

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, June 24, 2009 • 11:30 a.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 11:30 a.m. with President Kelly G. Candaele presiding.

On roll call the following members were present: Kelly G. Candaele, Mona Field, Nancy Pearlman, Miguel Santiago, and Sylvia Scott-Hayes. Absent: Georgia L. Mercer (arrived at 11:32 a.m.), Angela J. Reddock (arrived at 11:34 a.m.). Student Trustee Rodney D. Robinson was not present (arrived at 11:34 a.m.).

Chancellor Marshall E. Drummond was not present.

(Trustee Mercer arrived at 11:32 a.m.)

RECESS TO COMMITTEE OF THE WHOLE

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to recess to the Committee of the Whole.

APPROVED: 6 Ayes

President Candaele relinquished the gavel to Vice President Field to chair the Committee of the Whole.

The regular meeting recessed to the Committee of the Whole at 11:33 a.m.

Public Speakers

None.

(Trustee Reddock and Student Trustee Robinson arrived at 11:34 a.m.)

Energy Program Review

Vice President Field requested that in the future when the Board is presented with information regarding the Energy Program, a member of the Energy Team be present.

The Energy Oversight Committee is chaired by Mr. Ernest Moreno, President, East Los Angeles College (ELAC), and is comprised of the following individuals:

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development; Dr. Jamillah Moore, President, Los Angeles City College (LACC); Mr. Marvin Martinez, Vice Chancellor, Economic and Workforce Development; Dr. Roland Chapdelaine, President, Los Angeles Trade-Technical College (LATTTC); Mr. David Beaulieu, President, District Academic Senate; Ms. Jeanette Gordon, Chief Financial Officer/Treasurer; and Mr. Donald Gauthier, Academic Senate President, Los Angeles Valley College (LAVC).

The Energy Team is comprised of the following individuals:

Dr. Woodrow Clark, Build—LACCD; Mr. Tony Fairclough, Build—LACCD; Ms. Elena Christopoulos, Build—LACCD; Ms. Kelly Cauvel, Build—LACCD; Mr. Blair Doane, Facilities Planning and Development; Mr. Ruben Rojas, Build—LACCD; Mr. Stephen Caropino, Pacifica Services, Inc.; and Mr. Larry Hubler, Pacifica Services, Inc.

Mr. Larry Eisenberg, Executive Director, Facilities Planning and Development, indicated that at the Board meeting of June 10, 2009, two agenda items were presented to the Board regarding the concept of approving Power Purchase Agreements (PPAs) for the initial installation of solar energy at ELAC and Los Angeles Southwest College (LASC) and tentative agreements at Los Angeles Harbor College (LAHC) and Pierce College pending final negotiation agreements with the Los Angeles Department of Water and Power (LADWP). For Southern California Edison (SCE), a power purchase agreement is already in place for the first installation at ELAC. Solar projects are in place at ELAC, Los Angeles Valley College (LAVC), Pierce College, and Los Angeles Mission College (LAMC) for which the District has applied and received rebates from SCE and DWP. These projects are not included under the alternative financing concept. Rather, they were part of the original project budget. He stated that the amount of each rebate is based on kilowatt production. Solar-thermal storage is in place at several of the colleges to assist with the cooling process for the buildings. He indicated that the Energy Oversight Committee has been reviewing the Energy Program. He deferred to Mr. Moreno.

Mr. Moreno indicated that Energy Oversight Committee discussions regarding projects at ELAC, LASC, and West Los Angeles College (WLAC) centered on approximately \$44 million and there was a question about an additional \$20 million to be spent at WLAC. An alternative method of financing involves outside investors that have a certain timeline. The District has a responsibility to commit to the investors what they intend to do with the money so that the investors can access the savings that are incorporated in this process. The Energy Oversight Committee concluded that it would be able to support these projects because they would be valuable for the colleges. He stated that SCE covers only one megawatt per college site per year in terms of their rebates. If the District makes a commitment to utilize the rebate money and fails to do so, they would be required to pay a penalty of approximately two percent of the rebate amount. He feels confident that the District will be able to accomplish this task with respect to the SCE requirement.

Mr. David Beaulieu, President, District Academic Senate, indicated that the \$44 million was reduced to approximately \$27 million when WLAC withdrew from the program.

Trustee Mercer inquired as to why WLAC withdrew.

Mr. Eisenberg responded that Dr. Mark Rocha, President, WLAC, is supportive of the program but has requested a more comprehensive review of the investment opportunity.

