

Board of Trustees Ventura County Community College District

Arturo D. Hernández

President

Cheryl Heitmann

Vice-President

Robert S. Gonzales

Trustee

Allan W. Jacobs

Trustee

Mary Anne Rooney

Trustee

Elizabeth Wolfel

Student Trustee



Moorpark - Oxnard - Ventura

William Studt

Interim Chancellor/

Secretary to the Board

MINUTES FOR THE MEETING OF NOVEMBER 18, 2003

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, November 18, in the Moorpark College Campus Center Conference Room, Moorpark, California.

Roll Call

Board Members Present:

Arturo D. Hernández, President
Cheryl Heitmann, Vice-President
Allan Jacobs
Mary Anne Rooney
Elizabeth Wolfel, Student Trustee

Absent:

Robert S. Gonzales

Management Present:

William Studt, Interim Chancellor
Michael Gregoryk, Deputy Chancellor
Eva Conrad, President, Moorpark College
Larry Calderón, President, Ventura College
Lydia Ledesma-Reese, President, Oxnard College
Patricia Parham, Interim Vice-Chancellor, Human Resources
Allan Nordquist, Chief Facilities Officer
Ruth Hemming, Chief Budget Officer
Vic Belinski, Associate Vice Chancellor, Information Technology
Sue Johnson, Associate Vice Chancellor, Business Services
Kay Faulconer-Boger, Dean, Community Resource Development
Carolyn Inouye, Director of Institutional Research
Jim Botting, Police Chief

Faculty/Staff/Student Representatives:

Jack Miller, Moorpark College Academic Senate President
Becky Santillian-Hull, Ventura College Academic Senate President
Renee Navarro, Director of External Affairs, Moorpark College Student Government
Jose Fonseca, Oxnard College Student Government Representative
Larry Miller, AFT
Diane Moore, CMA

CALL TO ORDER

Vice-President Heitmann called the meeting to order in the Moorpark College Campus Center Conference Room, Moorpark, California at 4:10 p.m., with President Hernández and Trustee Gonzales absent.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no public comments.

RECESS TO CLOSED SESSION

At 4:10 p.m. Vice-President Heitmann recessed the meeting to Closed Session in the Student Government Conference Room to consider the following items: President Hernández arrived at 4:30 p.m.

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

CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION [*Gov't Code* § 54956.9(a)]

- *Wood & Bender, LLP vs. VCCCD* (Ventura County Superior Court Case No. CIV216408)
- *Ann DeReus vs. VCCCD, et al.* – (Ventura County Superior Court Case No. SC037389)
- *Ronald Segovia Dyste vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV214921)
- *Marian A. Carrasco vs. VCCCD, Board of Trustees, Philip Westin, Larry Calderón, Becky Hull, and Guadalupe Guillén* (Ventura County Superior Court Case No. CIV217710)
- *Timothy Suel vs. VCCCD, Board of Trustees, Philip Westin, Larry Calderón, Becky Hull, and Guadalupe Guillén* (Ventura County Superior Court Case No. CIV217711)
- *Laura Hilton vs. VCCCD* (Ventura County Superior Court Case No. CIV219896)

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION [*Gov't Code* § 54956.9(b)] The existing facts and circumstances that might result in litigation against the District arise from the following:

1. The Board will convene into Closed Session to consider the claim of Kathryn Ann Kelly.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION [*Gov't Code § 54957*] The Board will consider the following academic administrator:

- Interim Chancellor

RECONVENE IN OPEN SESSION

President Hernández reconvened the meeting in Open Session at 6:20 p.m. in the Moorpark College Campus Center Conference Room, with Trustee Gonzales absent.

PLEDGE TO THE FLAG

Dr. Kay Faulconer-Boger led the pledge to the flag.

CLOSED SESSION REPORT

It was moved by Trustee Heitmann, seconded by Trustee Rooney, and carried on a 3-2 vote (1 absent, 1 abstention), to accept the settlement with *Wood & Bender, LLP vs. VCCCD (Ventura County Superior Court Case No. CIV216408)* as per terms and conditions.

The Board voted 3-0, with President Hernández and Trustee Gonzales absent, to reject the claim of Kathryn Ann Kelly.

Reports

REPORTS

- **Moorpark College**

Renee Navarro, Director of External Affairs; Courtney Gruttemeyer, Director of Public Relations; Brian Olsen, ASB President; and Sharon Miller, Student Activities Advisor gave a brief overview of the Moorpark College student government. The following items were explained:

- Who they are.
- Why they are here.
- How they operate.
- What they do.

Trustee Rooney thanked the students for their presentation.

- **Reports from Other Colleges**

Jose Fenseca commented on the Oxnard College Community/Student Services Center Open House. Mr. Fenseca reported on the activities at Oxnard College.

- **College Management Association Representative**

Diane Moore thanked the Board for meeting with CMA. She gave a brief update on the activities of CMA and invited the Board to the January 5 Professional Development Day at Moorpark College.

