

Board of Trustees
Ventura County Community College District

MINUTES
FOR THE MEETING OF
JULY 23, 2002

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, July 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
Holly McRoberts, Student Trustee

Management Present:

James Walker, Acting Chancellor
Michael Gregoryk, Deputy Chancellor
Eva Conrad, President, Moorpark College
Lydia Ledesma-Reese, President, Oxnard College
Joan Smith Executive Vice President, Student Learning, for Larry Calderón, President, Ventura College
Jack Lipton, General Counsel
William Studt Vice-Chancellor, Human Resources
Vic Belinski, Associate Vice Chancellor, Information Technology
Dennis Cabral, Associate Vice Chancellor, Student Learning
Ramiro Sanchez, Executive Vice President, Student Learning, Oxnard College
Sue Johnson, Acting Vice President of College Services, Moorpark College
Patricia Kistler, Director of Governmental and Public Affairs
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President
Carolyn Inouye, Director, Institutional Research

Faculty/Staff/Student Representatives:

Jack Miller, Moorpark College Academic Senate President
Mary Jones, Oxnard College Academic Senate President
Richard Goff, Ventura College Academic Senate President
Larry Miller, AFT

CALL TO ORDER

President Nagel called the meeting to order in the City of Camarillo Council Chambers at 5:00 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

Martha Torgow congratulated James Walker and commented on employee issues.

RECESS TO CLOSED SESSION

The Board of Trustees recessed to Closed Session at 5:09 p.m. in the City of Camarillo conference room to address the following items:

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

- **Chancellor**

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)*
- *Muñoz vs. VCCCD (PERB)*
- *Muñoz vs. VCCCD (Superior Court)*
- *Muñoz, Suel, Carrasco, and Herrera vs. VCCCD (Ed. Code §87673)*
- *Hilton vs. VCCCD (Personnel Commission)*
- *AFT vs. VCCCD (Ventura County Sheriff Academy)*
- *Reeves vs. VCCCD*
- *Hosseini vs. VCCCD*
- *Mandras vs. VCCCD*
- *Donaldson vs. VCCCD*
- *Goldberg vs. VCCCD*
- *People vs. Edward Centeno*
- *Ray Centeno vs. VCCCD*
- *De Los Santos vs. VCCCD*
- *Leavitt and Kapuscik vs. VCCCD et al.*

Threatened Litigation [Gov't Code §54956(b)]**Possible Initiation of Litigation [Gov't Code §54956.9(c)]**

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.

Trustee Nagel and Chancellor Walker welcomed Moorpark College President Eva Conrad and Oxnard College President Lydia Ledesma-Reese.

CLOSED SESSION REPORT

There was no Closed Session Report.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Chancellor Walker read the following changes to the agenda:

CONSENT CALENDAR

Human Resources

5.2 Academic Actions

5.2.2 Granting of Sick Leave Days from Established Sick Leave Pool for Full-time Academic Employee – Oxnard College was pulled from the agenda.

5.2.3 Reduction in Months of Assignment for Full-time Academic Coordinator Position – Ventura College was pulled from the agenda.

Business Services

6.3 Purchase Orders

6.3.1 Approval/Ratification of Board Purchase Order Report #14. This item was revised to include additional purchase orders.

6.3.2 Approval/Ratification of Board Purchase Order Report #2. This item was revised to include additional purchase orders.

ACTION ITEMS

6.8 Other

6.8.1 Retaining the Services of Outside Special Counsel. The item was pulled from the agenda.

Trustee Hernandez pointed out that Item 6.8.1 was placed on the July 25, 2002 Board meeting agenda.

PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

Gerard Kapuscik expressed his concerns about pending litigation.

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: (McRoberts – yes)

Approval of Minutes

- 2.1 **Action to Approve Minutes of the Regular Meeting of the Board of Trustees for June 24, 2002** was approved.
- 2.2 **Action to Approve Minutes of the Special Meeting of the Board of Trustees for July 16, 2002** was approved.
- 2.3 **Action to Approve Minutes of the Special Meeting of the Board of Trustees for July 18, 2002** was approved.

Human Resources

- 5.1 **Establishment/Abolishment/Increase/Decrease of Positions**
 - 5.1.1 **Establishment of Position – Oxnard College** was granted to establish a classified position of Family Development Assistant/Bilingual, Spanish, 11 mos., PCN #XCU317, Oxnard College, effective July 24, 2002.
 - 5.1.2 **Establishment of Position – Oxnard College** was granted to establish a classified position of Family Development Assistant/Bilingual, Spanish, 11 mos., PCN #XCU318, Oxnard College, effective July 24, 2002.
 - 5.1.3 **Abolishment of Position – Oxnard College and Establishment of Position – Oxnard College** was granted to abolish a vacant classified position of Instructional Lab Technician I/Hotel & Restaurant Management, 45%, PCN #XCU066, Oxnard College, and to establish a classified position of Food Services Assistant I, 45%, 11 mos., PCN #XCU315, Oxnard College, effective July 24, 2002.
 - 5.1.4 **Establishment of Position – Oxnard College** was granted to establish a classified position of Food Services Assistant I, 45%, 11 mos., PCN #XCU316, Oxnard College, and effective July 24, 2002.
 - 5.1.5 **Establishment of Position – Oxnard College** was granted to establish a classified position of Student Services Assistant II, 11 mos., PCN #XCU314, Oxnard College, effective July 24, 2002.
 - 5.1.6 **Establishment of Position – Ventura College** was granted to establish a classified position of Clerical Assistant I, 47.5%, PCN #VCU452, Ventura College, effective July 24, 2002.

