

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, July 29, 2009 • 12:30 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 12:33 p.m. with President Mona Field presiding.

On roll call the following members were present: Kelly G. Candaele, Mona Field, Georgia L. Mercer, Nancy Pearlman, Miguel Santiago, and Sylvia Scott-Hayes. Absent: Tina Park (arrived at 12:40 p.m.). Student Trustee Rodney D. Robinson was not present (arrived at 1:00 p.m.).

Acting Chancellor Adriana D. Barrera was present.

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

President Field stated that in accordance with The Ralph M. Brown Act, Mr. Garnet King, a permanent classified employee assigned to Los Angeles Trade-Technical College as an Admissions and Records Assistant, has requested that he be allowed to speak at the public session of the Board of Trustees. Mr. King was present.

Mr. Michael Shanahan, Associate Vice Chancellor, Employer-Employee Relations, explained what should occur with respect to the disciplinary case.

Ms. Camille Goulet, General Counsel, explained the process for suspending a permanent classified employee.

Mr. Shanahan summarized the charges against Mr. King.

Mr. King addressed the Board regarding the charges against him.

(Trustee Park arrived at 12:40 p.m.)

#### **RECESS TO CLOSED SESSION**

Motion by Trustee Pearlman, seconded by Trustee Scott-Hayes, 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: 7 Ayes*

The regular meeting recessed to Closed Session at 12:42 p.m.

(Student Trustee Robinson arrived at 1:00 p.m.)

#### **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:40 p.m. with President Mona Field presiding.

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

Acting Chancellor Adriana D. Barrera was present.

Student Trustee Robinson led the Pledge of Allegiance to the Flag.

### **APPROVAL OF MINUTES**

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

Regular Meeting and Closed Session – March 25, 2009

*APPROVED: 6 Ayes (Candaele, Field, Mercer, Pearlman, Santiago, Scott-Hayes)  
1 Abstention (Park)*

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

Mr. Joseph Martinez, Lobbyist, SEIU Local 99, expressed his appreciation to Trustee Candaele for participating in a maintenance project at Los Angeles City College (LACC) on July 28, 2009. He indicated that members of SEIU Local 99 are in attendance today for the purpose of addressing the furlough action (Com. No. BT5.) later today.

Mr. Reginald McCoy, President, SEIU Local 721, addressed the Board in opposition to imposing furloughs on the classified employees.

Ms. Sandra Lepore, Executive Secretary, AFT College Staff Guild Local 1521A, recommended that the Board consider alternatives and that they not adopt the furlough action.

Acting Chancellor Barrera indicated that Com. Nos. BT4. Resolution – Cancellation of Winter Intersession 2010 and BT5. Adopt Furlough Action were legally required to be brought back on July 29, 2009 because they had been tabled to a specific date.

Ms. Linda Tong, ASO Vice President, LACC, and Student Representative at the Resource Table, recommended that the Board consider other actions instead of cancelling the Winter Intersession.

Ms. Velma Butler, President, AFT College Staff Guild Local 1521A, requested that the Board distribute a report to the employees informing them of exactly what is happening with respect to the furlough action.

### **PUBLIC AGENDA REQUESTS (Category A)**

#### **Oral Presentations**

President Field entertained a motion to allocate three minutes per speaker regarding Los Angeles Trade-Technical College (LATTC).

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to allocate three minutes per speaker regarding LATTC.

*APPROVED: 7 Ayes*

The following individuals addressed the Board with their concerns regarding budget cuts, shared governance, and accreditation with respect to LATTC:

Ms. Mayra Lara, Mr. Gheron Dennis, Mr. Che Chancey, Mr. Rudy Serrato, Ms. Alicia Rodriguez-Estrada, Ms. Carole Anderson, Mr. David Esparza, and Mr. John McDowell.

President Field and Trustees Pearlman and Scott-Hayes expressed their appreciation to the speakers for their involvement and their commitment towards resolving the LATTC accreditation issue.

## Proposed Actions

None.

## **REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – MULTIPLE AGENDA MATTERS**

None.

\* \* \*

There being no objection, Mr. Carlos Diaz was permitted to address the Board at this time.

Mr. Diaz addressed the Board with his concerns regarding Com. No. BT5. Adopt Furlough Action.

President Field reiterated that Com. No. BT5. was brought back to the table as originally presented due to a legal requirement. She indicated that in future situations such as this, the item would include a statement to this effect.

## **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 – July 29, 2009

President Field 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 the position of Interim Chancellor, the Board voted unanimously that the person serving as Interim Chancellor will not be eligible for the regular appointment. Since Dr. Adriana Barrera has indicated that she will seek the regular appointment, she will continue to serve as Acting Chancellor until the Board makes an appointment of an Interim Chancellor, which is expected within the next 30 days. The Board further voted unanimously to compensate Dr. Barrera with additional salary for her extended period of services as Acting Chancellor, which is subject to a final vote in a public session as required by The Ralph M. Brown Act.

