

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, June 11, 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 Vice President Scott J. Svonkin presiding.

The following members were present: Mike Eng, Mona Field, Ernest H. Moreno, Nancy Pearlman, Scott J. Svonkin, and Steve Veres. Absent: Miguel Santiago (arrived at 4:30 p.m.).

Chancellor Francisco C. Rodriguez was present.

Vice President Svonkin welcomed Chancellor Rodriguez to his first meeting of the Board of Trustees.

Trustee Veres led the Pledge of Allegiance to the Flag.

OATH OF OFFICE

Pursuant to the selection process for the Student Board Member adopted by the Board of Trustees of the Los Angeles Community College District on January 31, 1996, the results of the general elections of April 16-30, 2014 resulted in a plurality of all votes and duly selected LaMont G. Jackson as the Student Member of the governing board of the Los Angeles Community College District.

Chancellor Rodriguez administered the Oath of Office to Mr. Jackson.

Vice President Svonkin congratulated Student Trustee Jackson on his successful campaign.

Student Trustee Jackson expressed his appreciation to his family members and everyone else who supported him during his campaign for Student Trustee.

APPROVAL OF MINUTES

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

Regular Meeting and Closed Session – April 30, 2014

APPROVED: 6 Ayes Absent: Trustee Santiago

The Student Trustee did not vote for the minutes.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals welcomed Chancellor Rodriguez and Student Trustee Jackson to the District:

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, Local 1521; Mr. Donald Gauthier, President, District Academic Senate; Ms. Diva Sanchez, Representative, SEIU Local 99; Ms. Leila Menzies, President, Management Association. Ms. Sandra Lepore, Executive Secretary, AFT College Staff Guild, Local 1521A; Mr. Galen Bullock, Representative, SEIU Local 721; and Ms. Allison Jones, President, Administrators' Association.

ANNOUNCEMENTS FROM THE COLLEGE PRESIDENTS

Ms. Renee D. Martinez, President, Los Angeles City College (LACC), distributed a news release from the California Department of Education entitled "State Schools Chief Tom Torlakson Announces Award of Career Pathways Trust Grants Linking Education and Careers." She announced that \$50 million grants will be awarded to six of the LACCD colleges. She announced that the Latino Institute for Corporate Inclusion will hold a press conference at LACC in late June or early July 2014 to emphasize the importance of technology in communications. She announced that LACC received a \$15 million grant from a consortium led by the Los Angeles Unified School District that will be used for health-related programs.

Dr. Yasmin Delahoussaye, Interim President, Los Angeles Southwest College (LASC), congratulated Student Trustee Jackson. She announced that Ms. Wanda Solomon, Student, LASC, earned her Associate of Arts degree on June 10, 2014 and is planning to continue her education at California State University, Dominguez Hills.

Mr. Farley Herzek, Interim President, Los Angeles Harbor College (LAHC), announced that LAHC, in partnership with Long Beach City College, the Long Beach Unified School District, and the Los Angeles Unified School District, was awarded a scholarship grant for a total of \$15 million and that LAHC's portion is approximately \$2.1 million.

PUBLIC AGENDA REQUESTS

Oral Presentations

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

Mr. Nehasi R. Lee congratulated Student Trustee Jackson and Chancellor Rodriguez.

Mr. Albert Vivtorovich addressed the Board regarding the budget reductions at Los Angeles Valley College (LAVC).

Mr. Joseph Anthony addressed the Board regarding budget issues at LAVC.

Mr. Brandon De La Rosa addressed the Board regarding the elimination of the Track and Field Program at LAVC.

Ms. Alexia Johnson addressed the Board regarding budget reductions in the tutoring program, the reduction of Library hours, and budget reductions in the sports programs. She distributed petitions signed by LAVC students opposing these reductions.

Ms. Minh Tran addressed the Board regarding budget cuts at LAVC.

Mr. John Noyola addressed the Board regarding the budget reductions at LAVC.

Mr. Mister Searcy addressed the Board regarding the impact of the budget reductions on the students.

Proposed Actions

None.

REQUESTS TO ADDRESS THE BOARD – MULTIPLE AGENDA MATTERS

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

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

Vice President Svonkin reported on the Budget & Finance 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.

