

Board of Trustees

Ventura County Community College District

<p>MINUTES FOR THE MEETING OF APRIL 23, 2002</p>
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The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, April 23, 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

Management Present:

Philip Westin, Chancellor
Michael Gregoryk, Deputy Chancellor
James Walker, President, Moorpark College
Tom Harris, Jr., Interim President, Oxnard College
Larry Calderón, President, Ventura College
Jack Lipton, General Counsel
Daniel Oroz, Interim Vice-Chancellor, Human Resources
Vic Belinski, Associate Vice Chancellor, Information Technology
Dennis Cabral, Associate Vice Chancellor, Student Learning
Eva Conrad, Executive Vice President, Student Learning
Duane Lowe, Acting Assistant Vice Chancellor, Business Services and Financial Management
Patricia Kistler, Director of Governmental and Public Affairs
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President
Gilbert Putnam, Director, Facilities Planning and Construction
Handel Evans, Facilities Planning and Construction
Harry Culotta, Director, College Budgets, Oxnard College

Faculty/Staff/Student Representatives:

Charlene Arnold, Moorpark College Academic Senate President
Mary Jones, Oxnard College Academic Senate President
Richard Goff, Ventura College Academic Senate President
Lisette Sotelo, Director of External Affairs, Moorpark College
Albert Mendez, President, Oxnard College Associated Student Government
Doreen Juarez, Ventura College Associated Student Government Representative
Susan Brent, Classified Supervisors' Representative
Larry Miller, AFT

CALL TO ORDER

President Nagel called the meeting to order in the City of Camarillo Council Chambers at 5:05 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no requests to speak.

RECESS TO CLOSED SESSION

The Board of Trustees recessed to Closed Session at 5:07 p.m. in the City of Camarillo conference room to address the following items.

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

- **AFT**
- **SEIU**

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 vs. VCCCD (Superior Court)***
- ***Muñoz, Suel, Carrasco, and Herrera vs. VCCCD (Ed. Code §87673)***
- ***Hilton vs. VCCCD (Personnel Commission)***
- ***Carrasco, Suel, Herrera, and Hilton vs. VCCCD (EEOC)***
- ***AFT vs. VCCCD (Hosek)***
- ***AFT vs. VCCCD (Ventura County Sheriff Academy)***
- ***Castillo vs. VCCCD (Superior Court)***
- ***Castillo vs. VCCCD (Personnel Commission)***
- ***Reeves vs. VCCCD***
- ***Hosseini vs. VCCCD***
- ***Matsui vs. VCCCD***
- ***Mandras vs. VCCCD***

- *Donaldson vs. VCCCD*
- *Raptis vs. VCCCD*

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

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

Public Employee Performance Evaluation/Tenure Review

- Faculty Member(s)

Public Employee Evaluation

- Chancellor

RECONVENE IN OPEN SESSION

President Nagel reconvened the meeting in Open Session at 7:15 p.m. in the City of Camarillo Council Chambers.

PLEDGE TO THE FLAG

Marilyn Lipton, the wife of General Counsel Jack Lipton, led the pledge to the flag. The Board wished Dr. Lipton, "*Happy 50th Birthday.*"

CLOSED SESSION REPORT

Chancellor Westin read the following Closed Session report:

In the Grievances filed by AFT on behalf of Paula Muñoz, Timothy Suel, and Marion Carrasco – three members of the tenure review committee of Guadalupe Guillén – the Arbitration was conducted on October 26, 2001, and on January 11, 2002. The parties filed post-Arbitration briefs on March 1, 2002. The Arbitrator, Samuel I. Romano, issued a Decision and Award dated April 10, 2002. The Decision was to deny the Grievances in their entirety on the grounds that the AFT failed to prove that neither President Calderón nor the District violated the collective bargaining agreement in any respect.

In the case of *Armando Castillo vs. VCCCD*, the Board unanimously voted to file a Petition of Writ of Mandate against the Personnel Commission with the Ventura County Superior Court.

Dr. Nagel read the following statement:

“As President of the Board, I wanted to take this opportunity to acknowledge Chancellor Philip Westin for his outstanding leadership leading to the passage of Measure “S” by the voters of Ventura County.

I don't think that I'm exaggerating when I say that passage of Measure "S" is the most important event in the history of our District, and it's clear that this would not have become a reality without Chancellor Westin's leadership, vision, and dedication, such as in his tireless efforts in connection with Futures Forum.

The Board recently has been discussing the Chancellor's fine work. In fact, you may have noticed that the "Evaluation of the Chancellor" has been a regular agenda item in recent weeks, even during special meetings of the Board.

