

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, June 25, 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 3:43 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Mike Eng, Mona Field, Ernest H. Moreno, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee LaMont G. Jackson was present.

Chancellor Francisco C. Rodriguez was present.

Trustee Eng led the Pledge of Allegiance to the Flag.

#### **REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE**

None.

#### **ANNOUNCEMENTS FROM COLLEGE PRESIDENTS**

Ms. Renee D. Martinez, President, Los Angeles City College (LACC), announced that LACC is now a smoke-free campus.

#### **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 speaker Ms. Marva Jackson was not present.

Mr. Farley Herzek indicated that this is his last Board meeting. He expressed his appreciation to everyone for having had the opportunity to serve as the Interim College President at East Los Angeles College (ELAC) and Los Angeles Harbor College (LAHC).

Mr. Norm Rille distributed a document entitled "Instructional Measures: FTEF and FTES." He discussed the document with respect to Generated FTES and Expended FTEF, Generated FTES per Expended FTEF, Active Sections and Sessions, Enrollment and Active Sections, Certificated and Non-Certificated Salaries, IT (Information Technology) Employee Salaries by Location, and Percent changes in Selected Metrics.

Mr. Stanley Shapiro spoke in opposition to Com. No. BT4. Adopt Resolution for Board Member Elections and Request for Consolidation of Single Board Member Election. He distributed a copy of his remarks.

##### Proposed Actions

None.

## REPORTS AND RECOMMENDATIONS FROM THE BOARD

### Reports of Standing and Special Committees

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

Trustee Eng reported on the Legislative & Public Affairs Committee meeting. He indicated that the Committee members unanimously recommend support for AB 2372, which is on the Board agenda for action as Com. No. BT1. Adopt the Legislative & Public Affairs Committee's Recommendation (June 25, 2014).

### 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. Adopt the Legislative & Public Affairs Committee's Recommendation (June 25, 2014)

Motion by Trustee Pearlman, seconded by Trustee Field, to adopt Com. No. BT1. as follows:

The following motion is presented by Legislative & Public Affairs Committee members Eng, Pearlman, and Field, Alternate:

  X    
Support Oppose

#### **AB 2372 (Ammiano and Bocanegra) – Proposition 13**

Under current law, what constitutes a "change of ownership" for the purposes of assessing property tax in accordance with Proposition 13 is fairly ambiguous and due to this, many larger corporations/businesses have taken advantage and avoided property reassessment.

Analysis: AB 2372 changes this by better defining "change of ownership" as when either (1) more than half of the ownership/control of a property has been transferred; or (2) 90 percent of the cumulative ownership interests, other than stocks, have been transferred (like when 10 people buy nine percent ownership each). In addition to these changes, the bill increases the penalty if an entity fails to report a change of ownership to the state. Additional revenues derived from the change would be in the form of increased property taxes which would increase Proposition 98, increasing funding to community colleges. Community colleges would receive approximately 11 percent of any additional Proposition 98 revenues and LACCD would receive approximately 10 percent of that. To become law, this bill will need a 2/3 vote from both houses of the state legislature and it would also need to be signed by the Governor. The Los Angeles Chamber of Commerce supports the measure.

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

### Com. No. BT2. Trustee Absence Ratification

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

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

### Com. No. BT4. Adopt Resolution for Board Member Elections and Request for Consolidation of Single Board Member Election

Motion by Trustee Veres, seconded by Trustee Svonkin, to adopt Com. No. BT4.

Trustee Pearlman requested that the Board members oppose Com. No. BT4. She expressed her concern that this is not a democratic approach to the Board member election process. She indicated that the Board of Trustees has been advocating instant run-off voting, but this is not included in the resolution. She requested that this item be postponed until a resolution is prepared that incorporates this concept.

Trustee Veres announced that he has no plans to run for reelection to the Board of Trustees. He indicated that his support of this election process is due to the possibility of higher voter participation and cost savings to the District.

Trustee Field recommended that the Board look into moving its elections to November and that they look into having 100 percent vote-by-mail elections as a means of reducing election costs.

Trustee Eng indicated that he would support this resolution. He recommended that the democratic process be continually reassessed in order to make it vital and relevant to local constituencies.

Trustee Moreno indicated that he is not sure the Board can do a better job of instilling a democratic process by being more efficient. He stated that he is not convinced that the Board needs to make this change if it is just based upon some economic savings.

President Santiago announced that he will not run for reelection to the Board of Trustees. He indicated that his support for this resolution does not benefit him in any particular way.

Trustee Pearlman requested that the Board consider other possible solutions to the election process and that this item be postponed.

Trustee Eng indicated that this resolution will apply to only one election.

