



# 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, February 20, 2013

Public Session 2:00 p.m.

Closed Session

(Immediately Following Adjournment  
of Capital Construction Committee)

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

- I. Roll Call (2:00 p.m.)
- II. Flag Salute
- III. Reports from Representatives of Employee Organizations at the Resource Table
- IV. Announcements from College Presidents
- V. Public Agenda Requests
  - A. Oral Presentations
  - B. Proposed Actions
- VI. Reports and Recommendations from the Board
  - Reports of Standing and Special Committees
  - BT1. Trustee Absence – Hardship Ratification
- VII. Reports from the Chancellor
  - Reports from the Chancellor regarding District activities or pending issues
    - Presentation of the Cadet of the Year
    - Key Priorities for Remainder of Fiscal Year 2012-2013
- VIII. Consent Calendar
  - Matters Requiring a Majority Vote – None
  - Matters Requiring a Super Majority Vote
    - FPD1. Adopt Resolution Authorizing Ground Lease Agreement and Development Agreement with the Los Angeles Unified School District for the Harbor Teacher Preparation Academy
- IX. Recommendations from the Chancellor – None
- X. Recess to Capital Construction Committee
  - A. Roll Call
  - B. Public Speakers
  - C. Presentations/Initiative Reviews
    1. Bond Program Policy and Operations Update
  - D. New Business
  - E. Adjourn Capital Construction Committee

**ORDER OF BUSINESS**

February 20, 2013

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- XI. Reconvene Regular Meeting of the Board of Trustees
- XII. Roll Call
- XIII. Notice Reports and Informatives  
BF/A. [Notice] Amend Chapter VII, Article V of the Board Rules
- XIV. Announcements and Indications of Future Proposed Actions
- XV. Requests to Address the Board of Trustees – Closed Session Agenda Matters  
**Location: Board Room**
- XVI. 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. **Location: Hearing Room**
- XVII. Reconvene Regular Meeting **Location: Board Room**
- XVIII. Report of Actions Taken in Closed Session – February 20, 2013
- XIX. Adjournment

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**Next Regularly Scheduled Board Meeting**  
**Wednesday, March 6, 2013**  
**(Public Session scheduled for 2:00 p.m.)**  
**Los Angeles Southwest College**  
**1600 West Imperial Highway**  
**Los Angeles, California 90047-4899**

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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, February 20, 2013

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

- I. **Public Employee Evaluation**  
(pursuant to Government Code section 54957)
  - A. Position: Chancellor
  
- II. **Public Employee Discipline/Dismissal/Release/Charges/Complaints**  
(pursuant to Government Code section 54957)
  
- III. **Conference with Legal Counsel - Existing Litigation**  
(pursuant to Government Code section 54956.9(a))
  - A. *Vegan Outreach v. LACCD*
  - B. *700 Wilshire Properties v. Roosevelt Lofts, Inc., et al.*
  - C. *Mathew Pugliese v. LACCD*
  - D. *Fernando Corletto v. LACCD*
  - E. *Susan Veksler v. LACCD*
  - F. *NSE-Eng, Inc. v. LACCD*
  - G. *Taslimi Construction Company, Inc. v. LACCD*
  - H. *FEI Enterprises, Inc. v. Chegnini Enterprises, Inc., LACCD, et al.*
  - I. *FTR International, Inc. v. LACCD*

**Closed Session**  
**February 20, 2013**  
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- IV. Conference with Legal Counsel - Anticipated Litigation**  
(pursuant to Government Code section 54956.9(b))
  - A. Potential litigation – 1 matter
  
- 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: February 20, 2013

Subject: **TRUSTEE ABSENCE – HARDSHIP RATIFICATION**

That the Board of Trustees of the Los Angeles Community College District hereby compensate Trustee Kelly Candaele for the Board meeting of February 6, 2013 despite his absence pursuant to Board Rule 2104.14. Trustee Candaele's absence was due to a personal matter requiring his attention.

