

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES  
Governing Board of the Los Angeles Unified School District

REGULAR MEETING MINUTES  
333 South Beaudry Avenue, Board Room  
2:00 p.m., Tuesday, December 11, 2007

The Board of Education of the City of Los Angeles, acting as the Governing Board of the Los Angeles Unified School District, met in regular session on Tuesday, December 11, 2007, at the Los Angeles City Board of Education Administrative Offices, Board Room, 333 South Beaudry Avenue, Los Angeles, California.

President García called the meeting to order at 2:15 p.m., simultaneously with the Special Board Meeting of December 11, 2007.

The following Members were present: Ms. Marlene Canter, Ms. Yolie Flores Aguilar, Ms. Tamar Galatzan, Ms. Julie Korenstein, Ms. Marguerite P. LaMotte, Dr. Richard Vladovic, and President Mónica García.

Superintendent David Brewer, III, was present.

Dr. Vladovic led the Pledge of Allegiance.

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President García modified the Order of Business.  
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ANNOUNCEMENTS

Superintendent Brewer led the recognition of Mr. Angelo Bellomo, Director of the Office of Environmental Health and Safety. On behalf of the Board, Ms. Korenstein presented Mr. Bellomo with a Board Resolution in appreciation of his dedicated service to the students and the District.

Board Members and Superintendent Brewer thanked Mr. Bellomo for the contribution he has made and wished him well in his future endeavors.

Mr. Bellomo thanked the Board and wished them continued success.

Superintendent Brewer announced that the Los Angeles Superior Court issued its ruling in American Civil Rights Foundation v. Los Angeles Unified School District. The Court decided in favor of the District, ruling that the District can continue its magnet program as it is currently administered.

## RECEIPT OF BARGAINING UNIONS INITIAL PROPOSALS

President García made the following statement:

The Board has received the California School Employees Association Initial Proposal for Unit D and the Los Angeles School Police Association for Unit A. There will be an opportunity to address the Board on the proposals at the Board meeting of January 8, 2008, in the Board Room. Those persons who wish to address the Board on the proposals may call Area Code (213) 241-7002 or toll free (877) 772-6273 ext. 128, 1 hour prior to start of the meeting or sign up at the time of the meeting.

### OLD BUSINESS FOR ACTION

#### BOARD OF EDUCATION REVISED REPORT NO. 150 – 07/08

Approval of Project Definition and to Establish a Budget of up to \$35.9 Million to Complete Interior Improvement and Additional Parking at Vista Hermosa, to Accommodate a Professional Development Center (PDC) and the Personnel Commission for the District

Ms. LaMotte moved that the report be adopted. Ms. Canter seconded the motion.

Mr. Neil Gamble, Director, Maintenance and Operations, Dr. Joseph Zeronian, Interim Chief Financial Officer, and Mr. Jefferson Crain, Executive Officer of the Board, responded to questions from Board Members regarding revenue generations, cost avoidance, self-sufficiency, timelines, tracking debt, Board debt management policy, and occupancy.

After discussion and by general consent, the report was adopted. Ms. Korenstein was absent.

#### BOARD OF EDUCATION REVISED REPORT NO. 155 – 07/08

Amendment of Board Rule 1912: Method of Submitting Personnel Assignments for Board Action

This item was postponed to the Regular Board Meeting of January 8, 2008.

#### BOARD OF EDUCATION REVISED REPORT NO. 143 – 07/08

Request for Delegation of Authority – Early Childhood Education Division

Ms. LaMotte moved that the report be adopted. Ms. Flores Aguilar seconded the motion.

Ms. Barbara Gutierrez, Assistant Superintendent, Early Childhood Education Division, Mr. Michael Eugene, Business Manager, and Dr. Ronni Ephraim, Deputy Superintendent, Professional Learning, responded to questions from Board Members regarding changes in Delegation of Authority, procurement authority, and matching funds.

After discussion and by general consent, the report was adopted.