President Hernández welcomed Santa Paula Councilmember Mary Ann Krause.

- **Chancellor**

- **Deputy Chancellor**

- **Measure “S” and Capital Construction Projects**

Handel Evans gave a brief update.

- **Moorpark College – Facility Master Plan.**

Eva Conrad distributed the current draft of the Facilities Master Plan 2003. She introduced Pablo Garcia, Spencer/Hoskins, gave a brief overview of the Plan.

Ceremonial Resolutions

- R-2 Resolution to Thank the Ventura County Fire Department, Los Angeles City Fire Department, County of Los Angeles Fire Department & the California Department of Forestry and Fire Protection** was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a unanimous vote, with Trustee Gonzales absent. (Wolfel – yes)

Chief Mark Sanchez, Ventura County Fire Department; Chief Gonzales, California Department of Fire Protection, and Chief Daryl Osby, Los Angeles County Fire Department accepted the Resolutions.

- R-1 Resolution to Thank the Moorpark College Community** was moved by Trustee Jacobs, seconded by Trustee Heitmann, and carried on a unanimous vote, with Trustee Gonzales absent. (Wolfel – yes)

Jim Botting, Jack Miller, Sharon Miller, Ruth Hemming and Jeanne Bailey accepted the Resolution on behalf of the Moorpark College Community. Chief Botting thanked the Board and those who assisted in the process. Trustee Heitmann asked the Board to send a thank you letter to the Moorpark College community, along with the Resolution.

- **Ventura College – East Campus Project** – Larry Calderón distributed a letter from Martin Hernandez from Supervisor Kathy Long’s Office, in support of the project in the Santa Clara Valley. He introduced Santa Paula Councilmember Mary Ann Krause, Steve Morange from Stratus, Bill Storey, and Kay Faulconer-Boger. Steve Morange and Bill Storey gave a brief overview of the Ventura College East Campus Educational Center. President Hernández acknowledged the efforts of those who worked on the Center.

Councilwoman Krause expressed support for the project on behalf of herself and John Procter, the mayor of Santa Paula.

- **Vice Chancellor, Human Resources and Personnel Commission Director**
 - Patricia Parham reported on the activities of the Human Resources Department. She gave a brief update on the retiree insurance reenrollment program. Ms. Parham invited the Board to the November 20th reception honoring James King for his three years of service on the Personnel Commission. The Board expressed their gratitude for Mr. King's service to the District.
- **Trustees**
 - **Subcommittees**

Trustee Rooney announced that the adhoc committee meeting to discuss the Chancellor's Search was scheduled for December 3. She gave a brief report on the Construction Subcommittee meeting.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

The meeting was held in Honor of John D. Tallman, Former Trustee of the Ventura County Community College District. President Hernández commented on Mr. Tallman's career in the Ventura County Community College District.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Business Services

- C-7 Approval of District Management Contracts** was pulled from the agenda.
- C-15 Capital Planning and Design Construction**
- B. Approval of Contract with Rincon Consultants, Inc. for an Environmental Impact Report for the Moorpark College Conejo Education Center** was pulled from the agenda.
 - E. Approval of the 2003-04 Scheduled Maintenance Program Priority List** was revised to change Project #3 to plumbing repairs at the HRM kitchen.
- A-2 Request for Deferral for Full-Time Faculty Obligation for Fall 2003** was revised on page 2, paragraph 1 to read as follows:
- “Other districts can also request a deferral provided that certain circumstances are met including justification of unusual extenuating circumstances; informed bargaining units, academic senates, students; and approved by the local board of trustees.”*

PUBLIC COMMENTS

There were no public comments.

Consent Calendar Items

It was moved by Trustee Jacobs, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Gonzales absent, to approve the following Consent Calendar items. (Wolfel – yes)

Approval of Minutes

- C-1 Action to Approve Minutes of the Study Session of the Board of Trustees for October 2, 2003** was approved.
- C-2 Action to Approve Minutes of the Study Session of the Board of Trustees for October 4, 2003** was approved.
- C-3 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for October 15, 2003** was approved.

Student Learning

- C-4 Ventura College Study Abroad Program – Spanish in Cuernavaca, Mexico, Summer 2004** was approved.

Human Resources

- C-5 Classified Actions**
 - A. Approval of Limited Term/Provisional Assignments** was granted as listed.
 - B. Approval of Probationary Personnel** was granted as listed.
 - C. Approval of Resignation of Classified Personnel** was granted as listed.
 - D. Approval of Employment of Relatives** was granted as listed.
 - E. Approval of Limited Term Personnel** was granted as listed.
 - F. Approval of Change in Classified Position – Moorpark College** was granted to add a bilingual requirement to the Administrative Assistant II position in the Student Learning Department at Moorpark College.
 - G. Approval of Request for Long-Term Leave of Absence Without Pay** was granted to approve the request from Linda A. Lehman, Disabled Student Services Specialist/Interpreter at Ventura College, and Hakeem Hasan, Community College Police Officer I at the District Service Center, for Long-Term Leave of Absence Without Pay.
 - H. Approval of Probationary to Permanent Personnel** was granted as listed.
 - I. Abolishment of Position – Ventura College** was approved to abolish the Placement Project Specialist position at Ventura College.
- C-6 Academic Actions**
 - A. Approval of Part-time Faculty – Moorpark, Oxnard and Ventura Colleges** was granted to approve the list of part-time hourly faculty employees at Moorpark, Oxnard and Ventura College for the Fall 2003.

