



Board of Trustees

Los Angeles Community College District
770 Wilshire Blvd., Los Angeles, CA 90017 (213) 891-2000

AGENDA

ORDER OF BUSINESS - REGULAR MEETING

Wednesday, June 29, 2011

Closed Session 12:30 p.m.

Public Session 2:30 p.m.

Educational Services Center
Board Room – First Floor
770 Wilshire Blvd.
Los Angeles, CA 90017

- I. Roll Call (12:30 p.m.)
- II. Requests to Address the Board of Trustees – Closed Session Agenda Matters
- III. Recess to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq., and the Education Code to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5 (Refer to Attachment "A" for Closed Session agenda).
- IV. Reconvene Regular Meeting (2:30 p.m.)
- V. Roll Call
- VI. Flag Salute
- VII. Special Presentations
 - Presentations of Certificates from Elected Officials
 - Presentations of Resolutions by Board 1st Vice President Miguel Santiago
 - BT1. Resolution – Sylvia Scott-Hayes
 - BT2. Resolution – Georgia L. Mercer
 - Staff Presentation by Chancellor Daniel LaVista
- VIII. Recess to Farewell Reception
- IX. Reconvene Regular Meeting (3:30 p.m.)
- X. Reports from Representatives of Employee Organizations at the Resource Table
- XI. Public Agenda Requests
 1. Oral Presentations
 2. Proposed Actions
- XII. Reports from the Chancellor and College Presidents - None
- XIII. Reports and Recommendations from the Board
 - Report on Actions Taken in Closed Session – June 29, 2011
 - Reports of Standing and Special Committees
 - BT3. Conference Attendance Authorization

- XIV. Consent Calendar
- Matters Requiring a Majority Vote
- | | |
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| BF1. | 2011-2012 Tentative Budget Adoption |
| FPD1. | Facilities Planning and Development Routine Report |
| FPD2. | Rescind Authorization for Sale of Property |
- XV. Recommendations from the Chancellor
- | | |
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| CH1. | Prohibition on Financial Transactions Between Faculty Members and Their Students |
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- XVI. Recess to Capital Construction Committee
- A. Roll Call
 - B. LEED™ and Parking Structure Projects – Presentation & Approval
 - East – Campus Center Bookstore, design-build (\$27M)
 - C. Non-LEED™ Renovation or Infrastructure Projects – Presentation & Approval
 - None
 - D. Master Plan Update
 - East – Firestone Education Center
 - E. Presentation/Initiative Reviews
 - Inspector of Record/Lab of Record Request for Proposal (RFP) Selection Criteria
 - Whole Building Commissioning Presentation Follow-up
 - Diffenbaugh Takeover Agreement Briefing
 - Mission College Renewable Energy Program Update
 - F. Future Presentation/Initiative Reviews
 - Contract Accountability and Legal Remedy Overview
 - Construction Economic Forecast
 - e7 Program Update
 - Design Build Procurement Process
 - Evaluation Process
 - Bi-Monthly Districtwide Construction Progress Update
 - G. New Business
 - H. Future Discussion Items
 - I. Adjourn
- XVII. Reconvene Regular Meeting of the Board of Trustees
- XVIII. Roll Call
- XIX. Notice Reports and Informatives – None
- XX. Announcements and Indications of Future Proposed Actions

XXI. Adjournment

Next Regularly Scheduled Board Meeting
Wednesday, July 13, 2011
(Public Session scheduled for 3:30 p.m.)
Educational Services Center
Board Room – First Floor
770 Wilshire Blvd.
Los Angeles, CA 90017

In compliance with Government Code section 54957.5(b), documents made available to the Board after the posting of the agenda that relate to an upcoming public session item will be made available by posting on the District's official bulletin board located in the lobby of the Educational Services Center located at 770 Wilshire Boulevard, Los Angeles, California 90017. Members of the public wishing to view the material will need to make their own parking arrangements at another location.

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 Board meeting.



Board of Trustees

LOS ANGELES COMMUNITY COLLEGE DISTRICT
770 Wilshire Boulevard, Los Angeles, CA 90017 213/891-2000

AGENDA

ATTACHMENT A

CLOSED SESSION

Wednesday, June 29, 2011
12:30 p.m.

