TO: Members of the Board of Trustees
FROM: Dr. Francisco Rodriguez, Chancellor
DATE: December 2, 2016

SUBJECT: BOARD LETTER FOR DECEMBER 7, 2016 MEETING

Board Meeting Location
Next week's Board meeting will be held at Los Angeles Valley College. The meeting times and locations are as follows:

<table>
<thead>
<tr>
<th>Meetings</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative &amp; Public Affairs Committee</td>
<td>3:00</td>
<td>Student Union Skybox Conference Room</td>
</tr>
<tr>
<td>Convene for Public Session</td>
<td>4:30 p.m.</td>
<td>Campus Center - Monarch Hall</td>
</tr>
<tr>
<td>Convene for Closed Session</td>
<td>4:30 p.m. - 6:30 p.m.</td>
<td>Campus Center - Fireside Room</td>
</tr>
<tr>
<td>Reconvene for Public Session</td>
<td>6:30 p.m.</td>
<td>Campus Center - Monarch Hall</td>
</tr>
</tbody>
</table>

Parking
Please refer to the college campus map for the designated parking area behind the Campus Center Building on Campus Drive. A campus map has been included for your convenience.

Legislative & Public Affairs Committee (Fong, Chair; Eng, Vice Chair; Kamlager, Member)
The committee will meet from 3:00 p.m. to 4:15 p.m. in the Student Union, Skybox Conference Room. The agenda may be viewed by clicking on the following link:


Included in this letter is explanatory information related to an agenda Item:

- Below for your review is the link to the Annual General Obligation Bond Financial Audit for FY 2015-2016, which will be presented for Board approval at the December 7th, Board meeting under agenda item BF3.

Below for your review is the link to the Bond Program Performance Audit for FY 2015-2016, which will be presented for Board approval at the December 7th, Board meeting under agenda item BF4.


Below for your review is the link to the Annual Financial Audit for FY 2015-2016, which will be presented for Board approval at the December 7th, Board meeting under agenda item BF5.


Below for your review is the link to Substantive Change proposal for Los Angeles Valley College, which will be presented for Board approval at the December 7th, Board meeting under agenda item ISD3.


Enclosed for your information is a memo from John Dacey, Lead Construction Counsel, regarding FPD3: Adopt Resolution Ratifying Implementation of Design-Build System of Project Delivery for the Technology Learning Center 2 Campus Improvement Project at West Los Angeles College; Ratifying Request for Qualifications and Proposal Process; and Authorizing the Award of one Design-Build Agreement, which will be presented for Board approval at the December 7th, Board meeting. (Refer to Attachment A)

Enclosed for your review is a PowerPoint presentation regarding agenda item FPD4 South Gate Environmental Impact Report, which will required a Public Hearing and will be presented for Board approval at the December 7th, Board meeting. (Refer to Attachment B)

Confidential Matters
The attached correspondence is confidential and should not be shared with other persons.

- **Office of General Counsel**
  - Enclosed for your review is the Bond-related litigation report. (Refer to Attachment C)
  - Enclosed for your review is the District-related litigation report. (Refer to Attachment D)
  - Enclosed for your review is background information regarding the Guerra v. WLAC Litigation. (Refer to Attachment E)
  - Enclosed for your review is an update report pertaining to complaints of discrimination/harassment. (Refer to Attachment F)
  - Enclosed for your review is an update report pertaining to the status of personnel actions. (Refer to Attachment G)

- **Educational Programs and Institutional Effectiveness** — Enclosed for your review is information pertaining to a student discipline matter. (Refer to Attachment H)
- **Human Resources** – Enclosed for your review is information pertaining to disciplinary matters. Note that due to the size of the document, it will be sent to you via courier to your preferred address. *(Refer to Attachment I)*

**Responses to Board Member Inquiries**

**Office of General Counsel**
- Enclosed for your information is a response to a Board member inquiry regarding the installation of flushable toilets at Gold Creek. *(Refer to Attachment I)*

**Other Items**

**Office of Facilities Planning and Development** – Enclosed for your information is a memo from Jim O’Reilly, Chief Facilities Executive, Status Update on 179D Green Tax Deduction Monetization Efforts. *(Refer to Attachment K)*

Let me know should you have any questions regarding next week’s meeting.
I. ROLL CALL

II. PUBLIC SPEAKERS*

III. NEW BUSINESS

A. Finalize 2016-17 State Legislative Priorities
B. Discuss and Determine LACCD Sponsored or Cosponsored 2016-17 State Legislation
C. Discuss 2016-17 Federal Legislative Priorities

IV. OLD BUSINESS

V. DISCUSSION

VI. SUMMARY - NEXT MEETING ................................................................. Mike Fong

VII. ADJOURNMENT

*Members of the public are allotted three minutes time to address the agenda issues.

