

**Board of Trustees**  
**Ventura County Community College District**

**MINUTES**  
**FOR THE MEETING OF**  
**MARCH 26, 2002**

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, March 26, 2002, in the City of Camarillo Council Chambers, Camarillo, California.

**Roll Call**

**Board Members Present:**

Norman J. Nagel, President  
Arturo D. Hernández, Vice-President  
Robert S. Gonzales  
Allan W. Jacobs  
John D. Tallman

**Absent:**

Becky Lawson, Student Trustee

**Management Present:**

Philip Westin, Chancellor  
Michael Gregoryk, Deputy Chancellor  
James Walker, President, Moorpark College  
Tom Harris, Jr., Interim President, Oxnard College  
Joan Smith, Acting Executive Vice President, Student Learning, for Larry Calderón, President, Ventura College  
Jack Lipton, General Counsel  
Duane Lowe, Acting Assistant Vice Chancellor, Business Services and Financial Management  
Patricia Kistler, Director of Governmental and Public Affairs  
Gilbert Putnam, Director, Facilities Planning and Construction  
Harry Culotta, Director, College Budgets, Oxnard College

**Faculty/Staff/Student Representatives:**  
Richard Goff, Ventura College Academic Senate President  
Doreen Juarez, Ventura College Associated Student Government Representative  
Larry Miller, AFT

**CALL TO ORDER**

President Nagel called the meeting to order in the City of Camarillo Council Chambers at 5:03 p.m.

**PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS**

Martha Turgow addressed the Board regarding Ron Dyste.

RECESS TO CLOSED SESSION

The Board of Trustees recessed to Closed Session at 5:05 p.m. in the City of Camarillo conference room to address the following items.

**Chancellor's Report on Public Employee Performance Discipline/Evaluation**

**Pending Litigation [Gov't Code §54956(a)]**

- *AFT vs. VCCCD (Paula Muñoz reassignment)*
- *AFT vs. VCCCD (Paula Muñoz union discrimination)*
- *AFT vs. VCCCD (Paula Muñoz evaluation)*
- *AFT vs. VCCCD (Paula Muñoz summer assignment)*
- *AFT vs. VCCCD (Muñoz/Carrasco/Suel tenure review participation)*
- *Muñoz vs. VCCCD (PERB)*
- *Muñoz vs. VCCCD (DFEH)*
- *Muñoz vs. VCCCD (EEOC)*
- *Muñoz, Suel, Carrasco, and Herrera vs. VCCCD (Ed. Code §87673)*
- *Muñoz vs. VCCCD (Superior Court)*
- *Carrasco, Suel, Herrera, and Hilton vs. VCCCD (EEOC)*
- *Hilton vs. VCCCD (Personnel Commission)*
- *AFT vs. VCCCD (Ventura County Sheriff Academy)*
- *Castillo vs. VCCCD (Superior Court)*
- *Castillo vs. VCCCD (Personnel Commission)*
- *Goldberg vs. VCCCD*
- *Reeves vs. VCCCD*
- *Hosseini vs. VCCCD*
- *Matsui vs. VCCCD*
- *Mandras vs. VCCCD*
- *Donaldson vs. VCCCD*

**Threatened Litigation [Gov't Code §54956(b)]**

**Possible Initiation of Litigation [Gov't Code §54956.9(c)]**

**Public Employee Evaluation**

- **Chancellor**

RECONVENE IN OPEN SESSION

President Nagel reconvened the meeting in Open Session at 7:05 p.m. in the City of Camarillo Council Chambers.

PLEDGE TO THE FLAG

James Walker led the pledge to the flag.

CLOSED SESSION REPORT

Chancellor Westin read the following Closed Session report:

**In the case of *William Donaldson vs. Ventura County Community College District et. al*, Ventura County Superior Court Case No. CIV210031, the Board unanimously voted to respond to the Complaint on behalf of the named Defendants.**

**In the case of *Paula Muñoz vs. Ventura County Community College District, California Department of Fair Employment and Housing Case No. E200001L0465-00*, on March 12, 2002, DFEH closed the case against the District based on insufficient evidence to prove a violation of the statute.**

**Regarding the Claim filed by Ronald Dyste, the Board unanimously voted to deny the Claim.**

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

President Nagel acknowledged all those who helped to make the Measure S bond campaign a success. He distributed to the following individuals clocks with the inscription, *“Thank you for your hard work on the Measure S Campaign – VCCCD Board of Trustees, March 2002.”*

|                        |                   |                        |
|------------------------|-------------------|------------------------|
| Philip Westin, Ed.D.   | Mike Gregoryk     | James W. Walker, Ed.D. |
| Dr. Tom K. Harris, Jr. | Patricia Kistler  | Laura Brower           |
| Eileen Welser          | Norberto Martinez | Nick Rollins           |

Joan Smith accepted Larry Calderón’s clock on his behalf.