In order to recognize the contributions of the Chancellor in a more concrete way, I would like to announce that the Board has created an informal Task Force – comprised of myself and Board Vice-President, Art Hernández – to negotiate a new contract for Chancellor Westin. I expect that the new contract will be presented for Board approval within the next two months."

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

Becky Lawson announced her resignation as Student Trustee, effective immediately. She asked that the Board consider placing the newly elected student trustee as the Interim Student Trustee. It was decided that an Interim appointment for Student Trustee would be placed on the next Board meeting agenda. The Board acknowledged Ms. Lawson for her leadership as student trustee.

President Nagel welcomed George Lauterbach and pointed out that at the last Board meeting, he was recognized as Chairman of the Measure "S" committee, but was unable to attend the meeting because he was in Cuba. Mr. Lauterbach commented on his trip to Cuba. He thanked the Board for the clock he received for his work on the Measure "S" campaign and presented the Board with a book titled, *"Built to Last."*

Resolutions

- 1. Resolution to Acknowledge the 2001-2002 Ventura College Women's Basketball Team (1.1)** was moved by Trustee Gonzales, seconded by Trustee Jacobs, and carried on a unanimous vote, to approve a Resolution to acknowledge the Ventura College 2001-2002 Women's Basketball Team.

Trustee Tallman read and presented the Resolution to the 2001-2002 Women's Basketball Team. Ned Mircetic showed a slide show. The Board recognized the coaching staff, athletic director and the team. Larry Calderón acknowledged the Ventura College Women's basketball team coaching staff.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Chancellor Westin read the following changes to the agenda:

Business Services

6.3 Purchase Orders

6.3.1 Approval/Ratification of Board Purchase Order Report #11. This item was revised to include additional purchase orders.

PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

There were no requests to speak.

Consent Calendar Items

It was moved by Trustee Tallman, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the following Consent Calendar Items:

Approval of Minutes

- 2.1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for March 26, 2002** was approved.
- 2.2 Action to Approve Minutes of the Special Meeting of the Board of Trustees for April 16, 2002** was approved.

Student Learning

- 3.1 Course Approvals: New and Revised Courses – Moorpark, Oxnard, and Ventura Colleges, and Associate Degree Revisions – Oxnard College** was approved for Second Reading.
- 3.2 Approval of Cuba International Cultural and Education Exchange – Ventura College** was granted to approve the travel of a delegation of college staff, trustees, students and community leaders to Cuba as part of the Cuban International Cultural and Educational Exchange Program, June 7 – 14, 2002, organized and hosted by Ventura College.

Human Resources

5.1 Increase of Position

5.1.1 Increase of Position – Ventura College was granted to increase the classified position of Counselor Assistant I/Bilingual, PCN #VCU440, Ventura College, from 10 months to 12 months, effective May 1, 2002.

5.2 Academic Actions

5.2.1 Granting of Sick Leave Days from Established Sick Leave Pool for Full-time Academic Employee – Ventura College was approved to grant 49 days of half-pay sick leave days from the sick leave pool to Dianne Armstrong, full-time Instructor in English at Ventura College.

5.2.2 Granting of Sick Leave Days from Established Sick Leave Pool for Part-time Academic Employee – Moorpark College was approved to grant 6 days of sick leave pay from the sick leave pool to Mary Seko, part-time Instructor in Art at Moorpark College.

5.2.3 Acceptance of Resignation of Full-time Academic Personnel – Ventura College was granted to accept the retirement of Dr. Susan Webster, full-time Counselor for Disabled Students at Ventura College, effective July 1, 2002.

5.2.4 Acceptance of Resignation of Full-time Academic Personnel – Oxnard College was granted to accept the resignation of Victoria Bradley, CalWORKS Counselor, Oxnard College, effective April 12, 2002.

Business Services

6.2 Checks

6.2.1 Ratification of Accounts Payable and Payroll for the Period of March 8, 2002 – April 3, 2002 was approved.

6.3 Purchase Orders

6.3.1 Approval/Ratification of Board Purchase Order Report #11 was granted to approve/ratify Board Purchase Order Report #11, March 9, 2002 – April 3, 2002.

6.5 Budget Amendments

6.5.1 Approval of Contracts & Grants Amendments – General Fund Restricted was granted to accept amendments to existing contracts, grants and categorical 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 March 31, 2002 for the General Fund-Restricted.