With regard to the position of Chancellor, the Board voted unanimously to direct the Acting Chancellor to obtain proposals from the established panel of search firms regarding a search process, including the following:

1. The recommended composition for an internal search committee;
2. A recommended timeline for a fall semester search to be completed by December 15, 2009, with a preference for a start date of February 1, 2010;
3. A recommended approach for recruitment and the development of a pool of quality candidates;
4. The proposed fees and anticipated costs for this work; and
5. The names and qualifications of the specific, key personnel who would be the leads and direct contacts for the process.

With regard to the position of Interim President, the Board voted unanimously to appoint Dr. Joy McCaslin to serve as Interim President at Pierce College until a regular appointment can be made.

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 following projects:

LACC Chemistry and Life Science Modernization Project; Los Angeles Harbor College (LAHC) West Parking Structure; Los Angeles Southwest College (LASC) Site Improvements Campus East Pump House and Fire Water Upgrade; Health Career Academy Update; Owner-Controlled Insurance Program (OCIP) Update; and TIO2 Update

Student Trustee Robinson reported on the Student Affairs Committee meeting of July 24, 2009.

Com. No. BT1. Conference Attendance Authorizations

Trustee Pearlman requested that her name be added as follows:

- A. Authorize payment of necessary expenses for Mona Field, Georgia L. Mercer, Tina Park, ~~and~~ Sylvia Scott-Hayes, and Nancy Pearlman, members of this Board of Trustees, to attend the Community College League of California Annual Convention & Partner Conferences to be held on November 18-21, 2009 in San Francisco, California.

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt Com. No. BT1. as amended.

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

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

Motion by Trustee Mercer, 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  
June 1, 2009 – June 30, 2009

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 Kishimoto	Melody	Senior Office Assistant	16	Mission

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

Com. No. BT3. Adopt Resolution Granting LACCD Authority for Reappointment to District Citizens' Oversight Committee

President Field indicated that Com. No. BT3. has been revised as noted:

The following resolution is presented by Trustees Field and Mercer:

- WHEREAS, Mr. David Rattray of the Los Angeles Area Chamber of Commerce has served ably and effectively as Chair on the District Citizens' Oversight Committee (DCOC), which is a mandated body under the California Constitution, Article XIII A and Education Code section 15278; and
- WHEREAS, Education Code section ~~15278~~ 15282 imposes term limits of two two-year terms for DCOC members; and
- WHEREAS, The Los Angeles Community College District (LACCD) urgently needs continuity of skill and knowledge on the DCOC; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District does hereby request that the Board of Governors of the California Community Colleges grant the LACCD authority to reappoint Mr. David Rattray to another term on the DCOC so that the LACCD may continue to benefit from Mr. Rattray's experience in bond management.

Motion by Trustee Field, seconded by Trustee Mercer, to adopt Com. No. BT3. as amended.

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

Com. No. BT4. Resolution – Cancellation of Winter Intersession 2010

Acting Chancellor Barrera indicated that the following resolution, which was tabled at the regular Board meeting of June 24, 2009, is being brought back to the Board as originally presented:

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

- WHEREAS, The budget crisis for the State of California continues to worsen; and
- WHEREAS, The Los Angeles Community College District must act responsibly in planning the 2009-10 academic class schedule; and
- WHEREAS, The Chancellor has consulted with appropriate governance committees; and
- WHEREAS, The Districtwide Budget Committee voted by consensus to cancel the Winter Intersession 2010, saving the Los Angeles Community College District approximately \$8 million; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby authorizes the Chancellor to cancel the Winter Intersession 2010.

At its meeting of July 22, 2009, the Districtwide Budget Committee voted to accept the budget proposal for a reduction of the 2010 Winter Intersession.

Mr. John Clerx, Vice Chancellor, Educational Support Services, discussed the effect that the following three enrollment scenarios would have on the District's FTES generation:

1. The District produces exactly as it did last year;
2. The District reduces its Winter Intersession by 50 percent; and
3. All of the colleges offer Winter Intersession except those that have a deficit.

Acting Chancellor Barrera indicated that the Board could amend the Resolution to allow the colleges to make their own decisions regarding the 2010 Winter Intersession.

Ms. Jeanette Gordon, Chief Financial Officer/Treasurer, indicated that the Board is not required to make a decision today. She recommended that this issue be discussed in a Chancellor's Cabinet meeting before a decision is made.

There was discussion regarding whether or not to impose an across-the-board cancellation of the 2010 Winter Intersession.

