

LOS ANGELES COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

**Wednesday, October 5, 2016
First Public Session 3:00 p.m.
Closed Session
(Immediately Following Public Session)
Public Session 4:00 p.m.
Los Angeles Pierce College
Student Community Center/Great Hall, Building 1900
6201 Winnetka Avenue • Woodland Hills, California 91371**

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 3:05 p.m. with President Scott J. Svonkin presiding.

The following members were present: Mike Eng, Mike Fong, Sydney K. Kamlager, Nancy Pearlman, and Scott J. Svonkin. Absent: Andra Hoffman and Ernest H. Moreno. Student Trustee Alexa Victoriano was not present.

Chancellor Francisco C. Rodriguez was present.

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

Scheduled speakers Ms. Angela Roberson, Mr. James Kidd, and Mr. Andre Watson were not present.

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 3:06 p.m.

(Student Trustee Victoriano arrived at 3:20 p.m.)

RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 4:24 p.m. with President Scott J. Svonkin presiding.

The following members were present: Mike Eng, Mike Fong, Sydney K. Kamlager, Nancy Pearlman, and Scott J. Svonkin. Absent: Andra Hoffman and Ernest H. Moreno. Student Trustee Alexa Victoriano was present.

Chancellor Francisco C. Rodriguez was present.

Trustee Kamlager led the Pledge of Allegiance to the Flag.

President Svonkin reported that the following members of the Los Angeles Valley College (LAVC) family recently passed away:

Mr. Angelo Cimity, Athletic Trainer, LAVC
Mr. Mohammed Kalam, father of Ms. Farhana Kalam, an LAVC student
Mr. Danny Haiwongse, Treasurer of the Student Business Club, LAVC
Mr. Matthew Trujillo, Student, LAVC

There being no objection, President Svonkin indicated that the Board meeting would be adjourned in the memory of these four individuals.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – OCTOBER 5, 2016

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

He noted that the Board took no action that The Ralph M. Brown Act requires to be reported.

WELCOMING REMARKS BY KATHLEEN F. BURKE, PRESIDENT, LOS ANGELES PIERCE COLLEGE

President Svonkin introduced Dr. Kathleen F. Burke, President, Los Angeles Pierce College (LAPC).

Dr. Burke welcomed everyone to the College. She introduced the following individuals from LAPC:

Ms. Barbara Lombrano, ASO President; Ms. Anna Bruzzese, Academic Senate President; Mr. Fernando Oleas, AFT Chapter President; Mr. Henry Chang, AFT Staff Chapter Chair; Mr. James Theoharris, Representative, Building and Construction Trades Council; Ms. Shytovia Jernigan, Representative, SEIU Local 99; Ms. Victoria Romero, Supervisory Unit; Ms. Donna Mae Villanueva, Representative, Teamsters Local 911; Ms. Sheri Berger, Vice President, Academic Affairs; Dr. Earic Dixon-Peters, Vice President, Student Services; and Mr. Rolf Schleicher, Vice President, Administrative Services.

Dr. Burke acknowledged current and former LAPC students, faculty members, staff, and administrators who were in attendance. She expressed her appreciation to Mr. Larry Kraus, Associate Vice President, Administrative Services; Dr. Mark Henderson, Information Technology Manager; Mr. Paul Nieman, Director of Facilities; and Mr. Rodney Allen, Supervisor, Plant Facilities; and their respective staffs for their efforts in preparing for the Board meeting. She expressed her appreciation to Ms. Cheryl Smith and Ms. Elayne Klein of her office for their efforts as well.

APPROVAL OF MINUTES

Motion by Trustee Fong, seconded by Trustee Pearlman, to approve the following minutes:

Regular Meeting and Closed Session: September 7, 2016
Regular Meeting and Closed Session: September 21, 2016

Student Trustee Advisory Vote: Aye (Victoriano)

APPROVED: 5 Ayes Absent: Trustee Hoffman and 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; Ms. Mercy Yanez, Acting President, LACCD Administrators' Association/Teamsters Local 911; and Mr. James Bradley, Representative, SEIU Local 99.