NEW BUSINESS FOR ACTION

BOARD OF EDUCATION REPORT NO. 162 – 07/08  
Authorization for Staff to Enter into a Development Agreement for the Delivery of the  
East Los Angeles Star Project

This item was postponed to the Regular Board Meeting of January 8, 2008.

BOARD MEMBERS RESOLUTIONS FOR ACTION

The following speakers addressed the Board on the resolution regarding An Amendment to the South Region Span K-8 No. 1 Strategic Execution Plan:

Ms. Joanne Wysocki  
Ms. Chris Shaw, Save Our Homes  
Ms. Lupe Lopez  
Mr. Ignacio Ortiz  
Mr. Donald Compton, Wilmington Neighborhood Council  
Mr. Arthur Hernandez, Wilmington Neighborhood Council  
Ms. Simie Seaman  
Mr. Antonio Rios  
Ms. Laura Espinoza, Mothers of Wilmington  
Ms. Celia Martinez  
Mr. Carlos Prinzen  
Hon. Janice Hahn, Los Angeles City Council

Ms. Constance Rice, Chairperson, Citizens' Bond Oversight Committee, and Mr. Scott Folsom, Citizens' Bond Oversight Committee, addressed the Board.

Dr. Vladovic moved:

Whereas, The Los Angeles Unified School District, with the use of taxpayers dollars, and specifically the use of bond money approved by the voters, is charged with the task of building new schools to accommodate all District students; and

Whereas, The District is in the middle of an approximately \$20 billion new construction program throughout the District's boundaries; and

Whereas, The District's Facilities Services Division is responsible for all aspects of the construction of a new school, beginning with site designation through completion;

Whereas, The District's Facilities Services Division is tasked with providing various site options for a potential school in a targeted area;

Whereas, The District's Facilities Services Division is charged with recommending to the Board of Education a preferred site that has taken into consideration the concerns of the community and the potential social impacts the preferred site may have on the community;

Whereas, The community of Wilmington is located in the heart of the Los Angeles Harbor area and is home to more than 54,000 residents, most of whom are low income;

Whereas, The community of Wilmington already has limited essential services for its residents;

Whereas, The supermarket on the current proposed site changed ownership since the District's initial community outreach and is now providing enhanced services to the community;

Whereas, Proceeding with the proposed school construction of South Region Span K-8 No. 1 at the proposed site would further exasperate the need for social services by removing a valuable supermarket within walking distance from many residents, a full service bank and a medical clinic forcing residents to travel outside of their community for basic services; and

Whereas, changing to a K-5 school may be the best option to meet the needs of Wilmington students and the community at large; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District, at a duly noticed meeting, hereby directs staff to present to the Bond Oversight Committee for their review and recommendation a proposed amendment to the District's Strategic Execution Plan to change the project definition to allow for a K-5 school in Wilmington.

President García seconded the motion.

Mr. Thomas Rubin, Bond Oversight Committee Consultant, gave a report and responded to questions from Board Members.

Mr. Guy Mehula, Chief Facilities Executive, Mr. Bellomo, Mr. Rod Hamilton, Regional Development Manager, South Region, Mr. Kevin Reed, General Counsel, Ms. Maribel Medina, Special Counsel to the Board, and Superintendent Brewer responded to questions from Board Members regarding school sites, toxic emissions, funding, construction delays, busing, bond language, capacity, and legal precedence.

After discussion and on roll call, the resolution failed, 5 noes, 2 ayes, Dr. Vladovic, President García.

#### NEW BUSINESS FOR ACTION (continued)

##### BOARD OF EDUCATION REPORT NO. 163 – 07/08

##### Amendment to Existing Facilities Strategic Action Plan to Fund Alterations and Improvements and Board Member Projects at Various Schools

Ms. Korenstein moved that the report be adopted with an amendment to page 4 of Attachment A, for Ranchito Elementary School, changing the description to the program fund type to \$50,000 from Board Member District 6 and \$50,000 from Measure "R" A & I Funds, Local District 1. Ms. Flores Aguilar seconded the motion, which by general consent was adopted as amended. Dr. Vladovic was absent.

