

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, April 23, 2014 • 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 3:49 p.m. with President Miguel Santiago presiding.

The following members were present: Mike Eng, Mona Field, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Absent: Ernest H. Moreno (arrived at 3:54 p.m.). Student Trustee Michael J. Griggs was not present.

Trustee Svonkin led the Pledge of Allegiance to the Flag.

Trustee Pearlman explained the background of “Denim Day” and expressed her appreciation to everyone for wearing denim.

President Santiago requested a moment of silence in the memory of the students who died on the way to Humboldt University and the victims of the Jewish facilities shootings in Kansas City.

APPROVAL OF MINUTES

Motion by Trustee Svonkin, seconded by Trustee Field, to approve the following minutes:

Regular Meeting and Closed Session – March 12, 2014
Special Meeting – March 13, 2014
Regular Meeting and Closed Session – March 26, 2014

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

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals reported from the Resource Table:

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, Local 1521; Ms. Velma Butler, President, AFT College Staff Guild, Local 1521A.

(Trustee Moreno arrived at 3:54 p.m.)

ANNOUNCEMENTS FROM THE COLLEGE PRESIDENTS

Ms. Renee D. Martinez, President, Los Angeles City College (LACC), announced that Mr. John Niroula, a student at LACC, has received the Jack Kent Cooke Scholarship in the amount of \$30,000. She indicated that Mr. Niroula is the first LACC student to receive this scholarship.

Mr. Marvin Martinez, President, East Los Angeles College (ELAC), announced that during the 2014 National Championship Tournament held on April 12, 2014, the ELAC Speech Team earned third place overall in the Individual Events category as well as third overall in its division, receiving two Silver Awards. He announced that the ELAC Huskies Softball Team won for the first time ever the South Coast Conference championship and that the Badminton Team completed an undefeated season and also won the South Coast Conference championship. He announced that on Thursday, May 1, 2014, Dr. Gene Block, Chancellor, University of California, Los Angeles (UCLA), would be visiting ELAC for the purpose of strengthening relationships between ELAC and UCLA.

Dr. Monte E. Perez, President, Los Angeles Mission College (LAMC), announced that the LAMC Baseball Team won the Western State Conference championship. He announced that he has been invited by 15 University Presidents and the Minister of Education of Guangdong Province, China, along with Hartnell College and Riverside City College, to give a presentation at the Community College Summit in Guangzhou, China on May 9-15, 2014.

Dr. Kathleen F. Burke, President, Los Angeles Pierce College (LAPC), invited everyone to the annual LAPC Farm Walk being held on Sunday, April 27, 2014 from 9:30 a.m. to 4:00 p.m.

Mr. Farley Herzek, Interim President, Los Angeles Harbor College (LAHC), reported that under the Harbor Advantage program, approximately 900 high school students have come to the campus to be assessed and are currently being programmed into a full load of classes.

Mr. Laurence B. Frank, President, Los Angeles Trade-Technical College (LATTC), announced that the Council on Adult Experiential Learning (CAEL) has awarded a grant to LATTC that will be used to develop competency-based opportunities for student veterans at LATTC. He announced that a fundraising gala entitled "Dancing with the Foster Care Stars" would be held at LATTC on Thursday, May 1, 2014 at 6:00 p.m.

Ms. Alma Johnson-Hawkins, Interim President, Los Angeles Valley College (LAVC), announced that Mr. Ahmad Khalil and Mr. Edon Cohanim, LAVC students, were selected for the 2014 Phi Theta Kappa All-California Second Team by the Community College League of California. She announced that two other LAVC students—Ms. Valerie Carranza and Mr. Albert Sarian—were awarded the 2014 Jack Kent Cooke Foundation Undergraduate Transfer Scholarship.

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. Zaakiyah Brisker invited the Board members to attend the Student Affairs Committee meeting scheduled for Friday, May 9, 2014. She expressed her concern regarding the possible misappropriation of ASO funds at LATTC.

