

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, April 17, 2013 • 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 2:05 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 Daniel J. LaVista was present.

Trustee Svonkin led the Pledge of Allegiance to the Flag.

Dr. Monte Perez, President, Los Angeles Mission College (LAMC), reported that Mr. Sal Castro, former educator in the Los Angeles Unified School District and civil rights leader, passed away on April 15, 2013. Dr. Perez discussed Mr. Castro's contributions to the field of education.

A moment of silence was held in the memory of Mr. Castro.

Trustee Svonkin reported that Mr. David Carlat, a Los Angeles political consultant with whom he worked, recently passed away. He requested that the Board meeting be adjourned in the memory of the three victims of the Boston Marathon bombing tragedy—Martin Richard, Krystle Campbell, and Lu Lingzi; Mr. Carlat, and Mr. Castro.

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

None.

### **ANNOUNCEMENTS FROM COLLEGE PRESIDENTS**

Dr. Roland Chapdelaine, President, Los Angeles Trade-Technical College (LATTC), distributed a document entitled "Defining Your College's Competitive Advantage in the Emerging Green Economy." He introduced Ms. Marcy Drummond, Vice President, Institutional Effectiveness and Innovation, LATTC.

Ms. Drummond indicated that this project was funded by the Kresge Foundation, which has a commitment to LATTC for disseminating best practices in the development of high-quality green programs of study and innovative postsecondary practices.

Mr. Farley Herzek, Interim President, East Los Angeles College (ELAC), announced that Mr. Fernando Jaime, Student, ELAC, is one of the 73 nationwide recipients of the Jack Kent Cooke Foundation Scholarship for 2013. He indicated that Mr. Jaime would be continuing his education at the University of California, San Diego.

Dr. A. Susan Carleo, President, Los Angeles Valley College (LAVC), announced that on this day, LAVC is hosting a Career Fair and Health Expo, which is presented by The Valley Economic Alliance.

Mr. Nabil Abu-Ghazaleh, President, West Los Angeles College (WLAC), invited everyone to attend the WLAC Third Annual Poster Fair and academic poster contest on May 16, 2013 at 12:30 p.m.

Ms. Renee D. Martinez, Interim President, Los Angeles City College (LACC), announced that LACC was awarded \$75,000 for its Career Ladders project, which is the Community College League of California learning initiative with the Los Angeles Unified School District. She indicated that this is a high school to college program focusing on arts, media, and entertainment.

Ms. Martinez invited everyone to LACC's next Theatre Academy production of "A Raisin in the Sun" being presented from April 23-27, 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. John Colen addressed the Board regarding the denial of his student loan disbursement request by Los Angeles Southwest College (LASC). He distributed a document entitled "2012-2013 Satisfactory Academic Progress Petition for Extension of Financial Aid."

President Veres requested that staff look into this matter and report back to the Board.

### **Proposed Actions**

None.

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

### **Reports of Standing and Special Committees**

Trustee Candaele reported on the Legislative Committee meeting.

President Veres indicated that Trustee Park would be replacing Trustee Candaele as Chair of the Legislative Committee and that Trustee Santiago would change from the Alternate to a regular member. He stated that the Committee's Alternate would be determined at a later time.

Student Trustee Campos reported that there are four candidates for the position of Student Trustee for 2013-14.

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 was taken as indicated.

### **Com. No. BT1. Resolution in Support of Marriage Equality**

Motion by Trustee Svonkin, seconded by Student Trustee Campos, to adopt Com. No. BT1. as follows:

The following resolution is presented by Trustees Svonkin, Veres, and Santiago:

WHEREAS, Same-sex marriage is arguably the most contentious civil rights issue of the twenty-first century; and

WHEREAS, It is our responsibility to protect and defend the rights of students, faculty, and staff on issues that impact their lives on our campuses and in our communities; and

WHEREAS, Lesbian, gay, bisexual, and transgender (LGBT) students, faculty, and staff should have all the rights and privileges that the government allows; and