Trustee Santiago inquired if the ELAC South Gate Educational Center is combined with ELAC with respect to having one megawatt per college site.

Mr. Moreno responded that the ELAC South Gate Educational Center is considered a separate site from ELAC.

Dr. Roland Chapdelaine, President, Los Angeles Trade-Technical College (LATTC), indicated that the financing option changes on an annual basis. For example, in 2009 a package was created consisting of banks that were willing to finance the capital side. The energy projects would need to be completed by December 31, 2009 in order to avoid a fine.

Vice President Field inquired as to the plan for bringing these projects forward and making sure the Board can take action on them in a timely manner.

Mr. Eisenberg responded that the deadlines for 2009 have been addressed by the actions that the Board took at the Board meeting of June 10, 2009 and there are no additional deadlines for this year. He indicated that the District is proposing to complete the Energy Program in 2010. There will be subsequent actions from some of the colleges that have been attempting to complete existing energy projects.

Ms. Jeanette Gordon, Chief Financial Officer/Treasurer, indicated that under an agreement with the LADWP, there is a deadline of December 31, 2009 for completion of the projects included in the Energy Program. If the District does not meet this deadline, it will be required to pay a fine.

Vice President Field inquired as to how much of the completion by the deadline is under the control of the Board.

Mr. Eisenberg responded that there should not be any problem with having the projects approved on June 10, 2009 completed by the December 31, 2009 deadline.

Trustee Mercer inquired as to whether the Board's recommendation to empower the Chancellor to negotiate with the LADWP is not yet a final decision.

Mr. Eisenberg responded that this is not yet a final decision.

Trustee Mercer inquired if the date of December 31, 2009 is the completion date required by the LADWP.

Mr. Eisenberg responded that for the projects at LAHC and Pierce College to fall within the financing package, they would need to be physically completed by December 31, 2009. He indicated that the agreement with the LADWP has not yet been finalized. He stated that construction has begun for these projects. With respect to the financing package, the idea of how the final approach will work with the LADWP is premised on the final agreement.

Trustee Mercer inquired if the projects would continue even if there is not a contract.

Mr. Eisenberg responded that it was indicated to the Board that the intention is to use money that has been set aside in the Central Energy account to cover the cost for the LAHC and Pierce College projects if the District is not successful with the LADWP.

Vice President Field inquired as to the Board's role or support for making sure that the LADWP comes to the table to complete the negotiation process.

Mr. Eisenberg responded that he has been participating in the negotiations and the LADWP has been positively motivated and strongly supportive of the District's energy projects. He indicated that for the City of Los Angeles, the LADWP has to implement a rate change, which will require the participation of the Neighborhood Councils. This is a long-term 90-day process. The rate change would then go to the LADWP Board and the Los Angeles City Council. A short-term process would require a special interim agreement between the LADWP and the District. This would require consultation with the Los Angeles City Attorney on how to make this possible. This interim agreement would give the District the ability to utilize flexible financing for LAHC and Pierce College now. The LADWP understands the District's time frame and the need to expedite the process.

Vice President Field indicated that the Board would be willing to support these efforts.

Mr. Moreno indicated that the projects have been broken down into two processes—one is to look at the financial issues and the other is to consider alternative energy production sources.

Dr. Chapdelaine indicated that of all the various alternative energy projects, the only ones that make financial sense at the present time are the proven solar and thermal projects. As College President, he is considering two issues—(1) how much it will cost to build a project and how much can be saved in terms of financing if the project is passed off to someone else and (2) how much it would cost for electricity from the time the project is installed until the time it is turned on.

Mr. Beaulieu expressed his concern that being prudent on these projects initially would have saved the District time and energy.

Trustee Santiago expressed his concern that investing in renewable resources does not make financial sense for each college.

Mr. Moreno indicated that in the short run, it might not make financial sense. For example, the \$2 million rebate check to ELAC was handed over to someone else. This other entity receives the benefits of the rebate. ELAC is supposed to receive the benefit of the reduced cost. In the long run, the college might receive some financial benefits.

Dr. Jamillah Moore, President, LACC, indicated that certain types of energy projects will not work for every campus. The challenge is for each college to find the type of energy project that will work for its campus and to install the project in a timely and cost-effective manner.

Mr. Beaulieu indicated that it is financially feasible and desirable to proceed with the projects independent of the colleges.

Trustee Candaele inquired as to who is searching for potential incentives and whether there is a cost for this.