- 5.1.7 Establishment of Position – Ventura College** was granted to establish a classified position of Community Education Program Specialist, 37.5%, PCN #VCU453, Ventura College, effective July 24, 2002.
- 5.1.8 Voluntary Decrease of Assignment – Ventura College** was granted to a voluntary decrease of assignment of a classified position of Learning Disabilities Technician, PCN #VCU348, Ventura College, from 11 mos. to 10 mos., effective July 1, 2002.
- 5.1.9 Increase of Assignment – Ventura College** was granted to increase assignment of a classified position of Matriculation Specialist I, PCN #VCU112, Ventura College, from 80% to 100%, effective August 1, 2002.
- 5.1.10 Establishment of Position – Moorpark College** was granted to establish a classified position of Administrative Assistant I, 80%, PCN #MCU417, Moorpark College, effective July 24, 2002.
- 5.1.11 Establishment of Position – Ventura College** was granted to establish a classified position of Foster Care Project Specialist, 75%, PCN #VCU45, Ventura College, effective July 24, 2002.
- 5.1.12 Voluntary Decrease of Assignment – Ventura College** was granted for a voluntary decrease of assignment of classified position of Performance Improvement Specialist, PCN #VCU357, Ventura College, effective July 1, 2002.

5.2 Academic Actions

- 5.2.1 Acceptance of Resignation/Retirement of Full-time Academic Personnel – Moorpark College** was granted to accept the retirement of Dr. Donald Brockett, Instructor in Health Education at Moorpark College, effective July 31, 2002.

Business Services

6.2 Checks

- 6.2.1 Ratification of Accounts Payable and Payroll for the Period of June 6, 2002 – July 2, 2002** was approved to ratify Accounts Payable and Payroll for the period of June 6, 2002 – July 2, 2002.

6.3 Purchase Orders

- 6.3.3 Approval/Ratification of Board Purchase Order Report #14 (FY 2001 - 2002)** was granted to approve/ratify Board Purchase Order Report #14, (FY 2001-2002), for the period covering June 8, 2002 - July 2, 2002.
- 6.3.4 Approval/Ratification of Board Purchase Order Report #2 (FY 2002 - 2003)** was granted to approve/ratify Board Purchase Order Report #2, (FY 2002-2003), for the period covering June 8, 2002 - July 2, 2002.

6.4 Award of Bids

- 6.4.1 Bid #201, Ventura College Y Building Courtyard Project** was approved to award Bid #201, Ventura College Y Building Courtyard Project.

6.5 Budget Amendments

6.5.2 2002-03 General Fund Unrestricted Reserve Level was approved for the 2002-2003 General Fund Unrestricted level.

6.6 Budget Transfers

6.6.1 Monthly Budget Transfer Summary was approved to ratify the monthly budget transfer summary for the month ending June 30, 2002 for the General Fund-Unrestricted and General Fund-Restricted.

6.7 Contracts

6.7.1 Approval of Subcontractor Substitution for Project #19058: Learning Resource/Telecommunications Center at Moorpark College was granted to substitute the subcontractor Universal Precast Concrete, Inc. with J & E Wrought Iron for installation work only for Project #19058: Learning Resource/Telecommunication Center at Moorpark College.

6.7.2 Approval of Change Order #1 for Project 19081: Asbestos Removal at the Library Building – Moorpark College was granted to approve Change Order #1, in the amount of \$2,880, for Project #19081: Asbestos Removal at the Library Building – Moorpark College.

6.7.3 Authorization for Chancellor to Accept Completion for Project #19081: Asbestos Removal at the Library Building – Moorpark College was granted to authorize the Chancellor to accept completion for Project #19081: Asbestos Removal at the Library Building – Moorpark College.

6.7.4 Approval of Change Order #2 for Project #29026: Community/Student Services Center at Oxnard College was granted to approve Change Order #2, in the amount of \$36,242, for Project #29026: Community/Student Services Center at Oxnard College.

Trustees/Chancellor

7.1 Action to Approve Governing Board Member Absence. No absences were reported.

Action Items

Human Resources

5.3 Establish Compensation for Acting Chancellor was moved by Trustee Jacobs, seconded by

Trustee Hernández, and carried on a unanimous vote, to approve the establishment of compensation for Acting Chancellor, Dr. James Walker, at the annual salary of \$186,300, plus the usual health benefits. (McRoberts – yes)

Trustees/Chancellor

- 7.2 Revision to Board of Trustees 2002 Schedule of Meetings** was moved by Trustee Tallman, seconded by Trustee Gonzales, and carried on a unanimous vote, to change the August Board meeting to August 20, 2002. (McRoberts – yes)

Trustee Jacobs pointed out that he had a conflict with the August 27th Board meeting and it was decided to change the Board meeting date to August 20.