If requested, the agenda shall be made available in appropriate alternate formats to persons with a disability, as required by Section 202 of the American with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, for whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting. To make such a request, please contact the Executive Secretary to the Board of Trustees at 213/891-2044 no later than 12 p.m. (noon) on the Tuesday prior to the Committee meeting.
December 8, 2016

LACCD – Legislative Committee

1. Work-Study for Undocumented Students
The California Student Aid Commission is considering legislation that would create a work-study program for undocumented students. Federal work-study programs allow documented students the opportunity to work while going to school with their wages being part of their financial aid package. These programs allow students to connect with business and industry providing advantages to both students and the businesses for which they work. Dream students, however, cannot take advantage of these opportunities.

California addressed a similar deficiency in Dreamers’ financial aid eligibility by introducing the Dream Loan Program, a state-based alternative to Federal Direct Loans. The loan program has not been active long enough to generate data on its efficacy, but anecdotal evidence from students indicates that it may have a positive impact on closing the financial aid gap for Dreamers, and increasing their ability to complete their degree objectives. A state-run work study program allowing eligible students to work while attending classes would serve a similar goal. The total cost would depend on various factors including how significantly the state subsidizes the wages of participating students, the percentage of Dream Act students eligible under Deferred Action for Childhood Arrivals (DACA), and how broadly the program is offered. The program could also be impacted if the incoming administration decides to end DACA.
LACCD Federal Policy Considerations  
115th Congress – First Session  
DRAFT- November 2017

Overview

With one party in the control of both Congress and the Administration, federal policies and regulations will be reshaped and new program directions established in the coming year. LACCD is committed to continuing collaborative bipartisan relationships with Congress and the new Administration, with the goal of providing students being served on our campuses with the best quality and affordable education, delivered in a safe and supportive environment. As the new Administration and Congress begin to determine their education and workforce policies, this document will be adjusted accordingly to take these changes into account, identifying both challenges and opportunities.

Potential Priorities

BUDGET/APPROPRIATIONS: A number of key policy issues will be impacted by the FY17/18 Budget and Appropriations bills. Potential priorities include:

- **Fund Year-Round Pell Grants in FY 17 and FY 18 Appropriations:** Provide Pell Grant funding that is sufficient to support scheduled increases to the maximum award without diminishing the temporary surplus in program funds; support reinstating the year-round Pell Grant program; increase the total eligibility period from 12 to 14 semesters.

- **Support for Key Higher Education Programs:** Increase funding support to allow for adequate investments in programs benefitting community colleges and their students, including the Strengthening Institutions Program, Hispanic Serving Institutions, TRIO, GEAR UP, and other student support programs that enable community colleges to serve diverse and disadvantaged populations.

HIGHER EDUCATION ACT REAUTHORIZATION: The current legislation, which was last reauthorized in 2008, expired in 2013. Potential focus areas include:

- **Reinstate the Year-Round Pell Grant Permanently:** In 2008, Congress created a “year-round” Pell Grant to increase persistence and graduation rates and to enable students to complete their degrees more quickly. However, it was eliminated at that time for budgetary reasons, cutting off student and institutional plans to take full advantage of this expanded assistance. Its reinstatement has broad bipartisan support in Congress, including the House Education and the Workforce Committee and the Senate HELP Committee.

- **Reform Graduation Rate Metrics:** The Department of Education currently does not include transfers-out in their official measures of completion rates. This should be corrected so that transfers-out are included in all completion rates. Program lengths should
also be revised to accurately capture the length of time it takes for students to complete their community college degree requirements.

- **FAFSA Simplification**: Support efforts to simplify the FAFSA process to support greater participation, including continued acceptance of prior-prior year earnings.

- **Other Regulatory Priorities**: Eliminate burdensome Department of Education reporting requirements; and oppose the imposition of risk-sharing or new financial penalties or sanctions tied to loan repayment rates or defaults. Despite being low-cost, open access institutions with a relatively small percentage of borrowers, community colleges may be subject to enormous financial penalties under risk sharing.

**PERKINS CAREER & TECHNICAL EDUCATION (CTE) REAUTHORIZATION**: Support the reauthorization of CTE, whose authorization expired in 2013. Last summer, the House passed a CTE reauthorization bill with bipartisan support. The Senate has yet to act. It is expected that CTE reauthorization could move early in 2017. LACCD priorities include:

- **Increase Authorization Levels**: While LACCD commends the House’s proposed authorization of over $1 billion through 2022, further consideration should be given to increasing this amount given the growing enrollment in CTE programs nationwide and the new Administration’s interest in supporting vocational and technical education.

- **Support of Dual Enrollment**: Designate dual enrollment as an allowable activity for state leadership funds.

- **Effective Alignment between Employers and Education**: Strengthen CTE alignment with the Every Student Succeeds Act (ESSA) and the Workforce Investment and Opportunity Act (WIOA) in meeting local and regional workforce needs.

- **Innovative Training Program**: Support the inclusion of a directed program in support of community colleges and other institutions of higher education to address the need to build institutional capacity in career and technical education, targeting specific and urgently needed local workforce skills gap and employment challenges in high demand workforce preparation areas; and addressing employer and local economic development needs.