Com. No. BT1. District Classified Employees Retirement

Motion by Trustee Field, seconded by Trustee Veres, 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

| <u>Last Name</u> | <u>First Name</u> | <u>Job Classification</u> | <u>Years of Service</u> | <u>Location</u> | <u>Retirement Date</u> |
|------------------|-------------------|---------------------------|-------------------------|-----------------|------------------------|
| Acosta | Lucy | Financial Analyst | 35 | City | 4/30/2014 |
| Gibbs | Georgia | Custodian | 31 | West | 4/16/2014 |
| Jones | Charles | Plumber | 14 | West | 4/24/2014 |

Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED: 6 Ayes Absent: Trustee Santiago

Com. No. BT2. Adopt Report of the 2014 Board of Trustees Self-Assessment

Motion by Trustee Veres, seconded by Trustee Field, to adopt Com. No. BT2.

Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED: 6 Ayes Absent: Trustee Santiago

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Reports from the Chancellor Regarding District Activities or Pending Issues

Chancellor Rodriguez expressed his appreciation to the Board members for their support and to everyone for welcoming him to his first Board meeting. He reported that he attended the recent commencement ceremonies for Los Angeles Trade-Technical College (LATTC) and Los Angeles Valley College (LAVC) and will be attending the commencement ceremony for LACC on Thursday, June 12, 2014. He indicated that he also attended the LACCD Black Graduation Celebration at LASC on June 3, 2014.

Chancellor Rodriguez reported that on May 29, 2014, he delivered the keynote address at the Los Angeles Area Chamber of Commerce "Cash for College" Scholarship Awards event, during which scholarships were awarded to deserving students to help them attend community colleges in the greater Los Angeles area.

(Trustee Santiago arrived at 4:30 p.m.)

Chancellor Rodriguez reported that the California Coalition for Public Higher Education sponsored a fundraising event on June 5, 2014 in Los Angeles during which The Honorable Janet Napolitano, President, University of California; Dr. Timothy White, Chancellor, The California State University; and Dr. Brice Harris, Chancellor, California Community Colleges, discussed the future of public higher education in California.

Chancellor Rodriguez reported that one of his duties as Chancellor is to co-chair meetings of the Workforce Development Committee of the Los Angeles County Economic Development Corporation, which he did for the first time on June 10, 2014.

Chancellor Rodriguez reported that the LACCD is keeping a close watch on the accrediting conditions of City College of San Francisco (CCSF). He indicated that with the support of the Board of Trustees, he has sent a letter to Dr. Barbara A. Beno, Executive Director, Accrediting Commission for Community and Junior Colleges (ACCJC), in which he and all of the College Presidents are requesting a time extension for CCSF to complete its efforts to comply with all standards of accreditation and maintain its accredited status.

Vice President Svonkin relinquished the gavel to President Santiago.

Presentation on the 2014-15 Tentative Budget

Chancellor Rodriguez introduced Ms. Jeanette Gordon, Chief Financial Officer/Treasurer.

Documents entitled "Proposed Tentative Budget 2014-2015" and "2014-2015 Notice of Tentative Budget" were distributed.

Ms. Gordon gave a PowerPoint presentation and discussed the 2014-2015 Notice of Tentative Budget with respect to all funds, summary of all funds, the Governor's May revise, the District's 2013-14 financial condition and five-year forecast, tentative budget planning assumptions and priorities, May revise and impact on LACCD, state budget update, financial forecast for fiscal year 2013-14 to 2017-18, FTES, funds available for 2014-2015, and the unrestricted general fund.

A question and answer session was conducted regarding the presentation.

Trustee Svonkin requested that there be a review of the best performing districts that are fully accredited and that data be provided for these districts with respect to the reserve levels of the colleges that are always fully accredited and meet the needs of their communities.

Trustee Eng requested that there be discussion at a future meeting regarding the District's reserves and how they compare to other institutions.

CONSENT CALENDAR

Matters Requiring a Majority Vote

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

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

Discussion was requested regarding Com. Nos. BSD1., FPD1., FPD2., and ISD4.

Com. No. BF1. Budget Revisions and Appropriation Transfers

Com. No. BF2. Resolution – District Appropriation Limits for 2014-2015

Com. No. BF3. Authorization to Make Appropriation Transfers

Com. No. BF4. Authorize Acceptance of Fund for Proposition 39 California Clean Energy Projects for FY 2013-14

Com. No. BSD2. Business Services Routine Report

President Santiago noted the following revision:

...