Mr. Moreno responded that the incentives go to the financial institutions.

Trustee Pearlman expressed her concern regarding the high costs for installing solar energy panels.

Mr. Moreno indicated that energy is a monopoly and somebody owns it. The District has to depend upon the owner to agree on what the cost will be. For SCE, the market determines the rate structure. They are negotiating with the District in terms of the PPA and the District will receive the benefits in the long run.

There was discussion regarding possible alternatives to solar energy for the future.

Mr. Bharat Patel, Sustainability Director for Build—LACCD, indicated that the concept of having solar panels transporting free electricity is advancing rapidly. He foresees the use of solar panels across Southern California in the next 20 years. With respect to this particular PPA, he indicated that the financial companies take eight percent as interest. He indicated that the District will pay off the PPA accrualment from the General Fund and if the District miscalculates its percentages, it will be in a worse situation. He recommended that the PPA be paid off in five or six years using Bond funds.

Mr. Moreno indicated that the District is attempting to preserve Bond funds for construction on its campuses. He stated that ELAC estimated the increased cost, which did not occur; therefore, ELAC is paying the higher rate as opposed to the lower rate.

Mr. Eisenberg indicated that as a public entity, the District cannot take advantage of the federal investment tax credit, which covers 30 percent of the cost. The District can receive the rebates that the SCE and the LADWP would offer, but these are only 10 to 20 percent of the cost compared to more than 50 percent of the cost if this is done through a third-party financing model. There is a strong reason to use the third-party financing model to take advantage of the federal government paying more than 50 percent of the cost.

Mr. Patel indicated that after six or seven years, the federal tax incentives expire and so does the depreciation.

Mr. Eisenberg indicated that Internal Revenue currently provides that the depreciation has to run for five years and in year six it can be bought out. Money has been set aside from Measure J into a central account that in year six would allow the District to do the buyout. At that time, the District would own the installations outright and would have no energy costs.

Trustee Pearlman expressed her concern that there should not be major maintenance costs for solar panels.

Mr. Eisenberg indicated that the agreement provides for the full maintenance and operation of the system as long as the third party owns that system. During the first five years of the agreement, that would be the case. If the District does not buy them out, the third party would maintain the project through the life of the system.

Vice President Field indicated that in the year 2025, there are predicted to be substantial cost increases for traditional energy, and the District will be happy it has taken the actions to install solar energy.

Adjournment

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adjourn the Committee of the Whole.

APPROVED: 7 Ayes

The Committee of the Whole adjourned at 12:25 p.m.

Vice President Field relinquished the gavel to President Candaele.

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 12:30 p.m. with President Kelly G. Candaele presiding.

On roll call the following members were present: Kelly G. Candaele, Mona Field, Georgia L. Mercer, Miguel Santiago, and Sylvia Scott-Hayes. Absent: Nancy Pearlman (arrived at 12:32 p.m.) and Angela J. Reddock (arrived at 12:32 p.m.). Student Trustee Rodney D. Robinson was present.

Chancellor Marshall E. Drummond was not present.

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

None.

RECESS TO CLOSED SESSION

During the Closed Session, Mr. Robert Garber, President, Pierce College, will be discussing labor negotiations.

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to recess to Closed Session in accordance with The Ralph M. Brown Act and the Education Code. The Board will discuss the matters on the Closed Session agenda as posted and announced (see Attachment A).

APPROVED: 5 Ayes

The regular meeting recessed to Closed Session at 12:31 p.m.

(Trustees Pearlman and Reddock arrived at 12:32 p.m.)

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 4:12 p.m. with President Kelly G. Candaele presiding.

On roll call the following members were present: Kelly G. Candaele, Mona Field, Georgia L. Mercer, Nancy Pearlman, Angela J. Reddock, Miguel Santiago, and Sylvia Scott-Hayes. Student Trustee Rodney D. Robinson was present.

Acting Chancellor Adriana D. Barrera was present.

Trustee Reddock led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to approve the following minutes:

Regular Meeting and Closed Session – February 11, 2009

APPROVED: 7 Ayes

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

Ms. Velma Butler, President, AFT College Staff Guild Los Angeles, expressed her concern that a rumor has been circulating that the LACCD is spearheading legislation to eliminate the Personnel Commission. She requested that the AFT College Staff Guild be given an opportunity to discuss this issue before any actions are taken to eliminate the Personnel Commission.

Mr. Javad Sabokpey, Worksite Organizer, SEIU Local 721, concurred with Ms. Butler's concerns.