* * *

Trustee Svonkin reported that LAPD Officer Christopher Cortijo died on April 10, 2014 as the result of a traffic accident in the San Fernando Valley. He indicated that the Board meeting would be adjourned in the memory of Officer Cortijo. He indicated that the Board meeting would also be adjourned in the memory of the following victims of the crash in Northern California between the bus traveling to Humboldt State University and the FedEx truck:

Mr. Michael Myvette, Ms. Mattison Haywood, Mr. Adrian Castro, Mr. Arthur Arzola, Ms. Marisa Serrato, Ms. Denise Gomez, Mr. Ismael Jimenez, Ms. Jennifer Bonilla, Ms. Talalelei Taiao, and Mr. Tim Evans

Lastly, Trustee Svonkin indicated that the Board meeting would also be adjourned in the memory of the following three victims of the Jewish Community Center shootings near Kansas City, Missouri:

Dr. William Lewis Corporon, his grandson Mr. Reat Griffin Underwood, and Ms. Terri Lammano.

* * *

Proposed Actions

None.

REQUESTS TO ADDRESS THE BOARD – MULTIPLE AGENDA MATTERS

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

Trustee Eng reported on the Ad Hoc Committee on Adult Education and Workforce Development meeting.

Trustee Svonkin reported on the Budget & Finance 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.

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. Nos. BT1. and BT2.

Com. No. BT1. District Classified Employees Retirement

WHEREAS, The classified employees identified below have been employed with the Los Angeles Community College District for many years; and

WHEREAS, The classified employees have contributed significantly toward providing the highest quality of services to our students and the public on behalf of the Los Angeles Community College District; now, therefore, be it

RESOLVED, That the Personnel Commission and the Board of Trustees of the Los Angeles Community College District do hereby commend the employees for their contributions and extend best wishes in their retirement.

SUMMARY OF RETIRED CLASSIFIED EMPLOYEES

<u>Last Name</u>	<u>First Name</u>	<u>Job Classification</u>	<u>Years of Service</u>	<u>Location</u>	<u>Retirement Date</u>
Dang	Kevin	Groundskeeper	12	Harbor	2/20/14
Leynes	Alberto	Accounting Technician	9	Southwest	3/31/14

Com. No. BT2. Trustee Authorizations

Student Trustee Advisory Vote: Absent (Griggs)
Com. Nos. BT1. and BT2. ADOPTED: 7 Ayes

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Reports from the Chancellor Regarding District Activities or Pending Issues

Interim Chancellor Barrera introduced Dr. Monte E. Perez, President, LAMC.

Dr. Perez acknowledged the following individuals from LAMC who were not in attendance:

Ms. Leslie Milke, Academic Senate President; Ms. Dorothy Mundt, AFT Staff Chapter Chair; and Ms. Milena Calderon, Acting ASO President.

Dr. Perez introduced the following individuals from LAMC:

Ms. Louise Barbato, AFT Chapter President; Ms. Zoila Rodriguez-Doucette, Representative, SEIU Local 721; Ms. Cathy Brinkman, Representative, Teamsters Local 911; Dr. Mike Fenton, Director, STEM Program; Mr. Michael Allen, Vice President, Academic Affairs; Mr. Joe Ramirez, Vice President, Student Services; and Mr. Daniel Villanueva, Vice President, Administrative Services.

- Presentation on Los Angeles Mission College's Science Technology Engineering and Math (STEM) Program: Student Success, Completion, and Institutionalization

Dr. Perez deferred to Dr. Fenton.

Dr. Fenton distributed a document entitled "LAMC STEM: Student Success, Completion and Institutionalization." He gave a PowerPoint presentation and discussed the document with respect to STEM Program statistics, STEM main objectives, and important areas of STEM student services. He introduced Mr. Jesus Miguel Lopez Balthazar, LAMC Student, and announced that Mr. Lopez Balthazar has been offered an internship in the UCLA Transfer Student Summer Research Program (TSSRP).

Mr. Lopez Balthazar indicated that the TSSRP will provide him with the skills required to attain his goal of becoming a research engineer. He expressed his appreciation for being offered the internship.

A question and answer session was conducted regarding the presentation.