The College Presidents concurred that it would not be a problem to defer the decision regarding the 2010 Winter Intersession until the regularly scheduled Board meeting of August 19, 2009.

Mr. John McDowell addressed the Board regarding Com. No. BT4.

Trustee Candaele inquired if it would be better to table this to a date certain or to defeat it and rewrite it for the next time.

Ms. Goulet recommended that the Board move to table Com. No. BT4. until the regularly scheduled Board meeting of August 19, 2009 with direction to staff to bring back a reformulated Resolution consistent with appropriate consultation.

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to table Com. No. BT4. until the regularly scheduled Board meeting of August 19, 2009 with direction to staff to bring back the Resolution as reformulated consistent with appropriate consultation.

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

**Tabled until the regularly scheduled Board meeting of August 19, 2009.**

Com. No. BT5. Adopt Furlough Action

Ms. Goulet recommended that the Board adopt a measure to defer any further action on a proposed furlough pending a recommendation from the Chancellor. This will have the effect of tabling the action indefinitely until the Chancellor brings forward a proposed action.

Motion by Trustee Santiago, seconded by Trustee Scott-Hayes, to defer any further action on Com. No. BT5. pending a recommendation from the Chancellor.

*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.

None.

**CONSENT CALENDAR ITEMS**

**Matters Requiring a Majority Vote**

President Field 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., ISD2., and the Correspondence.

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt the Consent Calendar Items as amended on matters requiring a majority vote.

President Field 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

With respect to Roman Numeral IV. Acceptance of Funds and Authorization to Contract as it relates to the acceptance of additional funds from the United States Department of Education for the continuation of the Academic Competitiveness Grant (ACG) at Los Angeles Valley College (LAVC), Trustee Mercer requested further information as to what these funds will be used for.

Acting Chancellor Barrera indicated that she would provide this information to the Board.

Com. No. BSD1. Business Services Routine Report

During the printing of the agenda, a portion of Com. No. BSD1. Roman Numeral I. Ratify Service Agreements was inadvertently printed twice while Roman Numeral II. Authorize Service Agreements had not been printed.

President Field indicated that Com. No. BSD1. has been revised as noted:

Subject: BUSINESS SERVICES ROUTINE REPORT

I. RATIFY SERVICE AGREEMENTS

- A. Ratify an agreement with the Sierra Joint Community College District, on behalf of Sierra College, to assist the Los Angeles Community College District, as part of the District's \$1.6 million ESL/Basic Skills Professional Development grant through the California Community Colleges (CCC), in providing coordination and direct support to the community colleges that are participating in the pilot Sacramento/Central Valley Regional Basic Skills Initiative (BSI) Network of the statewide ESL/Basic Skills Professional Development Grant, during the period March 1, 2009 to January 12, 2010, inclusive, at a total cost not to exceed \$70,000.
- B. Ratify an agreement with the San Diego Community College District, on behalf of San Diego Miramar College, to assist the Los Angeles Community College District, as part of the District's \$1.6 million ESL/Basic Skills Professional Development grant through the California Community Colleges (CCC), in providing coordination and direct support to the community colleges that are participating in the pilot San Diego/Imperial Valley Regional Basic Skills Initiative (BSI) Network of the statewide ESL/Basic Skills Professional Development Grant, during the period May 1, 2009 to January 12, 2010, inclusive, at a total cost not to exceed \$40,000.

Background: As authorized by the Board of Trustees on March 25, 2009 (BSD1), the District's Office of Institutional Effectiveness is in receipt of an ESL/Basic Skills Professional Development Grant to improve curricula, develop instructional strategies and student services, and integrate program practices that effectively meet the needs of basic skills and ESL students, and to provide professional development activities for instructors and administrators in keeping with the statewide ESL/Basic Skills Initiative. These agreements for the services of Sierra College and San Diego Miramar College as BSI network coordinators in California's Central and Imperial Valleys focus on supporting participating colleges' acquisition and synthesis of information and documentation of BSI action and expenditure plans; increasing the colleges' capacities for application of research to program development

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- B. ~~Ratify an agreement with the San Diego Community College District, on behalf of San Diego Miramar College, to assist the Los Angeles Community College District, as part of the District's \$1.6 million ESL/Basic Skills Professional Development grant through the California Community Colleges (CCC), in providing coordination and direct support to the community colleges that are participating in the pilot San Diego/Imperial Valley Regional Basic Skills Initiative (BSI) Network of the statewide ESL/Basic Skills Professional Development Grant, during the period May 1, 2009 to January 12, 2010, inclusive, at a total cost not to exceed \$40,000.~~

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~~and evaluation toward the creation of highly effective and highly coordinated basic skills efforts, and for ongoing professional development; and assistance in establishing and expanding the web presence and online resources available for a user-friendly dialog for professionals interested in and involved with Basic Skills and ESL program improvement; along with the implementation of other BSI Phase III objectives that build on the efforts initiated through the 2006-07 and 2007-08 ESL/Basic Skills Professional Development grants.~~