Dr. Nagel pointed out that the following individuals were unable to attend the Board meeting and said that their clock would be sent to them:

|                   |             |            |
|-------------------|-------------|------------|
| George Lauterbach | Ted Martens | Mary Jones |
|-------------------|-------------|------------|

Trustee Hernández thanked the Committee for Measure S, foundations of the colleges, community members, Roberto Martinez and Nick Rollins for their help in the campaign.

Philip Westin and Michael Gregoryk gave a special thank you of flowers to Laura Brower for her help in the campaign.

- **Official Administration of the Oath of Office to the Ventura County Community College District Chief of Police.** Trustee Gonzales administered the Oath of Office to Chief James Botting. Trustee Gonzales introduced Chief Botting’s wife and daughter. Chief Botting addressed

the Board and thanked Mr. Vince France for his help.

Michael Gregoryk welcomed Chief Botting and thanked Chief Vince France for his work at the District. Trustee Gonzales acknowledged Jerry Mortensen and thanked Chief France. Trustee Hernández thanked Chief France and welcomed Chief Botting to the District.

The meeting was recessed at 7:25 p.m. for pictures. The meeting reconvened at 7:28 p.m.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Chancellor Westin read the following changes to the agenda:

***CONSENT CALENDAR***

***Human Resources***

- 5.1.4 **Abolishment of Position – Assistant Food Services Supervisor – Oxnard College.** The wording on the agenda was changed to reflect that the position was abolished.
- 5.1.5 **Increase of Position – Oxnard College - Clerical Assistant I from 75%, 11 months, to 100%, 12 months** was pulled from the agenda.

***Business Services***

- 6.3 **Purchase Orders**
  - 6.3.1 **Approval/Ratification of Board Purchase Order Report #10.** This item was revised to include additional purchase orders.
- 6.7 **Contracts**
  - 6.7.1 **Award of Bid to the Lowest Responsible Bidder for Project #19058: Learning Resource/Telecommunications Center at Moorpark College.** This item was revised to include the name, Bernards Brothers Construction, as the lowest responsible bidder.
  - 6.7.2 **Award of Bid to Soltek Pacific who was the Lowest Responsible Bidder for Project #39066: Learning Resource Center at Ventura College** was revised to reject all bids and rebid the project.
- 6.8 **Other**
  - 6.8.1 **Acceptance of the Annual Audited Reports for Fiscal Year Ending June 30, 2001 for Moorpark, Oxnard, and Ventura Colleges' Foundations.** The agenda was revised to indicate that this was a Consent item.
  - 6.8.3 **Resolution: Issuance of 2001-2002 Tax and Revenue Anticipation Notes (TRANS) and Participation in the Community College League of California**

(CCLC) Pooled Tran Program was revised to correct the title to read **2002-2003 Tax and Revenue Anticipation Notes.**

PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

There were no requests to speak.

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*Consent Calendar Items*

It was moved by Trustee Gonzales, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the following Consent Calendar Items: (Lawson - absent)

*Approval of Minutes*

- 2.1 **Action to Approve Minutes of the Regular Meeting of the Board of Trustees for February 26, 2002** was approved.
- 2.2 **Action to Approve Minutes of the Special Meeting of the Board of Trustees for March 6, 2002** was approved.
- 2.3 **Action to Approve Minutes of the Special Meeting of the Board of Trustees for March 12, 2002** was approved.

*Student Learning*

- 3.1 **Second Reading: Course Approvals: New and Revised Courses – Moorpark, Oxnard, and Ventura Colleges** was approved.