Dr. Perez introduced Ms. Madeline Hernandez, Academic Senate Vice President, Articulation Officer/Counselor, and Co-Chair, Accreditation Steering Committee, LAMC.

CONSENT CALENDAR

Matters Requiring a Majority Vote

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

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

Discussion was requested regarding Com. Nos. BSD2. and FPD5.

Com. No. BF1. Budget Revisions and Appropriation Transfers

Com. No. BF2. Authorize the Distribution of \$8,912,000 State General Revenue from 2012-13 Recalculation

Com. No. BSD1 Ratifications for Business Services

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

The following amendment was noted:

Com. No. FPD1.

...

X. AUTHORIZE AMENDMENTS TO DESIGN-BUILD AGREEMENTS

...

- ~~C. Authorize Amendment No. 3 to Agreement No. 33388 with Charles Pankow Builders, Ltd. for additional Design-Build services for the Multipurpose Community Services Center project at Los Angeles Valley College.~~

~~Withdrawn.~~

Com. No. FPD1. – Resource Document

...

X. AUTHORIZE AMENDMENTS TO DESIGN-BUILD AGREEMENTS

...

~~A. Action~~

~~Authorize Amendment No. 3 to Agreement No. 33388 with Charles Pankow Builders, Ltd. for additional Design-Build services for the Multipurpose Community Services Center project at Los Angeles Valley College at a cost not to exceed \$413,590 inclusive of eligible reimbursable expenses.~~

~~Inclusive of this amendment, the total cost of this Design-Build agreement is \$20,288,373.~~

~~Background~~

~~The Design-Build system of project delivery was adopted by the Board of Trustees on December 3, 2003 (Com. No. BSD5) as a project delivery option available District-wide. This project was approved for delivery by Design-Build system by the Board of Trustees on November 3, 2010 (Com. No. FPD1). This Design-Build agreement with Charles Pankow Builders, Ltd. was authorized by the Board of Trustees on September 7, 2011 (Com. No. FPD1).~~

~~Additional Design-Build services are proposed as follows:~~

~~1. Due to requests by the college:~~

- ~~• Install gas utility infrastructure/meters and firefighting water line/fire hydrant for the Community Services Center previously anticipated to be a part of the Athletic Training Facility project. Due to the re-sequencing of projects, it is proposed this Design-Build agreement be expanded to accommodate this change.~~

~~2. Due to unforeseen conditions:~~

- ~~• Re-route existing underground fire service water line discovered during foundation construction not noted on campus as-built drawings.~~

~~Amendment No. 3 to Agreement No. 33388 includes Change Order No. 3.~~

~~Funding and Development Phase~~

~~Funding is through Measure J Bond proceeds. Multipurpose Community Services Center 38V.5839.02. Design and Construction Phases.~~

~~Withdrawn.~~

Com. No. FPD2. Authorize Amendment to Master Procurement Agreement

Com. No. FPD3. Ratify Construction Contract Changes Arising out of Differing Site Conditions for Construction Contract with GMZ Engineering, Inc. Greater than \$30,000 in Original Cost Issued under Design-Bid-Build Method of Project Delivery

Com. No. FPD4. Ratify Construction Contract Changes Arising out of Differing Site Conditions for Construction Contract with Kanaan Construction, Inc. Greater than \$30,000 in Original Cost Issued under Design-Bid-Build Method of Project Delivery

Com. No. HRD1. Personnel Services Routine Actions

Com. No. ISD1. Approval of Educational Programs and Courses

Com. No. ISD2. Approve Community Services Offerings

Com. No. PC1. Personnel Commission Action

Correspondence

Student Trustee Advisory Vote: Absent (Griggs)
ADOPTED AS AMENDED: 7 Ayes

Com. No. BSD2. Business Services Routine Report

With respect to Roman Numeral I. Authorize Professional Service Agreement as it relates to an agreement with Broniec Associates, Inc. to provide procurement and cost billing efficiency analysis and cost recovery services for the Office of the Chief Fiscal Officer/Treasurer, Trustee Pearlman expressed her concern regarding the costs for these services and that this is not being handled by District staff.

