

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, March 20, 2013 • 11:00 a.m.
Educational Services Center • Board Room
770 Wilshire Boulevard • Los Angeles, California 90017

The regular Committee of the Whole meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 11:06 a.m. with First Vice President Tina Park presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Nancy Pearlman, and Steve Veres. Absent: Miguel Santiago (arrived at 11:08 a.m.) and Scott J. Svonkin (arrived at 11:17 a.m.). Student Trustee Daniel Campos was not present (arrived at 12:10 p.m.).

Chancellor Daniel J. LaVista was present.

Public Speakers

None.

Presentation by Monica Lozano, Publisher and CEO of *La Opinion* and CEO of its Parent Company ImpreMedia, LLC

For the record, Chancellor LaVista indicated that since the current Committee of the Whole was formed, it has come together under Trustee Park's leadership with the inclusion of several very important people who have addressed this body regarding the mission of the LACCD to strengthen its relationship with the education, business, and arts communities. He introduced Ms. Monica Lozano.

(Trustee Santiago arrived at 11:08 a.m.)

Ms. Lozano discussed the importance of delivering high-quality education in an innovative manner while meeting the obligations of access, affordability, and quality.

(Trustee Svonkin arrived at 11:17 a.m.)

Ms. Lozano discussed the following topics:

- The importance of improving enrollment access for low-income students by providing them with financial aid;
- The advocacy campaign being conducted to promote the value of quality higher education;
- The effort to conduct a full review of the California Community Colleges governance structure with respect to compensation;
- The conducting of surveys for the purpose of reviewing and assessing diversity in the campus climate; and
- Long-range planning with respect to the needs of the state.

Ms. Lozano also discussed workforce education with respect to the importance of providing skills training programs in order to prepare students for the jobs of the future.

First Vice President Park initiated a question and answer session regarding the presentation.

Other Business

None.

Adjournment of the Committee of the Whole and Recess of the Board of Trustees

There being no objection, the Committee of the Whole was adjourned and the Board meeting was recessed at 12:04 p.m.

(Student Trustee Campos arrived at 12:10 p.m.)

RECONVENE TO REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 2:05 p.m. with President Steve Veres presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Daniel Campos was present.

Chancellor LaVista was present.

Trustee Field led the Pledge of Allegiance to the Flag.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

None.

ANNOUNCEMENTS FROM COLLEGE PRESIDENTS

Ms. Renee Martinez, Interim President, Los Angeles City College (LACC), announced that the LACC Theatre Academy won the following six awards at the Kennedy Center American College Theatre Festival that was held at the Los Angeles Theatre Center on Saturday, February 16, 2013:

Outstanding Lead Devisers/Directors of a Devised Work – Leslie Ferreira, Tina Kronis, and Richard Alger
Distinguished Production of a Devised Work
Distinguished Choreography – Tina Kronis
Distinguished Costume Design – Abel Alvarado and Catalina Lee
Distinguished Sound Design – Natasha Cox and Vern Yonemura
Distinguished Performance Ensemble

Ms. Martinez indicated that the Theatre students would be traveling to the Kennedy Center in Washington, DC in April 2013.

PUBLIC AGENDA REQUESTS

Oral Presentations

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

Mr. Lance Simmens, Dr. Khin Khin Gyi, and Ms. Olga Shewfelt addressed the Board in support of Com. No. BT2. Resolution in Support of a Moratorium on Hydraulic Fracturing ("Fracking").

Proposed Actions

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

Trustee Field reported on the Institutional Effectiveness Committee meeting.

Trustee Park reported on the Committee of the Whole meeting.

Trustee Candaele reported on the Legislative Committee meeting.

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

Com. No. BT1. Trustee Absence Ratification

Motion by Trustee Field, seconded by Trustee Park, to adopt Com. No. BT1.

