing positions and the salaries are just being upgraded. He also inquired as to how many of each and whether there is an aggregate total additional cost to this Board action.

Interim Chancellor Barrera responded that for the first classification in this Board item—Team Leader, SAP ABAP Programming—there is an individual in place, but the job title for that position is different. She stated that this item would include an increase in that individual's salary. She stated that these are all new classifications, but there are existing personnel except for the Assistant SAP ABAP Programmer and the SAP Quality Assurance Analyst. She further stated that for the SAP Quality Assurance Analyst, the salary would be paid using monies from an existing contract.

Ms. Karen Martin, Director, Personnel Commission, indicated that there are six employees who will be impacted and the salaries for three of these employees will be decreased. She indicated that the Board of Trustees is being asked to approve a star rated salary, which would allow them to retain their salary for 39 months. She indicated that the other three employees will receive an increase and the cost of that increase will be approximately \$16,000 for the three employees for the remainder of the 2013-14 fiscal year.

Trustee Veres requested that Com. No. PC1. be withdrawn until a comprehensive presentation can be made regarding the SAP system with respect to the establishment of new classifications and how much they would cost the District.

Trustee Svonkin concurred with Trustee Veres' request to withdraw Com. No. PC1.

Trustee Moreno requested information regarding exactly how much this is costing the District, how many individuals the District is employing in Information Technology, their responsibilities and duties and how these relate to the contracting piece, what they are doing relative to the whole picture and what they are going to be replaced with internally, how much this is costing the District per FTES with respect to the entire package, and how the District fares relative to other districts.

Ms. Martin indicated that Roman Numeral I. Establishment of New Classifications Items B. and C. are unrelated to the SAP system and requested that these items be allowed to move forward.

President Santiago indicated that Roman Numeral I. Items B. and C. would be voted on.

I. Establishment of New Classifications, Items B. and C.

ADOPTED: 7 Ayes

The following items were withdrawn:

I. Establishment of New Classifications, Item A

II. Salary Reallocation of Existing SAP System Related Job Classifications

III. Classification Studies of SAP System Related Positions

Withdrawn.

Matters Requiring a Super Majority Vote

Com. No. BF2. 2012-2013 Budget Adjustments to Income/Appropriations

Motion by Trustee Field, seconded by Trustee Veres, to adopt Com. No. BF2.

Trustee Eng inquired as to what would happen to the \$22.3 million if the Board does not vote to reduce the income and appropriations by this amount. He inquired as to whether other community college districts in California are dealing with similar issues.

Ms. Jeanette Gordon, Chief Financial Officer/Controller, responded that every community college district in the state is faced with this problem and how they handle it depends on the location. She indicated that the other alternative the District had was to reduce college budgets at this time. She stated that because the District has contingency reserves, this money can be used in order to prevent any impact on the college budgets.

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

RECOMMENDATIONS FROM THE CHANCELLOR

None.

NOTICE REPORTS AND INFORMATIVES

Com. No. BT/A. [Notice] Amend 2013-2014 Board Meeting Calendar

Noticed by Interim Chancellor Barrera.

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

Trustee Svonkin requested that the Board meeting be adjourned in memory of the firefighters who lost their lives during the wildfire in Arizona.

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

None.

RECESS TO CLOSED SESSION

There being no objection, the annual organizational and regular meeting recessed to Closed Session at 5:01 p.m.

RECONVENE PUBLIC SESSION

The public session reconvened at 5:57 p.m. with President Miguel Santiago presiding.

All of the Board members were present with the exception of Trustees Field and Pearlman and Student Trustee Griggs.

Interim Chancellor Adriana D. Barrera was present.

Report of Actions Taken in Closed Session – July 10, 2013

President Santiago indicated that The Ralph M. Brown Act requires public session reporting of certain matters that were decided during Closed Session.

With regard to Taisei Construction Company v. LACCD, the Board of Trustees approved the filing of a cross-complaint against Taisei. The vote was unanimous.

The Board took no further actions required to be reported.

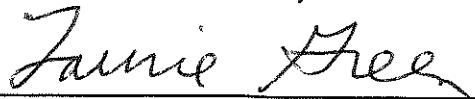
ADJOURNMENT

Motion by Trustee Moreno, seconded by Trustee Svonkin, to adjourn in the memory of the Arizona firefighters.


Without objection, so ordered.

The annual organizational and regular meeting adjourned at 6:00 p.m.

ADRIANA D. BARRERA
Interim Chancellor and Secretary of the Board of Trustees

By: 
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:


Miguel Santiago
President of the Board

Date August 7, 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, July 10, 2013

East Los Angeles College

Performing & Fine Arts Complex S1 – Vincent Price Art Museum (VPAM)

Conference Room 201

1301 Avenida Cesar Chavez
Monterey Park, CA 91754-6099

I. Public Employee Employment

(pursuant to Government Code section 54957)

A. Position: Chancellor

II. Conference with Labor Negotiator

(pursuant to Government Code section 54957.6)

A. District Negotiators: Adriana D. Barrera

Employee Units: All Units

All Unrepresented Employees

B. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Building and Construction Trades

C. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Academic Administrators

D. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Clerical/Technical

E. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Supervisory

F. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Local 99

G. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Faculty

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. Taisei Construction Corporation v. LACCD

B. Sinanian Development, Inc. v. LACCD

C. Anning-Johnson Company v. FTR, LACCD, et al.

D. Hirsch Pipe and Supply Co., v. FTR, LACCD, et al.

E. Oxnard Building Materials v. FTR, LACCD, et al.

F. Premier Tile and Marble v. FTR, LACCD, et al.

G. Robertson's Ready Mix Ltd. v. FTR, LACCD, et al.

H. United Electric Supply v. FTR, LACCD, et al.

I. Atom Construction v. JM., Montoya, LACCD, et al.

J. LACCD v. Teresa Grenot

K. City of Carson and City of Lynwood v. State of California, et al.

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

A. Claim for delay damages for construction at Los Angeles Trade-Technical College