

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, April 30, 2014 • 3:30 p.m.
Educational Services Center • Board Room
770 Wilshire Boulevard • Los Angeles, California 90017

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 3:36 p.m. with President Miguel Santiago 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.

Trustee Pearlman led the Pledge of Allegiance to the Flag.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals reported from the Resource Table:

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, Local 1521; Mr. LaMont Jackson, ASO President, Los Angeles Southwest College, and Student Representative at the Resource Table; and Mr. Jim Adams, Council Representative, Los Angeles/Orange Counties Building and Construction Trades Council.

ANNOUNCEMENTS FROM COLLEGE PRESIDENTS

Dr. Monte E. Perez, President, Los Angeles Mission College (LAMC), announced that the Western Conference Championship LAMC Baseball Team will be playing the first game of the California Community College Athletic Association (CCCCAA) Baseball Southern Regional playoffs against Saddleback College on Friday, May 2, 2014 at 2:00 p.m. at LAMC.

PUBLIC AGENDA REQUESTS

Oral Presentations

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

Ms. Marisa Silva, Mr. Andres Aquino, and Mr. Callan Flowers addressed the Board regarding the negative impact of the campus food truck on the Los Angeles Harbor College (LAHC) Culinary Arts Program.

Dr. Zachary Knorr addressed the Board regarding changes in teaching jobs over the years.

Ms. Phyllis Eckler addressed the Board regarding adjunct faculty issues. She distributed a copy of her remarks.

Ms. Carole Anderson addressed the Board regarding faculty issues.

Mr. James Bradley addressed the Board regarding the importance of providing the adequate custodial staffing that is necessary to maintain a safe environment at the colleges.

Proposed Actions

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

Trustee Veres reported on the Institutional Effectiveness & Student Success Committee meeting.

Trustee Veres reported on the Facilities Master Planning & Oversight Committee meeting.

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.

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. Nos. BT1., BT2., and BT3.

Com. No. BT1. Adopt Revisions to Board Rules Chapter XI – Personnel Commission

With respect to Board Rule 11104. Salary Schedules, Ms. Sandra Lepore, Executive Secretary, AFT College Staff Guild, Local 1521A, requested that the collective bargaining units be notified of any changes to the salary schedules so that they have an opportunity to respond.

President Santiago indicated that the Board would adopt these Board Rules as presented and will consider any proposed amendments at a later date.

Trustee Eng recommended that Com. No. BT1. be withdrawn until the regularly scheduled Board meeting of May 14, 2014 in order to consider revising the Board Rules to incorporate language that would address Ms. Lepore's concerns.

Trustee Field concurred with Trustee Eng's recommendation and requested that Interim Chancellor Barrera be directed to incorporate any suggested amendments into these Board Rules.

Motion by Trustee Eng, seconded by Trustee Field, to withdraw Com. BT1. and refer the Board Rules to the Ad Hoc Committee on Personnel Commission for the purpose of amending the language.

It was decided that the discussion regarding amendments to the Board Rules would be done via a conference call among the members of the Ad Hoc Committee on Personnel Commission.

Without objection, so ordered.

President Santiago requested that any comments be submitted in writing to Interim Chancellor Barrera.

Trustee Field inquired as to whether a joint meeting between the Board of Trustees and the Personnel Commission would be scheduled in the near future.

Interim Chancellor Barrera responded that she is in the process of determining dates that would be appropriate for scheduling this meeting. She indicated that she has discussed this with Ms. Karen Martin, Director, Personnel Commission.

President Santiago requested that all comments regarding the Board Rules be summarized by Friday, May 2, 2014 at 4:00 p.m. so that Interim Chancellor Barrera can review this information by Monday, May 5, 2014.

Trustee Eng expressed his appreciation to Trustees Svonkin, Moreno, and Pearlman, members of the Ad Hoc Committee on Personnel Commission, for taking the time to review the Board Rules.

Com. No. BT1. was withdrawn until the regularly scheduled Board meeting of May 14, 2014.