Ms. Alicia Loncar, Legislative Advocate, SEIU Local 99, indicated that she has also heard this rumor and stated that Local 99 would like to know if there is any truth to the rumor.

President Candaele indicated that the Board does not have a response at this time and that no official action has been taken with respect to this issue.

PUBLIC AGENDA REQUESTS (Category A)

Oral Presentations

Scheduled speaker Mr. Richard Thompson was not present.

On behalf of Mr. Thompson, Mr. Daniel Fleury addressed the Board with his concerns that it has taken more than one year to receive payment from Turner Construction Company for each of three construction projects—one with LAMC and two with WLAC.

Mr. Eisenberg indicated that he has investigated this issue and determined that the invoice had been missing at the College Project Manager's (CPM) trailer.

President Candaele assured Mr. Fleury that the matter would be taken care of.

With respect to Com. No. BT4. Resolution Withdrawing Support for the Campaign for College Opportunity, Mr. Hayward Nishioka expressed his appreciation to the Board for presenting this resolution. He announced that on August 28, 2009, a Districtwide Physical Education Conference will be held at LAVC.

Mr. Jonathan Sanabria addressed the Board with his concerns regarding the cancellation of the second Summer Session and the proposed cancellation of the 2010 Winter Intersession.

Ms. Rachael Richards addressed the Board with her concerns regarding the proposed class cuts for next year.

Proposed Actions

None.

REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – MULTIPLE AGENDA MATTERS

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

The following reports to the governing board of the Los Angeles Community College District, considered as a part as if fully set forth hereto and certified copies of which are on file in the Office of the Board of Trustees, were presented by the Board of Trustees and action taken as indicated.

Report on Actions Taken in Closed Session – June 24, 2009

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

With regard to potential litigation, the Board gave approval to initiate an action if certain circumstances arise. Once formally initiated, the action, defendants, and other particulars will be disclosed to any person upon inquiry unless it will jeopardize the District's ability to effectuate service of process or to conclude settlement negotiations to its advantage. The vote was unanimous.

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

Reports of Standing and Special Committees

Trustee Pearlman reported on this morning's Infrastructure Committee meeting at which there were presentations regarding the Allied Health and Wellness/Athletic Fields, the Plant Facilities Center, and the North Parking Structure projects at WLAC.

Trustee Field reported on this morning's Committee of the Whole meeting at which there was a review and discussion regarding the District's Energy Program.

Com. No. BT1. Resolution – In Honor of Angela J. Reddock

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

The following resolution is presented by Trustees Candaele, Field, Mercer, Pearlman, Santiago, and Scott-Hayes:

- WHEREAS, Trustee Angela J. Reddock has served diligently on the Board of Trustees of the Los Angeles Community College District (LACCD) for two years; and
- WHEREAS, Trustee Reddock's insights and positive work on behalf of the District's nine colleges have led to greater awareness of the LACCD's accomplishments; and
- WHEREAS, Trustee Reddock's community outreach efforts are unsurpassed as is her willingness to tackle tough issues with great sensitivity and clarity; and
- WHEREAS, Trustee Reddock's leadership at the local and state level has advanced the profile of the LACCD; and
- WHEREAS, Trustee Reddock has shown great commitment to the students, faculty, and staff of the LACCD; and
- WHEREAS, Trustee Reddock has been hard working and dedicated and has remained true to the values at the core of the community colleges' educational mission of accessibility, affordability, and accountability; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby recognizes Trustee Angela J. Reddock as an outstanding citizen and community representative who has served on the Board with distinction.

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

Trustees Scott-Hayes, Pearlman, Mercer, Field, and Santiago expressed their appreciation to Trustee Reddock for her leadership efforts during her tenure on the Board.

Trustee Reddock expressed her appreciation for having had the opportunity to serve on the Board of Trustees and thanked her colleagues for appointing her to the Board. She announced that she has made a \$1,500 donation to the LACCD Foundation.

Com. No. BT2. Resolution – District Classified Employee Retirement

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to adopt Com. No. BT2. as follows:

- WHEREAS, The classified employee identified below has been employed with the Los Angeles Community College District for many years; and
- WHEREAS, The classified employee has 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 employee for her contributions and extend best wishes in her retirement.