- **Limiting State Administrative Costs**: With limited funding available to provide direct support to students and CTE programs, it is necessary to ensure that investments go directly to educational providers that are focused on having maximum impact in meeting the economic and workforce challenges of their area.

**SUPPORT EFFORTS TO REDUCE TUITION BURDEN/STUDENT DEBT**: Work with the new Administration and House and Senate committee leadership to reduce student debt and increase completion rates through efforts to substantially reduce the ever increasing tuition burden and associated costs, such childcare, transportation and related costs; and to limit the significant issue of student loan repayment.
Additionally, continue to support national and local efforts that advance College Promise as a key approach to addressing the cost of financing a postsecondary education.

**SUPPORT FOR VETERANS:** Support federal programs that expand the ability of active duty personnel to access community college education and provide them with the support and counseling assistance necessary to succeed and transition into the workplace.

**WORKFORCE INVESTMENT:** Support Department of Labor— as well as Transportation and Commerce—programs that can provide funding for community colleges to develop and sustain apprenticeship and other workforce training initiatives, such as in logistics and other high-demand occupations, with strong linkages to, and input from, industry and employers.

**INFRASTRUCTURE FUNDING:** Support bipartisan initiatives to increase funding for infrastructure, that also includes provisions to help finance community college infrastructure improvements.

**INNOVATIVE FUNDING:** Identify specific federal funding opportunities for LACCD and its colleges to implement cutting-edge, innovative programs that prepare students to successfully participate in the high demand industries and competitive marketplace. This may include pursuing congressionally-directed programmatic funding.

**SUPPORT EFFORTS TO IMPROVE STUDENT SAFETY, PHYSICAL/MENTAL HEALTH:**

- Support bipartisan efforts to provide permanent legal status for undocumented students and their family; and oppose federal limitations on states that choose to provide education opportunity for such students including offering in-state tuition.

- Support bipartisan measures that ensure access to affordable health care coverage for students.

- Support mental health reform and increased funding for mental health care, including student counseling.

**Federal Presence**

The following are some of the key elements to ensure that LACCD continues to be recognized as an important voice and resource in higher education on a bipartisan basis; and establishes strong working ties with the new Administration:

- **Continue to Position LACCD as a Recognized Leader in Education:** The District needs to continue to tell its story—how it uses innovative programs, efficient resources, industry-workforce partnerships, and cutting-edge technology to prepare students to compete in the global workforce; show how community college completion creates meaningful jobs for its students and has helped drive the economy in the region.
• **Demonstrate How Size and Academic Reach Has Translated to Student Success:** LACCD’s size is an asset to the degree that we can talk about success on a very large scale. Need to showcase how our programs impact hundreds of thousands of students and contribute to their success.

• **Data Driven, Evidence-Based Programs:** The feds are hungry for data—and want to know that our programs are evidence-based and data driven. Our story needs to be backed up with numbers—both at the District level and at the colleges.

• **Build Bipartisan Relationships:** Continue to expand LACCD’s bipartisan relationships with the delegation, with education authorizing and appropriation committee leadership. Utilizing our firm’s relationships to President-elect’s education transition team, help position LACCD in the new Administration.

*Scheduling Federal Visits (will be refined after 2017 congressional schedule is released):*  
- LACCD Leadership Visit: March/April for first 2017 DC visit  
- LACCD Congressional Delegation briefing/roundtable in the District
To: Board of Trustees  
   Francisco C. Rodriguez, Chancellor

From: John P. Dacey, Lead Construction Counsel

cc: James D. O’Reilly, Chief Facilities Executive  
   Tom Hall, Director, Facilities Planning and Development

Date: November 30, 2016

Re: Item FPD 3 on December 7, 2016 Board Agenda - 
   Award of Design-Build Agreement for Technology Learning Center 2 Campus 
   Improvement Project at West Los Angeles College

I. ACTION ITEM FPD 3: AWARD OF DESIGN-BUILD AGREEMENT FOR 
TECHNOLOGY LEARNING CENTER 2 CAMPUS IMPROVEMENT PROJECT 
AT WEST LOS ANGELES COLLEGE ("Project").

Item FPD 3 on the December 7, 2016 Board Agenda asks the Board to adopt a resolution for the Project that:

1. Ratifies implementation of the Design-Build system of project delivery;
2. Ratifies the Request for Qualifications and Proposals process (Procurement Number CS-12-16-W) conducted by Staff;
3. Authorizes the award of one (1) Design-Build Agreement to a single Design-Build Entity ("DBE"); and
4. Authorizes District Staff, specifically the Chancellor and/or the Chief Facilities Executive, and/or the Director, Facilities Planning and Development to enter into the Design-Build Agreement for the Project.

II. PURPOSE OF THIS MEMORANDUM

The purpose of this Memorandum is to set forth Staff’s and the PMO’s findings regarding why the Design-Build delivery method, as authorized by Education Code sections 81700, et. seq., should be used for the Project.