*Human Resources*

- 5.1 **Abolishment/Establishment/Increase/Decrease of Positions, Increase of Differential**
  - 5.1.1 **Abolishment of Position – Oxnard College**  
**Increase of Position – Oxnard College** was approved to abolish a vacant classified position of Accounting Clerk I, 30%, PCN #XCU248, Oxnard College, effective March 27, 2002, and to increase a classified position of Accounting Technician I, PCN #XCU002, Oxnard College, from 50% to 100%, effective March 27, 2002.
  - 5.1.2 **Abolishment of Position – Oxnard College**

**Establishment of Position – Oxnard College** was approved to abolish a classified position of Business Office Assistant I, 100%, Seasonal, PCN #XCU264, Oxnard College, effective May 15, 2002, and to establish a classified position of Business Office Assistant I, 45%, PCN #XCU309, Oxnard College, effective March 27, 2002.

**5.1.3 Increase of Pesticide Differential – Oxnard College** was approved to increase the Pesticide Differential from 25% to 100% of 5.8% for a classified position of Grounds Maintenance Worker, PCN #XCU061, Oxnard College, effective November 14, 2001.

**5.1.4 Abolishment of Position – Oxnard College**

**Decrease of Positions – Oxnard College**

**Establishment of Position – Oxnard College** was approved to abolish a classified position of Assistant Food Services Supervisor, PCN #XCU225, Oxnard College, effective May 15, 2002, decrease a vacant classified position of Instructional Lab Technician – Hotel & Restaurant Management, PCN #XCU066, Oxnard College, from 100% to 45%, effective March 27, 2002, and to establish a classified position of Food Services Supervisor, 100%, PCN #XCU305, Oxnard College, effective March 27, 2002.

**5.1.6 Increase of Position – Ventura College** was approved to establish an academic position of Coordinator of Off-Campus Programs, PCN #VFN328, Ventura College, effective March 27, 2002.

## **5.2 Academic Actions**

**5.2.1 Acceptance of Resignation of Full-time Academic Personnel – Ventura College** was approved to accept the resignation of Dr. Tammy Pawloski, full-time Instructor in Child Development at Ventura College, effective December 31, 2001.

**5.2.2 Acceptance of Resignation/Retirement - Full-time Academic Personnel – Moorpark College** was approved to accept the retirement of Frank Sardisco, full-time Instructor in Art at Moorpark College, effective May 15, 2002.

**5.2.3 Acceptance of Request for Extension of Long-Term Leave of Absence without Pay – Full-time Academic Employee – Oxnard College** was approved to accept the request of Dr. Lorraine Buckley for an extension of her leave of absence without pay for the 2002-2003 Academic Year.

**5.3 Approval of VCCCD-SEIU Side Letter Agreement** was granted to approve a Side Letter Agreement pertaining to domestic partners in Article X, Leaves, and Article XI, Health and Welfare Benefits, between the Ventura County Community College District and the Service Employees International Union Local 535, AFL-CIO.

## ***Business Services***

### **6.2 Checks**

- 6.2.1 Ratification of Accounts Payable and Payroll for the Period of February 7, 2002 – March 7, 2002**, was approved to ratify Accounts Payable and Payroll for the period of February 7, 2002 – March 7, 2002.
- 6.3 Purchase Orders**
- 6.3.1 Approval/Ratification of Board Purchase Order Report #10** was granted to approve/ratify Board Purchase Order Report #10, February 8, 2002 – March 8, 2002.
- 6.5 Budget Amendments**
- 6.5.1 Approval of Contracts & Grants Amendments – General Fund Restricted – General Fund Unrestricted – Designated** was granted to accept amendments to existing contracts, grants and other General Fund programs for FY 2001-2002.
- 6.6 Budget Transfers**
- 6.6.1 Monthly Budget Transfer Summary** was approved to ratify the monthly budget transfer summary for the month ending February 28, 2002 for the General Fund-Unrestricted and General Fund-Restricted.
- 6.7 Contracts**
- 6.7.1 Award of Bid to Bernards Brothers Inc., the Lowest Responsible Bidder for Project #19058: Learning Resource/Telecommunications Center at Moorpark College** was approved to authorize management to execute the contract with Bernards Brothers Inc., the lowest responsible bidder for Project #19058: Learning Resource/Telecommunications Center at Moorpark College.
- 6.7.2 Rejection of all Bids for Project #39066: Learning Resource Center at Ventura College** was approved.
- 6.7.3 Acceptance of Completion for Project #19387: Replacement of Irrigation System – Campus Wide at Moorpark College** was approved to accept the completion of Project #19387: Replacement of Irrigation System – Campus Wide at Moorpark College.
- 6.7.4 Acceptance of Completion for Project #29350: Replacement of Street and Walkway Lighting – Campus Wide at Oxnard College** was approved to accept completion for Project #29350: Replacement of Street and Walkway Lighting – Campus Wide at Oxnard College.
- 6.7.5 Approval of Contract with Spencer/Hoskins Associates for Architectural Services: Reconstruction of Library Building at Moorpark College** was approved to authorize management to negotiate and execute the service contract with Spencer/Hoskins Associates for Architectural Services: Reconstruction of Library Building at Moorpark College.
- 6.7.6 Approval of Service Contract with Marlene Imirzian and Associates for Architectural Services: Warehouse Building at Oxnard College** was granted to authorize management to negotiate and execute the service contract with Marlene Imirzian and Associates for Architectural Services: Warehouse Building at Oxnard