BOARD OF EDUCATION REPORT NO. 164 – 07/08

Amendment to Existing Facilities Strategic Execution Plan to Add Two New Modified Consent Decree  
On-Demand Accessibility Projects

Ms. LaMotte moved that the report be adopted. Ms. Korenstein seconded the motion, which by general consent was adopted. Dr. Vladovic was absent.

BOARD OF EDUCATION REPORT NO. 165 – 07/08

Amendment to Existing Strategic Execution Plan to Replace Buildings at  
San Pascual Elementary School

Ms. Canter moved that the report be adopted. Ms. Korenstein seconded the motion.

Mr. Bruce Kendall, Deputy Chief Facilities Executive, responded to questions from Board Members regarding funding and construction increases.

After discussion and by general consent, the report was adopted.

BOARD OF EDUCATION REPORT NO. 161 – 07/08

Agreements and Amendments

Ms. LaMotte moved that the report be adopted. Ms. Flores Aguilar seconded the motion.

Mr. Tony Tortorice, Chief Information Officer, Mr. David Holmquist, Interim Chief Operating Officer, Ms. Megan Reilly, Chief Financial Officer, Mr. Eugene, Mr. Duane Johnson, Chief Procurement Officer, and Mr. Jerry Thornton, Inspector General, responded to questions from Board Members regarding Cinnamon Consulting, cost estimates, the numbers of after-the-fact contracts, Request for Proposals waiver process, contract payment, completion dates, Business Tools for Schools program, and audits.

After discussion and on roll call, the report was adopted, 6 ayes, 1 no, Dr. Vladovic, with the exception of the Grant Thorton contract on which Ms. Flores Aguilar voted no, the Equaterra contract on which Ms. Galatzan voted no, and the School Innovations contract on which President García voted no.

BOARD OF EDUCATION REPORT NO. 174 – 07/08

Various Purchasing Transactions

Ms. Korenstein moved that the report be adopted. Ms. Galatzan seconded the motion.

Mr. Dennis Barrett, Director, Food Services Branch, responded to questions from Board Members regarding food from China, lead in food products, and product safety.

After discussion and by general consent, the report was adopted.

BOARD OF EDUCATION REPORT NO. 167 – 07/08  
Student Expulsion Issues

Ms. Canter moved that the report be adopted with the amendment to withdraw Case No. 062 – 07/08. Ms. LaMotte seconded the motion, which by general consent was adopted as amended.

BOARD OF EDUCATION REPORT NO. 168 – 07/08  
Student Reinstatements

Ms. Canter moved that the report be adopted. Ms. LaMotte seconded the motion, which by general consent was adopted.

BOARD OF EDUCATION REPORT NO. 170 – 07/08  
Nonroutine Personnel Actions

Ms. Canter moved that the report be adopted. Ms. LaMotte seconded the motion, which by general consent was adopted.

BOARD OF EDUCATION REPORT NO. 171 – 07/08  
Routine Personnel Actions

Ms. Canter moved that the report be adopted. Ms. LaMotte seconded the motion, which by general consent was adopted.

BOARD OF EDUCATION REPORT NO. 169 – 07/08  
Capital Facilities Fund (Developer Fees) 2006-07 Annual Report and Five Year Accounting Reports

This item was postponed to the Special Board Meeting of December 18, 2007.

BOARD OF EDUCATION REPORT NO. 176 – 07/08  
Supplemental Educational Services Providers Contracts

Ms. Flores Aguilar moved that the report be adopted. Ms. Canter seconded the motion.

Ms. Becki Robinson, No Child Left Behind Supplemental Educational Services Specialist, responded to questions from Board Members regarding tutors, qualifications, and program funds.

After discussion and by general consent, the report was adopted. Ms. LaMotte and Dr. Vladovic were absent.

BOARD OF EDUCATION REPORT NO. 178 – 07/08  
Report of Warrants Issued, Request to Reissue Stale Dated Warrants, Reimbursement of Controller's  
Cash Fund and Donations of Money

Ms. Flores Aguilar moved that the report be adopted. Ms. LaMotte seconded the motion, which by general consent was adopted.