III. APPLICABLE LAW FOR DESIGN-BUILD CONTRACTS

Education Code sections 81700 et seq. specifically authorize community college districts to utilize the Design-Build delivery method as a safe and cost efficient alternative to competitive
a project procured under the design-bid-build delivery method and achieves the risk shifting benefits contemplated by the statutes. As such, the use of Design-Build for the Project will achieve these cost savings and risk shifting benefits. For these reasons alone, the Design-Build delivery method should be used for the Project.

2. "Expediting the Project’s completion"

Using the Design-Build delivery method will save time and expedite the Project’s completion when compared to the time it will take to design and build the Project using the design-bid-build delivery method (also referred to as hard/low bid contracting).

Based on Staff’s, the PMO’s, and LCC’s experience, if the Project were to be developed and constructed using the design-bid-build delivery method, it would be necessary to use three steps that would take at least 39 months to complete, and most likely several more months. These three steps include: (1) hire Architect and Engineer to design the project and prepare 100% Construction Documents and obtain Division of the State Architect (“DSA”) approval thereon; (2) then pre-qualify contractors to ensure all participants are well-qualified to construct the project; and (3) then advertise for and award a construction contract under the design-bid-build delivery method and have construction start and complete. Each of the three steps would also require Board action adding more time to the overall procurement before construction could begin.

Conversely, using the Design-Build project delivery method provides integration of these procedural steps into one overall procurement step, including ensuring only well qualified contractors will design and build the Project. Based on the PMO’s evaluation, using the Design-Build delivery method, the anticipated total amount of time to design and complete construction of the Project will be reduced to 36 months. Staff and LCC concur.

Therefore, the proposed use of Design-Build is anticipated to meet the requirement of “expediting the project’s completion” because it will take 3 months less to achieve completion of the Project using the Design-Build method versus using the design-bid-build project delivery method. For this reason alone, the Design-Build delivery method should be used for the Project.

3. "Provide features not achievable through the traditional design-bid-build method"

The applicable law expressly recognizes by the language in and the purpose behind the statutes that using the Design-Build delivery method will simplify construction and reduce its complexity when compared to using the low/hard bid delivery method. These are features that are not achievable through the design-bid-build delivery method.

Generally speaking, most “construction complexity” on public works projects comes from incomplete, conflicting, uncoordinated, and/or construction documents that contain errors, omissions, ambiguities, conflicts and other deficiencies. This then creates polarizing positions between the public entity owner and architect, on the one hand, and the contractor and the public entity owner, on the other hand. As these situations are encountered, arguments ensue as to
whether the construction documents are or are not incomplete, conflicting, uncoordinated, and/or contain errors, omissions, deficiencies, etc. (all of which posits liability on the public entity) and/or whether or not the contractor knew or should have known (which may shift liability away from the public entity owner and onto the contractor). Such polarizing positions are greatly heightened in projects where a contractor’s expertise could be of great assistance in the design, but which is prohibited by law if the design-bid-build (hard/low bid) method of procurement is used. This increases risk to the public entity on such projects where the design-bid-build (hard/low bid) method of procurement is used.

Conversely, in the experience of District Staff, the PMO and the LCC, where a contractor’s expertise can be used to design and construct such projects as part of a design-build team, construction complexity is significantly reduced as the entity that must build the project also designs it pursuant to performance/project criteria established by the public entity owner. This is what is being done on the Project at West Los Angeles College. The Design-Build Entity has to design and build the Project; it is in its own best interests to ensure that there are no incomplete, conflicting, uncoordinated, errors, omissions, deficiencies, etc. in the design and construction documents. If there are any found during construction, the Design-Build Entity has to bear the risk of loss and cost to overcome same. The Design-Build Entity would also be liable to the public entity owner for delay in the completion of the Project caused by the time needed to correct incomplete, conflicting, uncoordinated, errors, omissions, deficiencies, etc. in the design and construction documents (which otherwise would be the responsibility of the public entity owner). These are all features that are not achievable under the design-bid-build delivery method. For this reason alone, the Design-Build delivery method should be used for the Project.

V. ADDITIONAL CONSIDERATIONS ON THE INSTANT PROCUREMENT

Given the realities of procurements, it is not uncommon for bids and/or proposals to exceed the projected/estimated costs of a project. Sometimes a product, commodity, pieces of equipment and other necessary materials and/or components needed for construction of a project will undergo price escalations thereby driving the cost of construction higher than estimated and anticipated. Also, another significant factor normally is the cost of labor to design and/or build a project. Recently, construction costs in the Los Angeles area have experienced an increase, mostly related to the lack of qualified trained trade labor.