VII. RATIFY LEASE OF DISTRICT FACILITIES

~~Ratify a lease agreement with Community Career Development, Inc. for use of 1613 square feet in Suite #206 located in the Student Services Building at Los Angeles Southwest College located at 1600 West Imperial Highway, Los Angeles, CA 90047. The lease agreement shall be during the term of April 1, 2014 through August 31, 2014 at a rental rate of \$4,166.67 per month. Total rental income for the lease term is \$20,833.35.~~

~~**Background:** The area to be leased is Suite 206 in the Student Services Building. This agreement is being issued pursuant to California Education Code section 81378.1, which allows for the letting of the lease for a period of more than five days but less than five years. This Code provides for this lease to be made without the need to acquire formal or informal bids or proposals. In addition, the Code requires public notice of the intent to take this action and was advertised once a week for three (3) consecutive weeks prior to the board action. In reviewing comparison locations in the area, the college arrived at the fair market value of the location to be leased by rental comparisons with LACCD sister colleges. Rent to be provided for this lease is at \$4,166.67 per month. Total rental income for the lease term is \$20,833.35.~~

Withdrawn.

Com. No. BSD3. Authorize Placement of Insurance

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Declaration of Compensation as Indefinite

Com. No. HRD3. Salary Reallocation for Miscellaneous Classifications in the Unclassified Service

Com. No. HRD4. Adopt the District's Initial Proposal to the Exclusive Representatives of the Service Employees International Union, Local 721

Com. No. HRD5. District's Initial Proposal to the Exclusive Representatives of the District's Employees Regarding Negotiation of the Master Benefits Agreement

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

Com. No. ISD2. Approve Community Services Offerings

Com. No. ISD3. Ratification of Student Travel

Correspondence

The Student Trustee's vote did not apply to HRD1., HRD2., HRD3., HRD4., ISD3., and the Correspondence.

Student Trustee Advisory Vote: Aye (Jackson)

ADOPTED AS AMENDED WITH THE EXCEPTION OF COM. NOS. BSD1., FPD1., FPD2., AND ISD4.: 7 Ayes

Com. No. BSD1. Ratifications for Business Services

Trustee Pearlman expressed her concern that the District is renting off-campus facilities to hold banquets and similar events rather than using campus facilities.

Dr. Adriana D. Barrera, Deputy Chancellor, indicated that it is not always possible to convene a large function at a college.

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

Com. No. FPD2. Authorize Master Procurement Agreements

Com. No. ISD4. Adopt Revisions to Board Rules Chapter VIII Article II – Academic Probation and Disqualification

The Student Trustee's vote did not apply to ISD4.

Student Trustee Advisory Vote: Aye (Jackson)
COM. NOS. BSD1., FPD1., FPD2., AND ISD4. ADOPTED: 7 Ayes

Matters Requiring a Super Majority Vote

Com. No. BF5. 2013-2014 Budget Adjustments

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. BF5.

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

RECOMMENDATIONS FROM THE CHANCELLOR

Com. No. CH1. Approve Issuance of Honorary Degree

Motion by Trustee Veres, seconded by Trustee Field, to adopt Com. No. CH1.

Chancellor Rodriguez indicated that this item would approve the issuance of an honorary degree to Mr. Henry Walton, a returning student to LACC.

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

NOTICE REPORTS AND INFORMATIVES

Com. No. BF/A. [Notice] 2014-2015 Tentative Budget Adoption

Noticed by Chancellor Rodriguez.

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

Presented by Chancellor Rodriguez.

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. Eric Warren addressed the Board regarding Com. No. HRD6. Disciplinary Action Regarding Classified Employees Roman Numeral I. Suspension of Classified Permanent Employees Item A. as it relates to the recommended ten (10) day suspension against him.

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

Trustee Svonkin inquired if Mr. Warren has been provided with a court judgment that would show he was subjected to a health hazard that caused him to be absent.

Mr. Warren indicated that he would obtain the court judgment from the Small Claims Court in Alhambra.

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 6:10 p.m.

(Student Trustee Jackson left at 6:11 p.m.)

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 8:50 p.m. with President Miguel Santiago presiding.

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

Chancellor Francisco C. Rodriguez was present.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – JUNE 11, 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 Carlos Smith v. LACCD, the Board accepted a settlement for just over \$2.2 million. The vote was unanimous.

With regard to Arch Insurance v. LACCD, the Board accepted a settlement for \$4 million for two construction projects at Los Angeles Pierce College. The vote was unanimous.

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

The Board took no further actions required to be reported.

CONSENT CALENDAR

Matters Requiring a Majority Vote

Com. No. HRD6. Disciplinary Action Regarding Classified Employees

President Santiago noted the following revision:

...

