

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, July 24, 2013 • 3:30 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 3:35 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Mike Eng, Mona Field, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Absent: Ernest H. Moreno and Nancy Pearlman (arrived at 3:46 p.m.). Student Trustee Michael J. Griggs was present.

Interim Chancellor Adriana D. Barrera was present.

Trustee Svonkin led the Pledge of Allegiance to the Flag.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

None.

ANNOUNCEMENTS FROM COLLEGE PRESIDENTS

Mr. Marvin Martinez, President, East Los Angeles College (ELAC), announced that on Saturday, July 21, 2013, ELAC held its first ever "Welcome Day" for the purpose of targeting first-time incoming college students. He indicated that a total of 470 students attended this event along with their family members. He indicated that 146 campus volunteers including employees and current students assisted with this event. He further announced that a "Welcome Week" for first-time college students is being scheduled for the week of August 19-23, 2013.

Dr. Monte E. Perez, President, Los Angeles Mission College (LAMC), announced that LAMC's East Campus Complex, which includes the Health Fitness Athletics Complex and the Center for Math and Sciences, received the National Design-Build Award for educational facilities from the Design-Build Institute of America. He indicated that LAMC would be recognized in November 2013 in Las Vegas at which time the Best Overall Winner and Design Excellence Award Winner would be announced.

Dr. A. Susan Carleo, President, Los Angeles Valley College (LAVC), announced that on Monday, July 29, 2013, LAVC would be starting its Summer Boot Camp for Mathematics in association with its Science, Technology, Engineering, and Math (STEM) Program.

Interim Chancellor Barrera introduced the newest member of the Resource Table, Mr. Laurence B. Frank, President, Los Angeles Trade-Technical College (LATTC). She indicated that Mr. Frank is the former Deputy Mayor for the City of Los Angeles.

Mr. Frank reported that he was gratified to have attended a graduation at LATTC on his second day on the job for 37 line cooks from Los Angeles International Airport (LAX) concessions who received upgrade training to become chefs at the new concessions at Tom Bradley Terminal West. He indicated that he played a key role in the startup of the Hospitality Training Academy, a non-profit partnership between UNITE HERE Local 11 and the signatory hotels in Los Angeles.

Trustee Veres announced that Mr. Frank presided over the swearing-in ceremony for Los Angeles City Councilman Curren Price that was held at LATTC on July 13, 2013.

PUBLIC AGENDA REQUESTS

Oral Presentations

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

Ms. Cathy McBroom and Mr. Robert McBroom addressed the Board regarding an issue pertaining to the abrupt 30-day termination of the Los Angeles Pierce College (LAPC) Farm Center. They distributed a copy of their remarks.

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

President Santiago referred this issue to Interim Chancellor Barrera to work with Ms. Camille Goulet, General Counsel, as appropriate.

Mr. Sam Cordova addressed the Board regarding concerns with respect to accreditation at LAMC.

Proposed Actions

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

Trustee Veres reported on the Institutional Effectiveness Committee meeting.

Proposed Actions

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. Elect/Select Trustee Representatives

Motion by Trustee Svonkin, seconded by Trustee Field, that Trustee Mike Eng be elected to serve as the Los Angeles Community College District's governing board voting representative to elect members to the Los Angeles County Committee on School District Organization (Education Code §35023/72403); and that Trustee Mike Eng be selected to serve as the Los Angeles Community College District's governing board Annual Representative to the Los Angeles County School Trustees Association for 2013-2014.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 6 Ayes Absent: Trustee Moreno

Com. No. BT2. Absence – Hardship Authorization

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. BT2.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 6 Ayes Absent: Trustee Moreno

Com. No. BT3. Amend 2013-2014 Board Meeting Calendar

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. BT3, as follows:

Amend the 2013-2014 Board meeting calendar as follows:

Board Meeting

Wednesday, July 10, 2013 (Annual Organizational Meeting)	East Los Angeles College
Wednesday, July 24, 2013	Educational Services Center
Wednesday, August 7, 2013	Educational Services Center
Wednesday, August 21, 2013	Educational Services Center
Wednesday, September 11, 2013	Educational Services Center
Wednesday, September 25, 2013	Educational Services Center
Wednesday, October 9, 2013	Los Angeles City College
Wednesday, October 23, 2013	Educational Services Center
Wednesday, November 6, 2013	Los Angeles Pierce College
Wednesday, November 20, 2013	Educational Services Center
Wednesday, December 11, 2013	Los Angeles Trade-Technical College
Wednesday, December 18, 2013	Educational Services Center
Wednesday, January 15, 2014	West Los Angeles College <u>Educational Services Center</u>
Wednesday, January 29, 2014	Educational Services Center
Wednesday, February 12, 2014	East Los Angeles College <u>West Los Angeles College</u>
Wednesday, February 26, 2014	Educational Services Center
Wednesday, March 12, 2014	Los Angeles Harbor College
Wednesday, March 26, 2014	Educational Services Center
Wednesday, April 16 <u>23</u> , 2014	Los Angeles Mission College
Wednesday, April 30, 2014	Educational Services Center
Wednesday, May 14, 2014	Los Angeles Southwest College
Wednesday, May 28, 2014	Educational Services Center
Wednesday, June 11, 2014	Los Angeles Valley College
Wednesday, June 25, 2014	Educational Services Center
Wednesday, July 9, 2014 (Annual Organizational Meeting)	Educational Services Center
Wednesday, July 23, 2014	Educational Services Center