BOARD OF EDUCATION REPORT NO. 179 – 07/08  
Liability Insurance Claims

Ms. LaMotte moved that the report be adopted. Ms. Flores Aguilar seconded the motion, which by general consent was adopted. Ms. Korenstein and Dr. Vladovic were absent.

BOARD OF EDUCATION REPORT NO. 181 – 07/08  
Authorization of Signatures on All Orders Drawn on the Funds of the Los Angeles Unified School District in the Name of the Governing Board

Ms. Flores Aguilar moved that the report be adopted. Ms. Canter seconded the motion, which by general consent was adopted. Ms. Korenstein and Dr. Vladovic were absent.

BOARD OF EDUCATION REPORT NO. 166 – 07/08  
Proposal to Finance Equipment Purchase

Ms. Canter moved that the report be adopted. Ms. Flores Aguilar seconded the motion.

Mr. Tortorice responded to questions from Board Members regarding use of funds from the Microsoft settlement.

After discussion and by general consent, the report was adopted. Dr. Vladovic was absent.

BOARD OF EDUCATION REPORT NO. 183 – 07/08  
Approval of Board Rules Pursuant to Delegations of Authority for the Business Services Division

This item was postponed to the Regular Board Meeting of January 8, 2008.

BOARD OF EDUCATION REPORT NO. 160 – 07/08  
Approval and Resetting of Delegation of Authority to the Office of the Chief Financial Officer

Ms. Galatzan moved that the report be adopted with the amendment to withdraw Delegations titled “Change Orders” and “Redevelopment Agreements.” Ms. LaMotte seconded the motion, which by general consent was adopted as amended. Ms. Korenstein was absent.

BOARD OF EDUCATION REPORT NO. 172 – 07/08  
Approval and Resetting of Delegation of Authority for the Office of the Chief Instructional Officer, Secondary

Ms. LaMotte moved that the report be adopted. Ms. Flores Aguilar seconded the motion.

Ms. Michelle King, Interim Chief Instructional Officer, Secondary, and Mr. Reed responded to questions from Board Members regarding changing grades.

After discussion and by general consent, the report was adopted. Ms. Korenstein was absent.

BOARD OF EDUCATION REPORT NO. 173 – 07/08  
Approval of Delegations of Authority for the Office of Staff Relations

Ms. LaMotte moved that the report be adopted with the amendment to delete the last sentence in the Delegation titled “Authority to Authorize Non-Routine Payment.” Ms. Flores Aguilar seconded the motion.

Mr. Reed and Ms. Gail Hughes, Assistant Superintendent, Office of Staff Relations, responded to questions from Board Members regarding grievance settlement and negotiation authority.

After discussion and by general consent, the report was adopted as amended. Ms. Canter was absent.

BOARD OF EDUCATION REPORT NO. 177 – 07/08  
Approval and Resetting of Delegation of Authority for Planning, Assessment and Research

Ms. Flores Aguilar moved that the report be adopted. Ms. LaMotte seconded the motion, which by general consent was adopted. Ms. Canter was absent.

BOARD OF EDUCATION REPORT NO. 180 – 07/08  
Approval and Resetting of Delegation of Authority for the Business Services Division Related to  
Procurement and the Sale of Goods and Services

This item was postponed to the Special Board Meeting of December 18, 2007.

BOARD MEMBERS RESOLUTIONS FOR ACTION (continued)

Ms. Galatzan moved that the following resolution regarding Master Planning for Instruction be adopted:

Whereas, The Los Angeles Unified School District is one of the largest landowners in Southern California;

Whereas, The District regards property as a valuable asset, and seeks to maximize its use for instruction, direct student services, and community benefit;

Whereas, The District is undertaking an asset inventory of all its properties and facilities as the foundation for creating a Master Plan;

Whereas, An asset inventory and a Master Plan will help in the pursuit of both public and private partnerships for the use and development of facilities;

Whereas, There are currently six closed schools in LAUSD – Collins Street, Devonshire, Highlander, Oso, Platt Ranch Elementary Schools, and Hughes Middle School;

