

Standing Committee Co-Chairs

For review, consideration and possible action by the College Council.

DRAFT
Updated September 24, 2012
FL

Rationale

On September 20, 2010 (<http://www.wlac.edu/collegecouncil/CCRecommendations-9-24-10.doc.pdf>), the College Council recommended to the college president the practice of establishing co-chairs for all of its standing committees. The reason for this recommendation is to broaden and diversify the leadership of committees. Based on a survey of faculty who have served as co-chairs of standing committees, pairing an administrator with a faculty member has often resulted in:

- Collaboration on the agenda, minutes and issues to be discussed
- Smooth chairing of meetings
- Resources provided to the committee by the administrator, leading to greater effectiveness.

Four of 8 committees functioned with co-chairs:

Enrollment Management - currently vacant
Facilities
Resource Development
Technology

Four standing committees did not have co-chairs:

Accreditation
Budget
Planning
Program Review

Two other committees that function with co-chairs are the Student Success and SLO committees. The Foundation Skills Think Tank, summer 2006, also had co-chairs.

Assessment

As reported by the co-chairs, in most cases, the co-chairs worked compatibly. In the annual self-evaluation of committees, include an assessment of the co-chairs.

To Add

The current governance policy is silent on co-chairs. Not addressed are:

- Who is eligible
- Terms
- Selection process
- Responsibilities

For Your Consideration – To Add

Eligibility – Faculty and staff are eligible to be co-chairs with an administrator. (Note: This would change the original Oct. 20, 2010 recommendation.)

Anyone who has served or is serving on the committee may be eligible.

Terms of office would be 2 years.

Selection process – If there is only candidate, the selection may be by appointment. If there is more than one candidate, the selection may be by vote of the committee members with the candidate receiving the most votes becoming co-chair. Administrator co-chairs are selected by the college president.

Voting – The co-chair who is chairing a meeting are non-voting members of the committee. The other co-chair may vote. Co-chairs will alternate meetings that they chair.

Responsibilities –

- Work collaboratively on planning and preparing for meetings, including the agenda and all related information/data.
- Set the schedule and location of meetings.
- Chair meetings to insure discussion/action that moves the agenda.
- Keep and post accurate record of meetings (minutes) and attendance; conduct the annual committee self-evaluation.
- Insure that recommendations are forwarded to the College Council and present relevant data and information at the Council meeting re. the recommendation(s).
- Report back to the standing committee regarding the status of committee recommendations to the Council, and, if acted on, to the college president.
- Recruit new committee members.
- Orient new members to committee's charge and practices.



College Council Executive Committee

June 20, 2013

Presentation on Real Property Leases

- Addresses only real property leases; different rules for equipment leasing.
- Governed by:
 - Ed Code 81378, et seq. (<http://www.leginfo.ca.gov/calaw.html>)
 - LACCD Board Rule 7202, et seq. (<http://laccd.edu/Board/Documents/BoardRules/Ch.VII-ArticleII.pdf>)
 - Admin Reg B-19 (<http://laccd.edu/Board/Documents/B-19.pdf>)
- Leases vs. permits
 - Leases: exclusive use; board approval if > 5 days
 - Permits: Civic Center and Permit for Use; non-exclusive use; board approval if > 14 days
- Leasing process—term of >5 days <5 years:
 - Determination that property not needed for academic uses
 - Authorization by governing board at public meeting:
 - Description of lease
 - Methodology for determining rental rate and fair market value
 - Public notice in newspaper 1/week 3 consecutive weeks
 - Mandatory clause: right of district to renegotiate or rescind lease if property needed for academic uses
 - Revenue may supplement, but not supplant, state funding; in LACCD, funds retained locally
 - Legislation effective 1/1/2013 removed rent limitation of \$25,000/year on leases not awarded through sealed bid
- Leasing process for other leases:
 - Leases >5 years must be awarded through sealed bid; award to highest bidder
 - 'Joint occupancy' leases may be awarded through RFP; award to best qualified/best value
- Preparation and approval:
 - Leases ≤5 days, Permits ≤14 days: College prepares; authorized by President or VPAS; ratified by Board
 - Leases >5 days, Permits >14 days: District Contracts office prepares; authorized by Board
 - Joint occupancy leases: Facilities Planning & Development prepares; authorized by Board

California Education Code

81378.1. (a) The governing board of a community college district may, without complying with any other provision of this article, let in the name of the district any buildings, grounds, or space therein, together with any personal property located thereon, not needed for academic activities, upon the terms and conditions agreed upon by the governing board and the lessee for a period of more than five days but less than five years, as determined by the governing board. Before executing the lease, the governing board shall include in an agenda of a meeting of the board open to the public a description of the proposed lease and an explanation of the methodology used to establish the lease rate and for determining the fair market value of the lease.

(b) The governing board shall give public notice before taking any action pursuant to subdivision (a). The notice shall include a description of the governing board's intended action. The notice shall be printed once a week for three successive weeks prior to the board meeting described in subdivision (a) in a newspaper of general circulation that is published at least once a week.