**Educational Services Center
9th Fl. Conference Room
770 Wilshire Boulevard
Los Angeles, CA 90017**

I. **Public Employment**

(pursuant to Government Code section 54957)

- A. Position: President, West Los Angeles College
- B. Position: President, East Los Angeles College

II. **Conference with Labor Negotiator**

(pursuant to Government Code section 54957.6)

- A. District Negotiators: Adriana D. Barrera
Employee Units: All Units
All Unrepresented Employees
- B. District Negotiators: Ken Takeda
Employee Unit: Building and Trades
- C. District Negotiators: Sue Carleo
Employee Unit: Academic Administrators
- D. District Negotiators: Mary Gallagher
Employee Unit: Clerical/Technical
- E. District Negotiators: Michael Shanahan
Employee Unit: Supervisory

F. District Negotiators: Michael Shanahan

Employee Unit: Local 99

G. District Negotiators: Rose Marie Joyce

Employee Unit: Faculty

III. Public Employee Discipline/Dismissal/Release/Charges/Complaints
(pursuant to Government Code section 54957)

IV. Conference with Legal Counsel – Anticipated Litigation
(pursuant to Government Code section 54956.9 (b))

- A. Potential Litigation – One (1) matter
- B. Claim for additional construction work at the Van de Kamp Innovation Center
- C. Claim for relocation benefits at 1055 Corporate Center Drive
- D. Claim for Interpreter Services at Trade-Technical College

V. Other litigation matters as may be announced prior to the closed session
(pursuant to Government Code section 54956.9)



Board of Trustees

Los Angeles Community College District

ACTION

Com. No. BT1

Division

Board of Trustees

Date: June 29, 2011

Subject: **RESOLUTION – SYLVIA SCOTT-HAYES**

The following resolution is presented by Trustees Candaele, Field, Park, Pearlman, and Santiago:

WHEREAS, Trustee Sylvia Scott-Hayes was first elected to the Los Angeles Community College District (LACCD) in 1999; and

WHEREAS, Trustee Scott-Hayes has served three terms as Vice President and three terms as President of the LACCD Board; and

WHEREAS, Trustee Scott-Hayes is the only Latina to serve as President of the LACCD Board; and

WHEREAS, During Trustee Scott-Hayes's first term as LACCD Board President, the Board adopted a nationally recognized environmental sustainability building policy; and

WHEREAS, Trustee Scott-Hayes has focused her attention on issues of accreditation and institutional effectiveness; and

WHEREAS, Trustee Scott-Hayes has served as Chairperson of the Board committees of Planning and Student Success and of Institutional Effectiveness; and

WHEREAS, Trustee Scott-Hayes has been recognized for her efforts to improve university transfer rates among LACCD students; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District wishes Trustee Sylvia Scott-Hayes success in future educational endeavors as she steps down from her elected position as a trustee.

Chancellor and
Secretary of the Board of Trustees

By _____ Date: _____

Candaele _____	Pearlman _____
Field _____	Santiago _____
Mercer _____	Scott-Hayes _____
Park _____	Barrero _____
	Student Trustee Advisory Vote



Board of Trustees

Los Angeles Community College District

ACTION

Com. No. BT2

Division

Board of Trustees

Date: June 29, 2011

Subject: **RESOLUTION – GEORGIA L. MERCER**

The following resolution is presented by Trustees Candaele, Field, Park, Pearlman, and Santiago:

WHEREAS, Trustee Georgia L. Mercer has served as a member of the Los Angeles Community College District (LACCD) since 1998; and

WHEREAS, Trustee Mercer has served three terms as Vice President and three terms as President of the Board; and

WHEREAS, Trustee Mercer was elected by her colleagues to the statewide Board of the California Community College Trustees in 2002; and

WHEREAS, Trustee Mercer is the immediate Past President of that organization; and

WHEREAS, Trustee Mercer has been an active community member serving on a number of boards for civic and advisory organizations; and

WHEREAS, Trustee Mercer has served the LACCD with a commitment towards teaching excellence and student success; and

WHEREAS, Trustee Mercer will step down from civic service as an elected member of the LACCD Board of Trustees; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District bestows its best wishes to Georgia L. Mercer as she enters this new phase of her life of civic engagement.