Com. No. BT2. Resolution – Affirm Commitment to Protect Capital Investments through Understanding and Management of Total Cost of Ownership

The following resolution is presented by Trustees Veres and Svonkin:

- WHEREAS, Buildings are among the most expensive capital assets owned by the District and must be regularly maintained to operate properly, effectively, and efficiently; and
- WHEREAS, Building lifecycle costs include acquisition costs to build, buy, and/or lease; and
- WHEREAS, Building lifecycle costs include daily maintenance costs to perform cleaning, trash handling, gardening, and other activities; and
- WHEREAS, Building lifecycle costs include periodic maintenance costs to perform corrective, preventive, and predictive actions; and
- WHEREAS, Building lifecycle costs include utility costs that include electricity, gas, water, and sewer; and
- WHEREAS, Building lifecycle costs include capital renewal costs that include periodic replacement of major building components and utilities infrastructure such as HVAC (heating, ventilation and air conditioning), roofing, infrastructure, fire-life-safety code compliance, safety, streets, and tunnels; and
- WHEREAS, Building lifecycle costs include end-of-life costs that factor demolition for new construction or for major renovation; and
- WHEREAS, All of the above building lifecycle costs must be properly managed and staffed to maintain and protect the District's capital investments and equipment warranties; now, therefore, be it
- RESOLVED, That the District endeavors to ensure full value from its operations and maintenance resources by performing a cost-benefit analysis on facilities maintenance and operations activities; and be it further
- RESOLVED, That the District will implement effective and efficient management tools to measure and track the performance of its facilities so that it can provide a consistently high-quality environment Districtwide for students, faculty, and staff to teach, work, and learn; and be it further
- RESOLVED, That the District will create objective Districtwide criteria for cleanliness supported by a funding level that will provide adequate staffing and equipment to maintain appropriate safety and maintenance standards.

Ms. Diva Sanchez, Representative, SEIU Local 99, spoke in support of Com. No. BT2.

Ms. Lepore, Ms. Waddell, and Mr. Jackson also spoke in support of Com. No. BT2.

Com. No. BT3. Trustee Absence Ratification

Student Trustee Advisory Vote: Aye (Griggs)
COM. NOS. BT2. AND BT3. ADOPTED: 7 Ayes

CONSENT CALENDAR

Matters Requiring a Majority Vote

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

Com. No. BSD2. Business Services Routine Report

With respect to Roman Numeral I. Authorize Contract with the County of Los Angeles for Police Services as it relates to a joint powers agreement with the County of Los Angeles Sheriff's Department to provide police and security services for the District, Trustee Field indicated that she was not aware that the Sheriff's Department bills the colleges based upon the local crime rates. She recommended that the costs be based upon the individual college's crime rate as opposed to the crime rate for the surrounding area.

Interim Chancellor Barrera indicated that the staffing is currently dictated by the needs of the college. She indicated that Trustee Field's recommendation would be taken into consideration when the District works with the Sheriff's Department to develop the next multiyear contract.

Trustee Svonkin indicated that due to his being a former employee of the Sheriff's Department, he would not take part in the vote on the Consent Calendar.

(Trustee Svonkin left at 4:38 p.m.)

With respect to Roman Numeral II. Authorize Service Agreement as it relates to an agreement with KH Consulting Group to conduct a comprehensive Benchmark Survey (CBS) for faculty and dean positions, Ms. Lepore expressed her concern regarding the cost of this agreement and recommended that the District hire a temporary employee to conduct this survey.

Ms. Allison Jones, President, Administrators' Association, spoke in support of using the outside consultant to conduct the survey.

Dr. Albert J. Román, Vice Chancellor, Human Resources, indicated that the District does not have the resources to conduct the survey in-house and recommended that it be conducted by KH Consulting.

President Santiago indicated that Com. No. BSD2. Roman Numeral I. would be separated for the vote so that Trustee Svonkin could return and vote on the remaining items in the Consent Calendar.

Com. No. BSD2. Roman Numeral I.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 6 Ayes Absent: Trustee Svonkin

(Trustee Svonkin returned at 4:47 p.m.)