College.

- 6.7.7 Approval of Service Contract with Kruger Bensen Ziemer Architects for Architectural Services: Modernization of APP, S and DP Buildings at Ventura College** was granted to authorize management to negotiate and execute the service contract with Kruger Bensen Ziemer Architects for Architectural Services: Modernization of APP, S and DP Buildings at Ventura College.
- 6.7.8 Approval of Service Contract with Kruger Bensen Ziemer Architects for Architectural Services: F Building Modernization at Ventura College** was granted to authorize management to negotiate and execute the service contract with Kruger Bensen Ziemer Architects for Architectural Services: F Building Modernization at Ventura College.
- 6.7.9 Approval of New Contracts/Grants – General Fund Restricted** was granted to approve the acceptance of new contracts and grants and amendment to the FY 2001-2002 General Fund budgets in the amounts indicated.
- 6.8 Other**
- 6.8.1 Acceptance of the Annual Audited Reports for Fiscal Year Ending June 30, 2001 for Moorpark, Oxnard, and Ventura Colleges' Foundations** was approved to accept the annual audited reports for fiscal year ending June 30, 2001 for Moorpark, Oxnard, and Ventura Colleges' Foundations.
- 6.8.2 Quarterly Report of Investments for Ventura County Community College District** was approved to accept the Quarterly Report of investments for the Ventura County Community College District.
- 6.8.3 Resolution: Issuance of 2002-2003 Tax and Revenue Anticipation Notes (TRANS) and Participation in the Community College League of California (CCLC) Pooled Tran Program** was approved to issue 2002-2003 Tax and Revenue Anticipation Notes (TRANS) through participation in the Community College League of California (CCLC) pooled TRAN program in an amount not to exceed \$12,000,000 and to designate bond counsel and financial advisory services required in connection with this program.

### *Trustees/Chancellor*

- 7.1 Action to Approve Governing Board Member Absence.** No absences were reported. (Student Trustee Lawson was granted an excused absence from the March 26, 2002, Board meeting in February.)
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## Action Items

**1. Budget Amendments**

**Budget Amendment – General Fund – Unrestricted (6.5.2)** was moved by Trustee Hernández, seconded by Trustee Gonzales, and carried on a unanimous vote, to amend the General Fund Reserve and revenue and expenditure accounts.

Michael Gregoryk gave a brief overview of this item. Trustee Jacobs expressed his concerns about the reserve percentage and asked that the Chancellor review expenditures. Chancellor Westin explained efforts that are in place to conserve funds.

*Trustees/Chancellor*

**2. Action to Vote for up to 11 Nominees in the California Community College Trustees Board of Directors Election (7.2)**

It was decided that Trustees Jacobs and Gonzales would review the list and return with suggested names.

## Reports

STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Student Government representatives** – Doreen Juarez, Ventura College Associated Student Government representative for EOPS, reported on the talent show, the Student Center fee, and a proposed mentoring program at Ventura College.
- **Academic Senate representatives** – Richard Goff complimented Ms. Juarez on her speech regarding the Student Center. Mr. Goff reported that the Ventura College Academic Senate was forming a subcommittee for strategic planning for developments resulting from the *Measure S* bond. He distributed a letter to the Board expressing concerns about the planning, placement, functionality, aesthetics, and building timelines of the new facilities. He suggested that a districtwide academic senate would be beneficial for the accreditation process. Mr. Goff urged the Board to consider a process for personnel actions.