SUMMARY OF RETIRED CLASSIFIED EMPLOYEES
May 1, 2009 – May 31, 2009

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 Moeckel	Kathryn	Admissions & Records Assistant	18	Valley

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

Com. No. BT3. Resolution – Los Angeles Community College District Public Art Program

Motion by Trustee Mercer, seconded by Trustee Reddock, to adopt Com. No. BT3. as follows:

The following resolution is presented by Trustees Mercer, Reddock, and Pearlman:

- WHEREAS, The funding that will be spent under the Bond Programs pursuant to Article XIII A of the Constitution of the State of California will significantly transform the physical environment at each of the nine colleges and satellite facilities in the Los Angeles Community College District; and
- WHEREAS, The physical environment created by the Bond Programs needs to support the intellectual and social goals of the Los Angeles Community College District by providing active, engaging, and stimulating campuses for the pursuit of higher education; and

- WHEREAS, The purchase of public art creates employment for the art community through the production and installation of artwork; and
- WHEREAS, The presence of significant pieces of public art will contribute to the creation of a higher education environment at each college that promotes intellectual thought, challenges conventional thinking, and stimulates a lifetime interest in the arts; and
- WHEREAS, Public art serves as a powerful means of communication, stimulates dialog with one another and our surroundings, provides a connection for individuals in a very human way, serves as a way to promote and honor cultural diversity, becomes a source of pride, represents a tie to the broader community, and creates a legacy for future generations; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby endorses the creation of a public art program under the Measure J Bond Program premised on the following concepts:
1. Funding shall be set aside from project cost savings at each college in an amount of up to one-half of one percent of the college's original Proposition A, Proposition AA, and Measure J allocation for the commissioning and/or purchase of public art.
 2. Major pieces of commissioned public art should be located at each college and satellite facility of the Los Angeles Community College District in selected exterior and significant interior public spaces as determined most appropriate by the college's master planning and shared governance processes and that are consistent with the project list adopted by the Board of Trustees as required by the Constitution of the State of California, Article XIII A (1)(b)(3)(B).
 3. Each college should make an effort in its design of buildings under Measure J to encourage the selected architect team to incorporate as much art as possible into the architecture of the building through the incorporation of such features as mosaics, window art, murals, custom glass lights, etc., without the requirement of supplemental funding.
 4. Public art should be acquired at each college through a competitive process with public advertisement to the broader Los Angeles art community with an emphasis on the local art community in the vicinity of the college. A shared governance process should be established to evaluate artist submissions and determine which art pieces proposed shall be installed at which location at the college.
 5. Supplemental funding may be secured from the business community, public entities, foundations, and private individuals to support additional pieces of public art outside of the Bond Program if the bond supported funding proves to be inadequate.
 6. Appropriate recognition for each piece of completed art should be provided to the artist and for the donor(s), if any, who made the commission possible.

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

Com. No. BT4. Resolution Withdrawing Support for Campaign for College Opportunity

Motion by Trustee Field, seconded by Trustee Pearlman, to adopt Com. No. BT4. as follows:

The following resolution is presented by Trustees Field and Pearlman:

- WHEREAS, The Campaign for College Opportunity has recommended reducing funding for Physical Education from the credit to the noncredit rate when a similar recommendation has not been made for these same courses offered at the University of California or California State systems; and
- WHEREAS, The Campaign for College Opportunity has supported the effort to reduce categorical programs by 55 percent when these programs serve disabled and disadvantaged students as well as those enrolled in basic skills and in workforce development programs; and
- WHEREAS, The Campaign for College Opportunity has recommended an increase in student fees to \$30 per unit, increasing the current fee by 50 percent; now therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District has determined that the Campaign for College Opportunity no longer represents the major goals and tenets of the California Community Colleges; and be it further
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby withdraws its prior endorsement of the Campaign for College Opportunity.

Mr. Carl Friedlander, President, Los Angeles College Faculty Guild, expressed his appreciation to the Board for presenting this resolution. He expressed his concern regarding the Campaign for College Opportunity's recommendation to increase LACCD student enrollment fees to \$30 per unit.

For the record, Acting Chancellor Barrera indicated that all of the Board members endorsed this resolution.

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

Com. No. BT5. Adopt Furlough Action

Motion by Trustee Santiago, seconded by Trustee Pearlman, to table Com. No. BT5. until the regularly scheduled Board meeting of July 29, 2009.

APPROVED: 4 Ayes (Candaele, Pearlman, Reddock, Santiago)
3 Noes (Field, Mercer, Scott-Hayes)

Tabled until the regularly scheduled Board meeting of July 29, 2009.

