

# Board of Trustees

## Ventura County Community College District

<p>MINUTES FOR THE MEETING OF NOVEMBER 26, 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, November 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  
Holly McRoberts, Student Trustee

#### **Management Present:**

James Walker, Interim Chancellor  
Mike Gregoryk, Deputy Chancellor  
Eva Conrad, President, Moorpark College  
Lydia Ledesma-Reese, President, Oxnard College  
Larry Calderón, President, Ventura College  
Jack Lipton, General Counsel  
William Studt, Vice-Chancellor, Human Resources  
Ramiro Sanchez, Executive Vice President, Student Learning, Oxnard College  
Patricia Kistler, Director of Governmental and Public Affairs  
Sue Johnson, Assistant Vice Chancellor, Business Services  
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President  
Harry Culotta, Director, College Budgets, Oxnard College

#### **Faculty/Staff/Student Representatives:**

Jack Miller, Moorpark College Academic Senate President  
Mary Jones, Oxnard College Academic Senate Representative  
Richard Goff, Ventura College Academic Senate President  
Barbara Hall, Ventura College Classified Senate Representative  
Brandy Huffer, Moorpark College Associated Student Government Representative  
Albert Mendez, Oxnard College Associated Student Government President  
Fenix Pleitez, Ventura College Associated Student Government President  
Larry Miller, AFT

CALL TO ORDER

Vice-President Hernández called the meeting to order in the City of Camarillo Council Chambers at 5:15 p.m. President Nagel and Trustee Gonzales arrived at 5:20 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no public comments.

RECESS TO CLOSED SESSION

The Board recessed to Closed Session in the Camarillo City Hall Conference Room to consider the following items:

Pending Litigation [*Gov't Code* §54956.9(a)]

- *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)
- *AFT vs. VCCCD* (Ventura County Sheriff Academy)
- *Reeves vs. VCCCD*
- *Mandras vs. VCCCD*
- *Holmes vs. VCCCD*
- *Donaldson vs. VCCCD*
- *Leavitt and Kapuscik vs. VCCCD*
- *Dyste vs. VCCCD*

Threatened Litigation [*Gov't Code* §54956.9(b) – The existing facts and circumstances that might result in litigation against the District arise from:

1. The working environment of Ventura College Counselor Guadalupe Guillén who has threatened litigation against the District. Copies of the letter dated March 11, 2002, from Ms. Guillén's attorney have been made available through the office of Pat Kistler.
2. A claim filed by Ventura College classified employee Laura Hilton. Copies of this Claim are available through the office of Dr. Walker.

There were no items under Possible Initiation of Litigation, and this item was pulled from the agenda.

There was no business under Interim Chancellor's Report on Public Employee Performance Evaluation/Discipline, and this item was pulled from the agenda.

The Board recessed from Closed Session at 6:05 p.m.  
RECONVENE IN OPEN SESSION

President Nagel reconvened the meeting in Open Session at 7:10 p.m. in the City of Camarillo Council Chambers.

PLEDGE TO THE FLAG

Trustee Jacobs led the pledge to the flag.

CLOSED SESSION REPORT

Interim Chancellor Walker read the following Closed Session report:

- Regarding the claim of District employee Guadalupe Guillén, the Board unanimously voted to accept the Settlement Agreement which already has been executed by Ms. Guillén and her counsel. The Settlement Agreement provides for the District to pay Ms. Guillén the sum of \$9,745.50, plus other out-of-pocket expenses up to a maximum of \$10,000, in exchange for mutual releases. Copies of the Settlement Agreement will be available through Dr. Walker.
- Regarding the Claim filed by Laura Hilton on November 12, 2002, the Board unanimously voted to deny the Claim.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

- **Presentation of Plaque in Recognition of Outstanding Service and Commitment to the Ventura County Community College District to the outgoing President of the Board of Trustees**

Vice-President Hernández presented the plaque to Dr. Nagel. The Board acknowledged Trustee Nagel for his work as President of the Board of Trustees.

- **Presentation of President's "Diamond Awards" by outgoing President of the Board of Trustees.** President Nagel presented *The Diamond Award* to the following individuals:
  - Betsy Lindberg, Faculty Recognition
  - Albert Mendez, Student Recognition
  - Michael Gregoryk, College Manager Recognition
  - Eileen Welsler, Classified Staff Recognition/District Service Center Recognition

President Nagel gave a brief history of the *Diamond Awards*.