Whereas, The District needs a current and enforceable policy that will enable the District to determine in an expeditious manner the best possible use for closed schools;

Whereas, A strong, clear, and consistent policy that establishes instruction and direct student services as priorities would enable the District to develop a master plan for current and future needs; now, therefore, be it

Resolved, That the Superintendent support the completion and delivery to the Governing Board of the Los Angeles Unified School District of an updated asset inventory which includes an accounting of all our property and facilities, closed or in use;

Resolved further, That the Superintendent maximize the use of our assets for instruction, direct student services, and community use;

Resolved further, That the Superintendent continue to leverage both public and private partnerships for the use and development of facilities; and be it finally

Resolved, That the Superintendent develop a Master Plan for closed schools, in partnership with Board Member offices, Division of Instruction, Facilities Division, Division of Adult and Career Education, Charter School Division, and Local District representatives to bring to the Board within 90 days.

Ms. Flores Aguilar seconded the motion.

Mr. John Creer, Regional Development Manager, Valley Region, and Mr. Gamble responded to questions from Board Members regarding master planning, inventory, utilization of resources and funding.

After discussion and by general consent, the resolution was adopted.

#### MOTION REQUESTED BY THE SUPERINTENDENT

The following motion regarding the Request for Exemption from CalSTRS Post-Retirement Earnings was withdrawn.

That the Board of Education authorize staff to submit a request for exemption from the State Teachers' Retirement System Post-Retirement Earnings Limit for Mr. John Blatter during the period he serves as Assistant Director of Employee Relation in Human Resources for the period January 1, 2008, through June 30, 2008.

#### PUBLIC HEARING

Mr. Jefferson Crain, Executive Officer of the Board, made the following statement:

Reference is made to Board of Education Report No. 148 – 07/08, dated November 27, 2007, wherein the Board adopted a resolution of intention to dedicate, without consideration, to the Los Angeles County Waterworks District 29 a portion of Topanga Elementary School an easement for utilities purposes.

The Board has fixed this meeting as the time and place for the public hearing upon the question of such dedication.

President García made the following statement:

An opportunity is now given to anyone present to file with the Board a petition protesting the proposed dedication, signed by at least ten percent of the qualified electors of the District as shown by the affidavit on one of the petitioners.

No petitions being filed, a motion is now in order to adopt the resolution and to direct the President and the Director of Real Estate to sign on behalf of the Board the deed dedicating said property.

Ms. Canter moved:

Resolved, That the Board of Education of the City of Los Angeles, in pursuance of the provisions of Sections 17556 through 17561, inclusive of the Education Code of the State of California, does hereby declare its intention to dedicate an easement to the Los Angeles County Waterworks District No. 29, Malibu, a public waterworks district formed pursuant to Division 16 of the State Water Code, herein called Grantee, all that certain real property situated in the County of Los Angeles, State of California, legally described as follows:

The proposed easement for Topanga Elementary is a nonexclusive easement to the Los Angeles County Waterworks District No. 9, Malibu, for one water pipeline and appurtenances and ingress and egress purposes and the right to construct, maintain, operate, and use same in and across that real property in the unincorporated territory of the County of Los Angeles, State of California, described as listed in Exhibit A.

Such dedication is proposed to be made by Grant of Easement for utilities purposes, without consideration, under the following conditions:

In the event Grantee ceases to use said real property for purpose described herein, then all right of Grantee herein shall cease and the above-described property (Exhibit A) shall revert to Grantor free and clear of the easement or estate hereby granted, and Grantor may reenter and retake full possession of said premises; it being an essential part of the consideration hereof that use by Grantee of said premises for the purpose described herein is a condition for the continuing of Grantee's easement or estate hereunder.

Grantee shall be responsible for damage caused intentionally or by any negligent act or omission of Grantee, its agent or employees while exercising the rights granted as stated in the Agreement. Grantee shall have the right under the easement to perform the following and noted below:

1. Install a fire hydrant with the Topanga Elementary School property approximately 300 feet from Topanga School Road entrance to service road.
2. Move Topanga Elementary School's three 2-inch diameter water service connections from existing 1330 pressure zone, 8-inch diameter water main located on Topanga School Road, to new 960 pressure zone water main.