- WHEREAS, Proposition 8, a state Constitutional amendment passed by voters in November 2008, provides that “only marriage between a man and a woman is valid or recognized in California”; and
- WHEREAS, This Constitutional provision and similar laws in most other states prevent same-sex couples from being married and, thus, deny them the same rights that opposite sex couples have to marry; and
- WHEREAS, Such discriminatory laws on the basis of sexual orientation are counter to the fundamental principle of *equal protection* that exists in the U.S. Constitution and that is later defined in federal statutes and case law in relation to other immutable characteristics such as race, color, gender, age (40 years and older) and disability; and
- WHEREAS, California, unlike most states, prohibits discrimination on the basis of sexual orientation in an educational setting and in the workplace pursuant to the Unruh Civil Rights Act and the Fair Employment and Housing Act, respectively; and
- WHEREAS, California’s legislative and judicial leadership in the area of civil rights should be extended unequivocally and conclusively to marriage equality for same-sex couples; and
- WHEREAS, The United States Supreme Court will soon decide two cases pertaining to marriage equality, involving California’s Proposition 8 and the Defense of Marriage Act (DOMA); and
- WHEREAS, The Los Angeles Community College District (LACCD) Board of Trustees strongly supports marriage equality and the rights of same-sex couples to be treated equally under state and federal law; and
- WHEREAS, The LACCD promotes an environment, on the colleges campuses and in the District Office, that celebrates cultural difference and fosters mutual respect and tolerance for all; and
- WHEREAS, The LACCD has been a leader in providing domestic partnership benefits, offering such benefits to same-sex couples since 1999; and
- WHEREAS, Employer benefits afforded to domestic partners and anti-discrimination provisions under state law must not be the sole basis of ensuring equality to LGBT individuals; now, therefore, be it
- RESOLVED, That the Board of Trustees of the LACCD hereby urges the United States Supreme Court to conclude that marriage equality for same-sex couples should be permitted and protected in every state in the nation; and be it further
- RESOLVED, That the LACCD’s community—both LGBT and heterosexual—will benefit from the confirmed invalidation of Proposition 8 and from the invalidation of DOMA, by studying, being trained and working in a truly just and fair state and nation; and be it further
- RESOLVED, That students, faculty, staff, and members of the surrounding community are encouraged to exercise their First Amendment rights and express their support for marriage equality by holding a rainbow flag or other rainbow symbol in the designated free speech area at an LACCD college.

There was discussion regarding removing the first resolved.

Following the discussion, the Board agreed to keep the resolution status quo.

*Student Trustee Advisory Vote: Aye (Campos)*

*ADOPTED: 7 Ayes*

## **REPORTS FROM THE CHANCELLOR**

### **Reports from the Chancellor Regarding District Activities or Pending Issues**

Chancellor LaVista reported on the visits by representatives of the Accrediting Commission for Community and Junior Colleges (ACCJC) that were made to the three seaside colleges (Los Angeles Harbor College, Los Angeles Southwest College, and West Los Angeles College) on April 16, 2013.

Chancellor LaVista indicated that this is the last Board meeting for Ms. Christine Marez, LACCD Inspector General and expressed his appreciation to Ms. Marez for her service to the District with respect to the building program.

Chancellor LaVista introduced Ms. Terri Mestas, Vice President, AECOM, and welcomed AECOM as the program manager for the final phase of the District's building program.

#### **Presentation on Measure J Technology Projects**

Chancellor LaVista introduced Mr. Jorge Mata, Chief Information Officer, Information Technology.

A document entitled "Measure J Technology Presentation" was distributed.

Mr. Mata discussed the document with respect to technology strategy, the LACCD Student Information System (SIS) Charter, academic email: students, enterprise data storage, Facilities/IT computerized maintenance management system (CMMS), the one card system (physical security project), and the fiber optic project.

(Student Trustee Campos left at 2:50 p.m.)

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

## **CONSENT CALENDAR**

### **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.

President Veres requested that Board members identify items about which they had questions.

Discussion was requested regarding Com. No. HRD1. Approve Reduction of Presidents' Transportation Allowance and Adjustment of Salary Schedule and Com. No. BSD1. Authorize Professional Services Agreement.

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

President Veres noted the following amendment:

Action

Authorize Amendment No. 4 to Agreement No. 4500176403 with URS Corporation to provide an extension of time for continued program management services from May 1, 2013 to May 31, ~~3043~~ **2013** at no additional cost.

Inclusive of this proposed amendment, the total amount of this agreement for the full contract term is not to exceed \$21,664,801.

....

Com. No. ISD1. Amend Board Rule 18110 – Guidelines for Implementation

*Student Trustee Advisory Vote: Absent (Campos)*

*ADOPTED AS AMENDED: 7 Ayes*

Com. No. BSD1. Authorize Professional Services Agreement

Motion by Trustee Svonkin, seconded by Trustee Park, to adopt Com. No. BSD1.

Trustees Field, Pearlman, and Candaele spoke in opposition to the proposed agreement with Gonzalez, Quintana & Hunter, LLC. to provide legislative advocacy services, and the expense to the District for these services.

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, encouraged the Board members to be mindful of the District's collective reputation and integrity when making this and other important decisions.

Chancellor LaVista indicated that it is his view that this consultant can be of use to the District.

*Student Trustee Advisory Vote: Absent (Campos)*

*ADOPTED: 4 Ayes (Park, Santiago, Svonkin, Veres)*

*3 Noes (Candaele, Field, Pearlman)*

Com. No. HRD1. Approve Reduction of Presidents' Transportation Allowance and Adjustment of Salary Schedule

Motion by Trustee Svonkin, seconded by Trustee Park, to adopt Com. No. HRD1.

Trustee Svonkin requested information as to the total cost that would be required to increase salaries by six percent and the number of community college districts in California that provide transportation allowances.