Chancellor and  
Secretary of the Board of Trustees

By \_\_\_\_\_ Date \_\_\_\_\_

|                |                               |
|----------------|-------------------------------|
| Candaele _____ | Santiago _____                |
| Field _____    | Svonkin _____                 |
| Park _____     | Veres _____                   |
| Pearlman _____ | Campos _____                  |
|                | Student Trustee Advisory Vote |



# Board of Trustees

Los Angeles Community College District

## ACTION

|               |  |                        |
|---------------|--|------------------------|
| Com. No. FPD1 | Division FACILITIES PLANNING AND DEVELOPMENT | Date February 20, 2013 |
|---------------|--|------------------------|

**SUBJECT: ADOPT RESOLUTION AUTHORIZING GROUND LEASE AGREEMENT AND DEVELOPMENT AGREEMENT WITH THE LOS ANGELES UNIFIED SCHOOL DISTRICT FOR THE HARBOR TEACHER PREPARATION ACADEMY**

Adopt a resolution (Attachment 1) authorizing a Ground Lease Agreement and a Development Agreement with the Los Angeles Unified School District ("LAUSD") pursuant to Education Code Section 81430 through 81432 for the permanent location of the Harbor Teacher Preparation Academy ("HTPA") on the campus of Los Angeles Harbor College. The Ground Lease Agreement will have a term of 40 years, requires LAUSD to pay annual fixed rent in the amount of \$276,500, and requires the parties to participate in joint academic programming. The lease may be terminated after 25 years. The Development agreement requires LAUSD to pay the full cost of constructing the new facility. LAUSD will provide \$23,500,000 to commence construction. The new facility will have a maximum capacity of 400 students.

Background: LAUSD has operated the HTPA on the Harbor College campus for more than ten years. LAUSD now wishes to construct a permanent facility to house the HTPA. The Ground Lease Agreement will make a parcel of land on the Harbor College campus available to LAUSD for construction. The Development Agreement will control the construction of the new facility. LAUSD shall pay all construction costs.

Funding and Development Phase

Funding is through LAUSD proceeds. All Phases.

**SEVEN AFFIRMATIVE VOTES REQUIRED**

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

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|--|--|
| Chancellor and<br>Secretary of the Board of Trustees<br><br>By: _____ Date _____ | Candaele _____ Santiago _____<br>Field _____ Svonkin _____<br>Park _____ Veres _____<br>Pearlman _____ Campos _____<br>Student Trustee Advisory Vote |
|--|--|

**RESOLUTION AUTHORIZING GROUND LEASE AGREEMENT AND DEVELOPMENT AGREEMENT WITH THE LOS ANGELES UNIFIED SCHOOL DISTRICT FOR THE HARBOR TEACHER PREPARATION ACADEMY**

**WHEREAS,** The Los Angeles Unified School District ("LAUSD") has operated the Harbor Teacher Preparation Academy ("HTPA") on the campus of Los Angeles Harbor College for more than ten years; and

**WHEREAS,** LAUSD now wishes to construct a permanent facility to house the HTPA on the Harbor College campus; and

**WHEREAS,** Education Code Sections 81430 through 81432 authorizes governing boards of community college districts to enter into a lease with another public agency on a long term basis without the need for public bid if the space is not needed by the community college district for school classroom buildings; and

**WHEREAS,** the Los Angeles Community College District ("LACCD") desires to lease to LAUSD a parcel of land on the Harbor College campus on which the permanent facility for the HTPA will be constructed; and

**WHEREAS,** the Ground Lease Agreement allows LAUSD to operate the facility for forty (40) years, requires LAUSD to pay annual fixed rent in the amount of \$276,500, requires the parties to participate in joint academic programming, and allows the parties to terminate the lease after twenty-five (25) years; and

**WHEREAS,** LAUSD shall pay the full cost of constructing the new facility and shall provide \$23,500,000 to commence construction pursuant to the Development Agreement; and

**WHEREAS,** the parcel of land is not needed by LACCD for any classroom building and shall be subject to the terms and conditions as the Chancellor may agree; and

**WHEREAS,** LACCD has given notice of the action to adopt this resolution once a week for three (3) weeks in a newspaper of general circulation prior to execution in accordance with Education Code Section 81432(b).

