

Board of Trustees

Ventura County Community College District

<p style="text-align: center;">MINUTES FOR THE SPECIAL MEETING OF FEBRUARY 28, 2003</p>
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The Special Meeting of the Board of Trustees of the Ventura County Community College District was held on Friday, February 28, 2003, in the Boys & Girl Club, Camarillo, California.

Roll Call

Board Members Present:

Arturo D. Hernández, President
Cheryl Heitmann, Vice-President
Robert S. Gonzales
Allan W. Jacobs
Mary Anne Rooney
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
Ruth Hemming, Executive Vice President, Student Learning, Moorpark College
Ramiro Sanchez, Executive Vice President, Student Learning, Oxnard College
Allan Nordquist, Vice President of Business Services, Moorpark College
Rene Rodriguez, Vice President of Business Services, Oxnard College
Patricia Kistler, Director of Governmental and Public Affairs
Sue Johnson, Assistant Vice Chancellor, Business Services
Irene Pinkard, Assistant Vice Chancellor, Human Resources
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President

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
Angie Marquez, Ventura College Classified Senate President
Brandy Huffer, Moorpark College Student Representative
Larry Miller, AFT
Elena Nua, SEIU
Fenix Pleitez, Ventura College Associated Student Government President

CALL TO ORDER

President Hernández called the meeting to order in the Camarillo Boys & Girls Club at 9:20 a.m.

PLEDGE TO THE FLAG

Eva Conrad led the pledge to the flag.

PUBLIC COMMENTS

President Hernández read a student petition regarding class cuts.

Fernando Garcia, Phillip King, Keny Galdamez, Jose Vega, Hugo Akala, Aigdilio Robles, Joaquin Marinez, Karen Cerda, Leo Orange, Rose Banuelos, Nancy Latham, Patricia Ewins, Elena Nua, Itzy Sorensen, Gloria Lopez, Robert Chaparro, Patty Earl, Naomi Moore, David Stork, David Maron, Don Berry, Melody Kleiman, Fenix Pleitez, Irene Gonzales, and Peggy Dawson addressed the Board the board regarding the proposed reduction of positions.

Bill Mandras addressed the Board regarding the budget and the grading policy. Yoko Tokoshima and Obadiah Wakaba addressed the Board regarding International Student fees.

The Board decided to revise the agenda and continue with public comments.

The Board recessed at 10:30 a.m., and reconvened at 10:51 a.m.

RECESS TO CLOSED SESSION

At 10:53 a.m. President Hernández recessed the meeting to Closed Session in the Boys & Girls Club Conference Room to consider the following items:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [*Gov't Code* § 54956.9(a)], the Board will consider the following case:

- *Paula Muñoz vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV206043)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [*Gov't Code* § 54956.9(b)], the Board will consider one case. The existing facts and circumstances that might result in litigation against the District arise from the following:

1. Beatriz Herrera, a counselor at Ventura College, filed a Complaint of Discrimination against the District on September 17, 2002 with the California Department of Fair Employment and Housing which issued a Right-to-Sue Notice on September 19, 2002. Ms. Herrera has not yet filed a lawsuit against the District. Copies of the Right-to-Sue Notice are available from Pat Kistler.

PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS: FACULTY TENURE CONSIDERATIONS [*Gov't Code* § 54957], the Board will consider tenure recommendations for faculty members at Moorpark College, Oxnard College, and Ventura College.

The Board will consider PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE [*Gov't Code* § 54957]

CONFERENCE WITH LABOR NEGOTIATOR [*Gov't Code* § 54957.6]: The District's negotiator is Vice-Chancellor of Human Resources William Studt and the employee organizations are AFT and SEIU.

At 12:30 p.m. President Hernández announced that the Board would be in Closed Session for another hour.

RECONVENE IN OPEN SESSION

President Hernández reconvened the meeting in Open Session at 1:50 p.m. in the Camarillo Boys & Girls Club.

CLOSED SESSION REPORT

President Hernández read the following Closed Session Report:

The Board unanimously voted to grant tenure to eight faculty members in the District.

CHANGE TO THE AGENDA

James Walker read the following changes to the agenda:

ACTION

Human Resources

5. **Classified and Management Voluntary Furloughs and Voluntary Reduction in Hours (5.5)** was revised on page 2, the dates should be "...beginning March 1, 2003, and terminating June 30, 2004"

ITEMS FOR DISCUSSION

- **Budget Presentation.** Chancellor Walker gave a brief outline of the budget presentation. Mike Gregoryk distributed and explained, *Budget Projections for Fiscal Year 2003 and 2004*. He commented on the budget cuts that were needed for the 2002-2003 fiscal year. The college presidents and deputy chancellor gave an overview of the recommended budget cuts for 2002-2003.