There was discussion regarding the process for determining the transportation allowance.

For the record, President Veres indicated that this effort commenced early in 2012 and that the Board members targeted the car allowance figure as being above the statewide average. He indicated that the Board would be engaged in conversation regarding the issue of compensation for other employee groups during the upcoming collective bargaining negotiations.

There was discussion regarding the proposed adjusted salary schedule.

Trustee Svonkin requested that as part of the full disclosure, information be released regarding salaries and transportation allowance across the state.

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

*1 No (Svonkin)*

## **RECOMMENDATIONS FROM THE CHANCELLOR**

None.

(Trustee Field left at 4:05 p.m.)

## **RECESS TO CAPITAL CONSTRUCTION COMMITTEE**

There being no objection, the regular meeting recessed to the Capital Construction Committee at 4:06 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 Field and Student Trustee Campos.

### **Public Speakers**

None.

(Trustee Candaele left at 4:07 p.m.)

### **Presentations/Initiative Reviews**

#### **Overview of Bond Program Management Transition**

Chancellor LaVista introduced Mr. James D. O'Reilly, Executive Director, Facilities Planning and Development.

Mr. O'Reilly gave a presentation regarding the bond program management transition.

(Trustee Field returned at 4:10 p.m.)

On behalf of AECOM, Ms. Terri Mestas indicated that she looks forward to working with the District to make sure that AECOM's efforts are aligned with the District's vision.

Trustee Santiago initiated a question and answer session regarding the presentation.

### **New Business**

None.

### **Adjourn Capital Construction Committee**

There being no objection, the Capital Construction Committee meeting was adjourned at 4:22 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 4:22 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 Candaele and Student Trustee Campos.

Chancellor Daniel J. LaVista was present.

## **NOTICE REPORTS AND INFORMATIVES**

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

Noticed by Chancellor LaVista.

Com. No. HRD/A. [Collective Bargaining Informative] Initial Proposal of the Los Angeles College Faculty Guild, AFT Local 1521 to the Los Angeles Community College District Regarding Negotiations as Agreed in Article 17 of the Collective Bargaining Agreement to Discuss Compensation Matters for 2013-2014

Presented by Chancellor LaVista.

Com. No. HRD/B. [Collective Bargaining Notice] Reopen the 2011-2014 Collective Bargaining Agreement with the Los Angeles College Faculty Guild, AFT Local 1521 Regarding Compensation Issues for 2013-2014

Noticed by Chancellor LaVista.

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

Trustee Field announced that the LACCD Board of Trustees was the trendsetter in adopting a resolution to urge the Governor and the State Legislature to place a moratorium on hydraulic fracturing ("fracking"). She indicated that after the Board adopted the resolution, the California Democratic Party passed a similar resolution at the Democratic State Convention.

President Veres announced that every year, April is designated as "*Sexual Assault Awareness Month*" and that Wednesday, April 24, 2013 has been designated as "*Denim Day*" in California. He encouraged all District employees to wear jeans on April 24.

## **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 4:25 p.m.

## **RECONVENE REGULAR MEETING**

The regular meeting of the Board of Trustees of the LACCD reconvened at 5:18 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 Candaele and Student Trustee Campos.

Chancellor Daniel J. LaVista was present.

## **REPORT OF ACTIONS TAKEN IN CLOSED SESSION – APRIL 17, 2013**

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

With regard to the case of Pugliese v. LACCD, the Board approved a settlement for a case involving a student injured while playing football. A copy of the settlement agreement may be obtained from the Office of General Counsel. The vote was six in favor with Trustee Candaele absent.

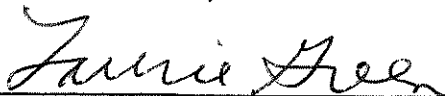
With regard to the case of Specialized Builders Hardware v. LACCD et al., the Board approved a settlement for a subcontractor regarding a construction project at East Los Angeles College. A copy of the settlement agreement may be obtained from the Office of General Counsel. The vote was six in favor with Trustee Candaele absent.

The Board took no further actions required to be reported by The Ralph M. Brown Act.


**ADJOURNMENT**

There being no objection, the regular meeting was adjourned in the memory of Martin Richard, Krystle Campbell, Lu Lingzi, Sal Castro, and David Carlat at 5:20 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 May 1, 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, April 17, 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
  - B. Position: College Presidents
  - C. Position: Interim Chancellor
- II. **Public Employee Evaluation**  
(pursuant to Government Code section 54957)
  - A. Position: CFO/Treasurer
  - B. Position: Deputy Chancellor
- 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. *Specialized Builder's Hardware, Inc. dba CFO Door Hardware & Security, Inc. v. LACCD, Morillo Construction, Inc., David Niemerow*
  - B. *Pugliese v. LACCD*

**Closed Session**  
**April 17, 2013**  
**Page 2**

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

A. Potential litigation – 1 matter