ANNOUNCEMENTS FROM THE COLLEGE PRESIDENTS

Mr. Marvin Martinez, President, East Los Angeles College (ELAC), announced that ELAC and three other LACCD colleges are the recipients of a \$6 million STEM (Science, Technology, Engineering, and Math) grant from the Department of Education. He indicated that this is a five-year grant and the purpose is to provide a path for more students to enroll in the STEM fields, graduate, and eventually transfer. He announced that on Wednesday, September 28, representatives from the Center for American Progress were at the College to present a report regarding remedial education, specifically the rising costs of remedial education. He also announced that ELAC is getting ready to open a new DREAM (Development, Relief, and Education for Alien Minors) Center to support the needs of its many undocumented students as well as a new Foster Youth Center to support the needs of foster youths who are students at ELAC. He indicated that open houses for both of these programs would be held in early November.

Dr. Mary Gallagher, Vice President, Administrative Services, Los Angeles Trade-Technical College (LATTC), announced that the College will open its large parking structure on Monday, October 10. She expressed her appreciation to the Board for having an action item on the agenda (ISD1) to approve new credit courses in the rail industry at LATTC.

Dr. Otto W. K. Lee, President, Los Angeles Harbor College (LAHC), expressed his appreciation to Trustees Eng and Fong and Chancellor Rodriguez for convening the LACCD API (Asian Pacific Islanders) Advisory Group. He indicated that through the work of this committee, LAHC has been able to institutionalize its Asian Pacific American Student Success (APASS) Program in the same model as its Puente and Umoja Programs.

PUBLIC AGENDA REQUESTS

Oral Presentations

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

Mr. Keith Dixon addressed the Board regarding his company, Advantage Demolition & Grading Inc., not being paid for two construction projects at LAPC and his efforts to get paid.

Ms. Mary Van Ginkle addressed the Board regarding the need to continue the LACCD Health Reimbursement Account (HRA) for employees.

Mrs. Shirley Blessing addressed the Board regarding the hardship on members of the public to attend Board meetings that begin at 6:00 p.m. She requested that the Board consider changing the Board meeting start time to 3:00 p.m.

The following individuals addressed the Board regarding the need to extend the contract for the Puente Program at Los Angeles Trade-Technical College (LATTC) in order to continue the program:

Mr. Franklin Andres, Ms. Delia Bravo, Mr. John Eleby, and Mr. Luis Solares.

The following individuals addressed the Board requesting support for the HRA (Health Reimbursement Account) and health benefits for adjunct faculty:

Ms. Milagros Castillo, Ms. Amy Roberts, Ms. Carol Thomason, Mr. Richard McMillan, Ms. Kathy Holland, Mr. Brian Walsh, Ms. Elizabeth Benne, Mr. Fernando Oleas, and Dr. Larry Nakamura, Dr. N. R. Mantena, Mr. William Marmolejo, and Mr. Juan Carlos Astorga.

Mr. Ali Asghar addressed the Board regarding the Los Angeles College Promise program.

The following individuals addressed the Board requesting support for the HRA and health benefits for faculty and classified staff:

Ms. Jennifer Rosenberg, Ms. Holly Hagan, Mr. Suleman Ishaque, Dr. Armida Ornelas, and Mr. David Schamus.

Ms. Carole Anderson addressed the Board regarding food services at LATTC.

Proposed Actions

None.

REQUESTS TO ADDRESS THE BOARD – MULTIPLE AGENDA MATTERS

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

None.

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.

There being no objection, President Svonkin requested that Com. No. BT3. be considered out of order.