(c) The governing board shall include, as a condition in any agreement to let any buildings, grounds, or space therein, together with any personal property located thereon, a provision that the agreement shall be subject to renegotiation and may be rescinded after 60 days' notice to the lessee if the governing board determines at any time during the term of the agreement that the buildings, grounds, or space therein subject to the agreement are needed for academic activities. Any revenue derived pursuant to the agreement shall be retained for the exclusive use of the community college district whose buildings, grounds, or space therein are the basis of the agreement and shall be used to supplement, but not supplant, any state funding. Any buildings, grounds, or space therein, let by the district shall be included as space actually available for use by the college in any calculations related to any plan for capital construction submitted to the board of governors pursuant to Chapter 4 (commencing with Section 81800), or any other law.

(d) The authority of a governing board under this section does not apply to the letting of an entire campus.

(e) The use of any buildings, grounds, or space therein, together with any personal property located thereon, let by the governing board pursuant to this section shall be consistent with all applicable zoning ordinances and regulations.

7201.19 Civic Center Permit at Fair Rental Value.
If the following conditions are met, use of the facilities will be granted for a charge not to exceed the fair rental value of the facility. Fair rental value is defined as: the costs of supplies, utilities, janitorial services, services of other District employees, salaries paid to District employees necessitated by use of the college facilities and the amortized costs of the college facilities used for the duration of the activity.

- a. The use is for political, educational, economic, recreational, artistic, or moral interests and activities; and
- b. Admission fees, membership dues, or contributions are solicited or accepted and the proceeds are not expended for either the welfare of the students of the District or for charitable purposes.

EC 82542(b)

Amended 09-20-00

7201.20 Advance Payment. All civic center charges shall be remitted to the college ten business days before the date of the approved civic center permit.

Adopted 09-20-00

7202. LEASES AND PERMITS FOR USE.

- A. Pursuant to the California Education Code and subject to the limitations contained therein, the Board may lawfully enter into either leases or permits for use for the use of District property or facilities to persons and/or organizations upon such terms agreed upon by the Board and the lessee/permittee when said property is not needed for school classroom buildings or for educational purposes.

Adopted 09-20-00

Amended 11-15-00

B. Effective December 1, 2000, the Chancellor shall have the authority to delegate leases for less than five days and permits for use for less than fourteen days to the College Presidents, and to the extent authorized by their respective College Presidents, to the Vice Presidents of Administration/Administrative Services and to acting or day-to-day substitute(s) for the Vice Presidents of Administration/Administrative Services in their absence.

EC 70902, 81360 et seq.

Adopted 09-20-00
Amended 11-15-00

7202.10 Lease and Permit for Use Rules. In addition to the rules governing use of District facilities in general (Board Rule 7200 et seq.), persons and organizations using District property and/or facilities pursuant to a lease or permit for use are also subject to the following rules governing leases and permits for use.

Adopted 09-20-00

7202.11 Definitions. For the purpose of these Board Rules, the following definitions apply:

- a. Lease. A lease is defined as an agreement between the District and a person or organization which grants the person/organization exclusive use of certain District property and/or facility for a specific period of time, and at least 24 hours sequentially. A lease must have formal Board authorization or ratification as required in Board Rule 7202.12.

Adopted 09-20-00

- b. Permit for Use. A permit for use is defined as an agreement between the District and a person or organization which grants the person/organization limited use of certain District property and/or facility for a specific period of time. A permit for use must have either formal Board authorization or ratification as required in Board Rule 7202.12.
- c. Day. A day is defined as a separate, although not necessarily consecutive, twenty-four hour period. For example, five days in one fiscal year could be either five consecutive days or the first Saturday of the month for a five month period.

Adopted 09-20-00

7202.12 Permit for Use over Fourteen Days and Leases over Five Days.

- a. A use of District property/facility by a person/organization through a lease which exceeds five days in one fiscal year or permit for use which exceeds fourteen days in one fiscal year, as appropriate, must have formal Board authorization prior to execution.
- b. A use of District property/facility by a person/organization through either a lease which if five days or less or a permit for use which is fourteen days or less in one fiscal year may be either authorized by the Board in advance or ratified by the Board after the use.
- c. Any lease or permit for use entered into pursuant to this rule must be executed in accordance with the appropriate Education Code provisions.

Adopted 09-20-00

- d. Any person/organization that has a civic center permit in excess of these policies prior to the adoption date of these Board Rules, may enter into a lease or permit for use, as appropriate, with the District for use of the District facility under mutually agreeable terms and in accordance with these Board Rules.

EC 81378

Adopted 09-20-00

7202.13 Applicability of Public Bidding Requirements and Values Associated With Leases and Permits for Use. Leases and/or permits for use are subject to the following general provisions, as applicable:

- a. Leases or permits for use of District property or facilities for a period of more than six days but less than five years shall be pursuant to terms and conditions agreed upon between the District and the lessee/permittee and in accordance with Education Code.
- b. In addition to the limitations set forth in subsection a, the fair market value of a lease entered into by the District without a public bidding process shall not exceed \$25,000.00 per year, as certified by the Board in a public agenda item prior to executing the lease. Any lease with a fair market value which exceeds \$25,000.00 per year would be subject to the appropriate Education Code provisions, including but not limited to the provisions relating to public notice and bidding.

Adopted 09-20-00

- c. Leases and permits for use exceeding five years in length must be executed in accordance with the appropriate Education Code provisions, including but not limited to the provisions relating to public notice and bidding.

EC 81378.1, 81360 et seq.

Adopted 09-20-00

