

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

SPECIAL MEETING ORDER OF BUSINESS

333 South Beaudry Avenue, Board Room
10:00 a.m., Tuesday, November 17, 2009

A. Roll Call of Members

B. Pledge of Allegiance

C. Public Comment on Items to be Discussed at This Meeting

The public can address the Board at the commencement of the meeting in the Board Room on any item that is described in this notice. At the conclusion of the closed session portion of the meeting, announcements required regarding actions taken by the Board of Education will be made in the Board Room.

D. Open Session Items

1. Board of Education Report No. 127 - 09/10 - Postponed from 11-10-09 Regular Board Meeting.
Facilities Services Division
(Authorization for Staff to Enter into a Development Agreement for the Delivery of South Region High School No. 7) Recommends authorization for staff to enter into an agreement with McCarthy Building Companies, Inc. for approximately \$66.5 million for the delivery of a 1,620 students high school to be located at 6361 Cottage Street in the City of Huntington Park, and adopts the plans and specifications for the school pursuant to the requirements of Education Code Section 17406.
2. Board of Education Report No. 138 - 09/10 - Postponed from 11-10-09 Regular Board Meeting (Case 1)
Human Resources
(Nonroutine Personnel Actions) Recommends the demotion of one classified employee.

E. Closed Session Items

3. Conference with Legal Counsel

Exiting Litigation (Government Code Section 54956.9(a))

Center for Bio-Ethical Reform Inc. v. Los Angeles County Sheriff Department, et al. United States District Court,
Central District of California. Case No. SACV 03386

4. Conference with Labor Negotiator (Government Code §54957.6)

Negotiator: Superintendent Cortines

Employee Organizations:

Associated Administrators of Los Angeles
California School Employees Association
Los Angeles County Building and Construction Trades Council
Los Angeles School Police Association
Los Angeles School Police Sergeants and Lieutenants Association
Service Employees International Union, SEIU Local 99
Teamsters
United Teachers Los Angeles
District Represented Employees and Contract Management Personnel

5. Personnel (Government Code Section 54957)

Employee Evaluation

Superintendent of Schools

6. Approval of Notes

F. Recess into Closed Session

G. Reconvene to Open Session

Report on any actions taken

H. Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting within five calendar days of this meeting (Education Code 54954.2(b)(3))

The Board of Education may also refer any item on this Order of Business for the consideration of a committee or meeting of the Board within five days of this meeting.

Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretariat by calling 213-241-7002.

Beginning November 2009, a new process for speaking at Board Meetings has been implemented. Individuals wishing to speak at a Board meeting must sign up at the meeting. Speakers must sign up prior to the item being acted upon by the Board, and should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting.

If you or your organization is seeking to influence a purchasing, policy, site selection or any other LAUSD decision, registration may be required under the District's Lobbying Disclosure Code. Please visit www.lausd.net/ethics to determine if you need to register.

The website for this meeting can be found at <http://laschoolboard.org/node/840>

TAB 1



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Report Number:	127-09/10
Date:	November 10, 2009
Subject:	Authorization for Staff to Enter into a Development Agreement for the Delivery of South Region High School No. 7
Responsible Staff:	
Name	James Sohn, Interim Chief Facilities Executive
Office/Division	Facilities Services Division
Telephone No.	(213) 241-4811

BOARD REPORT

Action Proposed: Staff proposes that the Board of Education (1) authorize the Chief Facilities Executive, or his designee(s) to enter into a development agreement and any other related documents necessary or appropriate with McCarthy Building Companies, Inc., for the delivery of South Region High School No. 7 and (2) adopt the plans and specifications for this project pursuant to the requirements of California Education Code Section 17406.

Background: South Region High School No. 7 will provide educational facilities for students in 9th through 12th Grades. This school will provide 1,620 two-semester seats and consist of three small schools or learning communities that include classrooms, science labs, and administration. Shared facilities will include performing arts classrooms, a library, multi-purpose room, two gymnasiums, food service and lunch shelter, administration support services, playfields, and underground parking. It will be constructed on approximately 9 acres located at 6361 Cottage Street in the City of Huntington Park.

The site is located in Local District 6 and the Board Member is Yolie Flores Aguilar.

Expected Outcomes: The South Region High School No. 7 CEQA and project approval were adopted on December 9, 2008. Approval of this current action to enter into a development agreement would allow a “best value” contractor to be procured and construction to begin.

Board Options and Consequences: The construction of South Region High School No. 7 will provide overcrowding relief to Huntington Park High School. McCarthy Building



LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

Companies, Inc. has provided a clear understanding of the project requirements; they have proposed to complete the project within the time frame allowed; and they have proposed a construction cost that is fair and reasonable for the District.

If authorization to enter into a development agreement with McCarthy Building Companies, Inc., is not granted, the project completion date will be delayed.

Policy Implications: This action does not change District policy.

Budget Impact: Funding will be provided by a combination of local bonds and state matching bonds. No general fund sources will be used. Staff analysis concludes McCarthy Building Companies, Inc., project staffing and price proposal of \$66,465,087 is a best value in the current market. The total construction price includes a District controlled contingency of \$3,165,004.

The approved project budget for South Region High School No. 7 is \$141,646,137, which includes the construction contract. No budget modification will be required to award this contract.

On October 23, 2007, the Board adopted the New Construction Two-Semester Neighborhood School Program Definition and Funding Strategy. This project was included on the list of schools necessary and funded to achieve the two-semester objective.

Issues and Analysis: On June 25, 2009, an acquisition plan was approved to proceed using the competitive best value selection process available through California Education Code Section 17406. Under the authority of Section 17406, the District will enter into a lease agreement with the successful proposer wherein the District will lease portions of its owned land to the proposer and require them to construct the project thereon in accordance with the DSA approved design and construction documents. The implementation of this acquisition plan shall be in accordance with the District Facilities Service Division 8.7 Standard Procedures for Section 17406 Acquisition.