Com. No. BT3. Adopt Resolution in Support of Upcoming Election Measures Impacting Los Angeles Community College District Students and the Community at Large

Motion by Trustee Fong, seconded by Trustee Pearlman, to adopt Com. No. BT3. as follows:

The following resolution is presented by Board Members Svonkin, Fong, and Eng:

WHEREAS, The Board of Trustees of the Los Angeles Community College District (LACCD) is committed to furthering opportunities and services for the more than 225,000 students it serves every year; and

WHEREAS, The LACCD's ability to offer sufficient classes and adequate support services to meet the demand was hampered during the most recent recession due to the cancellation of more than 35,000 class sections and 17 winter intersessions, leading to 150,000 students being turned away, resulting in an unacceptable loss of student learning opportunities; and

WHEREAS, The passage of Proposition 30 in 2013 made an enormous difference to counteract the massive layoffs and program cuts in public education suffered between 2008 and 2011 by restoring many of the personnel and programs; and

WHEREAS, Proposition 30 sales tax revenues sunset in 2016, and income tax revenues on high-income earners expires in 2018; and

WHEREAS, Proposition 55, the Children's Education and Health Care Protection Act of 2016, would extend the temporary income tax increases on wealthy Californians for an additional twelve years, while allowing the sales tax provisions of Proposition 30 to expire, making this extension a purely progressive tax, paid for by taxpayers well able to continue to afford the modest increase while benefiting all of public education; and

WHEREAS, The LACCD serves over 225,000 students at its nine colleges and provides them with a quality education leading to the completion of an Associate of Arts or Associate of Science degree, transfer to four-year institutions, successful completion of workforce development programs designed to meet local, regional and statewide needs, and opportunities for lifelong learning and civic engagement; and

WHEREAS, For many students, the nine LACCD colleges provide access to a quality education that they would not be able to afford otherwise, and offer local residents looking to change their lives a second chance; and

WHEREAS, The Board of Trustees of the LACCD has determined that certain educational facilities at each of the District's nine colleges need to be constructed, renovated, acquired, and equipped, in a fiscally prudent manner, to enable the LACCD to maintain the colleges as valuable community resources that provide an affordable education to local students and veterans who desire to learn job skills or transfer to four-year universities; and

WHEREAS, The Board of Trustees of the LACCD unanimously voted on July 20, 2016 to pass a resolution ordering an election and establishing specifications of the election order known as Measure CC; now, therefore, be it

RESOLVED, That the Board of Trustees of the LACCD supports Proposition 55 and Measure CC as critical to continuing to provide affordable transportation and educational opportunities for its current and future students; and be it further

RESOLVED, That the Board of Trustees of the LACCD encourages its students, faculty, and staff to learn how both of these measures will benefit the LACCD; and be it finally

RESOLVED, That the Board of Trustees of the LACCD will do its part by informing and educating the general public as well as the LACCD family about the importance of the successful passage of both measures.

Student Trustee Advisory Vote: Aye (Victoriano)

ADOPTED: 5 Ayes Absent: Trustee Hoffman and Trustee Moreno

Com. No. BT1. Resolution – District Classified Employees Retirement

Motion by Trustee Pearlman, seconded by Trustee Fong, to adopt Com. No. BT1. as follows:

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 recognize 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>
Tonoian	Shirley	Office Assistant	47	East	9/1/2016
Rodriguez	Felipe	Maintenance Assistant	41	Trade-Tech	9/1/2016
Torres	Josefina	Administrative Aide	25	Valley	9/6/2016
Freeman	Kenneth	Instructional Assistant – Information Technology	14	Valley	9/6/2016

ADOPTED: 5 Ayes Absent: Trustee Hoffman and Trustee Moreno

Com. No. BT2. Conference Attendance Ratification/Authorizations

Motion by Trustee Fong, seconded by Trustee Kamlager, to adopt Com. No. BT2.

ADOPTED: 5 Ayes Absent: Trustee Hoffman and Trustee Moreno

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Report from the Chancellor Regarding Activities or Pending Issues in the District

Chancellor Rodriguez expressed his appreciation to Dr. Burke and her team for accommodating everyone at the Board meeting. He introduced Dr. James M. Limbaugh, President, West Los Angeles College (WLAC), and welcomed him to the LACCD. He announced that Cheryl Newman-Tarwater of the Los Angeles County Sheriff's Department has been promoted to Commander of all of the Women's Facilities in Los Angeles County. He introduced Captain Rodrick Armalin, who will be taking over the Sheriff's Bureau.