There was a brief discussion regarding the IELM Program and Siemens Electrical upgrade. Mike Gregoryk indicated that he would provide the Board a copy of the analysis from Siemens. The college presidents explained the process they used for the budget cuts.

The Board discussed the following items:

- Cost of Health and Welfare Benefits
- Early Retirement
- Voluntary Furloughs
- Student Contributions to Keep Programs and Services
- Reserves
- Chancellor's "Watch List"

Action Items

Patricia Parham read a statement from CMA regarding the manager's contribution to assist in mitigating the District's fiscal problems.

Art Hernández read a letter to all managers in the District from the President and Vice-President of the Board. He indicated that the letter would be sent to the managers on Monday.

David Donaldson, Linda Calderón, and Ruth Hunt addressed the Board regarding the reduction of faculty positions.

Human Resources

1. **Resolution Regarding Elimination or Reduction of Faculty Positions (5.1)** was moved by President Hernández, seconded by Trustee Jacobs, and carried on a unanimous vote, to approve the Resolution regarding the elimination or reduction of faculty positions. (McRoberts – yes)

James Walker made a brief statement regarding this item and Bill Studt explained the process. Michael Gregoryk commented on the fiscal condition of this district.

There was discussion regarding this item and the Board stressed the need for the shared governance process to obtain input. President Hernández acknowledged faculty, staff and administrators for their efforts during the budget process. Holly McRoberts indicated that she would continue to lobby at the state level.

2. **Resolution Regarding Elimination or Reduction of Faculty Positions – Categorical/Special Funded Services (5.2)** died for a lack of a motion and second.

3. **Elimination and Reduction of Classified Positions (5.3)** was moved by Trustee Rooney and seconded by Trustee Gonzales to take the item off the table. Trustee Gonzales removed his second. It was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a 4-1 vote, with Trustee Gonzales voting no, to take off the table the elimination and reduction of classified positions. It was moved by Trustee Jacobs, seconded by Trustee Rooney, and carried on a 4-1 vote, with Trustee Gonzales voting no, to eliminate and reduce particular classified positions throughout the District. (McRoberts – yes)

Anna Maria Valles, Trina Nägele, Rabin Polito, Margaret Freaney, and Paul Pagson, addressed the Board regarding the elimination and reduction of classified positions.

The college presidents and deputy chancellor commented on the recommendations that were made in Item No. 5.3. Trustee Gonzales expressed his concerns. The Board commended the classified staff for their cost reduction plans.

4. **Approval of VCCCD-SEIU Side Letter Agreement (5.4)** was moved by Trustee - Jacobs, seconded, and carried on a unanimous vote, to approve a Side Letter Agreement between the Ventura County Community College District (“VCCCD”) and Service Employees International Union, Local 535 (“SEIU”) pertaining to cost reduction proposals. (McRoberts – yes)

Greg Cross addressed the Board regarding the Side Letter Agreement and voluntary furloughs.

5. **Classified and Management Voluntary Furloughs and Voluntary Reduction in Hours (5.5)** was moved by Trustee Gonzales, seconded by Student Trustee McRoberts, and carried on a unanimous vote, to approve permitting classified employees and managers to take a leave of absence without pay for a maximum of three months, or a reduction in work hours to 75%, beginning March 1, 2003, and terminating June 30, 2004. (McRoberts – yes)

6. **Approval of Consulting Firm for Chancellor Search (5.6)** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 4-1 vote, with Trustee Gonzales voting no, to approve the firm of Gold Hills Associates as a consulting firm to perform services in the District’s Chancellor search process. (McRoberts – abstain)

Elena Nua and David Maron addressed the Board regarding this item.

Trustee Gonzales expressed his concerns and suggested that an interim chancellor be considered. Trustee Rooney reported on the process that was used to choose the consulting firm and distributed a list of the costs associated with the Chancellor’s search.

7. **Revision to Board of Trustees 2003 Schedule of Meetings (7.1)** was postponed until the next Board meeting.

ADJOURNMENT

At 5:00 p.m. it was moved by Trustee Gonzales, seconded by Trustee Rooney, and carried on a unanimous vote to adjourn the meeting. (McRoberts – yes)