3. Reconstruct approximately 600 feet of Topanga Elementary School's service road from the lower entrance next to Topanga Elementary School parking to the access gate of Water District 29's Topanga Forks Tanks in accordance with the District's design guidelines and specifications for access roads.
4. Repair the water main trench on Topanga School Road using two sack sand-cement slurry and repaving the trench to match the existing road structural section.

And that the President of the Board of Education and the Director of Real Estate be authorized to sign the Deed on behalf of the Board, dedicating said property to the Los Angeles County Waterworks District No. 29, Malibu, upon the terms and conditions set for in the resolution adopted November 27, 2007.

Ms. Korenstein seconded the motion, which by general consent was adopted.

#### NEW BUSINESS FOR ACTION (continued)

#### BOARD OF EDUCATION REPORT NO. 175 – 07/08 First Interim Financial Report for Fiscal Year 2007/08

Ms. Reilly provided the Board with a brief presentation of the First Interim Financial Report, which contains the financial information for the current fiscal year and the two subsequent years.

Ms. Flores Aguilar moved that the substituted report be adopted. Ms. LaMotte seconded the motion.

Ms. Reilly responded to questions from Board Members regarding budget cuts and funding.

After discussion and by general consent, the substituted report was adopted. Ms. Galatzan was absent.

#### CORRESPONDENCE AND PETITIONS

Ms. Korenstein moved that the recommended disposition of the items of correspondence as indicated in the Report of Correspondence be approved. Ms. LaMotte seconded the motion, which by general consent was adopted. Ms. Galatzan was absent.

#### APPROVAL OF MINUTES

Ms. Korenstein moved the approval of the following minutes of the governing board of the Los Angeles Unified School District:

- 10 a.m., Regular Board Meeting, May 24, 2005
- 10 a.m., Special Closed Session Meeting, November 6, 2007
- 10 a.m., Special Closed Session Meeting, November 13, 2007

Ms. LaMotte seconded the motion, which by general consent was adopted. Ms. Galatzan was absent.

## PUBLIC COMMENT

The following speakers addressed the Board on the subjects indicated:

Mr. George Buzzetti	Accountability
Ms. Cleo Ray	African American Students in the Gifted Program
Ms. Cleo Anderson	African American Students in the Gifted Program
Ms. Crystal Ingram	Special Education
Mr. Manuel Aldana	Education
Ms. Patty Lopez	Parental Involvement
Ms. Marta Ibarra	Security at Stanford ES
Ms. Carolina Perez	District 2 Parental Involvement
Mr. Eddie Reed	Presentation to Ms. Korenstein

## ANNOUNCEMENTS

President García announced:

The Facilities Committee meeting of December 13, 2007, has been rescheduled to December 20, 2007.

Ms. Korenstein announced:

The School Safety, Student Health and Human Services, and Human Relations Committee meeting of January 3, 2008, has been cancelled.

Ms. Canter announced:

The January 3, 2008, Charter and Innovation Committee meeting has been cancelled.

Ms. LaMotte announced:

The Curriculum, Instruction and Educational Equity Committee meeting of December 13, 2007, has been rescheduled to December 20, 2007.

Dr. Vladovic announced:

The Committee of the Whole meeting of December 20, 2007, has been cancelled.

Ms. Galatzan moved:

That a Special Board Meeting be called for December 18, 2007, at 10 a.m. to consider the High Priority Schools Plan and the two deferred items from this meeting.

Ms. Canter seconded the motion, which by general consent was adopted.

ADJOURNMENT

Ms. Galatzan moved that the meeting be adjourned. Ms. Canter seconded the motion, which by general consent was adopted. Ms. Flores Aguilar was absent.

The meeting adjourned at 7:53 p.m.

APPROVED BY BOARD: February 26, 2008

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MONICA GARCIA  
PRESIDENT

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JEFFERSON CRAIN  
EXECUTIVE OFFICER OF THE BOARD

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