Ms. Jeanette Gordon, Chief Financial Officer/Treasurer, indicated that the District does not have the expertise required to conduct reviews of its accounts payable and procurement transactions and recover funds that the District is owed. She indicated that the firm will not be paid unless it recovers the funds.

With respect to Roman Numeral IV. Ratify Sublease Agreements Item B. as it relates to a sublease agreement between California Tower, Inc. and Los Angeles SMSA Limited Partnership dba Verizon Wireless at Los Angeles Valley College to co-locate an antennae on the existing cellular communications tower lease to Verizon Wireless, Trustee Veres inquired as to the possibility of including other carriers such as AT&T in the lease.

Interim Chancellor Barrera indicated that this would be considered during future discussions regarding the cellular communications tower lease.

Com. No. FPD5. Adopt Resolution Approving an Agreement with the County of Los Angeles to Acquire Assessor's Parcel Number 2580-016-017 through the Chapter 8 Tax Sale Process

There was discussion regarding Com. No. FPD5. with respect to the use of the property by the LACCD and the Sylmar Independent Baseball League (SIBL).

Trustee Eng requested that a report be provided to the Board one year from now regarding the steps that have been taken to use the portion of the property that the District has owned for four or more years.

Interim Chancellor Barrera indicated that this request would be referred to the incoming Chancellor.

Trustee Pearlman requested that Com. No. BSD2. Roman Numeral I. be separated for the vote.

President Santiago indicated that Com. No. BSD2. Roman Numeral I. is separated for the vote.

Com. No. BSD2. with the exception of Roman Numeral I. and Com. No. FPD5.

Student Trustee Advisory Vote: Absent (Griggs)
ADOPTED: 7 Ayes

Com. No. BSD2. Roman Numeral I.

Student Trustee Advisory Vote: Absent (Griggs)
ADOPTED: 6 Ayes (Eng, Field, Moreno, Santiago, Svonkin, Veres)
1 No (Pearlman)

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PUBLIC AGENDA REQUESTS (continued)

Oral Presentations

There being no objection, President Santiago allowed Ms. Wanda Solomon to address the Board.

Ms. Solomon addressed the Board regarding her efforts to complete her community college education and continue on to higher education. She distributed a document entitled "Continuing Statement on College Transcripts Putting a New Face on Student College Transcripts in the Junior College and University Colleges."

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Matters Requiring a Super Majority Vote

None.

RECOMMENDATIONS FROM THE CHANCELLOR

Public Hearing on Subsequent Environmental Impact Report for the Firestone Educational Center

President Santiago declared the public hearing open.

Public Comment

None.

A document entitled "East Los Angeles College Firestone Education Center Final Subsequent EIR Draft Master Plan" was distributed.

Mr. Marvin Martinez gave a PowerPoint presentation and discussed the document with respect to the ELAC historical presence in Southeast Los Angeles, the Firestone Education Center (FEC) Master Plan approval history, and factors demonstrating the need for the new facility. He introduced Dr. Ryan Cornner, Dean, Institutional Effectiveness, ELAC, and Mr. Kevin Ferrier, Senior Planner, Terry A. Hayes Associates LLC.

Dr. Cornner continued the PowerPoint presentation and discussed the document with respect to the FEC Master Plan proposed facilities and planned program facilities.

Mr. Ferrier continued the PowerPoint presentation and discussed the document with respect to the EIR process, EIR impact analysis, and EIR public outreach.

A question and answer session was conducted regarding the presentation.

Trustee Eng inquired as to the volume of waste water that this project would generate and the fee that would be charged to the District for the additional waste water.

President Santiago indicated that Interim Chancellor Barrera would provide this information to the Board.

Ms. Camille Goulet, General Counsel, indicated that the Board would vote on this project at a subsequent Board meeting.

President Santiago declared the public hearing closed.

NOTICE REPORTS AND INFORMATIVES

Com. No. BT/A. [Notice] Adopt 2014 – 2015 Board Meeting Calendar

Noticed by Interim Chancellor Barrera.