Ms. Camille Goulet, General Counsel, indicated that this item would be placed on the Board agenda by staff for the Board meeting of July 29, 2009.

Com. No. BT6. Resolution – Cancellation of Winter Intersession 2010

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to table Com. No. BT6. until the regularly scheduled Board meeting of July 29, 2009.

Student Trustee Advisory Vote: Aye (Robinson)
APPROVED: 7 Ayes

Tabled until the regularly scheduled Board meeting of July 29, 2009.

Com. No. BT7. Conference Attendance Authorization

Motion by Trustee Field, seconded by Trustee Scott-Hayes, to adopt Com. No. BT7.

Student Trustee Advisory Vote: Aye (Robinson)
APPROVED: 7 Ayes

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

The following reports to the governing board of the Los Angeles Community College District, considered as a part as if fully set forth hereto and certified copies of which are on file in the Office of the Board of Trustees, were presented by Acting Chancellor Barrera and action taken as indicated.

Report on African American Outreach Initiative

Mr. Gary Colombo, Vice Chancellor, Institutional Effectiveness, indicated that the first goal of the District strategic plan is to expand educational access for students, particularly for groups that have been underserved by higher education such as African Americans. He deferred to Dr. Kaneesha Miller, Dean, Outreach and School Relations.

Dr. Miller presented an update regarding the African American Outreach Initiative. She indicated that the LACCD African American student enrollment has increased by 16 percent since 2005 and there has been a 22 percent increase in the African American male student enrollment since 2005.

Dr. Mark Henderson, Manager, College Information Systems, Pierce College; Dr. Yasmin Delahoussaye, Vice President, Student Services, LAVC; and Ms. Elizabeth Evans, Assistant Professor, Child Development, WLAC, gave presentations regarding the African American Outreach Initiative and discussed the benefits of the program.

Ms. Evans distributed packets of materials regarding the WLAC Umoja Program – *Stepping Up Success for African American Students and others*.

Dr. Miller expressed her appreciation to Trustee Reddock for her support of the African American Outreach Initiative.

Trustee Reddock emphasized the importance of supporting programs such as Umoja. She expressed her appreciation to Mr. Colombo, Dr. Miller, and the other individuals involved in the African American Outreach Initiative for their efforts on behalf of African American students.

CONSENT CALENDAR ITEMS

Matters Requiring a Majority Vote

President Candaele entertained a motion to adopt the Consent Calendar Items as amended on Matters Requiring a Majority Vote, with the limitation that the Student Trustee's vote shall not apply to HRD1., HRD2., HRD3., ISD2., and the Correspondence.

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adopt the Consent Calendar Items as amended on matters requiring a majority vote, with the limitation that the Student Trustee's vote shall not apply to HRD1., HRD2., HRD3., ISD2., and the Correspondence.

President Candaele inquired if the Trustees have items that need clarification or separation for the vote.

The Trustees discussed the following Consent Calendar Items:

Com. No. BF1. Budget and Finance Routine Report

Com. No. BF2. 2009-2010 Tentative Budget Adoption

Com. No. BF3. Authorization to Make Appropriation Transfers

Com. No. BSD1. Business Services Routine Report

With respect to Roman Numeral I. Authorize Placement of Insurance as it relates to the placement of insurance policies through Arthur J. Gallagher & Co., the District's broker of record, Trustee Mercer inquired if the one percent premium increase is for the same amount of coverage.

A response in the affirmative was provided.

Acting Chancellor Barrera noted the following amendments:

I. AUTHORIZE PLACEMENT OF INSURANCE

Authorize placement of the insurance policies specified in the table below, for the policy period of July 1, 2009 to June 30, 2010, through Arthur J. Gallagher & Co., the District's broker of record.

Line of Insurance	Limits	Deduct/SIR	Insurer	Premium			A.M. Best Rating
				FY 2008/2009	FY 2009/2010	% Variance	
Property Excluding Terrorism (1) Exposure Type Rates	\$ 300,000,000	\$25,000	Lexington (AIG) (R)	\$ 320,461	\$ 358,362 \$ 404,854	26%	A XV
				\$1,190,470,000 \$.030/\$100 value	\$1,399,402,000 \$.028/\$100 value	18%	A XV
						-7%	A XV

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V. AUTHORIZE PERMIT FOR USE

Authorize Permit for Use with Marymount College for use of classrooms to conduct summer classes at Los Angeles Harbor College during the period July 6, 2009 to August 21, 2009, inclusive, at a total income of **up to** \$40,000.