II. DISMISSAL OF CLASSIFIED PERMANENT EMPLOYEE

~~The dismissal of employee (EN1034829) assigned to East Los Angeles College as a permanent Instructional Assistant is based on the following causes:~~

- ~~• Dishonesty~~
- ~~• Insubordination~~
- ~~• Incompetence~~
- ~~• Inefficiency~~
- ~~• Dishonesty~~
- ~~• Unauthorized Use or Abuse of District or Student Body Property~~
- ~~• Willful Misconduct or Any Other Willful Failure of Good Conduct Tending to Injure the Public Service~~

~~Background: The above recommendation is in accordance with procedures listed in Education Code Section 88123 and Personnel Commission Rule 735. Evidence is on file in the Employer-Employee Relations Unit of the Human Resources Division to support the above recommendation.~~

~~Due process rights guaranteed by Skelly v. State Personnel Board, 15 Cal. 3d 194 (1975) have been afforded the above listed permanent employee.~~

Withdrawn.

Ms. Camille Goulet, General Counsel, recommended that the Board entertain a motion and a second on all of Com. No. HRD6. and then take a vote on each item separately.

Motion by Trustee Field, seconded by Trustee Moreno, to adopt Com. No. HRD6. as amended.

ROMAN NUMERAL I. SUSPENSION OF CLASSIFIED PERMANENT EMPLOYEES ITEM A.

ADOPTED: 4 Ayes (Field, Moreno, Pearlman, Veres)

3 Noes (Eng, Santiago, Svonkin)

Ms. Goulet noted that Roman Numeral I. Item B. has been withdrawn as follows:

~~B. The ten (10) day suspension of employee (EN792238) assigned to Los Angeles Southwest College as a permanent Assistant Bookstore Manager is based on the following causes:~~

- ~~• Dishonesty~~
- ~~• Inefficiency~~
- ~~• Incompetence~~
- ~~• Insubordination~~
- ~~• Inattention to or Dereliction of Duty~~
- ~~• Willful Misconduct or Any Other Willful Failure of Good Conduct Tending to Injure the Public Service~~

- ~~Willful and Persistent Violation of the Provisions of the Education Code, Public Policy, or of Policies, Rules, Regulations, or Procedure Adopted by the Board of Trustees or the Personnel Commission.~~

~~Background: The above recommendation is in accordance with procedures listed in Education Code Section 88123 and Personnel Commission Rule 735. Evidence is on file in the Employer-Employee Relations Unit of the Human Resources Division to support the above recommendation.~~

~~Due process rights guaranteed by Skelly v. State Personnel Board, 15 Cal. 3d 194 (1975) have been afforded the above listed permanent employee.~~

Withdrawn.

ROMAN NUMERAL I. ITEMS C. AND D.
ADOPTED: 7 Ayes

Com. No. ISD5. Student Discipline – Expulsion with Reconsideration

Motion by Trustee Field, seconded by Trustee Pearlman, to adopt Com. No. ISD5.

ADOPTED: 7 Ayes

ADJOURNMENT

There being no objection, the regular meeting was adjourned at 8:53 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:

Scott J. Svonkin
Scott J. Svonkin
President of the Board

Date August 6, 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, June 11, 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. Positions: College Presidents

- 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

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B. District Negotiators: Ken Takeda
Lawrence Frank
Albert Román

Employee Unit: Building and Construction Trades Council

C. District Negotiators: Albert Román
Renee Martinez
Farley Herzek

Employee Unit: Academic Administrators, Teamsters Local 911

D. District Negotiators: Albert Román
Monte Perez

Employee Unit: SEIU Local 99

IV. Consideration of Student Discipline

(pursuant to Government Code section 54962 and Education Code section 72122)

V. Public Employee Discipline/Dismissal/Release/Charges/Complaints

(pursuant to Government Code section 54957)

VI. Conference with Legal Counsel - Existing Litigation

(pursuant to Government Code section 54956.9(d)(1))

A. *Carlos Smith v. LACCD*

B. *Darlene Clark v. LACCD*

C. *Eric Ellis, County of Los Angeles v. LACCD*

D. *Deonte Williams v. LACCD*

E. *Andrea Lopes v. LACCD*

F. *Arch Insurance v. LACCD*

- G. *Lopez & Sons, Inc. v. Gypsum Enterprises, Woodcliff Corporation, LACCD, et al.*
- H. *The Board of Trustees of the Cement Masons Southern California v. Two Brothers Construction Corporation, LACCD, et al.*
- I. *AWI Builders, Inc. v. LACCD, California Department of Industrial Relations, et al.*