Com. No. BT/B. [Notice] Adopt Revisions to Board Rules Chapter XI – Personnel Commission

Noticed by Interim Chancellor Barrera.

Com. No. HRD/A. [Collective Bargaining Informative] Initial Proposal of the Los Angeles Community College District Administrators' Unit Represented by California Teamsters Public, Professional & Medical Employees Union Local 911 to the Los Angeles Community College District Regarding Negotiations of the 2014-2017 Collective Bargaining Agreement

Presented by Interim Chancellor Barrera.

Com. No. HRD/B. [Collective Bargaining Informative] Initial Proposal of the Los Angeles/Orange Counties Building and Construction Trades Council to the Los Angeles Community College District Regarding Negotiations of the 2014-2017 Collective Bargaining Agreement

Presented by Interim Chancellor Barrera.

Com. No. HRD/C. [Collective Bargaining Informative] Initial Proposal of the Service Employees International Union, Local 99 to the Los Angeles Community College District for Negotiating the 2014-2017 Collective Bargaining Agreement

Presented by Interim Chancellor Barrera.

Com. No. ISD/A. [Informative] Notification of Student Travel

Presented by Interim Chancellor Barrera.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS BY MEMBERS OF THE BOARD OF TRUSTEES

None.

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

None.

RECESS TO CLOSED SESSION

President Santiago announced that the Closed Session discussion will include a potential litigation item in keeping with Government Code section 54956.9(d)(4).

Motion by Trustee Svonkin, seconded by Trustee Moreno, 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 8:35 p.m. with President Miguel Santiago presiding.

The Board members were present with the exception of Trustee Eng and Student Trustee Griggs.

Interim Chancellor Adriana D. Barrera was present.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – APRIL 23, 2014

President Santiago 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 took no actions in Closed Session that are required to be reported.

CONSENT CALENDAR

Matters Requiring a Majority Vote

Com. No. HRD3. Dismissal of Classified Permanent Employee

Interim Chancellor Barrera indicated that Com. No. HRD3. is withdrawn until the regularly scheduled Board meeting of April 30, 2014.

Withdrawn.

ADJOURNMENT

There being no objection, the Board meeting was adjourned at 8:37 p.m. in the memory of all of the individuals as noted earlier in the Board meeting.

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 May 14, 2014



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 23, 2014

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

- I. **Public Employee Employment**
(pursuant to Government Code section 54957)
 - A. Position: President, Los Angeles Valley College
 - B. Position: President, Los Angeles Harbor College
 - C. Position: President, Los Angeles Southwest College
 - D. Position: Chief Business Officer

- II. **Conference with Labor Negotiator**
(pursuant to Government Code section 54957.6)
 - A. District Negotiators: Adriana D. Barrera
Albert Román

Employee Units: All Units

All Unrepresented Employees

 - B. District Negotiators: Adriana D. Barrera
Kathleen F. Burke
Marvin Martinez
Albert Román
Jeanette L. Gordon

Employee Unit: Faculty

C. District Negotiators: Adriana D. Barrera
Marvin Martinez
Albert Román

Employee Unit: Teamsters Local 911 (Supervisory/Academic)

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(d)(1))

A. *The Corporation Peopleworks v. URS Corporation and LACCD*

B. Case name withheld to avoid jeopardizing settlement negotiations pursuant to Government Code section 54956.9(g)

C. *Jazmyne Goodwin v. Igor Daza and LACCD*

D. *LACCD v. Constantino Gabrie*

E. *Kenneth Lu v. LACCD*

F. *Kyung Rhee v. Teletron, Inc.*

G. *Charles Johnson v. Michael Atkin – Small Claims Court Lawsuit*

H. *Sylvester Carr v. LACCD*

I. *R&J Sheet Metal, Inc. v. Chegini Enterprise, Inc. dba SMC Construction Company, LACCD, et al.*

V. Conference with Legal Counsel - Anticipated Litigation

A. Potential claim for overpayment pursuant to Government Code section 54956.9(d)(4)

B. Allegation of unlawful discrimination by a student at Pierce College pursuant to Government Code section 54956.9(d)(2)