

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, December 19, 2012 • 2:00 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 2:09 p.m. with President Steve Veres presiding.

On roll call the following members were present: Mona Field, Tina Park, Nancy Pearlman, and Steve Veres. Absent: Kelly Candaele (arrived at 3:15 p.m.), Miguel Santiago (arrived at 2:17 p.m.), and Scott J. Svonkin (arrived at 2:14 p.m.). Student Trustee Daniel Campos was not present.

Chancellor Daniel J. LaVista was present.

Trustee Pearlman led the Pledge of Allegiance to the Flag.

President Veres welcomed everyone to the Board meeting and presented opening remarks.

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

None.

\* \* \*

There being no objection, President Veres took out of order Announcements and Indications of Future Proposed Actions.

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

None.

\* \* \*

(Trustee Svonkin arrived at 2:14 p.m.)

#### **PUBLIC AGENDA REQUESTS**

##### Oral Presentations

President Veres read the cautionary language for speakers and their personal responsibility and, potentially, personal liability for defamatory remarks.

(Trustee Santiago arrived at 2:17 p.m.)

Motion by Trustee Field, seconded by Trustee Park, to allocate three minutes each for the speakers regarding Los Angeles City College (LACC).

Without objection, so ordered.

President Veres noted that Trustee Candaele and Student Trustee Campos were absent.

The following individuals addressed the Board regarding various issues with respect to LACC:

Ms. Mattie Moon, Mr. Christopher N. Cofer, Mr. Ronald Pelton, Mr. Charles Barlow, Mr. Henry Ealy, and Dr. Rami Samuelson.

Mr. Cofer distributed a document entitled "Grievance Review Los Angeles College Faculty Guild, AFT 1521."

President Veres requested that Chancellor LaVista work with Ms. Renee Martinez, Interim President, LACC, and provide the Board members with a report regarding the issues raised by the public speakers.

President Veres noted that there were five speakers who requested to address the Board regarding West Los Angeles College (WLAC). He entertained a motion to allocate four minutes per speaker.

Motion by Trustee Field, seconded by Trustee Park, to allocate four minutes per speaker.

Without objection, so ordered.

The following individuals addressed the Board regarding the issue of hydraulic fracturing ("fracking") and the health risks it imposes on employees and students of WLAC:

Mr. Lance Simmens, Mr. Paul Ferrazzi, Dr. Suzanne De Benedittis, Dr. Khin Gyi, and Ms. Brenna Norton.

A document entitled "Hydraulic Fracturing (Fracking) and West LA College" was distributed.

Ms. Norton encouraged the Board of Trustees to adopt a resolution calling for a moratorium on "fracking." She referred to a resolution introduced by The Honorable Paul Koretz, Councilmember, City of Los Angeles, that was distributed to the Board members.

Ms. Wanda Solomon addressed the Board regarding errors in her student transcripts from Los Angeles Valley College (LAVC) and WLAC. She distributed a copy of her remarks.

President Veres indicated that he would have Chancellor LaVista and the appropriate staff members follow up with Ms. Solomon.

Scheduled speaker Mr. Ron Martinez was not present.

A question and answer session was conducted regarding the issue of "fracking" and its impact on WLAC.

Trustee Pearlman indicated that she has been opposed to "fracking" for many years and offered to introduce a resolution to oppose "fracking."

#### Proposed Actions

None.

### **REPORTS AND RECOMMENDATIONS FROM THE BOARD**

#### Reports of Standing and Special Committees

Trustee Svonkin reported on the Finance and Audit Committee meeting of December 18, 2012.

\* \* \*

There being no objection, President Veres took out of order Com. No. BF2. Receipt of Annual Audit, Com. No. BF3. Receipt of General Obligation Bond Financial Audit, and Com. No. BF1. 2012-2013 Budget Adjustments.

(Trustee Candaele arrived at 3:15 p.m.)

## **CONSENT CALENDAR**

### **Matters Requiring a Majority Vote**

President Veres noted that Com. No. BF1. 2012-2013 Budget Adjustments should have been listed under the Consent Calendar – Matters Requiring a Super Majority Vote.

#### **Com. No. BF1. 2012-2013 Budget Adjustments**

**Com. No. BF1. was moved from Matters Requiring a Majority Vote to Matters Requiring a Super Majority Vote.**

Com. No. BF2. Receipt of Annual Audit

Com. No. BF3. Receipt of General Obligation Bond Financial Audit

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. Nos. BF2. and BF3.

The following documents were distributed:

“Los Angeles Community College District Bond Construction Programs: Proposition A, Proposition AA, Measure J Statements of Expenditures of Bond Proceeds and Supplementary Schedules Year ended June 30, 2012”

“Los Angeles Community College District Report on Audited Basic Financial Statements”

Ms. Tracy Hensley, Partner, KPMG LLP, indicated that a full presentation was made to the Finance and Audit Committee during its meeting of December 18, 2012. She summarized this presentation.