Chancellor Rodriguez reported that four of the LACCD colleges—ELAC, LACC, LAHC, and LAVC—received STEM grants. He expressed his appreciation to Dr. Lee for his efforts in launching the Chancellor's Advisory Committee on API Affairs.

Chancellor Rodriguez announced that the LACC Foundation Gala would be taking place this same evening (October 5) and that LATTC will hold its Foundation Gala in two weeks.

CONSENT CALENDAR

Matters Requiring a Majority Vote

Motion by Trustee Fong, seconded by Trustee Eng, to adopt the Consent Calendar as amended for Matters Requiring a Majority Vote.

Com. No. BF1. Ratify Budget Revisions and Appropriation Transfers

Com. No. BF2. Adopt the 2017-2018 Budget Development Calendar

Com. No. BF3. Adopt Resolution Increasing the Not-to-Exceed Principal Amount of the Los Angeles Community College District 2016 General Obligation Refunding Bonds

Com. No. BSD1. Ratify Business Services Actions

Com. No. BSD2. Adopt Resolution Declaring Intent to Consider Proposals for Joint Occupancy Lease to Operate Food Services and Vending Machine Facilities at City College, East Los Angeles College (including Corporate Center and South Gate Center), Harbor College, Mission College, Pierce College, Southwest College, Trade-Tech College, Valley College, and West Los Angeles College

Trustee Kamlager expressed her concern that there is no language in the resolution regarding small, emerging, local and/or disabled veteran owned firms.

There was discussion with respect to the feasibility of adding language to the resolution.

~~2. Authorize Amendment No. 3 to Lease Agreement No. 33112 to extend the term from October 6, 2016 to March 31, 2018 at a cost not to exceed \$162,677.~~

~~Inclusive of this amendment, the total amount of this lease agreement is \$4,422,082.~~

Background

~~This Lease Agreement was authorized by the Board of Trustees on September 15, 2010 (Com. No. FPD1) and implemented on June 30, 2011. An extension of term is requested to allow for the continued use of the lecture, laboratory and stockroom swing spaces for the Physics Department during construction of the new Physics and Earth Science building (G8 Building).~~

Funding and Development Phase

~~Funding is through Measure J Bond proceeds. Science Career & Mathematics Site Restoration 32E.5222.02.07. Construction Phase.~~

Withdrawn.

Com. No. FPD2. Authorize Master Procurement Agreement

Com. No. FPD3. Adopt Resolution Ratifying Implementation of the Design-Build System of Project Delivery for the Arts and Culinary Arts Campus Improvement Projects at Los Angeles Trade Technical College; Ratifying the Request for Qualifications and Proposal Process; and Authorizing the Award of Four (4) Design-Build Agreements

Com. No. FPD4. Resolution Authorizing Agreement for the Early Buyout Provisions of the Six Photovoltaic Systems Located at East Los Angeles College, Los Angeles Harbor College, Los Angeles Southwest College, and Los Angeles Pierce College

Com. No. HRD1. Personnel Services Routine Actions

Com. No. HRD2. Approve Employment Action for College President

Com. No. HRD3. Adopt the Los Angeles Community College District's Initial Proposal to the Faculty Guild's, AFT Local 1521 Regarding Negotiations of the July 1, 2017-June 30, 2020 Collective Bargaining Agreement

Com. No. HRD4. Adopt the District's Initial Proposal to the Exclusive Representatives of the AFT College Staff Guild, Local 1521A

Com. No. HRD5. Adopt the District's Initial Proposal to the Service Employees International Union, Local 99

Com. No. HRD6. Adopt the District's Initial Proposal to the Exclusive Representatives of the Service Employees International Union, Local 721

Com. No. HRD7. Adopt the 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

Com. No. HRD8. Adopt District's Initial Proposal to the Exclusive Representatives of the Los Angeles/Orange Counties Building and Construction Trades Council

Com. No. HRD9. Approve Disciplinary Action Regarding Classified Employees

Roman Numeral I. Demotion of Classified Permanent Employee was withdrawn as follows:

I. APPROVE DISMISSAL OF CLASSIFIED PERMANENT EMPLOYEES

~~The demotion to Senior Computer and Network Support Specialist of employee (EN 770750) assigned to East Los Angeles College (ELAC) as a Manager of College Information Systems is based on the following causes:~~

- ~~• Incompetence~~
- ~~• Inattention to or Dereliction of Duty~~
- ~~• Inefficiency~~
- ~~• Insubordination~~

~~Background: The above recommendation is in accordance with procedures listed in Education Code section 88123 and Personnel Commission Rule 735. Evidence is on file in the Employer-Employee Relations Unit of the Human Resources Division to support the above recommendation.~~

~~Due process rights guaranteed by Skelly v. State Personnel Board, 15 Cal. 3d 194 (1975) have been afforded the above listed permanent employee.~~

Withdrawn.

Com. No. ISD1. Approve New Educational Courses and Programs

Com. No. ISD2. Approve New Community Services Offerings

Com. No. ISD3. Approve Out-of-State Student Travel

Com. No. PC1. Personnel Commission Action

Correspondence

The Student Trustee's vote did not apply to HRD1., HRD2., HRD3., HRD4., HRD5., HRD6., HRD7., HRD8., HRD9., ISD3., PC1., and the Correspondence.

Trustee Kamlager requested that she be recorded as a "no" vote on Com. Nos. HRD9. and BF3.

Student Trustee Advisory Vote: Aye (Victoriano)

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

RECOMMENDATIONS FROM THE CHANCELLOR

Com. No. CH1. Amend Board Rule Chapter V, Article II – Definitions

Motion by Trustee Pearlman, seconded by Trustee Eng, to adopt Com. No CH1.

Student Trustee Advisory Vote: Aye (Victoriano)

ADOPTED: 5 Ayes Absent: Trustee Hoffman and Trustee Moreno

Com. No. CH2. Reappoint Dr. Lanny Nelms to the District Citizens’ Oversight Committee for Propositions A/AA and Measure J Bond Programs

Motion by Trustee Kamlager, seconded by Trustee Pearlman, to adopt Com. No CH2.

Student Trustee Advisory Vote: Aye (Victoriano)

ADOPTED: 5 Ayes Absent: Trustee Hoffman and Trustee Moreno

Matters Requiring a Super Majority Vote

None.

NOTICE REPORTS AND INFORMATIVES

Com. No. CH/A. [Notice] Board Rule Amendments

Withdrawn.


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

None.


ADJOURNMENT

There being no objection, the regular meeting was adjourned at 6:10 p.m.

FRANCISCO C. RODRIGUEZ
Chancellor and Secretary of the Board of Trustees

By: 
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:


Scott J. Svonkin
President of the Board

Date November 2, 2016



Board of Trustees

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

AGENDA

ATTACHMENT A

CLOSED SESSION

Wednesday, October 5, 2016

Los Angeles Pierce College
6201 Winnetka Avenue
Woodland Hills, CA 91371

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

Employee Units: All Units
All Unrepresented Employees
- II. **Public Employee Discipline/Dismissal/Release/Charges/Complaints**
(pursuant to Government Code section 54957)
- III. **Consideration of Student Discipline**
(pursuant to Government Code section 54962 and Education Code section 72122)
- IV. **Conference with Legal Counsel - Existing Litigation**
(pursuant to Government Code section 54956.9(d)(1))
 - A. *Monika Avetisyan v. LACCD*
 - B. *Jane Doe v. LACCD*
 - C. *Brenda Davis and Jessica Foster v. LACCD*
 - D. *Charles Guerra, et al. v. LACCD*
 - E. *Anahit Shirvanyan v. LACCD*
 - F. *Wail Aldahir v. LACCD*
 - G. *Roy Payan v. LACCD*
 - H. *Yokashammel Dunn v. LACCD*

I. Saeideh Amoori v. LACCD

V. Conference with Legal Counsel - Anticipated Litigation
(pursuant to Government Code section 54956.9(d)(2) and (e)(1))

A. Potential litigation – 3 matters