Mr. Kevin Jeter, Associate General Counsel, indicated that this resolution would apply only to the election on March 3, 2015 for seats 1, 3, 5, and 7.

Trustee Moreno indicated that he wants to ensure that the Board has an election process that will maximize the interest of the students and the community at large in the educational system.

Trustee Field inquired if the Board can change the election process again for the Board of Trustees election in 2017.

Mr. Jeter responded that a resolution is required to be adopted for every Board election.

Trustee Svonkin expressed his concern that the District has turned away tens of thousands of students. He indicated that, based upon the estimates of the savings, the District should be able to offer cost savings opportunities for anywhere from 14,000 students to 40,000 students.

*Student Trustee Advisory Vote: Aye (Jackson)*  
*ADOPTED: 4 Ayes (Eng, Field, Santiago, Veres)*  
*2 Noes (Moreno, Pearlman)*

Trustee Svonkin did not vote on BT4.

#### Com. No. BT3. Conference Attendance Authorization

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

President Santiago relinquished the gavel to Vice President Svonkin.

(Trustee Santiago left at 4:35 p.m.)

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

## CONSENT CALENDAR

### Matters Requiring a Majority Vote

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

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

Discussion was requested regarding Com. No. BSD1.

Com. No. BF1. 2014-2015 Tentative Budget Adoption

Com. No. BF2. Adopt a Resolution to Authorize Debt Service Estimate

Com. No. HRD1. Authorize Executive Employment Action

The Student Trustee's vote did not apply to HRD1.

*Student Trustee Advisory Vote: Aye (Jackson)*

*ADOPTED WITH THE EXCEPTION OF COM. NO. BSD1.: 6 Ayes Absent: Trustee Santiago*

(Trustee Santiago returned at 4:36 p.m.)

Com. No. BSD1. Ratifications for Business Services

With respect to Roman Numeral I. Authorize Professional Services Agreements as it relates to an amendment to extend the agreement with Burke/Rix Communications to provide consulting and coordination services involving the operation and fundraising activities of the LACCD Foundation, Trustee Field indicated that she is reluctant to authorize an additional \$12,000 per month from June 30, 2014 to September 30, 2014. She requested that Burke/Rix Communications provide an update to the Board regarding the services it has provided to the LACCD.

Chancellor Rodriguez indicated that if the agreement extension is approved, an assessment will be conducted regarding the services provided.

Vice President Svonkin inquired if there are any ongoing grants for items that the Board is required to manage.

Dr. Adriana D. Barrera, Deputy Chancellor, responded that there are specific scholarship programs that Burke/Rix Communications is currently administering. She indicated that when the firm submits their invoice each month, it also submits a list of the activities in which they have been involved during the month.

Trustee Eng recommended that evaluations be conducted for contracts such as this approximately halfway through the period of the specific contract.

Trustee Eng requested that for future short-term contracts, an assessment be provided to the Board.

Trustee Field requested that Roman Numeral I. be separated for the vote.

There being no objection, Roman Numeral I. was separated for the vote.

*Student Trustee Advisory Vote: Aye (Jackson)*

*ADOPTED WITH THE EXCEPTION OF ROMAN NUMERAL I.: 7 Ayes*

Roman Numeral I.

*Student Trustee Advisory Vote: Aye (Jackson)*

*ADOPTED: 5 Ayes (Eng, Pearlman, Santiago, Svonkin, Veres)  
2 Abstentions (Field, Moreno)*

Vice President Svonkin relinquished the gavel to President Santiago.

### **RECOMMENDATIONS FROM THE CHANCELLOR**

Com. No. CH1. Approve Los Angeles City College Mission Statement

Com. No. CH2. Approve Los Angeles Valley College Educational Master Plan, 2014-2020

President Santiago entertained a motion for Com. Nos. CH1. and CH2.

Motion by Trustee Svonkin, seconded by Trustee Moreno, to adopt Com. Nos. CH1. and CH2.

*Student Trustee Advisory Vote: Aye (Jackson)*

*ADOPTED: 7 Ayes*

- Public Hearing on 2013-14 Budget Adjustments and Revised Spending Plan for the Education Protection Act (EPA)

**Withdrawn.**

Com. No. BF3. 2013-14 Budget Adjustments and Revised Spending Plan for the Education Protection Act (EPA)

**Withdrawn.**

### **RECESS TO COMMITTEE OF THE WHOLE**

There being no objection, the regular meeting recessed to the Committee of the Whole at 5:03 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 LaMont G. Jackson was present.

#### Public Speakers

None.