Trustee Veres recommended that the December 2013 Board meetings be changed to December 4 and December 11, 2013.

Interim Chancellor Barrera requested that the proposed change of the December Board meetings be deferred in order to give her an opportunity to work with staff on the calendar. She indicated that a revised calendar for the month of December 2013 could be brought back for action at a later date.

Trustee Svonkin restated his motion to adopt Com. No. BT3. as presented with the exception of the month of December, which would come back to the Board.

Trustee Field seconded the motion.

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. BT3. with the exception of the December dates as follows:

Amend the 2013-2014 Board meeting calendar as follows:

Board Meeting

Wednesday, July 10, 2013 (Annual Organizational Meeting)	East Los Angeles College
Wednesday, July 24, 2013	Educational Services Center
Wednesday, August 7, 2013	Educational Services Center
Wednesday, August 21, 2013	Educational Services Center
Wednesday, September 11, 2013	Educational Services Center
Wednesday, September 25, 2013	Educational Services Center
Wednesday, October 9, 2013	Los Angeles City College
Wednesday, October 23, 2013	Educational Services Center
Wednesday, November 6, 2013	Los Angeles Pierce College
Wednesday, November 20, 2013	Educational Services Center
Wednesday, December 11, 2013	Los Angeles Trade Technical College – Withdrawn
Wednesday, December 18, 2013	Educational Services Center – Withdrawn
Wednesday, January 15, 2014	West Los Angeles College <u>Educational Services Center</u>
Wednesday, January 29, 2014	Educational Services Center
Wednesday, February 12, 2014	East Los Angeles College <u>West Los Angeles College</u>
Wednesday, February 26, 2014	Educational Services Center
Wednesday, March 12, 2014	Los Angeles Harbor College
Wednesday, March 26, 2014	Educational Services Center
Wednesday, April 16 <u>23</u> , 2014	Los Angeles Mission College
Wednesday, April 30, 2014	Educational Services Center
Wednesday, May 14, 2014	Los Angeles Southwest College

Wednesday, May 28, 2014	Educational Services Center
Wednesday, June 11, 2014	Los Angeles Valley College
Wednesday, June 25, 2014	Educational Services Center
Wednesday, July 9, 2014 (Annual Organizational Meeting)	Educational Services Center
Wednesday, July 23, 2014	Educational Services Center

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED AS AMENDED: 6 Ayes Absent: Trustee Moreno

Com. No. BT4. Resolution – Jack E. Daniels III

President Santiago indicated that Dr. Daniels would be attending the next Board meeting. Therefore, this item was tabled until the Board meeting of August 7, 2013.

Tabled.

REPORTS FROM THE CHANCELLOR

Reports from the Chancellor Regarding District Activities or Pending Issues

Interim Chancellor Barrera acknowledged the members of the Chancellor's Senior Staff, who meet every Monday to review the Board agenda in detail. She expressed her appreciation to Ms. Goulet for taking over as the Chair of these meetings. She further acknowledged Ms. Lillian Mazariegos and Ms. Laurie Green for producing the Board agendas and Ms. Carol Justiniano and Ms. Lupe Orozco for coordinating the logistics of the Board meetings.

Interim Chancellor introduced Ms. Monica Martinez and indicated that Ms. Martinez would be overseeing the production of the Board agenda and related projects.

Interim Chancellor Barrera introduced Mr. James D. O'Reilly, Chief Facilities Executive, Facilities Planning and Development.

Bond Program Management 90-Day Update

A document entitled "Program Management Services 90-Day Progress Report" was distributed.

Mr. O'Reilly introduced Mr. Stuart Markey, Deputy Program Director, Program Management.

Mr. Markey gave a PowerPoint presentation and discussed the document with respect to the Policy and Procedures Manual, the program management information system, online project level assessment, the ISO (International Organization for Standardization) 9001 Quality Management System, risk management, the finance and accounting system, contracts management, energy assessment, program assessment, and contract deliverables submitted.