**RESOLVED,** that the Board of Trustees for the Los Angeles Community College District hereby adopts this resolution authorizing the Ground Lease Agreement with the Los Angeles Unified School District to make a parcel of land on the Harbor College campus available for the construction of a permanent facility to house the HTPA; and be it further

**RESOLVED**, that the Board of Trustees for the Los Angeles Community College District hereby adopts this resolution authorizing the Development Agreement with the Los Angeles Unified School District to allow Harbor College to construct, at LAUSD's sole cost, a permanent facility to house the HTPA.

**IN WITNESS** of the unanimous passage of the foregoing resolution, as prescribed by law, we the members of said Board of Trustees, present and voting thereon, have hereunto set our hands this 20<sup>th</sup> day of February 2013.

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Member, Board of Trustees

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Member, Board of Trustees

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Member, Board of Trustees

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Member, Board of Trustees

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Member, Board of Trustees

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Member, Board of Trustees

\_\_\_\_\_  
President, Board of Trustees





# Board of Trustees

Los Angeles Community College District

## NOTICE

Notice: February 20, 2013

|             |                                |                     |
|-------------|--------------------------------|---------------------|
| Com No. BFA | Division: BUSINESS AND FINANCE | Date: March 6, 2013 |
|-------------|--------------------------------|---------------------|

**Subject: AMEND CHAPTER VII, ARTICLE V OF THE BOARD RULES**

Amend Chapter VII, Article V of the Board Rules as follows:

7500. MILEAGE AND **CELL PHONE** REIMBURSEMENT. Any employee who is required to use a personal automobile in the performance of assigned duties may, upon the approval of the Chancellor, or designated representative, be authorized to use such automobile and, when so authorized, shall receive reimbursement for such use in accordance with procedures established by the Chancellor. Spot audits of mileage reimbursement statements may be made, from time to time. Trips requiring overnight absences from any employee's established residence involving any expenses shall be separately authorized by the Trustees in accordance with Section 1072 governing attendance at conventions and meetings. For the purposes of this Article, Trustees are considered employees of the District, and are authorized for travel necessary to attend annual, regular, and special meetings of the Board of Trustees. Employees shall receive reimbursement for parking fees that are incurred while on District business.

7500.10 Reimbursement Authorization. Any trustee or administrator of the District, previously authorized by the Chancellor or a college president, may have the use of a cellular telephone purchased by the District, or may be reimbursed for telephone **calls expenses** made from his or her personal cellular telephone.

A. DISTRICT-OWNED. Employees will only have to reimburse the District for personal calls when their usage goes over their base minutes. If the employee exceeds the plan limit or the specified number of minutes in the plan, the employee must reimburse the District for lesser of 1) all personal phone calls or 2) all additional minutes.

The District will pay ~~these for the~~ telephone bills as received. ~~If the District phone provides unlimited data and call plan, the employee is not required to reimburse the District for personal calls made. If the District phone comes with limited data and calls, employee will be responsible for any excess use.~~ District will forward a copy of the telephone bill to the trustee or administrator ~~authorized employee~~ for identification of any personal telephone calls. Once identified, the bill and a check made payable to the Los Angeles Community College District for the total amount of all personal calls will be submitted directly to the Controller's Chief Financial Officer's office.

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

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

|  |  |                               |                |
|--|--|-------------------------------|----------------|
| <b>Chancellor and Secretary of the Board of Trustees</b> |  | Candaele _____                | Santiago _____ |
| By: _____ Date: _____                                    |  | Field _____                   | Svonkin _____  |
|  |  | Park _____                    | Veres _____    |
|  |  | Pearlman _____                | Campos _____   |
|  |  | Student Trustee Advisory Vote |                |

# Board of Trustees

Los Angeles Community College District

|             |                                |                |
|-------------|--------------------------------|----------------|
| Com No. BFA | Division: BUSINESS AND FINANCE | Date: 3-6-2013 |
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The bill shall be computed for personal calls based on the pro rata share of the excess use by dividing the total personal excess calls/data usages by the total excess calls/data usages. A check made payable to the Los Angeles Community College District for bill will be submitted directly to the Chief Financial Officer's office.