*Trustees/Chancellor*

1. **Resolution to Honor Dr. Norman J. Nagel as a Retiring VCCCD Trustee (1.1)** was moved by Trustee Hernández, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the Resolution to honor Dr. Norman J. Nagel as a retiring Ventura County Community College District Trustee. (McRoberts – yes)

President Nagel thanked the Board, staff and students.

2. **Resolution to Honor John D. Tallman as a Retiring VCCCD Trustee (1.2)** was moved by Trustee Hernández, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the Resolution to honor John D. Tallman as a retiring Ventura County Community College District Trustee. (McRoberts – yes)

John Tallman thanked the Board. He commented on the state budget.

The Board acknowledged Norman Nagel and John Tallman for their work as trustees.

- **Presentation of Retirement Plaques and Resolutions.** The Board presented retirement plaques to the following individuals:
  - Norman J. Nagel
  - John D. Tallman

At 7:30 p.m. a brief recess was held to honor Norman J. Nagel, John D. Tallman, and the Diamond Award recipients. The meeting was reconvened at 8:00 p.m. with Student Trustee McRoberts absent.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

*Business Services*

7. **Approval to Enter into Negotiations and Contract for Professional Services with International Parking Design to Design Parking Lots at Moorpark and Oxnard Colleges (6.9.7)** was pulled from the agenda.

PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

There were no public comments.

President Nagel and John Tallman presented Community Colleges of Ventura County pins to the new Board members, Cheryl Heitmann and Mary Anne Rooney.

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## *Consent Calendar Items*

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

### *Approval of Minutes*

- 2.1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for October 22, 2002** was approved.

### *Student Learning*

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

### *Human Resources*

**5.1 Establishment of Positions**

**5.1.1 Establishment of Position – Ventura College** was granted to establish the classified position of Administrative Assistant II, 75%, PCN #VCU456, Ventura College, effective November 27, 2002.

**5.1.2 Establishment of Position – Ventura College** was granted to establish the classified position of Placement Project Specialist, PCN #VCU 343, Ventura College, effective November 27, 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 92 ½ days of half-pay sick leave days from the sick leave pool per the VCCCD/AFT Agreement, Article 8.9(C), to Dr. Maricarmen Ohara, full-time instructor at Ventura College.

- 5.3 Second Reading: Proposed Revision to Board Policy Manual Section Appendix E.X, Conflict of Interest Code** was approved.

*Business Services***6.2 Checks**

- 6.2.1 Ratification of Accounts Payable and Payroll for the Period of October 1, 2002 – November 6, 2002** was approved.

**6.3 Purchase Orders**

- 6.3.1 Approval/Ratification of Board Purchase Order Report #6** was approved/ratified for the period covering October 5, 2002 – November 4, 2002.

**6.4. Award of Bids**

- 6.4.1 Authorize Interim Chancellor to Award Bid to Lowest Responsible Bidder for Project #39088 Building K, Restroom Remodel Ventura College** was granted to authorize the Interim Chancellor to award the bid to the lowest responsible bidder for Project #39088, Building K, Restroom Remodel, Ventura College.

**6.5 Budget Amendments**

- 6.5.1 Approval of Categorical Amendments – General Fund – Restricted** was granted to amend the 2002-2003 General Fund Restricted budgets as presented.
- 6.5.2 Approval of Contracts & Grants Budget Amendments – General Fund Restricted** was granted to accept budget amendments to existing contracts, grants and designated programs for FY 2002-2003.

**6.6.1 Budget Transfers**

- 6.6.1 Monthly Budget Transfer Summary** was approved to ratify the monthly budget transfer summary for the month ending October 31, 2002 for the General Fund-Unrestricted and General Fund-Restricted.

**6.7.1 Contracts**

- 6.7.1 Approval of New Contracts and Grants – General Fund Restricted** was granted to accept new contracts and grants for FY 2002-2003.

**6.9 Capital Planning, Design and Construction**

- 6.9.1 Approval of Change Order #2 for Project #39066: Learning Resource Center at Ventura College** was granted to approve Change Order #2 in the amount of \$111,910 for Project #39066: Learning Resource Center at Ventura College.
- 6.9.2 Approval of Change Order #1 for Project #19058: Learning Resources/Telecommunications Center at Moorpark College** was granted to approve Change Order #1 in the amount of \$3,738 for Project #19058: Learning Resources/Telecommunications Center at Moorpark College.