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

* * *

Interim Chancellor Barrera read a letter she received from an LACCD student in which the student expressed thanks to the LACCD for a \$500 check received to help pay off student dues.

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CONSENT CALENDAR

Matters Requiring a Majority Vote

There being no objection, President Santiago separated Com. No. ISD1. Student Discipline – Expulsion from the remainder of the Consent Calendar.

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt the Consent Calendar on Matters Requiring a Majority Vote with the exception of Com. No. ISD1., which was separated for the vote.

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

Discussion was requested regarding Com. No. BSD1. Business Services Routine Report.

Com. No. FPD1. Authorize Construction Contract

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 6 Ayes Absent: Trustee Moreno

Com. No. BSD1. Business Services Routine Report

With respect to Roman Numeral I. Authorize a Life Insurance Carrier Change, Trustee Eng inquired as to the total value of the contract.

Ms. Leila Menzies, Director, Risk Management and Health Benefits, responded that for basic life insurance during the past year, the District paid \$455,511 and the proposed contract is for \$254,919. She introduced Mr. Gary Delaney, Vice President, Wells Fargo Insurance Services USA, Inc.

Mr. Delaney indicated that Cigna Group Insurance had the lowest bid offer.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 6 Ayes Absent: Trustee Moreno

Com. No. ISD1. Student Discipline – Expulsion

Ms. Goulet explained the procedure for hearing a student discipline case during public session.

Ms. Katia Ramirez addressed the Board regarding the charges against her.

Trustee Eng requested that Ms. Ramirez be allocated an additional three minutes to complete her remarks.

There being no objection, President Santiago allocated Ms. Ramirez an additional three minutes.

Ms. Ramirez continued her remarks.

Mr. David Givot addressed the Board on behalf of Ms. Ramirez.

Dr. Yasmin Delahoussaye, Vice Chancellor, Educational Services and Institutional Effectiveness, addressed the Board regarding the circumstances that resulted in the proposed expulsion of Ms. Ramirez from all Nursing programs in the LACCD.

Mr. Givot provided a rebuttal to the charges on behalf of Ms. Ramirez.

Ms. Goulet recommended that any questions by the Board members be asked prior to making a motion on this item.

President Santiago initiated a question and answer session regarding the case against Ms. Ramirez.

Motion by Trustee Eng that this item be amended to make the expulsion be with reconsideration for a time certain and proposed that the time certain be three semesters. He indicated that following the three semesters, the applicant could request reconsideration for admission in order to complete her education in the Nursing program at any of the LACCD campuses that have Nursing programs. He proposed as a condition of reconsideration after three semesters that this person had not committed any crime or been convicted of any crime involving dishonesty or theft and that this individual has complied with all conditions of the community college code of conduct with regard to expulsion as enumerated in the California codes.

Trustee Veres seconded the motion and offered a friendly amendment to change the time certain to four semesters.

Trustee Eng accepted the friendly amendment.

Amendment to Com. No. ISD1.

*FAILED: 3 Ayes (Eng, Santiago, Veres) Absent: Trustee Moreno
2 Noes (Pearlman, Svonkin)
1 Abstention (Field)*

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. ISD1. as presented.

*ADOPTED: 4 Ayes (Field, Santiago, Svonkin, Veres) Absent: Trustee Moreno
2 Noes (Eng, Pearlman)*

Matters Requiring a Super Majority Vote

None.

RECOMMENDATIONS FROM THE CHANCELLOR

None.

NOTICE REPORTS AND INFORMATIVES

Com. No. BT/A. [Notice] Adopt Board Rule 2420 – Gun Free Campuses

Noticed by Interim Chancellor Barrera.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

None.

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

With respect to Com. No. ISD2. Student Discipline – Expulsion, Ms. Gwendolyn Hall addressed the Board regarding the charges against her.

With respect to Com. No. HRD1. Disciplinary Action Regarding Classified Employees Roman Numeral I. Suspension of Classified Permanent Employees Item A., President Santiago stated that in accordance with The Ralph M. Brown Act, Mr. Johnel Barron, a classified employee assigned to Los Angeles Southwest College as a permanent Student Recruitment Coordinator, has requested that he be allowed to speak at the public session of the Board of Trustees. Mr. Barron was present.

Mr. Michael Shanahan, Interim Senior Associate Vice Chancellor, Human Resources, explained what should occur with respect to the disciplinary case.

Ms. Goulet explained the process for suspending a permanent classified employee.

Mr. Shanahan summarized the charges against Mr. Barron.