Com. No. BSD1. and Com. No. BSD2. with the exception of Roman Numeral I.

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

RECOMMENDATIONS FROM THE CHANCELLOR

None.

RECESS TO COMMITTEE OF THE WHOLE

There being no objection, the regular meeting recessed to the Committee of the Whole at 4:48 p.m.

President Santiago relinquished the gavel to Vice President Svonkin to chair the Committee of the Whole.

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.

Public Speakers

Public Speakers

None.

Presentations/Initiative Reviews

- Discussion on Ad Hoc Committee on Accreditation

Trustee Svonkin indicated that it is the recommendation of the Ad Hoc Committee on Accreditation to institutionalize the campus accreditation visits as part of an ongoing process. There being no objection, he indicated that the Board would allow the Institutional Effectiveness & Student Success Committee to take on this responsibility in the future.

Trustee Field indicated that the members of the Institutional Effectiveness & Student Success Committee need to be cognizant that a considerable amount of time would be invested in this process.

Trustee Svonkin indicated that the Institutional Effectiveness & Student Success Committee would be involved in reviewing accreditation documents and attending meetings on the campuses on a regular basis. He indicated that, there being no objection, a recommendation would be submitted to the next Chair of the Institutional Effectiveness & Student Success Committee that as part of the accreditation process, meetings will be held with the campus committees that conduct accreditation.

- Implementation of SB 1456

A document entitled "1456 Implementation: Who, What, When and How" was distributed.

Interim Chancellor Barrera introduced Ms. Bobbi Kimble, Interim Vice Chancellor, Educational Programs and Institutional Effectiveness.

Ms. Kimble gave a PowerPoint presentation and discussed the document with respect to recent academic changes, priority enrollment, and new mandatory services. She deferred to Mr. Farley Herzek, Interim President, Los Angeles Harbor College (LAHC).

Mr. Herzek continued the PowerPoint presentation and discussed the document with respect to the role of the colleges, the role of the District, and the joint role of the colleges and the District.

Dr. Yasmin Delahoussaye, Interim President, Los Angeles Southwest College (LASC), continued the PowerPoint presentation and discussed the document with respect to what the Student Success and Support Program (SSSP) Plan covers.

Ms. Phyllis Braxton, Interim Vice President, Student Services, West Los Angeles College (WLAC), continued the PowerPoint presentation and discussed the document with respect to the ideal pathway design and the big picture – college funding.

Interim Chancellor Barrera concluded the PowerPoint presentation and discussed the document with respect to student success pathway components to support completion.

A question and answer session was conducted regarding the presentation.

Other Business

None.

Adjournment

There being no objection, Vice President Svonkin adjourned the Committee of the Whole at 5:45 p.m.

Vice President Svonkin relinquished the gavel to President Santiago.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 5:45 p.m. with President Miguel Santiago presiding.

For the record, President Santiago noted that all of the Board members including Student Trustee Griggs were present.

Interim Chancellor Adriana D. Barrera was present.

NOTICE REPORTS AND INFORMATIVES

Com. No. HRD/A. [Collective Bargaining Notice] Adopt the District's Initial Proposal to the Exclusive Representatives of the Los Angeles Community College District Administrators' Unit Represented by California Teamsters Public, Professional & Medical Employees Union Local 911

Noticed by Interim Chancellor Barrera.

Com. No. HRD/B. [Collective Bargaining Notice] Adopt the District's Initial Proposal to the Exclusive Representatives of the Los Angeles/Orange Counties Building and Construction Trades Council

Noticed by Interim Chancellor Barrera.

Com. No. HRD/C. [Collective Bargaining Notice] Adopt the District's Initial Proposal to the Service Employees International Union, Local 99

Noticed by Interim Chancellor Barrera.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

None.

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

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

Mr. Hari Swaffi addressed the Board regarding Com. No. HRD1. Suspension of Classified Permanent Employees with respect to the charges against him.

Ms. Diva Sanchez addressed the Board on behalf of Mr. Swaffi.