**II. AUTHORIZE SERVICE AGREEMENTS**

- A. Authorize agreement with the Foundation for California Community Colleges for the District's participation as a subgrantee in the U.S. Department of State's Community College Initiative for Egypt Program (the "Program"). The Program is intended to foster a deeper understanding of American society for student participants, and to reinforce community college efforts to build international ties. As a Program subgrantee, the District shall enroll twenty-three (23) Egyptian students for the 2009-10 academic year at Los Angeles City College and provide experiential opportunities through the Program's American Culture, Democracy, and Civic Responsibility requirement. Total compensation to the District shall not exceed \$485,640.

- B. Authorize housing referral agreement with California Student Corporation ("CSC") in order to identify and facilitate the rental of affordable student housing accommodations for twenty-three (23) students selected by the Community College Initiative for Egypt Program ("Program") to participate in educational, professional development and employment skills programs offered by Los Angeles City College. The agreement shall be effective July 30, 2009 through June 30, 2010. The District shall provide a one-time upfront security deposit to CSC of \$4,600.00 for rental of student dormitory style housing located close to City College for the twenty-three (23) Egyptian students in the program. Each student shall enter into individual rental leases with CSC. Funding is through a sub grant from the Community College Initiative for Egypt Program.**

**Background: The program grant agreement with the U.S. Department of State's Community College Initiative will provide the funding for reimbursement to the District for the enrollment fees and living stipend expenses for all Egyptian students attending the Initiative Program at Los Angeles City College. The housing referral agreement between the District and California Student Corporation permits the District to identify an appropriate housing location for the Egyptian students which is located conveniently to City College and public transportation.**

Com. No. BSD2. Ratifications for Business Services

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

Com. No. FPD2. Master Procurement Agreement for Laboratory Workstations

Com. No. FPD3. Master Procurement Agreement for Floor Sweepers and Scrubbers

Com. No. FPD4. Master Procurement Agreement for Plastinated Whole Bodies

Com. No. FPD5. Master Procurement Agreement for Industrial Equipment – Scissor Lift

Com. No. FPD6. Master Procurement Agreement for Fireproof Files

Com. No. FPD7. Master Procurement Agreement for Turf/Lawn Care Equipment

Com. No. HRD1. Personnel Services Routine Actions

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

Com. No. ISD2. Approval of Student Travel

Correspondence

Accept recommended disposition of Correspondence.

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

*Student Trustee Advisory Vote: Aye (Robinson)*

*ADOPTED AS AMENDED: 7 Ayes*

**Matters Requiring a Super Majority Vote**

None.

## **RECOMMENDATIONS FROM THE CHANCELLOR**

Com. No. CH1. Approve Naming of Patio Area as Helen Krahn Plaza at Pierce College

Motion by Trustee Mercer, seconded by Trustee Santiago, to adopt Com. No. CH1.

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

Com. No. FPD8. Ratify an Emergency Resolution for the Removal and Disposal of Three (3) Discovered Underground Fuel Tanks at the East Wing of Building "A," Los Angeles Trade-Technical College

Motion by Trustee Scott-Hayes, seconded by Trustee Mercer, to adopt Com. No. FPD8.

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

## **NOTICE REPORTS AND INFORMATIVES**

None.

## **PUBLIC AGENDA REQUESTS (Category B)**

### Oral Presentations

Mr. Victor Orellana and Ms. Jaynell Cotton addressed the Board regarding the need to reestablish accreditation at LATTC.

Ms. Laura Gutierrez addressed the Board regarding the Van de Kamp Innovation Center. She read a letter from Assembly Member Kevin De Leon regarding the change in the usage of the Van de Kamp site.

Trustee Scott-Hayes requested that a response be sent to Assembly Member De Leon indicating that the Board adopted a Resolution on July 15, 2009 regarding the use of the property as the Van de Kamp Innovation Center.

(Subsequent to this Board meeting, a letter from President Field was sent to various Assembly Members and Los Angeles City Council Members regarding this Board action.)

Elder Hosanna Jesse Oliver Gray addressed the Board with his concerns regarding the economic deficit.

Mr. Jose Aguilar addressed the Board with his concerns regarding the leadership at LATTC.

### Proposed Actions

None.

President Field read the cautionary language for speakers and their personal responsibility for defamatory remarks.

## **ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

None.

## **ADJOURNMENT**

Motion by Trustee Mercer, seconded by Trustee Scott-Hayes, to adjourn.

Without objection, so ordered.

The regular meeting adjourned at 5:41 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 \_\_\_\_\_  
October 21, 2009