Recognizing these construction realities, and as part of the flexibility provided to public entities on Design-Build procurements, the law permits public entities to establish certain criteria as part of its “best value” selection process so that a procurement under this delivery method is not as rigid as the design-bid-build delivery method of procurement. In a “best value” selection process, the Legislature gives the public entity the authority to use its discretion and insert in its selection criteria in its procurement documents other objective criteria determined by the public entity (in addition to the criteria required by statute).
Education Code section 81700, et seq., the Design-Build statutory authority for community college districts, provides:

"81701. As used in this chapter, the following terms have the following meanings:

(a) "Best value" means a value determined by objective criteria and may include, but need not be limited to, price, features, functions, life-cycle costs, and other criteria deemed appropriate by the community college district." [emphasis added]

Since in or about August 2014, and realizing that the Bond Program funding was diminishing as more and more projects have been built, the District’s Design-Build procurement documents have contained the following selection criteria per the authority granted to the District under Education Code section 81701 (a). This criteria was included in Section 4.3 of the instant procurement:

Section 4.3 of the instant Request for Proposals expressly states:

“While the District will use the scoring outlined above as a guide as to assess the respective strengths of each Finalist’s Proposal, the procurement and final selection for award remains a qualitative based selection process as the District determines to be in its own best interests. This means that the District is not bound to award to the Finalist who “scores” the highest point total. In addition the District reserves the right not to award to any of the Finalists. Should any Proposal exceed (either by Lump Sum or Projected GMP) the Projected Construction Budget, for example, a lower scoring proposer may be selected out of necessity. Due to Bond limitations, the District has a certain amount of funding available for the Project and this must be considered in awarding each Contract.” [emphasis added]

In the item before the Board, two of the three proposals received were in amounts that exceeded the overall Projected Project Budget of $22,944,727.00 (which included: collaboration costs; design costs; hard and soft costs of construction, allowances; and a contingency amount). Those amounts were: $24,119,700.00 and $24,107,750.00, respectively. The Proposer who scored the highest points (i.e., 624 out of 700) also submitted a proposal that was $1,951,389.00 higher than the proposed Awardee price of $21,156,361.00. The intended Awardee’s amount was just under the overall Projected Project Budget (i.e., $22,944,727.00).

However, rather than throw out all proposals and start the procurement over, which may only result in the District receiving even higher pricing several months from now due to factors mentioned above, the District has the discretion to award the Design-Build Contract to the second highest point scorer whose price is within the overall Projected Project Budget. Additionally, the College has committed funding from another project to establish a sufficient owner’s contingency for the Project to go forward and be awarded at this time. The President, Vice President, and Shared Governance at West LA College have agreed to this.
The other project where money will be pulled from is the Watson 2 Project at West which is pending DSA approval and that DSA approval is expected to be obtained in the second quarter of 2017.

VI. **CONCLUSIONS**

As mentioned above, the Design-Build statutes require that the governing board of a community college district make written findings that use of the design-build process will accomplish one of the following objectives: (1) reduce comparable Project costs; (2) expedite the Project's completion, or (3) provide features not achievable through the traditional design-bid-build method.

The foregoing findings by District Staff and the PMO demonstrate that not only one, but all three of the requirements to use the Design-Build delivery method are present for the Project and warrant use of the Design-Build method for the Project.
East Los Angeles College

2015 Draft South Gate Educational Center Master Plan & Supplemental EIR

December 7, 2016

LACCD - Board of Trustees Meeting
ELAC Historical Presence in the Community

1993 – ELAC partnership with community leaders in southeast Los Angeles to develop additional higher education opportunities in this historically underserved region

1994 – “Southeast Educational Center” opens in Huntington Park

1997 – Center moved to current location, known as the “South Gate Educational Center”

2003 – Ameron site purchased for development of satellite campus (property later deemed unsuitable)

2009 – Firestone site purchased for development of SGEC facility
SGEC Master Plan – Approval History

Original FEC Master Plan presented to the BOT in September 2011 but never approved and included:
- Two phases of development
- Space for up to 12,000 students
- 135,000 GSF multi level building
- Funding for development of phase 2 had not been identified

2013 FEC Master Plan approved by BOT and included:
- Single phased project
- Space for up to 9,000 students
- Demolition of building 4 & its bridge connection to building 3
- Buildings 1, 2 and 3 would not be used for college use
- 100,000 GSF multi level building
- 1600 stall multi level parking structure
  + 60 stall surface parking lot

2015 SGEC Master Plan (modification of 2013 Master Plan)
Same components with the following modifications:
- Demolition of buildings 1 & 3
- Parking reduced to 750 stall surface parking lot + property reserved for 600 stall future surface parking lot for potential future growth

In accordance with Board rules, formal certification of the Supplemental EIR and approval of the modified 2013 FEC Master Plan are required to proceed with development of the project.