Chancellor and
Secretary of the Board of Trustees

By _____

Date: _____

Candaele _____	Pearlman _____
Field _____	Santiago _____
Mercer _____	Scott-Hayes _____
Park _____	Barrero _____
	Student Trustee Advisory Vote



Board of Trustees

Los Angeles Community College District

ACTION

Com. No. BT3

Division

Board of Trustees

Date: June 29, 2011

Subject:

CONFERENCE ATTENDANCE AUTHORIZATION

Authorize payment of necessary expenses for Tina Park, member of this Board of Trustees, to attend the Community College League of California Annual Convention & Partner Conferences to be held on November 17-19, 2011 in San Jose, California.

Chancellor and
Secretary of the Board of Trustees

By _____ Date _____

Candaele _____	Pearlman _____
Field _____	Santiago _____
Mercer _____	Scott-Hayes _____
Park _____	Barrero _____
	Student Trustee Advisory Vote



Board of Trustees

Los Angeles Community College District

ACTION

Com No. BF1

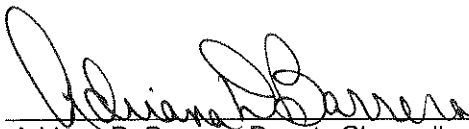
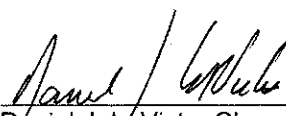
Division: BUSINESS AND FINANCE

Date: June 29, 2011

Subject: 2011-2012 TENTATIVE BUDGET ADOPTION

Adopt the 2011-2012 Tentative Budget, and authorize staff to file the same with the California Community Colleges Chancellor's Office.

Background: The Governing Board of the Los Angeles Community College District must adopt the 2011-2012 Tentative Budget no later than July 1, 2011, for the year ending June 30, 2012, as required under Section 58305(a) of Title 5, California Code of Regulations. Adoption of the Tentative Budget will allow the District to begin its operations for the 2011-2012 fiscal year.

Recommended by:  Approved by: 
Adriana D. Barrera, Deputy Chancellor Daniel J. LaVista, Chancellor

Chancellor and Secretary of the Board of Trustees By: _____ Date _____	Candaele _____ Field _____ Mercer _____ Park _____	Pearlman _____ Santiago _____ Scott-Hayes _____ Barrero _____ Student Trustee Advisory Vote
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Board of Trustees

Los Angeles Community College District

ACTION

Com. No. FPD1	Division FACILITIES PLANNING AND DEVELOPMENT	Date June 29, 2011
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Subject: FACILITIES PLANNING AND DEVELOPMENT ROUTINE REPORT

AUTHORIZE EXECUTION OF TAKEOVER AGREEMENTS WITH SURETY

Action

Authorize the execution of three takeover agreements with Safeco Insurance Company of America (Safeco) for the following three projects: the Student Services Building at Los Angeles Valley College; the Library and Academic Resource Center at Los Angeles Valley College; and the E3/E5 Replacement Building at East Los Angeles College at no additional cost to the District.

Background

Safeco is the Payment and Performance Bond Surety for J.D. Diffenbaugh, Inc. (Diffenbaugh). Diffenbaugh was awarded the below listed construction contracts by the LACCD Board of Trustees on the dates shown by competitive low bid as follows:

College	Project	Contract No.	Authorization date and Com. No.	Original Award Amount
Los Angeles Valley College	Student Services	32138	November 19, 2008	\$13,647,728
Los Angeles Valley College	Library and Academic Resource Center	32407	May 13, 2009	\$17,979,397
East Los Angeles College	E3/E5 Replacement Building	32297	February 11, 2009	\$11,870,000

In May 2011, Diffenbaugh notified the District that it was unable to pay for completion of the projects due to financial difficulties and was voluntarily defaulting on all contracts with the District. Pursuant to the obligation of the Surety under the payment and performance Bonds issued on behalf of Diffenbaugh, the District has negotiated takeover agreements through legal counsel with Safeco to ensure completion of the projects originally contracted to Diffenbaugh.