Background: The College facilities will be used to conduct 20 summer classes at the rate of \$2,000 per class.

Mr. Friedlander expressed his concern that the LACCD summer session has been cancelled, but that Marymount College is being provided the opportunity to teach classes on the LAHC campus. He indicated that there are many unanswered questions regarding this issue including whether LAHC faculty will be teaching Marymount College's classes, the course outlines, and the articulation agreements.

Dr. Linda Spink, President, LAHC, indicated that LAHC has articulation agreements with Marymount College. She stated that this item is a rental agreement under which Marymount College would rent space from LAHC. Marymount College would be offering up to 20 sections of courses similar to LAHC's schedule. She further stated that Marymount had offered to pay the LAHC faculty salaries to teach these courses. The LAHC AFT Chapter President declined the offer. LAHC would not be involved in any way with advertising and marketing the courses.

Com. No. BSD2. Ratifications for Business Services

With respect to Item E. Lease of Facilities for District Use Agreement Number 4500131213 as it relates to an agreement with the Millennium Biltmore Hotel to provide a conference location for the NexTrendinLA Green Job Fair, Trustee Pearlman requested that the minutes reflect that she has requested in the past and continues to request that when the LACCD is sponsoring events such as this, there should be an effort to utilize facilities and services on the campuses.

Acting Chancellor Barrera indicated that it is not always feasible to hold events such as this on the campuses due to the number of rooms that are required to hold breakout sessions and the need to provide sufficient parking for large numbers of attendees.

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

With respect to Roman Numeral I. Authorize Professional Services Agreements Item A. as it relates to an agreement with Jacobs to provide commissioning services campus-wide on a Task Order basis at LACC, Trustee Mercer inquired as to what the commissioning services will entail.

Mr. Eisenberg responded that the commissioning services will provide for independent experts to check the operation of every feature in the building including door locks, windows, fire alarms, air conditioning, etc.

There was discussion regarding Roman Numeral II. Authorize Amendment to Professional Services Agreement Item G. with respect to the engineering services being provided by Tony Fairclough in support of the Districtwide energy initiatives.

Mr. Eisenberg indicated that this should be a new agreement as opposed to an amendment to an agreement. He requested that the item be amended as follows:

II. AUTHORIZE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

...

- G. Authorize ~~Amendment No. 3 to an Agreement No. 30807~~ with Tony Fairclough to provide additional professional engineering services in support of the Districtwide energy initiatives from July 1, 2009 through June 30, 2011 at a cost not to exceed \$420,000 including eligible reimbursable expenses.

Com. No. FPD3. Adopt a Resolution Authorizing Acceptance of a Renewable Energy Secure Community (RESKO) Grant of up to \$2,000,000 from the California Energy Commission (CEC) Public Interest Energy Research (PIER) Program

Com. No. FPD4. Master Procurement Agreement for Microbiology Microscopes for Los Angeles City College

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Reopen Agreements with Exclusive Representatives

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

Correspondence

Accept recommended disposition of Correspondence.

The Student Trustee's vote shall not apply to HRD1., HRD2., HRD3., ISD2., and the Correspondence.

Student Trustee Advisory Vote: No (Robinson)

ADOPTED AS AMENDED: 7 Ayes

Matters Requiring a Super Majority Vote

Com. No. BSD3. Authorize Lease Agreement

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adopt Com. No. BSD3.

Student Trustee Advisory Vote: Aye (Robinson)

ADOPTED: 7 Ayes

Com. No. FPD2. Ratify an Emergency Resolution for the Removal of Discovered Hazardous Material in the Vicinity of the Physical Education Center at Pierce College

Motion by Trustee Field, seconded by Trustee Mercer, to adopt Com. No. FPD2.

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

RECOMMENDATIONS FROM THE CHANCELLOR

Addendum – Com. No. CH1. Revise Board Rule 10704

The following revisions were made post Notice:

10704. REIMBURSABLE EXPENSES. Reimbursement for actual and necessary expenses may include:

Transportation to and from destination, including related parking expenses

Lodging

Meals

Tips or gratuities associated with meals, not to exceed 15% of the subtotal cost of each meal where gratuity is given and ~~documented in writing~~ supported by a printed transaction receipt

Daily tips or gratuities involving overnight travel related to portage, housekeeping and valet not to exceed \$5 per day

Conference fees

Business related telephone calls or telegraph

Additional portage where charged as a specific baggage handling fee in special circumstances where conference or presentation materials require transport

Local transportation at place of meeting

Other miscellaneous items directly related to District business

Items excluded:

Intoxicating spirits (except wine when charged as part of a conference meal which cannot be segregated from the meal cost served with a meal)

~~Tips or other gratuities~~

Personal telephone calls or other expenses of a personal nature

Legend: _____ AND _____ = changes made post Notice

Motion by Trustee Field, seconded by Trustee Mercer, to adopt Com. No. CH1. as amended.