2015 Draft Facilities Master Plan

BuildLACCD
Building for tomorrow’s leaders
Factors Demonstrating Need & Benefits
Previously Approved Educational Facility

• No lab space at current SGEC.
• Instructional programming at current SGEC has nearly outgrown its physical space (Fall 2005 to Fall 2016):
  – 17% increase in enrollment
  – 54% increase in students served
• Student focus groups report that the lack of student support services at satellite campuses is a barrier to student success.
• The current SGEC can serve up to 5,000 students, is near capacity, and is expected to grow to 9,000 students with the development of the new SGEC.
• The population to be served by the new SGEC is traditionally underrepresented in higher education.
Demographics of current South Gate Educational Center

Only half of the students at the current SGEC are able to take all of their courses on site.
Demographic ages of current South Gate Educational Center

- 18 - 21: 40%
- 22 - 25: 26%
- 26 - 30: 13%
- 31 - 35: 6%
- 36 - 40: 4%
- 41 - 50: 4%
- Older than 50: 1%
- Under 18: 6%
2013 SGEC Master Plan
Previously Approved Program

<table>
<thead>
<tr>
<th>Location</th>
<th>Classrooms/ Instructional Space</th>
<th>Possible Sections</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current SGEC</td>
<td>17</td>
<td>238</td>
<td></td>
</tr>
<tr>
<td>Approved SGEC</td>
<td>32</td>
<td>448</td>
<td>82.40%</td>
</tr>
</tbody>
</table>

Approved SGEC Educational Program Facility

32 Instructional spaces, 448 Possible Sections (82% increase from current SGEC)

- 14 flexible smart classrooms
- 5 classrooms/labs for the physical and biological sciences
- 4 computer based classrooms/labs
- Specialized instructional spaces for Administration of Justice, Child Development, Music, Art, Architecture, Engineering
- 1 large lecture hall
- Space for specialized student support services
- Open Area for gathering

SGEC Goals

- Allow students to complete their educational goals onsite
- Increased enrollment from 5,000 to 9,000 students
- The SGEC stands to annually transfer 150 students and confer more than 100 degrees and 50 certificates.
SGEC Enrollment/Headcount Projections (Greatest Impact on Community)

<table>
<thead>
<tr>
<th>Year</th>
<th>Percent Growth</th>
<th>Headcount</th>
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<tr>
<td>2021</td>
<td>0.0%</td>
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<tr>
<td>2022</td>
<td>0.0%</td>
<td>5,000</td>
</tr>
<tr>
<td>2023</td>
<td>3.6%</td>
<td>5,178</td>
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<td>2024</td>
<td>6.4%</td>
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<td>2025</td>
<td>6.3%</td>
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<td>5.6%</td>
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<td>5.3%</td>
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<tr>
<td>2033</td>
<td>4.6%</td>
<td>9,000</td>
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</table>
SGEC Enrollment/Headcount Projections (Realistic Model – Student Success-based)

% OF CAPACITY

- 90.00%
- 80.00%
- 70.00%
- 60.00%
- 50.00%
- 40.00%
- 30.00%
- 20.00%
- 10.00%
- 0.00%

FALL 2021   FAL 2022   FALL 2023   FALL 2024

BuildLACCD
Building for tomorrow’s leaders
Previously Approved 2013 Master Plan

- Parking structure entry and signal on Santa Fe
- Existing Building 4 to be demolished
- Visitor drop-off on Santa Fe
- Improved general entry and signal at Firestone
- Existing ELAC Southgate Educational Center
- New parking structure
- New surface parking
- New open space
- New building

DIAGRAM: Overview of Master Plan

BuildLACCD
Building for tomorrow's leaders
Proposed 2015 SGEC Master Plan
(Modification of Approved 2013 Master Plan)
SGEC Facility: Necessary Classrooms, Labs, Offices and Support Facilities

Approved facility:
- 100,000 gross sq. ft. new multi level building (SGEC)

Proposed changes:
- 750 surface parking lot
- Future proposed 600 surface parking lot
- Elimination of costly parking structure
- Demolition of buildings 1 & 3

Estimated construction budget:
- $81M construction budget, in alignment with campus budget recovery plan

Projected Project schedule:
- MP Board approval: Dec 2016
- DesignBuild award: Dec 2016
- DSA approval: Fall/Winter 2018
- Construction completion: Spring 2021
- Class offering: Summer 2021
SGEC SEIR: Analysis of New Impacts

No Impact or Less-Than-Significant Impact
- Aesthetics
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Population, Housing and Employment
- Utilities

Less-Than-Significant Impact with Mitigation
- Air Quality (Regional Emissions)
- Cultural Resources (Archaeological and Paleontological Resources and Human Remains)
- Hazards and Hazardous Materials
- Public Services (Fire and Police)
SGEC SEIR: Analysis of New Impacts

Historic Resources

- Notified Historic Resources Agencies & Advocacy Groups:
  - California Office of Historic Preservation (OHP)
  - Historical Society of Southern California
  - Los Angeles Conservancy
  - Los Angeles City Historical Society
SGEC SEIR: Analysis of New Impacts

Historic Resources

- New Mitigation Measures

- **CR1** - Prior to demolition LACCD will document the buildings proposed for demolition in the form of a Historic American Building Survey (HABS) in accordance with the Secretary of the Interior’s Standards.

- **CR2** - LACCD will develop of a retrospective display detailing the history of the historic district to be incorporated into the new SGEC building.