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

Mr. Barron addressed the Board regarding the charges against him.

With respect to Com. No. HRD1. Roman Numeral I. Item B., Ms. Diva Sanchez addressed the Board on behalf of Mr. Jerome Mitchell. She requested that the Board consider reducing the proposed 15-day suspension of Mr. Mitchell.

With respect to Com. No. HRD1. Roman Numeral II. Dismissal of Classified Permanent Employee, Mr. Kenneth Lu addressed the Board regarding the charges against him.

RECESS TO CLOSED SESSION

Motion by Trustee Svonkin, seconded by Trustee Field, to 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 (see Attachment A).

Without objection, so ordered.

The regular meeting recessed to Closed Session at 6:06 p.m.

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 9:00 p.m. with President Miguel Santiago presiding.

The Board members were present with the exception of Trustees Moreno and Veres and Student Trustee Griggs.

Interim Chancellor Adriana D. Barrera was present.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – JULY 24, 2013

President Santiago indicated that the Ralph M. Brown Act requires public session reporting of certain matters that were decided during Closed Session.

The Board took no actions required to be reported.

CONSENT CALENDAR

Matters Requiring a Majority Vote

Interim Chancellor Barrera indicated that each of the four items in Com. No. HRD1. need to be voted on separately.

Com. No. HRD1. Disciplinary Action Regarding Classified Employees Roman Numeral I. Suspension of Classified Permanent Employees Item A.

Motion by Trustee Field, seconded by Trustee Eng, to adopt Com. No. HRD1. Roman Numeral I. Item A.

ADOPTED: 5 Ayes Absent: Trustee Moreno and Trustee Veres

Com. No. HRD1. Roman Numeral I. Item B.

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. No. HRD1. Roman Numeral I. Item B. as amended as follows:

- B. The ~~fifteen (15)~~ **ten (10)** days suspension of employee (EN810895) assigned to Los Angeles Trade-Technical College as a permanent Custodian is based on the following causes:

...

ADOPTED AS AMENDED: 5 Ayes Absent: Trustee Moreno and Trustee Veres

Com. No. HRD1. Roman Numeral I. Item C.

Motion by Trustee Field, seconded by Trustee Eng, to adopt Com. No. HRD1. Roman Numeral I. Item C. as amended as follows:

- C. The ~~three (3)~~ **five (5)** days suspension of employee (EN767083) assigned to Los Angeles Valley College as a permanent Custodian is based on the following causes:

...

*ADOPTED AS AMENDED: 4 Ayes (Eng, Field, Pearlman, Santiago) Absent: Trustee Moreno and Trustee Veres
1 No (Svonkin)*

Com. No. HRD1. Roman Numeral II. Dismissal of Classified Permanent Employee

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. HRD1. Roman Numeral II.

*ADOPTED: 4 Ayes (Field, Pearlman, Santiago, Svonkin) Absent: Trustee Moreno and Trustee Veres
1 No (Eng)*

Com. No. ISD2. Student Discipline – Expulsion

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. ISD2.

ADOPTED: 5 Ayes Absent: Trustee Moreno and Trustee Veres

ADJOURNMENT

There being no objection, the regular meeting was adjourned at 9:05 p.m.

ADRIANA D. BARRERA
Interim Chancellor and Secretary of the Board of Trustees

By: Laurie Green
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Miguel Santiago
Miguel Santiago
President of the Board

Date August 7, 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, July 24, 2013

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

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

- II. **Public Employee Appointment**
(pursuant to Government Code section 54957)
 - A. Position: Interim President, Los Angeles Southwest College

- III. **Public Employee Evaluation**
(pursuant to Government Code section 54957)
 - A. Position: College Presidents

- IV. **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: Adriana D. Barrera
Michael Shanahan

Employee Unit: Building and Construction Trades

- C. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Academic Administrators
- D. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Clerical/Technical
- E. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Supervisory
- F. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Local 99
- G. District Negotiators: Adriana D. Barrera
Michael Shanahan

Employee Unit: Faculty

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

VI. Consideration of Student Discipline
(pursuant to Government Code section 54962 and Education Code section 72122)

VII. Conference with Legal Counsel - Existing Litigation
(pursuant to Government Code section 54956.9(a))

A. Edrik Stamps v. Dr. Daniel J. LaVista

B. John Colen v. LACCD

C. EPS Corporate Holdings, Inc. v. USS Cal Builders, Inc., LACCD, et al.

D. Arch Insurance Company v. LACCD

E. A2Z Plumbing Services, Inc. v. J.D. Diffenbaugh, Inc., LACCD, et al.

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

A. Claim submitted by Taisei Construction Corporation regarding project at
Pierce College.