Student Trustee Advisory Vote: Aye (Robinson)

ADOPTED AS AMENDED: 7 Ayes

Addendum – Com. No. CH2. Revise Board Rules 71000.13, 71000.14, and 71000.15

The following revisions were made post Notice:

- 71000.13 Requests for Expenditures. All requests for expenditures shall be prepared in accordance with the Business Services Procedures guidelines. Each request must be submitted prior to the event on the Request for Food Purchase form and approved by the appropriate College President, or the appropriate Vice Deputy Chancellor or designee or and Division (Office)/Department Head at the College or District Office.

- 71000.14 Advance Relevant Payments. Advance payments may be authorized to caterers, restaurants, hotels and other providers of food service when required.

- 71000.15 Other Costs. Tips or other food service related gratuities are ~~not allowed if payment is supported by a printed transaction receipt made is documented in writing.~~ Such tips and gratuities cannot exceed 15% of the subtotal of the food purchase costs. "Service charges" are allowed in cases where the caterer, restaurant, hotel and/or other provider or

food service adds the charge to the invoice. The District will pay this charge as a cost of doing business.

Expenditures for intoxicating spirits are not allowed **except in accordance with Board Rule 10704.**

Legend: _____ AND _____ = changes made post Notice

Motion by Trustee Scott-Hayes, seconded by Trustee Field, to adopt Com. No. CH2. as amended.

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

Com. No. CH3. Elimination of Positions in the Classified Service

Motion by Trustee Field, seconded by Trustee Mercer, to adopt Com. No. CH3.

Ms. Butler inquired as to why the positions of Director of the Foundation at Pierce College and Community Services Manager at LACC are being eliminated.

Mr. Garber indicated that as a cost-saving measure, it was decided that the Pierce College Foundation would support its own operations.

Dr. Moore indicated that the Community Services Program at LACC is experiencing a severe deficit and cannot continue to support the Community Services Manager position. An effort is being made to make the Program self-sufficient.

ADOPTED: 7 Ayes

NOTICE REPORTS AND INFORMATIVES

Com. No. HRD/A. [Collective Bargaining Notice] Effects Bargaining with Exclusive Representatives of the District's Employees Regarding Fiscal Year 2009-2010 Furlough

Noticed by Acting Chancellor Barrera.

PUBLIC AGENDA REQUESTS (Category B)

Oral Presentations

None.

Proposed Actions

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Trustee Field announced that the LACCD has received the "Compass Award" from the Southern California Association of Governments in recognition of its sustainable building program.

Trustee Pearlman announced that at the 8th Annual UC/CSU/CCC Sustainability Conference, the LACCD received the "Best Practice Award" for Water Efficiency/Site Water Quality in recognition of its Waterless Urinal Program.

Acting Chancellor Barrera announced that Mr. Moreno has informed her that July 1, 2009 is the 40th anniversary of the LACCD as an independent district separate from the Los Angeles Unified School District. A celebration marking this occasion will be tentatively scheduled for the second Board meeting in July 2009. She indicated that

the Oath of Office ceremony for the newly elected and reelected Board members will be held at the Annual Organizational and Regular Board meeting on July 15, 2009.

ADJOURNMENT

President Candaele entertained a motion to adjourn in memory of Mr. Robert Blessing who passed away a few weeks ago.

Trustee Field indicated that Mr. Blessing was a long-time supporter of Pierce College and served on the Bond Oversight Committee at Pierce College.

Motion by Trustee Field, seconded by Trustee Mercer, to adjourn in memory of Mr. Robert Blessing.

President Candaele requested that the Board also adjourn in honor of Trustee Angela J. Reddock.

Motion by Trustee Field, seconded by Trustee Mercer, to adjourn in honor of Trustee Reddock.

Without objection, so ordered.

The regular meeting adjourned at 5:53 p.m.

TYREE WIEDER
Interim Chancellor and Secretary of the Board of Trustees

By: _____
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Mona Field
President of the Board

Date _____ November 4, 2009