*Trustees/Chancellor*

**2. Action to Vote for up to 11 Nominees in the California Community College Trustees**

**Board of Directors Election (7.2)** was moved by Trustee Jacobs, seconded by Trustee Tallman, and carried on a unanimous vote, to vote for the following 11 nominees in the California Community College Trustees Board of Directors election: (Lawson – absent)

Michael R. Adams, Antelope Valley Community College District  
Lewis S. Braxton, Merced Community College District  
Judi Beck, Shasta-Tehama-Trinity Joint Community College District  
Maxine Moore, Victor Valley Community College District  
Walt Howard, Coast Community College District  
Timothy L. Caruthers, Grossmont-Cuyamaca Community College District  
Carole Currey, Santa Monica Community College District  
Marie Kiersch, San Luis Obispo County Community College District  
Donald L. Singer, San Bernardino Community College District

#### CHANCELLOR'S REPORT

- **Measure “S”**
  - Michael Gregoryk explained the timeline for the bonds and gave a brief overview of the process. John Tallman commented on the themes of the buildings at the colleges. Mr. Gregoryk said this issue would be addressed in the RFP.
  - **Citizens’ Oversight Committee**
    - Chancellor Westin explained the requirements for the Citizen’s Oversight Committee and distributed the document, *Technical Information Regarding Measure “S.”* He indicated that formal action on the results of the election would be on the April Board agenda. Dr. Westin pointed out that within 60 days of the action, the Board would need to establish a Citizens Oversight Committee. He gave a brief overview of the committee structure.
  - **Discussion Regarding Processes** – There was a brief discussion regarding the process. It was suggested that the Chancellor provide an update on the process at the Board meetings. The Board asked for the following items:
    - Organizational Chart
    - Job description for Oversight Committee responsibilities.
    - Statement of Duties
    - Time Involved
    - Description of Scope
- **Presidents’ Reports**
  - **College Presentation – Moorpark College** was postponed until the next board meeting.
  - Joan Smith commented on the support that Ventura College has received from corporations and foundations. She announced that the Science Department will host a senior JPL astronomy scientist, and that the Theatre Department’s spring performance will be held in April.
  - Tom Harris pointed out that the McNish Gallery will offer a series of student and faculty art

exhibits at Oxnard College. He announced that award-winning poet Eloise Klein Healy will read from her book, "Passing." Dr. Harris invited the Board to "*Dia de los Niños y Cesar Chaves*" on April 25 at Oxnard College.

- James Walker congratulated Dr. Smith. He reminded the Board about the April 13<sup>th</sup> *West Side Story* fundraiser. Dr. Walker said that the *Spring Spectacular* fundraiser was a success.
- **Deputy Chancellor's Report.** Michael Gregoryk introduced Duane Lowe, Acting Assistant Vice Chancellor, Business Services and Financial Management. He gave a brief overview of the Futures Forum meeting on March 15<sup>th</sup> and pointed out that Dr. Westin was presented a clock with the inscription, "Phil thanks for leading us into the Future "Futures Forum 2002." Dr. Westin pointed out that the Futures Forum group was instrumental in the bond.

## First Reading Items

- **Course Approvals: New and Revised Courses – Moorpark, Oxnard, and Ventura Colleges, and Associates Degree Revisions – Oxnard College** was accepted for Second Reading.
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## Trustee Issues

- **Governing Board Subcommittee Reports –**
    - Trustee Nagel reported on the Construction Subcommittee meeting on March 12 and the March 7 hearing. Mike Gregoryk announced that Gil Putnam was retiring and invited the Board to a reception for him on Friday.
    - Trustee Jacobs gave a brief Audit Subcommittee report. He commended the Foundations for their audit format and pointed out that the format was much more consistent and easy to read. Dr. Jacobs suggested that the Foundations ensure that they have received pledges before putting them in their budget. He indicated that a management letter should be included at the end of their audits.
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### PUBLIC COMMENTS REGARDING NON-AGENDIZED ITEMS

There were no public comments.

### RECESS TO CLOSED SESSION

At 8:45 p.m. the Board recessed to Closed Session.

### ADJOURNMENT

At 11:10 p.m. the meeting was adjourned with a motion from Trustee Tallman, second from Trustee Jacobs, and carried on a unanimous vote. (Lawson - Absent)