*Trustees/Chancellor*

- 7.1 **Action to Approve Governing Board Member Absence.** No absences were reported.
  - 7.2 **Approval of Date, Time and Location for the Annual Organizational Meeting** was approved to establish December 10, 2002, at 7:00 p.m., in the City of Camarillo City Hall as the date, time, and place for the annual organizational meeting.
  - 7.3 **Appointment to Student Trustee Committee** was approved to accept the recommendations for appointment to the Student Trustee Committee to evaluate the policy and procedures related to the student trustee.
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**Action Items**

*Business Services*

**Other**

- 1. **Surplus/Disposal of Equipment (6.8.1)** was moved by Trustee Gonzales, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the surplus/disposal of equipment and materials. (McRoberts – absent)
- 2. **Acceptance of Gifts (6.8.2)** was moved by Trustee Gonzales, seconded by Trustee Tallman, and carried on a unanimous vote, to accept the following gifts: (McRoberts – absent)  
To be used by the Ventura College Student Health Center  
2002 2-Passenger Electric Cart – VIN #1FABP205320100078

Donated by: Barber Ford  
3650 E Main Street  
Ventura, CA 93003

To be used by the Ventura College Automotive Department  
Repair Manuals for 1999 Tacoma – Vol. 1 and Vol. 2

Donated by: Toyota Motor Sales, Inc  
P.O. Box 2714  
Torrance, CA 90509

FMA Corp 9909 SE Visualiner 4 Wheel Aligner, FMC Corp 4100 Comp Wheel Balancer and Kent Moore 134a Refrigerant Recovery/Recycle Unit

Donated by: Lexus of Thousand Oaks  
3601 Auto Mall Drive  
Thousand Oaks, CA 91362

3. **Approval to Execute a Contract with Carrier Johnson as Architects for the Fire/Police/Sheriff's Academy Complex (6.9.3)** was moved by Trustee Tallman, seconded by Trustee Gonzales, and carried on a unanimous vote, to authorize management to execute a professional services contract with the firm of Carrier Johnson to serve as architects for the Fire/Police/Sheriff's Academy Complex, pending successful contractual negotiations. (McRoberts – absent)

Trustee Hernández commented on contracts for the bond and asked that a discussion item be placed on the agenda to discuss the process for approving contracts under Measure “S.”

4. **Approval to Execute a Contract with Rincon, Inc. to Provide Environmental Consulting Services for the Measure S Bond Program (6.9.4)** was moved by Trustee Tallman, seconded by Trustee Gonzales, and carried on a unanimous vote, to authorize management to execute a professional services contract with the firm of Rincon, Inc. of Ventura to provide environmental consulting services for the Measure S bond program, pending successful negotiations of contract terms. (McRoberts – absent)
5. **Approval to Execute a Contract with AC Martin Architects to Provide Master Plan Architectural Services to Oxnard College (6.9.5)** was moved by Trustee Jacobs, seconded by Trustee Tallman, and carried on a unanimous vote, to authorize management to execute a professional services contract with the firm of AC Martin to provide master plan architectural consulting services for Oxnard College, pending successful negotiations of contract terms. (McRoberts – absent)

Handel Evans explained that each campus has a Master Plan architect who works with president and the executive staff. Michael Gregoryk commented on the Five-Year Construction Plan.

6. **Approval to Execute a Contract with JCM Group for District-Wide Planning Services (6.9.6)** was pulled from the agenda.
7. **Approval to Enter into Negotiations and Contract for Professional Services with International Parking Design to Design Parking Lots at Moorpark and Oxnard Colleges (6.9.7)** was moved by Trustee Hernández, seconded by Trustee Gonzales, and carried on a unanimous vote. (McRoberts – absent)





### *Trustees/Chancellor*

8. **Second Reading: Revision to Board Policy Manual Section A.00: Philosophy and the Revision to Board Policy Manual Section E.12: Evaluation of Chancellor (7.4)** was amended in No. 2.2.2 as follows, with a motion from Trustee Tallman, seconded by Trustee Gonzales, and carried on a unanimous vote:

2.2.2 Academic Freedom: To promote and support academic freedom within the colleges and the District and to ensure that controversial issues are presented in an open and balanced manner.

It was moved by Trustee Tallman, seconded by Trustee Gonzales, and carried on a unanimous vote, to adopt the Revision to Board Policy Manual Section A.00: Philosophy and the Revision to Board Policy Manual Section E.12: Evaluation of Chancellor, as amended. (McRoberts – absent)

9. **California's Proposed Educational Master Plan (7.5)** was moved to table by Trustee Tallman, seconded by Trustee Gonzales. (McRoberts – absent)

Trustee Jacobs indicated that the Legislative Committee would discuss this issue on December 9 and that the agenda item would return for final approval at the Board meeting on December 10.