- B. PERSONALLY OWNED. Employees, who are required to carry a cell phone for business/work-related purposes, may be reimbursed only when they incur additional charges for business calls over the plan limit on their personal calling plan. The employee may request for reimbursement, at the excess minute rate, for up to the number of the minutes exceeding the plan limit for the month OR the total of business-related minutes, whichever is less. No reimbursement can be made for business calls made within the plan minutes.

~~PERSONALLY OWNED. Any trustee or such previously authorized employee may be reimbursed for telephone calls made from his or her cellular telephone upon presentation of an itemized telephone bill, so long as the telephone call(s) relate directly to District business.~~

~~Trustees may also be reimbursed for the pro rata cost of the monthly service charge associated with District related calls. The procedure for determining the pro rata share shall be the monthly service charge divided by the total number of calls made multiplied by the total number of District related calls.~~  
**Reimbursement of the pro rata share monthly service charge does not apply to administrators.**

- ~~C. The Chancellor shall report to the Board, not later than sixty (60) day following the end of each fiscal year, the names of those Trustees and administrators receiving reimbursement for cellular phones and the amount of such reimbursement.~~

7501. MILEAGE. Allowance for transportation by private automobile to and from a place or places of service located within one hundred (100) miles from the Los Angeles City Hall shall be at the existing authorized rates for college business mileage.
7502. COLLEGE BUSINESS MILEAGE-DEFINITION CALCULATION. College business mileage is defined as the mileage which accrues in any one day on college business. Such mileage shall be calculated from the regular headquarters of the employee to his various destinations, and return to such regular headquarters.

In the event an employee does not visit his regular headquarters prior to his first trip on college business in any one day, he shall deduct from his total mileage (1) the distance from his home to such first stop, or (2) the distance from his home to his regular headquarters, whichever is lesser.

In the event an employee proceeds from his last destination on college business in any one day to his home, he shall deduct from his total mileage (1) the distance from such last destination to his home, or (2) the distance from his regular headquarters to his home, whichever is the lesser.

# Board of Trustees

Los Angeles Community College District

|             |                                |                |
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| Com No. BFA | Division: BUSINESS AND FINANCE | Date: 3-6-2013 |
|-------------|--------------------------------|----------------|

In the event an employee is assigned to perform work outside his regular hours of employment, on an emergency or non-scheduled basis as distinguished from a scheduled overtime basis, the performance of which involved the operation of his automobile from his home, he shall be entitled to receive reimbursement for total mileage traveled in connection with such assignment. A non-scheduled basis as used in this rule includes the supervision of students at events by an employee outside his normal working hours.

7503. REIMBURSEMENT RATES. Reimbursement for college business mileage shall be made at the following rates for each month.
- 7503.10 Standard Mileage Rates. **For use of** employee automobiles in conducting authorized District business in accordance with the IRS standard mileage rate(s). **Fifty-Five and one half cents (55.5¢) per mile for all miles.**
7504. TRAVEL ON PUBLIC CARRIERS. Any employee who is required to travel upon public carriers in the performance of his assigned duties may be reimbursed therefore upon approval by and in accordance with procedures established by the Chancellor or his designated representative.
7505. MILEAGE OR PUBLIC CARRIER FARE REIMBURSEMENT FOR CERTAIN EMERGENCY TRIPS. College personnel shall be eligible to receive reimbursement for mileage or public carrier fare for transporting students who become ill or injured at college to their homes, hospitals, clinics, or such other places as may be properly designated.
7506. MILEAGE OR PUBLIC CARRIER FARE REIMBURSEMENT FOR ATTENDANCE AT AUTHORIZED MEETINGS AND FOR SUPERVISING STUDENTS AT CO-CURRICULAR EVENTS. College personnel shall be eligible to receive reimbursement for mileage or public carrier fare for traveling to and from authorized meetings called or approved by the Chancellor or division head for supervising students at co-curricular events.
- ~~7507. EXEMPTION FROM MILEAGE REIMBURSEMENT. Mileage reimbursement payments may be made for transportation to and from a work location other than an employee's normal place of work for jobs lasting up to and including five working days. For jobs lasting more than five (5) working days, employees may receive mileage reimbursement payments to and from work if that work location is more than 15 miles from the employee's normal place of work.~~

**Payment calculations under this rule shall be subject to the provisions of Rule 7502.**