On June 11, 2009, twenty (20) proposals were received. They were evaluated according to pre-established criteria identified in the Request for Qualifications (RFQ) by a three-person selection panel consisting of senior level professional District employees appointed by the Chief



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Facilities Executive. All individuals participating in the selection process were interviewed by the Chairman of the selection panel and required to sign non-disclosure statements and certify that they have no conflicts of interest with potential proposers.

As a result of the RFQ evaluation, four (4) of the top scoring proposers made the “short list” and were qualified to respond to the Request for Proposals (RFP) that was issued on May 26, 2009. (An additional four [4] top scoring proposers qualified under the same RFQ for the “short list” for South Region High School No. 12 – See Board Report 69-09/10)

Four short-listed proposers were interviewed and each submitted a priced proposal on September 30, 2009.

The proposal of McCarthy Building Companies, Inc. was evaluated as offering the best value to the District with the highest degree of confidence that the construction will be completed on time and within the proposed construction price. McCarthy Building Companies, Inc’s proposal provided a construction cost of \$66,465,087 (including the District’s contingency of \$3,165,004) to build the project in accordance with all approved construction documents.

Attachments: None

Informative

Desegregation Impact Statement

Respectfully submitted,

RAMON C. CORTINES
Superintendent of School

APPROVED BY:

JAMES MORRIS
Chief Operating Officer



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

APPROVED &
PRESENTED BY:

JAMES SOHN
Interim Chief Facilities Executive
Facilities Services Division

REVIEWED BY:

DAVID HOLMQUIST
General Counsel

No legal issues

Legal informative

YUMI TAKAHASHI
Budget Director

No budget issues

Budget informative

TAB 2



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Report Number:	138-09/10
Date:	November 10, 2009
Subject:	Approval of Non-Routine Personnel Actions
Responsible Staff:	
Name	Vivian K. Ekchian, Chief Human Resources Officer
Office/Division	Human Resources Division
Telephone No.	(213) 241-6131

BOARD REPORT

Action Proposed: It is proposed that the following non-routine personnel actions be approved:

CLASSIFIED

Demotion

1. EN 728015 from permanent Senior Roofer effective at the close of November 11, 2009 and assigned to the class of permanent Roofer effective November 12, 2009.

Dismissals

2. EN 727883 from permanent School Facilities Attendant (Female) effective at the close of November 11, 2009.
3. EN 769251 from permanent Building and Grounds Worker effective at the close of November 11, 2009.



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Rescission of Dismissal

4. Previous Reference: Board of Education Report No. 320-08/09 4-14-09 regarding dismissal of EN 784483 from permanent Office Technician effective at the close of April 15, 2009.

Rescind dismissal of EN 784483 and accept resignation from employment effective at the close of April 16, 2009 as stipulated in the Settlement Agreement among the employee, CSEA, and the administration signed October 7, 2009.

Rescission of Suspension-Dismissal

5. Previous Reference: Board of Education Report No. 320-08/09 4-14-09 regarding suspension-dismissal of EN 698949 from permanent School Facilities Attendant. Suspension from March 17, 2009 through April 15, 2009; dismissal effective at the close of April 15, 2009.

Rescind suspension-dismissal of EN 698949 and suspend for twenty (20) working days from March 17, 2009 through April 13, 2009, appeal withdrawn, and return to District service effective April 14, 2009 as stipulated in the Settlement Agreement among the employee, SEIU Local 99, and the administration signed September 24, 2009.

Background: This report is presented at each Board Meeting for approval of non-routine personnel actions.

Expected Outcomes: Not applicable



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- Board Options and Consequences:** Specifically in regard to disciplinary action, a no vote may nullify the disciplinary action due to legal time constraints. A no vote impacts the timeliness of processing personnel actions for classified and certificated employees regarding their assignment, salary/rate, transfer, and new appointment and may be in conflict with procedural rights and benefits afforded them under applicable Education Code provisions, Personnel Commission Rules, District Policy, and respective Collective Bargaining Agreements (UTLA, AALA, Teamsters, Los Angeles School Police Association, Service Employees International Union, Local 99, California School Employees Association, Los Angeles/Orange Counties Building and Construction Trades Council, Los Angeles School Police Sergeants and Lieutenants Association). Employees have procedural rights that are based on their status (permanent or probationary) associated with the specific personnel action being submitted and the respective rights available to them in accordance with the above. Additionally, based on Personnel Commission Rules, permanent classified employees have rights to appeals.
- Policy Implications:** Not applicable
- Budget Impact:** This action authorizes staff to fill currently budgeted positions.
- Issues and Analysis:** Not applicable
- Attachments:** All actions affecting classified personnel and apprentice personnel reported herein are in accordance with Section 45123-45125, 45135, and 45240-45318 of the Education Code and with the Rules of the Personnel Commission.
- X Informative**
- Desegregation Impact Statement** These actions have been reviewed and do not require a Desegregation Impact Statement.



**LOS ANGELES UNIFIED SCHOOL DISTRICT
Board of Education Report**

Respectfully submitted,

RAMON C. CORTINES
Superintendent of School

APPROVED BY:

JAMES MORRIS
Chief Operating Officer

REVIEWED BY:

DAVID HOLMQUIST
General Counsel

No legal issues

Legal informative

YUMI TAKAHASHI
Budget Director

No budget issues

Budget information

CERTIFIED FOR THE PERSONNEL COMMISSION BY:

WENDY G. MACY
Personnel Director

APPROVED &
PRESENTED BY:

VIVIAN K. EKCHIAN
Chief Human Resources Officer
Human Resources Division