RECESS TO CLOSED SESSION

Motion by Trustee Svonkin, seconded by Trustee Field, to recess to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq., and the Education Code to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5 (see Attachment A).

Without objection, so ordered.

The regular meeting recessed to Closed Session at 5:59 p.m.

(Student Trustee Griggs left at 6:00 p.m.)

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 8:35 p.m. with President Miguel Santiago presiding.

The Board members were present with the exception of Student Trustee Griggs.

Interim Chancellor Adriana D. Barrera was present.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – APRIL 30, 2014

President Santiago indicated that The Ralph M. Brown Act requires that certain matters decided in Closed Session be reported during the public session that follows.

With regard to a potential claim regarding Clausen Hall at Los Angeles City College, the Board determined to accept a take-over agreement with the contractor's surety. The vote was unanimous.

With regard to AWI Builders v. LACCD, the Board determined to accept a settlement to release approximately \$110,000 previously withheld for labor compliance claims. The vote was unanimous.

With regard to Morillo Construction v. LACCD and related cases, the Board determined to accept a settlement for the balance of the litigated matters by paying \$3.4 million. The vote was six in favor with Trustee Moreno voting no.

Copies of the settlement agreements are available from the General Counsel.

The Board took no further actions required to be reported.

CONSENT CALENDAR

Matters Requiring a Majority Vote

Com. No. HRD1. Suspension of Classified Permanent Employee

Motion by Trustee Field, seconded by Trustee Moreno, to adopt Com. No. HRD1.

ADOPTED: 7 Ayes

ADJOURNMENT

There being no objection, the regular meeting was adjourned at 8:37 p.m.

FRANCISCO C. RODRIGUEZ
Chancellor and Secretary of the Board of Trustees

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

APPROVED BY THE BOARD OF TRUSTEES:

Miguel Santiago
Miguel Santiago
President of the Board

Date June 11, 2014



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 30, 2014

**Educational Services Center
Hearing Room – First Floor**
770 Wilshire Boulevard
Los Angeles, CA 90017

- I. **Public Employee Employment**
(pursuant to Government Code section 54957)
 - A. Position: President, Los Angeles Valley College
 - B. Position: President, Los Angeles Harbor College
 - C. Position: President, Los Angeles Southwest College
 - D. Position: Chief Business Officer

- II. **Public Employee Evaluation**
(pursuant to Government Code section 54957)
 - A. Position: Interim Chancellor

- III. **Conference with Labor Negotiator**
(pursuant to Government Code section 54957.6)
 - A. District Negotiators: Adriana D. Barrera
Albert Román

Employee Units: All Units

All Unrepresented Employees

- B. District Negotiators: Adriana D. Barrera
Kathleen F. Burke
Marvin Martinez
Albert Román
Jeanette L. Gordon

Employee Unit: Faculty

IV. Public Employee Discipline/Dismissal/Release/Charges/Complaints
(pursuant to Government Code section 54957)

V. Conference with Legal Counsel - Existing Litigation
(pursuant to Government Code section 54956.9(d)(1))

- A. *Jazmyne Goodwin v. Igor Daza and LACCD*
- B. *LACCD v. GS Roosevelt, et al.*
- C. *Robert Rettberg v. LACCD*
- D. *Christopher White v. LACCD*
- E. *Janus Corporation v. Summit Builders, LACCD, et al.*
- F. *Sandoval & Johnson Construction v. Pinner Construction, LACCD, et al.*
- G. *AWI Builders v. LACCD, et al.*
- H. *Morillo Construction v. LACCD and related cases*
- I. *Taisei Construction Corporation v. LACCD*
- J. *LACCD v. Eleanor Walker, et al.*

VI. Conference with Legal Counsel – Potential Litigation

- A. Potential claim for salary overpayment (pursuant to Government Code section 54956.9(d)(4))
- B. Claim regarding project at Los Angeles City College (pursuant to Government Code section 54956.9(d)(4))

Closed Session
April 30, 2014
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C. Allegation of unlawful discrimination by a student at Pierce College (pursuant to Government Code section 54956.9(d)(2))