### *End of Board Actions*

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## **Reports**

### STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Student Government representatives**
  - Brandy Huffer gave a brief report on the Student Trustee activities on behalf of Holly McRoberts who went home ill. Ms. Huffer commented on activities at Moorpark College. She congratulated Cheryl Heitmann and Mary Anne Rooney and thanked Trustees Nagel and Tallman. She acknowledged Candace Peyton and the Moorpark College Transfer Center.
  - Albert Mendez commented on a conference in Tampa Florida and reported on activities at Oxnard College.
  - Fenix Pleitez congratulated Ms. Rooney. She reported on activities at Ventura College. Ms. Pleitez suggested that the student reports should be placed earlier on the agenda.

- **Academic Senate representatives**
  - Richard Goff commented on the dedication of the Ventura College ASB President, the Chancellor's Evaluation Process, and due process. He announced that the Ventura College Classified and Faculty Senates met in a joint meeting.
  - Jack Miller thanked President Nagel and Trustee Tallman. He commented on the budget process, facilities, and the efforts that are being made to examine new accreditation standards.
  - Mary Jones congratulated Cheryl Heitmann, Mary Anne Rooney and the Diamond Award winners. She announced that Rene Rodriguez was transferring from Moorpark College. Ms. Jones presented shirts to President Nagel and Trustee Tallman.
- **Classified Senate representatives**
  - Barbara Hall commented on the joint classified and academic senate meeting. She reported that Angie Marquez and Connie Baker hosted the Leadership Academy at Ventura College.

#### INTERIM CHANCELLOR'S REPORT

- **Presidents' Reports**
  - Larry Calderón commented on the classified/academic senate joint meeting. He announced that the Ventura College class schedule was published in a bilingual format. Dr. Calderón reported on the LRC groundbreaking, One Book One Campus – Grapes of Wrath, activities related to facility oversight meeting, and a plenary session to focus on curriculum development and facilities.
  - Lydia Ledesma-Reese commented on Halloween activities. She indicated that Oxnard College hosted Leslie Sanchez, Executive Director of the White House Initiative on Educational Excellence for Hispanic Americans. Dr. Ledesma-Reese invited the Board to the December 11 President's Holiday Reception at Oxnard College. She announced that Santa Paula High School won 1<sup>st</sup> Place in the GEO Bowl and commented on activities at Oxnard College.
  - Eva Conrad thanked Trustees Nagel and Tallman and congratulated the Diamond Award winners. She highlighted the Moorpark College President's Report.
- **Deputy Chancellor's Report**
  - **State Budget Update** – Michael Gregoryk thanked Trustee Tallman and President Nagel for their work for students. He distributed information from the *Chronicle on Higher Education* regarding governance and politics, and a summary of the California State Budget. He suggested exploring special funding for colleges.

Trustee Hernández commented on the budget and suggested that the Board have a budget study session and asked for additional information regarding the allocation model. Trustee Tallman suggested that the Board consider freezing open positions, adjusting staff to do work differently, and early retirements.

- **Report on Measure S Capital Construction Program** – Handel Evans acknowledged President Nagel and Trustee Tallman for their efforts. He updated the Board on Measure S and state-funded construction projects.
  - Wayne Twidell, JCM, made a brief presentation.
- **Other District Issues**

- Dr. Walker commended staff for their work on budget issues and explained the process that would be used.
- Dr. Walker thanked President Nagel and Trustee Tallman for their concern and advocacy on behalf of the students and acknowledged Cheryl Heitmann and Mary Anne Rooney.

## First Reading Items

- **Course Approvals: New Courses – Ventura College**
- **Board of Trustees 2003 Schedule of Meetings**

Trustees Hernández and Jacobs suggested study sessions should be included in the Schedule of Meetings and it was decided to review the schedule with the new trustees in December.

- **Proposed Revision to Board Policy Manual Section E.17: Policy on Sexual Harassment for Students, Faculty, and Staff** was accepted for Second Reading.

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## Trustee Issues

- **Governing Board Subcommittee Reports** – Trustee Jacobs reported on the Construction Subcommittee report.
- **Audit Report** – John Tallman commented on the subcommittee meeting. He acknowledged staff and indicated that there were no negative reportable findings.

President Nagel thanked his wife, family, Pat Kistler, James Walker, and staff for all their assistance during his time as trustee.

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## ADJOURNMENT

At 9:51 p.m. the meeting was adjourned with a motion from Trustee Tallman, seconded by Trustee Jacobs, and carried on a unanimous vote.