Student Trustee Advisory Vote: Aye (Campos)

ADOPTED: 7 Ayes

Com. No. BT2. Resolution in Support of a Moratorium on Hydraulic Fracturing ("Fracking")

Motion by Trustee Field, seconded by Trustee Pearlman, to adopt Com. No. BT2. as follows:

The following resolution is presented by Trustees Field and Pearlman:

- WHEREAS, Currently, and over the next several years, it is projected that hundreds of new oil wells will be drilled in the Inglewood Oil Field (the "Oil Field"), located in a heavily populated urban area immediately adjacent to West Los Angeles College; and
- WHEREAS, There is no available data on how much of the oil drilling at the Oil Field involves hydraulic fracturing; and
- WHEREAS, Hydraulic fracturing, also known as "fracking," is known to be a technique that increases oil and gas production by injecting pressurized chemical additives sufficient to create fractures in subsurface rock or other tight geological formations in order to release petroleum or natural gas for extraction; and
- WHEREAS, The community members surrounding the Oil Field, including Culver City residents and West Los Angeles College employees, have expressed grave concern about the potential impact of fracking on public health and safety and the environment; and
- WHEREAS, The United States Environmental Protection Agency (EPA) has linked contaminated ground water in Pavillion, Wyoming to the fracking process; and
- WHEREAS, The West Los Angeles College *Work Environment Committee* has passed a resolution asking for air testing on the campus because of concerns about potential health risks associated with the oil extraction processes at the adjacent Oil Field; and
- WHEREAS, Fracking is generally unregulated; and
- WHEREAS, Fracking, specifically the injection of fluids into deep wells, causes microearthquakes, an assertion supported by the United States Geological Survey; and
- WHEREAS, Many earthquake fault lines run through the Los Angeles region, including under several of the LACCD campuses; and

- WHEREAS, During the past two years, several nations, U.S. states, and other domestic and foreign municipalities have placed a ban or a moratorium on hydraulic fracturing, including: France, Germany, Bulgaria, South Africa, Ireland, Nova Scotia, Quebec, Vermont, New Jersey, and a long list of towns and cities in New York and Pennsylvania; and
- WHEREAS, Additional studies are required to conclusively identify the extent of health, safety, and environmental risks associated with hydraulic fracturing; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby joins the Culver City Council and the Culver City Unified School District in urging Governor Jerry Brown, the California State Legislature, and the State of California Department of Conservation/Division of Oil, Gas and Geothermal Resources (DOGGR) to immediately place a moratorium on hydraulic fracturing and on the disposal of fracking wastewater by injection wells until the DOGGR takes all necessary and appropriate actions to adopt, implement, and enforce comprehensive regulations concerning the practice of fracking that will ensure that public health and safety and the environment will be securely and adequately protected; and be it further
- RESOLVED, That this resolution will be disseminated to the Governor, the California Department of Conservation Director Mark Nechodom, the California Secretary for Natural Resources John Laird, and all legislators in the LACCD service area.

Trustee Field indicated that the Board of Trustees received more than 50 emails from the West Los Angeles College (WLAC) community supporting this resolution.

Mr. Nabil Abu-Ghazaleh, President, WLAC, addressed the Board regarding the possible negative effects of "fracking" and the impact they would have on the WLAC community.

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

REPORTS FROM THE CHANCELLOR

Reports from the Chancellor Regarding District Activities or Pending Issues

LACCD's Alignment with the National Student Completion Agenda

A document entitled "Chancellor's Report" was distributed.

Chancellor LaVista gave a PowerPoint presentation and discussed the document with respect to nationwide student success and completion and the call to action by Dr. E. Gordon Gee, Chair, National Commission on Higher Education Attainment (Commission) and President, The Ohio State University, in a January 24, 2013 Open Letter to College and University Leaders that:

- Student completion must be a priority
- All sectors of higher education must do better

Chancellor LaVista discussed the document with respect to the argument for enhanced efforts to increase college completion; best practices, nationally, that point toward gradual gains in student completion; the summary of the Commission's examples of national best practices; statewide efforts; LACCD initiatives; the LACCD commitment to professional development; and the institutional application of technology to improve student completion.

President Veres initiated a question and answer session regarding the presentation.

CONSENT CALENDAR

President Veres indicated that Com. No. BF1. requires five affirmative votes and, therefore, would be moved from Matters Requiring a Majority Vote to Matters Requiring a Super Majority Vote.

Matters Requiring a Super Majority Vote – None

Com. No. BF1. Approve 2012-2013 Budget Adjustments

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

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

Matters Requiring a Majority Vote

President Veres entertained a motion to adopt the Consent Calendar on Matters Requiring a Majority Vote as amended.