- **CR 3** - Impacts to Building 2 will be avoided by constructing the new stair system and door on the building’s second floor in conformance with the Secretary of the Interior’s Standards.
SGEC SEIR: Analysis of New Impacts

Significant and Unavoidable

– Air Quality (Construction)
  • Construction activity would result in a significant and unavoidable short-term regional NOx impact.

– Noise (Construction)
  • Noise generated by construction would exceed the City’s 5-dBA significance threshold at residential land uses north and east of the project site.

New Mitigation Measures

• LACCD will implement various best management practices to reduce temporary construction-related impacts to the extent feasible.
SGEC SEIR: Analysis of New Impacts

Significant and Unavoidable

- Transportation / Traffic
  
  • Collaboration with City of South Gate
  
  • 31 Intersections Analyzed
  
  • 3 Intersections not able to be fully Mitigated
SGEC SEIR: Transit Routes

Current ELAC shuttle service to/from ELAC & new SGEC:

**MONDAY - THURSDAY**
(Schedule subject to change without prior notice)

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SHUTTLE SERVICE IS AVAILABLE TO STUDENTS, STAFF, and FACULTY

**MONDAY - THURSDAY**
(Schedule subject to change without prior notice)

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SHUTTLE SERVICE IS AVAILABLE TO STUDENTS, STAFF, and FACULTY

2015 Draft Facilities Master Plan
SGEC SEIR: Transit Routes

Public transit routes to/from ELAC & new SGEC:

- Metro Rapid Line 762 to Metro Line 115
- Metro Line 260 to Metro Line 115
- Metro Line 260 to Metro Shuttle Line 612
- Metro Rapil Line 762 to Metro Shuttle Line 612
- Metro Line 68 to Metro Shuttle Line 60
- Metro Rapid Line 770 to Metro Shuttle Line 60

- Travel times range from 30 to 90 minutes
- Buses run every 10 minutes during peak periods and every 20 to 30 minutes during non-peak periods
SGEC SEIR: Transit Routes

Public transit routes from surrounding communities to new SGEC:

- Metro Line 117
- Metro Line 251
- Metro Line 254
- Metro Line 611
- Metro Rapid Line 760
- Metro Blue Line 801
- The Gate (South Gate Line)

- Buses run every 10 minutes during peak periods and every 20 to 30 minutes during non-peak periods.
SGEC SEIR: Analysis of New Impacts

Transportation / Traffic

- New Mitigation Measures

  - **TT1** - LACCD shall install a traffic signal and associated roadway restriping and signage at the Santa Fe Avenue/Project Driveway-Orchard Place intersection. A northbound left-turn lane will be provided and the traffic signal will be designed to prohibit/preclude eastbound and westbound through movements while allowing for exiting (eastbound) left/right-turn movements.

  - **TT2** - LACCD shall install of an exclusive westbound right-turn only lane at the Santa Fe Avenue/Firestone Boulevard Intersection.
2015 SGEC Master Plan & SEIR Process

June 2015
Notice of Preparation

Prepare Supplemental Draft EIR

April 2016
Notice of Availability/Notice of Completion

April 2016 – June 2016
45-Day Public Review Period

June 2016 – November 2016
Prepare Response to Comments/Supplemental Final EIR

LACCD to Take Action on the
Supplemental Final EIR & 2015 SGEC Master Plan
East Los Angeles College
2015 Draft South Gate Educational Center Master Plan & Supplemental EIR

Q & A

December 7, 2016
LACCD - Board of Trustees Meeting
RESPONSE TO BOARD MEMBER INQUIRY

Received From:      Board Member Nancy Pearlman

Item No.            2016-17 #6

Subject:            Toilets at Gold Creek

In response to the question posed by Board member Nancy Pearlman regarding the installation of flushable toilets at Gold Creek, the District’s Facilities staff state that there is currently no water or septic system at the site. Electricity is provided via a generator.

Installation of flushable toilets will require a longer term review than is immediately possible. Staff would need to conduct a project specifically to determine the most feasible manner to provide water and/or electricity to the site as well as the cost for each before planning for the installation of flushable toilets. Unfortunately, there are no easy or budgeted options at this time.

Submitted By:      Jim O'Reilly, Chief Facilities Executive

Date:              December 7, 2016
To: Trustee Mike Eng,
Chairman, Facilities Master Planning and Oversight Committee ("FMPOC")

Trustee Ernest H. Moreno,
Vice Chair, FMPOC

Trustee Mike Fong,
FMPOC Member

Francisco C. Rodriguez,
Chancellor

From: James D. O'Reilly, Chief Facilities Executive

cc: Tom Hall, Director, Facilities Planning and Development
John P. Dacey, Lead Construction Counsel

Date: October 7, 2016

Re: Status Update Report on 179D Green Tax Deduction Monetization Efforts

I. INTRODUCTION

This item comes before the Committee for Information Only.

The Board required, as a condition of passing the Resolution on November 4, 2015 that awarded the Professional Services Contract which is the subject of this Memorandum, that all Allocation Agreements with “Designers” have to go to the Board for discussion and approval on an agreement by agreement basis.