Trustee Tallman requested information about funds related to reserve level.

Action on Items Listed on the Consent Calendar but Pulled to be Considered Individually

6.5 Budget Amendments

- 6.5.1 Budget Amendments – General Fund-Unrestricted** was moved by Trustee Jacobs, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the amendment of the General Fund Reserve and revenue and expenditure accounts. (McRoberts – yes)

Michael Gregoryk and Sue Johnson gave a brief overview. Lydia Cosentino addressed the Board regarding the budget.

There was a discussion regarding the reserve and the Board asked for several options to balance the budget. Trustee Jacobs expressed his concerns about budget amendments.

End of Board Actions

Reports

STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Student Government representatives**
 - Holly McRoberts updated the Board on her activities. She welcomed Chancellor Walker, Dr. Conrad, and Dr. Ledesma-Reese. Ms. McRoberts announced that she won a national scholarship
- **Academic Senate representatives**
 - Mary Jones acknowledged Dr. Ledesma-Reese and Ramiro Sanchez. She announced that Eloy Oakley accepted a position at Long Beach City College.
 - Jack Miller congratulated Dr. Conrad and welcomed Dr. Walker.

 - Richard Goff welcomed Chancellor Walker. He expressed his concerns regarding personnel issues and class cuts. Mr. Goff invited Chancellor Walker to the Ventura College Academic Senate meeting in September.

The Board asked the Chancellor to place on the August agenda a First Reading item regarding Board Policy Manual Section E – Evaluation of Chancellor.

CHANCELLOR'S REPORT

Chancellor Walker thanked those who expressed their support of his appointment as Acting Chancellor. He indicated that a permanent chancellor for the District was his first priority and mentioned the following goals:

1. Promote Student Learning in the Classroom
2. Restore Pride in What We Do.

- **Presidents' Reports**
 - Lydia Ledesma-Reese gave a brief overview of the Oxnard College *President's Report*. She congratulated Dr. Walker and recognized Mr. Studt and Mr. Gregoryk for their openness to new ideas. Dr. Ledesma-Reese announced that Dr. Priscilla Partridge de Garcia received a Leadership Academy Award and pointed out that the Oxnard College Dental Hygiene Program was rated fifth in the nation.
 - Joan Smith gave a brief overview of the grants at Ventura College. She congratulated Joan Beem, the June *Starfish Award* recipient, and acknowledged Ola Washington for her efforts in the *AIDs Foundation for Sub-Saharan Africa*.

Trustee Tallman suggested that the District develop a policy regarding distance learning.

- Eva Conrad introduced Dan Peate, a member of the Moorpark College Foundation Board. She gave a brief update on enrollment, scheduling, the *Summer Theater Arts Festival* and the Moorpark College Management Retreat.

- **College Presentation – Ventura College** was postponed until August.

- **Deputy Chancellor's Report**

- Michael Gregoryk gave a brief overview of the budget process. He pointed out that the number one priority was to preserve classes and class offerings.

Trustee Issues

- **Governing Board Subcommittee Reports**
 - Trustee Gonzales reported on the Construction Subcommittee meeting.
- **Trustee Issues**
 - President Nagel gave a brief update on the approval of management, trustees and student trustee travel.
 - Trustee Hernández thanked Dr. Walker for assisting the Board as Acting Chancellor. He welcomed Bill Studt, Eva Conrad, and Lydia Ledesma-Reese, and acknowledged Eloy Oakley.
 - Trustee Jacobs gave an update on his review of policies and procedures.
 - Trustee Gonzales acknowledged the new employees and commented on his performance as a trustee.

PUBLIC COMMENTS REGARDING NON-AGENDIZED ITEMS

- **Student and Staff Issues**

Diane Volz and Patricia Navarro addressed the board regarding an employee issue.
Lydia Cosentino expressed her concerns about the Supplemental to Item 6.3.2.

RECESS TO CLOSED SESSION

At 8:52 p.m. the Board recessed to Closed Session.

RECONVENE IN OPEN SESSION

At 10:35 p.m. the Board reconvened in Open Session.

CLOSED SESSION REPORT

Chancellor Walker read the following Closed Session Report:

In the case of *Gerald Leavitt and Gerard Kapuscik vs. VCCCD et al.*, Ventura County Superior Court Case No CIV212979, the Board unanimously voted to respond to the Complaint on behalf of the District and the individual trustees, with each trustee recusing himself from the vote regarding himself.

In the Claim dated July 12, 2002, filed by Jose Garcia Cervantes, the Board unanimously voted to deny the Claim.

In the case of *Raymond De Los Santos vs. Community College of Ventura County*, Workers' Compensation Appeals Board Case No. VEN-125828, the Board unanimously voted to respond to the Petition.

ADJOURNMENT

At 10:38 p.m. the meeting was adjourned with a motion from Trustee Hernández, second from Trustee Gonzales, and carried on a unanimous vote.

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