Ms. Peggy McBride, CPA, Vasquez & Company LLP, reported that her company was able to issue unqualified opinions on every one of the District’s major federal programs.

*Student Trustee Advisory Vote: Absent (Campos)*

*ADOPTED: 7 Ayes*

### **Matters Requiring a Super Majority Vote – None**

#### **Com. No. BF1. 2012-2013 Budget Adjustments**

**Com. No. BF1. was moved from Matters Requiring a Majority Vote to Matters Requiring a Super Majority Vote.**

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. BF1.

*Student Trustee Advisory Vote: Absent (Campos)*

*ADOPTED: 7 Ayes*

\* \* \*

#### **Reports of Standing and Special Committees (continued)**

Trustee Field reported on the morning’s Institutional Effectiveness Committee meeting.

The following action item, considered as a part as if fully set forth hereto and a certified copy of which will be on file in the Office of the Board of Trustees, was presented by the Board of Trustees and action taken as indicated.

#### **Com. No. BT1. Amend Chapter X, Article VII of the Board Rules**

Motion by Trustee Santiago, seconded by Trustee Svonkin, to adopt Com. No. BT1.

Trustee Pearlman expressed her concern that as a result of this Board Rule amendment, mileage reimbursement would not be provided for every function attended in the capacity as a Board member.

For the record, Trustee Svonkin indicated that the Board's travel and expenses have gone down over the past few years and that the amount expended this year is half as much as it was in 2011.

*Student Trustee Advisory Vote: Absent (Campos)*

*ADOPTED: 6 Ayes (Candaele, Field, Park, Santiago, Svonkin, Veres)*

*1 No (Pearlman)*

#### Reports from the Chancellor

Presentation on: Pathways to Success for Students with Disabilities at Los Angeles City College (Dr. Randy Anderson)

Chancellor LaVista provided opening remarks regarding the presentation. He introduced Ms. Renee Martinez, Interim President, LACC, and Dr. Randy Anderson, Dean of Special Services, LACC.

Ms. Martinez indicated that basic skills funds were utilized to create an educational video that would support LACC's Strategic Plan. She deferred to Dr. Anderson.

Dr. Anderson presented an overview regarding the services that are provided for students with disabilities at LACC.

(Trustee Pearlman left at 3:46 p.m.)

#### **CONSENT CALENDAR** (continued)

##### **Matters Requiring a Majority Vote** (continued)

Com. No. BF1. 2012-2013 Budget Adjustments

Com. No. BF2. Receipt of Annual Audit

Com. No. BF3. Receipt of General Obligation Bond Financial Audit

Com. Nos. BF1., BF2., and BF3. were taken out of order and adopted earlier during the meeting.

Com. No. BF4. Amend Chapter VII, Article V, Board Rule 7503.10 – Mileage Reimbursement Rates

Motion by Trustee Field, seconded by Trustee Park, to adopt Com. No. BF4.

*Student Trustee Advisory Vote: Absent (Campos)*

*ADOPTED: 6 Ayes Absent: Trustee Pearlman*

#### **RECOMMENDATIONS FROM THE CHANCELLOR**

None.

#### **RECESS TO CAPITAL CONSTRUCTION COMMITTEE**

There being no objection, the regular meeting recessed to the Capital Construction Committee at 3:47 p.m.

President Veres relinquished the gavel to Trustee Santiago to chair the Capital Construction Committee.

For the record, Trustee Santiago noted that all of the Board members were present with the exception of Trustee Pearlman and Student Trustee Campos.

## Public Speakers

None.

## Presentations/Initiative Reviews

### Proposed LEED™ and Parking Structure Projects – Presentation and Approval

#### Los Angeles Valley College – Monarch Center, Design-Build \$30.4 Million, LEED™ Silver

A document entitled “Capital Construction Committee (CCC) Meeting Submittal Form (Design-Build Project)” was distributed.

A document entitled “Monarch Center” was distributed.

Mr. James D. O’Reilly, Executive Director, Facilities Planning and Development, introduced Dr. A. Susan Carleo, President, LAVC.

Dr. Carleo presented an overview regarding the project. She introduced Mr. Eloy Retamal, S.E., Project Director, LAVC Bond Program.

(Trustee Pearlman returned at 3:49 p.m.)

Mr. Retamal presented a PowerPoint presentation and discussed the “Monarch Center” document with respect to the project statistics. He introduced Mr. James Raver, Associate/Architect, LPA Inc.

Mr. Raver continued the PowerPoint presentation and discussed the document with respect to the project site plan and the floor plans. He gave a fly-through presentation regarding the project. He indicated that the project is expected to achieve a LEED™ Silver rating.

Trustee Santiago facilitated a question and answer session regarding the LAVC Monarch Center project.

Trustee Svonkin requested that the safety standards at the campuses be reviewed sometime during the next six months to ensure that the colleges are working with their law enforcement partners to make sure they are consistent in following the safety processes.

Motion by Trustee Field, seconded by Trustee Park, to approve the LAVC Monarch Center project.