This Memorandum addresses the first three Allocation Agreements that are expected to go before the Board in December 2016 for approval.

II. BRIEF BACKGROUND

A. Section 179 D of the Internal Revenue Code - Energy Policy Act of 2005

Section 179 D of the Internal Revenue Code, part of the Energy Policy Act of 2005, provides a tax deduction for the costs of installing certain energy efficient building systems in government owned buildings.
The deduction currently may be up to $1.80 per square foot for improving energy efficiency in an existing building or designing energy efficiency into a new building. The types of energy efficient improvements which qualify include: (1) interior lighting systems; (2) heating, cooling, and ventilation systems; (3) hot water systems; and/or (4) the building envelope.

Government entities, such as the District do not pay taxes. However, Congress has provided incentives for governmental entities to invest in energy efficiency in both existing and new buildings. Therefore, Congress allows a governmental entity to allocate the deductions to one or more designers (e.g., architects, engineers, and others). In exchange, governmental entities can receive “value” in either: (1) reduced design fees; or (2) money from the designer(s) that receive the tax deduction (“Allocation Agreements”).

B. How Does the District Receive “Value”

The District hires a Professional Service Provider using a competitive Request for Qualifications and Proposal process to “monetize” for the District’s benefit as much “value” as can be obtained. This is done by the Professional Service Provider working with the District to: (1) identify all past projects built that still qualify for the Green Tax Deductions and negotiating how much money “Designers” on those projects are willing to pay to the District for the tax deductions; and (2) identify all future projects and negotiate a reduction in designer fees in exchange for receiving the tax deductions.

The District pays nothing to the Professional Service Provider for its efforts unless the District actually receives “value”. The contract with the Professional Service Provider here states that it receives no reimbursable costs and receives nothing unless the District receives “value”. If the Professional Service Provider produces “value” for the District, then it receives a percentage of the “value” the District receives. The percentage payment for Efficiency Energy, LLC under its contract with the District is 15% of “value” received by the District from the “Designers”.

While the foregoing description simplifies how the Professional Service Provider goes about creating “value” for the District, it is actually a much more complicated process.

IRS 179 D and other applicable laws establish a detailed and complex process to:

(1) determine eligibility of the energy efficient building elements that qualify;
(2) how many square feet will qualify;
(3) how to calculate the eligible square footage;
(4) requires the use of IRS approved software;
(5) obtain third party certification for the amount of the deduction; and without limitation;
(6) monitors the “Designer’s” submission to the taxing authority that either approves or rejects, in whole or in part, the requested tax deduction.
C. Award of Professional Services Contract

After a competitive Request for Qualifications and Proposal process was undertaken, the Board of Trustees awarded a professional service contract to Efficiency Energy, LLC on November 4, 2015 to act as the District’s 179D Energy Policy Act Coordinator and pursue monetization efforts on behalf of the District.

D. Scope of Services for Efficiency Energy, LLC.

In addition to the duties described above in Section II B. Efficiency Energy, LLC.’s contract with the District requires it to perform various tasks as part of the process to obtain the tax deductions. The process is generally described as follows:

1. Conduct Feasibility Studies of potentially eligible Projects/Buildings to determine eligible amounts of square footage and tax deductions;
2. Verify interest with participating “Designers”;
3. Negotiate Allocation Agreements;
4. Oversee Certification by qualified third-party energy modeling with Department of Energy-approved software;
5. Conduct Site visits;
6. Closing documentation with legal, accounting, governmental entity & Designer(s) and exchange of value.

The process also includes approximately 4-6 months processing time with the Federal authorities to receive the deduction.

II. UPDATE ON EFFICIENCY ENERGY, LLC’S EFFORTS TO DATE

Efficiency Energy, LLC’s efforts to date and the potential “Value” to the District are set forth in the Status Update Report from them affixed hereto as Attachment “A”.

In summary, to date Efficiency Energy, LLC has reviewed 167 projects and completed designer outreach for 8 Central Plant projects serving 150 buildings and for ten (10) Parking Garage projects. It has contacted 30 Designer entities.

The projected/potential “value” to the District, if the Board approves the three Allocation Agreements referenced in Attachment “A”, and if the federal taxing authority approves the requested tax deductions as and in the amounts requested, would be $883,604.00. That number is arrived at by referring to the section entitled “Pending Savings Agreements” in Attachment “A” and using the amount stated there as “Total: $1,039,533” and then deducting therefrom the 15% fee which would be due to Efficiency Energy, LLC for its services.  

1 Total of $1,039,533.00 – 15% fee to Efficiency Energy, LLC of $155,929.00 = Net Money to District of $883,604.00.
Additionally, Efficiency Energy, LLC will also conduct further Feasibility Studies to determine if other projects/buildings are eligible for this type of tax deduction.

III. CONCLUSION

We will be ready to address any questions that the Committee may have on this topics at the Committee’s Meeting scheduled for October 19, 2016.

Please see Efficiency Energy, LLC’s Status Update Report affixed hereto as Attachment “A”.