#### Presentations/Initiative Reviews

- College Safety/Emergency Preparedness

Chancellor Rodriguez introduced Captain Cheryl Newman-Tarwater, Los Angeles County Sheriff's Department. He indicated that Captain Newman-Tarwater is a 27-year veteran of the Sheriff's Department. He discussed her employment and personal background.

Captain Newman-Tarwater distributed a document entitled "Evacuation/Shooting Threat Incidents: Pierce College – May 30, 2014; LA Valley College – June 9, 2014." She gave a PowerPoint presentation and discussed the document with respect to the initial circumstances, timeline-estimates, resources, and critique for each of the two incidents.

A question and answer session was conducted regarding the presentation.

Vice President Svonkin requested that District crime statistics be provided to the Board on a regular basis.

Captain Newman-Tarwater indicated that this information can be provided on a weekly basis.

(Student Trustee Jackson left at 5:34 p.m.)

Vice President Svonkin requested that an evaluation be conducted with respect to how the District should take responsibility for funding the security personnel that are required to handle evacuation/shooting threat incidents at the District campuses.

Other Business

None.

Adjournment

There being no objection, Vice President Svonkin adjourned the Committee of the Whole at 5:39 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 5:39 p.m. with President Miguel Santiago presiding.

For the record, President Santiago noted that the Board members were present with the exception of Student Trustee Jackson.

Chancellor Francisco C. Rodriguez was present.

**NOTICE REPORTS AND INFORMATIVES**

Com. No. BT/A. [Informative] Board Meeting Locations, 2014-2015

Presented by Chancellor Rodriguez.

Com. No. BT/B. [Notice] Adopt Board Rule 7103.18 – Bid Protests for Bond-Funded Activities

Noticed by Chancellor Rodriguez.

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Chancellor Rodriguez requested that the Board meeting be adjourned in the memory of Dr. Mary Spangler, former President, Los Angeles City College, who passed away on Saturday, June 14, 2014, and Mr. Jesus Jose Orozco, the father of Ms. Lupe Orozco and Ms. Maria Elena Jauregui.

President Santiago indicated that this would be done.

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**ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

None.

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

None.

**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 5:44 p.m.

**RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES**

The regular meeting of the Board of Trustees of the LACCD reconvened at 8:52 p.m. with President Miguel Santiago presiding.

The Board members were present with the exception of Trustees Eng, Moreno, and Veres and Student Trustee Jackson.

Chancellor Francisco C. Rodriguez was present.

**REPORT OF ACTIONS TAKEN IN CLOSED SESSION – JUNE 25, 2014**

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

The Board voted unanimously to accept the settlement in a contract faculty matter concerning Marian Locascio. Copies of the settlement agreement are now available.

The Board took no further actions that The Ralph M. Brown requires to be reported.

**ADJOURNMENT**

There being no objection, the regular meeting was adjourned at 8:53 p.m. in the memory of Dr. Mary Spangler and Mr. Jesus Jose Orozco.

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

### ADDENDUM ATTACHMENT A

#### **CLOSED SESSION**

Wednesday, June 25, 2014

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

- I. **Public Employee Evaluation**  
(pursuant to Government Code section 54957)
  - A. Positions: College Presidents
  
- II. **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: Ken Takeda  
Laurence 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

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

**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(d)(1))

A. *Selwyn Young v. LACCD, Michael Miller and Dan Cowgill*

B. *Edrik Stamps v. LACCD*

C. *Rodney Carswell v. LACCD*

D. *Sheldon Mechanical Corporation v. Suffolk Construction Company, Inc., LACCD, et al.*

E. *Construction Laborers Trust Funds v. Alpha 1 Construction, LACCD, et al.*

F. *Air Plus Corporation v. LACCD, et al.*

G. *California Wholesale v. FTR International, Inc., LACCD, et al.*

H. *Graybar Electric v. FTR International, Inc., LACCD, et al.*

I. *KX2 Holdings v. FTR International, Inc., LACCD, et al.*

J. *Karcher Environmental v. FTR International, Inc., LACCD, et al.*

**Closed Session**  
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*K. Quinn Rental v. FTR International, Inc., LACCD, et al.*

*L. Upland Contracting v. FTR International, Inc., LACCD, et al.*

*M. So. Cal Enterprises v. FTR International, Inc., LACCD, et al.*

*N. Quinn Rental v. FTR International, Inc., LACCD, et al.*

**V. Discussion with Real Property Negotiator as may be announced prior to the closed session (pursuant to Government Code section 54956.8)**

A. Property:           New Education Center  
                              Van De Kamp Innovation Center

Negotiating Party:       Alliance Charter School  
District negotiators:    Adriana D. Barrera  
Under negotiation:      Price & terms of payment of lease