*Student Trustee Advisory Vote: Absent (Campos)*

*APPROVED: 7 Ayes*

### Addendum – College Project Manager (CPM) Performance and Measurement Evaluation Update

Mr. O’Reilly discussed the CPM Performance and Measurement Evaluation process.

Trustee Santiago facilitated a question and answer session regarding the CPM Performance and Measurement Evaluation process.

### Addendum – Ad Hoc Committee Update

Trustees Veres and Field reported on the Building Program Review Ad Hoc Committee meeting of December 11, 2012.

Chancellor LaVista and Trustee Santiago discussed the accomplishments of the Building Program Review Ad Hoc Committee, which included the hiring of Mr. O’Reilly.

Mr. O'Reilly discussed the functions of the Energy Program Ad Hoc Committee and the Assets Management Ad Hoc Committee.

**Addendum – Program Manager Request for Proposal (RFP) Update**

Mr. O'Reilly provided an update regarding the RFP process for the Program Manager. He indicated that the current plan is to present the final recommendation for this position to the Board of Trustees on January 30, 2013.

Trustee Santiago facilitated a question and answer session regarding the Program Manager RFP process.

**New Business**

None.

Chancellor LaVista presented concluding remarks.

(Trustee Svonkin left at 4:55 p.m.)

**Adjourn Capital Construction Committee**

There being no objection, the Capital Construction Committee meeting was adjourned at 4:56 p.m.

Trustee Santiago relinquished the gavel to President Veres.

**RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES**

The regular meeting of the Board of Trustees of the LACCD reconvened at 4:56 p.m. with President Steve Veres presiding.

For the record, President Veres noted that all of the Board members were present with the exception of Trustee Svonkin and Student Trustee Campos.

Chancellor Daniel J. LaVista was present.

Trustee Field indicated that the Board meeting would be adjourning in the memory of Mrs. Ethel H. Ross, the mother of former Board member Althea R. Baker.

Trustee Pearlman requested that the Board meeting also be adjourned in the memory of the students and teachers of Sandy Hook Elementary School in Newtown, Connecticut.

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

With respect to Com. No. ISD1. Student Discipline – Expulsion, Mr. Anthony Mendez addressed the Board regarding the case against him.

(Trustee Svonkin returned at 5:05 p.m.)

**RECESS TO CLOSED SESSION**

There being no objection, the regular meeting recessed 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 (see Attachment A) at 5:08 p.m.

**RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 8:46 p.m. with President Steve Veres presiding.

The following members were present: Mona Field, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Absent: Kelly Candaele and Tina Park. Student Trustee Daniel Campos was not present.

Chancellor Daniel J. LaVista was present.

#### Report on Actions Taken in Closed Session – December 19, 2012

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

The Board determined to file an action against JD Diffenbaugh and Safeco Insurance regarding a dispute at Los Angeles Pierce College. More information can be obtained from the Office of General Counsel once the action has been filed. The vote was five in favor with Trustees Park and Candaele absent.

The Board accepted a settlement in the case of Tammy Robinson v. LACCD. A copy of the settlement agreement may be obtained from the General Counsel. The vote was five in favor with Trustees Park and Candaele absent.

The Board took no further actions required to be reported.

#### **CONSENT CALENDAR** (continued)

##### **Matters Requiring a Majority Vote**

Com. No. ISD1. Student Discipline – Expulsion

Motion by Trustee Santiago, seconded by Trustee Svonkin, to adopt Com. No. ISD1.

*ADOPTED: 5 Ayes Absent: Trustee Candaele and Trustee Park*

#### **NOTICE REPORTS AND INFORMATIVES**

Com. No. BT/A. [Notice] Amend Chapter II, Article I of the Board Rules

Com. No. BT/B. [Notice] Amend Chapter II, Article II of the Board Rules

Com. No. BT/C. [Notice] Amend Chapter II, Article III of the Board Rules

Com. No. BT/D. [Notice] Amend Chapter II, Article IV of the Board Rules

Com. No. BT/E. [Notice] Amend Chapter III of the Board Rules

Com. No. BT/F. [Notice] Amend Chapter X, Article I of the Board Rules

Com. No. BT/G. [Notice] Amend Chapter XIV of the Board Rules

Com. No. BF/A. [Notice] Amend Chapter VII, Article V of the Board Rules

Com. No. BF/B. [Notice] Amend Chapter VII, Article VI of the Board Rules

Noticed by Chancellor LaVista.

#### **ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS** (continued)

None.

**ADJOURNMENT**

There being no objection, the regular meeting was adjourned in the memory of former Board member Althea R. Baker's mother, Mrs. Ethel H. Ross, and the students and teachers of Sandy Hook Elementary School in Newtown, Connecticut at 8:48 p.m.

DANIEL J. LAVISTA  
Chancellor and Secretary of the Board of Trustees

By: \_\_\_\_\_  
Laurie Green  
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

\_\_\_\_\_  
Steve Veres  
President of the Board

Date \_\_\_\_\_ January 16, 2013