Funding and Development Phase

Funding is through Proposition A/AA and Measure J Bond proceeds. Student Services 08V.6809.02 (Contract 32138); Library and Academic Resource Center 08V.6802.02 (Contract 32407); E3/E5 Replacement Building, East Los Angeles College, 02E.9228.02 (Contract 32297). Construction Phase.

Recommended by: Approved by:
 Adriana D. Barrera, Deputy Chancellor Daniel J. LaVista, Chancellor

Chancellor and Secretary of the Board of Trustees By: _____ Date: _____	Candaele _____ Pearlman _____ Field _____ Santiago _____ Mercer _____ Scott-Hayes _____ Park _____ Barrero _____ Student Trustee Advisory Vote
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Board of Trustees

Los Angeles Community College District

ACTION

Com. No. FPD2

Division FACILITIES PLANNING AND DEVELOPMENT

Date

June 29, 2011

Subject: **RESCIND AUTHORIZATION FOR SALE OF PROPERTY**

Rescind authorization adopted on December 15, 2010 (Com. FPD4) to offer properties at 10100 and 10000 Jefferson Boulevard, Culver City, California, for sale.

Background: The Board acquired property in order to facilitate construction of a second road for West Los Angeles College. The Board gave direction to staff regarding price negotiations during its closed session on June 15, 2011. Based on that direction, this action will ratify the Board's direction to withdraw the property from any offer for sale. If there is an interest in disposal of the property at a later time, the Board will take an appropriate public action regarding proposed disposition.

Recommended by: Adriana D. Barrera
Adriana D. Barrera, Deputy Chancellor

Approved by: Daniel J. LaVista
Daniel J. LaVista, Chancellor

**Chancellor and
Secretary of the Board of Trustees**

By: _____ Date: _____

Candaele _____	Pearlman _____
Field _____	Santiago _____
Mercer _____	Scott-Hayes _____
Park _____	Barrero _____
	Student Trustee Advisory Vote



Board of Trustees

Los Angeles Community College District

ACTION

Noticed: June 15, 2011

Com. No. CH1

Division: CHANCELLOR

Date: June 29, 2011

SUBJECT: PROHIBITION ON FINANCIAL TRANSACTIONS BETWEEN FACULTY MEMBERS AND THEIR STUDENTS

Adopt new Board Rule 9700.1, as an addition to existing Board Rule 9700, as follows:

9700. PRIVATE INSTRUCTION FOR COMPENSATION. No employee of the Los Angeles Community College District may use District-owned or -controlled facilities to provide private instruction or other professional services for compensation. An instructor employed by the District is prohibited from offering private instruction or other professional services for compensation (1) to a student is enrolled at the college to which said instructor is assigned; (2) during any summer vacation period to a student or a former student who was a member of one of the instructor's classes during the previous Spring Semester.

9700.1 FINANCIAL TRANSACTIONS WITH STUDENTS Faculty members are prohibited from engaging directly with students in their classes in the sale or rental of required or recommended materials or activities charges. When a faculty member wishes to distribute classroom materials for which students are required to pay, the faculty member shall use a voucher system through the College's bookstore or business office and must substantiate that the materials are being provided at cost. Faculty members are prohibited from engaging in other financial transactions with students, except to facilitate participation in voluntary, extracurricular activities, such as theater trips or sporting events. In that case, the faculty member is required to provide appropriate accounting and receipts upon request to the supervising administrator.

Approved by: *Daniel J. LaVista*
Daniel J. LaVista, Chancellor

Chancellor and Secretary of the Board of Trustees	Candaele _____	Pearlman _____
	Field _____	Santiago _____
By: _____ Date: _____	Mercer _____	Scott-Hayes _____
	Park _____	Barrero _____ Student Trustee Advisory Vote

Board of Trustees

Los Angeles Community College District

Com. No. CH1	Division CHANCELLOR	Date June 29, 2011
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Background: There are legal exposures for financial transactions between faculty members and their students with regard to conflict-of-interest concerns, charges for in-class materials, resale licensing and taxing, bargaining unit work, appropriate documentation and other matters. The proposed rule has been consulted with management and faculty representatives.