6.7 Contracts

- 6.7.1 Authorization for Chancellor to Award Bid to the Lowest Responsible Bidder for the Re-Bid of Project #39066: Learning Resource Center at Ventura College** was granted to authorize the Chancellor to execute a contract with the lowest responsible bidder, if the bids are within budget for this project.
- 6.7.2 Authorization for Chancellor to Accept Completion for Project #19383: Roof Replacement on Humanities/Social Sciences, Music, Physical Science and Gymnasium Buildings at Moorpark College** was granted to authorize the Chancellor to accept completion for Project #19383: Roof Replacement on Humanities/Social Sciences, Music, Physical Science and Gymnasium Buildings at Moorpark College.
- 6.7.3 Authorization for Chancellor to Accept Completion for Project #89067: Automatic Doors at Moorpark College** was granted to accept completion for Project #89067: Automatic Doors at Moorpark College.
- 6.7.4 Authorization for Chancellor to Accept Completion for Project 89067: Automatic Doors at Oxnard College** was granted to accept completion for Project #89067: Automatic Doors at Oxnard College.
- 6.7.5 Authorization for Chancellor to Accept Completion for Project #89067: Handicap Access Ramps at Oxnard College** was granted to accept completion for Project #89067: Handicap Access Ramps at Oxnard College.
- 6.7.6 Authorization for Chancellor to Accept Completion for Project #89067: Automatic Doors at Ventura College** was granted to accept completion for Project #89067: Automatic Doors at Ventura College.
- 6.7.7 Approval of Change Order #1 and the Acceptance of Completion for Project #89067: Handicap Access Ramps at Ventura College** was granted to approve Change Order #1, not to exceed \$5,200.00, and the acceptance of completion for Project #89067: Handicap Access Ramps at Ventura College.
- 6.7.8 Award of Bid to the Lowest Responsible Bidder for Project #19081: Asbestos Removal in Library Building at Moorpark College** was granted to authorize management to execute a contract with the lowest responsible bidder for Project #19081: asbestos removal in library building at Moorpark College if the bids are within budget for this project.
- 6.7.9 Approval of Sub-Contractor Substitution for Project #29026: Community/Student Services Center at Oxnard College** was granted to approve the substitution of subcontractor West Coast Mechanical with Gold Coast Mechanical

for Project #29026: Community/Student Services Center at Oxnard College.

6.7.10 Approval of Change Order #1 and the Acceptance of Completion for Project #38528: Paving of the East Parking Lot at Ventura College was granted to approve Change Order #1 and the Acceptance of Completion for Project #38528: Paving of the East Parking Lot at Ventura College.

6.7.11 Approval of New Contracts/Grants – General Fund Restricted was granted to accept new contracts and grants and amendments to the FY 2001-2002 General Fund budget in the amounts indicated.

6.7.12 Award of Bid #199, Welding Shop Equipment for Ventura College was granted to approve Bid #199, Welding Shop Equipment for Ventura College.

6.7.13 Award of Bid #197, Digital Copy Equipment for Moorpark, Oxnard and Ventura Colleges was granted to approve Bid #197, Digital Copy Equipment for Moorpark, Oxnard and Ventura Colleges.

Trustees/Chancellor

- 7.1 **Action to Approve Governing Board Member Absence.** No absences were reported.
- 7.2 **Reconfirmation of Student Trustee’s Powers** was granted to approve the reconfirmation of the Student Trustee’s powers to make and second motions and to receive compensation per Section A.g.8 of the Board Policy Manual.
- 7.3 **Acknowledgment and Certification of Election Results of Measure “S” in Special Bond Election of March 5, 2002** was granted to approve the formal acknowledgment and certification of the election results of Measure “S” in the Special Election of March 5, 2002, pursuant to Section 15274 of the *Education Code*.

Action Items

Business Services

- 2. **Acceptance of Gifts (6.8.1)** was moved by Trustee Tallman, seconded by Trustee Hernández, and carried on a unanimous vote, to accept the gifts donated by Sol Dember, Art Instructor, Moorpark College; Wayne Barber, Amgen; and Dennis Van Lith, Chatsworth Products Incorporated.
- 3. **Resolution Authorizing District to Enter into Lease with City of San Buenaventura (6.7.14)** was moved by Trustee Tallman, seconded by Trustee Gonzales, and carried on a

unanimous vote, to authorize the District to enter into a lease with the City of San Buenaventura.

*Action on Items Listed on the
Consent Calendar but Pulled to be Considered Individually
End of Board Actions*

Student Learning

- 3.3 Study Abroad Program, Moorpark College: Spring 2003 Semester Abroad in India and Nepal** was moved by Trustee Jacobs, seconded by Trustee Hernández, and carried on a unanimous vote.

Trustee Jacobs expressed his concerns regarding overseas programs. There was a brief discussion regarding travel warnings. Dr. Walker explained the process and pointed out the cancellation policy. The Board complimented Dr. Walker on the report and suggested that it be used as a prototype for future study abroad programs. Trustee Hernández suggested that a production or slide show be distributed to the colleges to share with the communities some experiences that the students have had during study abroad programs.