Motion by Trustee Svonkin, seconded by Trustee Park, to adopt the Consent Calendar on Matters Requiring a Majority Vote as amended.

The Student Trustee's vote would not apply to HRD1.

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

Com. No. FPD2. Adopt Resolution Authorizing Implementation of the Lease-Leaseback Project Delivery Method for the Athletic Training Facility Project at Los Angeles Valley College

Com. No. FPD3. Adopt Resolution Authorizing Filing a Validation Action to Determine Validity of Lease-Leaseback Project Delivery Method for the Athletic Training Facility Project at Los Angeles Valley College

Com. No. HRD1. District's Initial Proposal to the Exclusive Representatives of the Los Angeles Community College District Administrators' Unit Represented by California Teamsters Public, Professional & Medical Employees Union Local 911 Regarding Negotiation of the Collective Bargaining Agreement to Discuss Compensation Matters for 2012-2013

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

RECOMMENDATIONS FROM THE CHANCELLOR

Com. No. CH1. Approve Special Reports to Accrediting Commission of Community and Junior Colleges

President Veres noted the following amendment:

A. Los Angeles Valley College

~~**Background:** The Accrediting Commission of Community and Junior Colleges requires the Board of Trustees to approve special reports prior to their transmission to the accrediting commission. The Chancellor presented this report to the Institutional Effectiveness Committee during its meeting on the morning of March 20, 2013. The Committee reviewed the Special Report for Los Angeles Valley College and recommended its approval by the Board.~~

Withdrawn.

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

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

RECESS TO CAPITAL CONSTRUCTION COMMITTEE

There being no objection, the regular meeting recessed to the Capital Construction Committee at 3:00 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.

Public Speakers

None.

Presentations/Initiative Reviews

Assets Management Ad Hoc Committee Update

Trustee Santiago and Mr. James D. O'Reilly, Executive Director, Facilities Planning and Development, presented an update regarding the Assets Management Ad Hoc Committee.

Program Management Bid Protest Update

Chancellor LaVista reported that the protest that was lodged against the LACCD has been addressed through the proper means and indicated that the process is continuing. He reported that Board of Trustees would have an opportunity to be more directly involved in this process during the Board meeting of April 3, 2013.

New Business

None.

Adjourn Capital Construction Committee

There being no objection, the Capital Construction Committee meeting was adjourned at 3:08 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 3:08 p.m. with President Steve Veres presiding.

For the record, President Veres noted that all of the Board members were present.

Chancellor Daniel J. LaVista was present.

NOTICE REPORTS AND INFORMATIVES

None.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

None.

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

None.

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).

The regular meeting recessed to Closed Session at 3:09 p.m.

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:53 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 Student Trustee Campos.

Chancellor Daniel J. LaVista was present.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – MARCH 20, 2013

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.

With regard to the case of Corletto v. LACCD, the Board accepted a settlement for \$825,000. A copy of the settlement agreement is available from the General Counsel. The vote was unanimous.

The Board took no further actions required to be reported.

ADJOURNMENT

There being no objection, the regular meeting was adjourned at 3:54 p.m.

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

By: Laurie Green
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Steve Veres
Steve Veres
President of the Board

Date April 3, 2013



Board of Trustees

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

AGENDA

ATTACHMENT A

CLOSED SESSION

Wednesday, March 20, 2013

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

- I. **Public Employee Appointment**
(pursuant to Government Code section 54957)
 - A. Position: Chancellor

- II. **Public Employee Evaluation**
(pursuant to Government Code section 54957)
 - A. Position: College Presidents
 - B. Position: Vice Chancellors
 - C. Position: Deputy Chancellor
 - D. Position: General Counsel

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

- IV. **Conference with Legal Counsel - Existing Litigation**
(pursuant to Government Code section 54956.9(a))
 - A. *Vegan Outreach v. LACCD*
 - B. *Fernando Corletto v. LACCD*
 - C. *Mathew Pugliese v. LACCD*
 - D. *700 Wilshire Properties v. Roosevelt Lofts, Inc., et al.*

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E. Carlos Perez v. LACCD

F. Taisei Construction v. LACCD

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

A. Potential litigation – 1 matter