Reports

STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Student Government representatives**
 - Albert Mendez reported on the April 22, 2002, *Earth Day* activities. He commented on the presidential search and announced that the new student advisor was Denise Cayanan.
 - Trustee Nagel welcomed the new Student Trustee, Holly McRoberts. Ms. McRoberts said that she was excited to be working with the Board.
 - Alisa Moore, Ventura College Public Information Officer, gave a brief report for Fenix Pleitez, President, Ventura College Associated Student Government. Ms. Moore reported that the Student Center Fee ballots were being counted. She invited the Board to join the May 1st *Cinco de Mayo* celebration.
- **Academic Senate representatives**
 - Mary Jones said that she was thrilled to have Dr. Ledesma-Reese as the permanent president for Oxnard College. She acknowledged Larry Calderón and Dennis Cabral who served on the search committee and acknowledged Tom Harris for his efforts as Interim President of Oxnard College. Ms. Jones thanked the Board for the clock she received for her work on the Measure “S” campaign. She commented on a resolution to the Governor regarding the cuts on the CalWorks Program and pointed out that the resolution requested that the Board draft a letter to

the Governor asking him to restore the cuts.

- Charlene Arnold acknowledged Holly McRoberts as the new Student Trustee. Ms. Arnold announced that Moorpark College had a successful *Multi Cultural Day* and gave a brief overview of the schedule for the presidential search. She commented on the upcoming meeting to set hiring priorities. Ms. Arnold invited the Board to the May 6th celebration in honor of Dr. Walker and Ms. Bosso and the May 10th Faculty Staff Brunch.
- Richard Goff thanked the Board for the Resolution to acknowledge the Ventura College Women's Basketball Team. He commented on various grants received throughout Ventura College. Mr. Goff reported on Ventura College academic senate activities.
- **Personnel Commission representative**
 - Patricia Parham invited the Board members to the May 16th public hearing for the 2002-2003 Annual Budget.

CHANCELLOR'S REPORT

Chancellor Westin welcomed Handel Evans who is helping with projects on the bond. Dr. Westin announced Dr. Lydia Ledesma-Reese's appointment as President of Oxnard College, and Victor Collins' appointment as Vice Chancellor of Human Resources.

- **Presidents' Reports**
 - Larry Calderón commented on the excellent choice of Dr. Ledesma-Reese as President of Oxnard College.
 - Tom Harris mentioned the Classified Awards Banquet held at Oxnard College.
 - James Walker recognized the Moorpark College Forensics Team and the award they received at the National Community Colleges Championships in Ft. Worth, Texas. Dr. Walker distributed a copy of the final draft of the Moorpark College Master Plan.
 - **College Presentation – Moorpark College**
 - Fabienne McPhail Naples and Candace Peyton gave a brief presentation on the Moorpark College Transfer Center.
- **Deputy Chancellor's Report**
 - Michael Gregoryk welcomed Handel Evans to the Ventura County Community College District. He indicated that he would provide an update on the bond activities to the Board at the next meeting. Mr. Gregoryk complimented Moorpark College for their Master Plan. He gave a brief update to the Board on the status of the reserves. Trustee Jacobs asked for periodic updates on the reserves.
 - Chancellor Westin welcomed Handel Evans. Mr. Evans acknowledged staff and the Board members for their help with California State University, Channel Islands.
 - Dr. Westin introduced Dan Oroz, Interim Vice Chancellor, Human Resources. Mr. Oroz

expressed his appreciation for the opportunity to work with the District.

- **Governmental and Public Affairs Report**
 - Patricia Kistler reported on the CCLC and AACC conferences that she attended.

First Reading Items

- **Course Approvals: New and Revised Courses – Moorpark, Oxnard, and Ventura Colleges, and Associate Degree Revision – Oxnard College** were accepted for Second Reading.

Trustee Issues

- **Governing Board Subcommittee Reports**
 - Trustee Gonzales reported on the April 16th Construction Subcommittee meeting. He said that the capital projects were discussed.
- **Trustee Issues**
 - Trustee Tallman suggested that the District needed a disciplinary process and asked that an item be placed on the agenda for the next meeting. The Board asked for a report on travel for everyone within the District.
 - Trustee Hernández thanked the search committee members. He acknowledged Dr. Harris and welcomed Dr. Evans.
 - President Nagel indicated that an agenda item would be placed on the April 20 agenda regarding an interim Student Trustee. He said that the special meeting would be held at the Radisson Hotel in Oxnard. Dr. Nagel pointed out that the Board meeting on May 28th would be held at the Cowan Conference Center.

PUBLIC COMMENTS REGARDING NON-AGENDIZED ITEMS

There were no public comments.

ADJOURNMENT

At 8:54 p.m. the meeting was adjourned.