- B. **Establishment of Position – Ventura College** was approved to establish a full-time temporary, non-tenure track (categorically funded) Distance/Online Education Coordinator position (10 months) at Ventura College, (PCN#VFZ329), effective November 19, 2003.
 - C. **Ratification of Appointment of Interim Dean - Oxnard College** was approved to ratify the appointment of Dr. Robert Tholl as Interim Dean, Business, Technology, Public Services, & Health Occupations (PCN#XMZ002) at Oxnard College, effective November 3, 2003 through January 31, 2004, with salary placement at the appropriate level of Dean on the District's Management Salary Schedule.
 - D. **Approval of Equivalency for Part-time Faculty – Oxnard College** was approved to grant equivalency for the following part-time instructor: Part-time faculty member: Yolanda Marquez Discipline: History.
 - E. **Resignation of full-time faculty – Oxnard College** was approved to accept the resignation of Irene Peters, Instructor in Mathematics at Oxnard College, effective December 31, 2003.
 - F. **Establishment of full-time temporary categorically funded non-tenure track Position – Ventura College** was approved to establish a full-time temporary non-tenure track Student Personnel Worker position (11 months) at Ventura College (PCN#VFZ010), effective November 19, 2003.
 - G. **Approval of Equivalency for Part-time Faculty – Oxnard College** was approved to grant equivalency for the following part-time instructor: Part-time faculty member: Lisa Aiello Discipline: American Sign Language (ASL).
- C-7 **Approval of District Management Contracts** was pulled from the agenda.

Business Services

- C-8 **Ratification of Accounts Payable and Payroll for the Period of September 26, 2003 – October 28, 2003** was approved to ratify Accounts Payable and Payroll for the period of September 26, 2003 – October 28, 2003.
- C-9 **Approval/Ratification of Board Purchase Order Report #7 FY 2003/04** was granted to approve/ratify Board Purchase Order Report #7, FY 2003/04, from September 29, 2003 to October 30, 2003.
- C-11 **Subcontract with Interface Children and Family Services for Staffing Services under the Moorpark/Simi Valley Neighborhood for Learning Grant** was granted to approve a subcontract in the amount of \$82,990 with Interface Children and Family Services for the provision of staffing services (\$80,190) and funding for mileage/travel (\$2,800) related to Moorpark College's contract with the Children and Families First Commission.
- C-12 **Approval of Amendments to Contracts, Grants and Designated Programs for Fiscal Year 2003-2004** was granted to accept amendments to contracts, grants and designated program budgets for FY 2003-2004.

- C-14 Contract with Dowden Associates and Ventura County Community College District (Ventura College)** was approved for technical assistance, advisory and consultant services for the Title V Hispanic Serving Institutions Grant and the Alan Hancock Title V grant.
- C-15 Capital Planning and Design Construction**
- A. Approval of Contract with Rincon Consultants, Inc. for Phase II Environmental Assessment at Camarillo Airport Site** was granted in the amount of \$57,585 for providing a Phase II Environmental Assessment at the Camarillo Airport site.
 - B. Approval of Contract with Rincon Consultants, Inc. for an Environmental Impact Report for the Moorpark College Conejo Education Center** was pulled from the agenda.
 - E. Approval of the 2003-04 Scheduled Maintenance Program Priority List** was granted as listed.
 - F. Approval of Proposed Measure S Bond Program Phase IIA Projects at Moorpark College** was granted.
 - G. Approval of Process to Select Architects for Approved Bond Measure S Projects** was granted.
 - H. Acceptance of Change Order Summary Report for Capital Projects** was granted.
 - I. Approval to Award Contract to Kulwiec Group/Architects for Roofing Projects at Ventura College** was granted in the amount of \$29,320 for the roofing of buildings 3, 10, 14, & 42 at Ventura College.

Trustees/Chancellor

- C-16 Appointment to Student Trustee Committee** was approved.
- C-17 Approval of Date, Time and Location for the Annual Organizational Meeting** was granted to establish December 9, 2003, at 7:00 p.m., in the Cowan Conference Center as the date, time, and place for the annual organizational meeting.

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

- C-10 Approval of New Contracts and Grants for Fiscal Year 2003-2004** was moved by Trustee Jacobs, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Trustee Gonzales absent, to accept new contracts and grants for FY 2003-2004. (Wolfel – absent)

Trustee Jacobs requested additional budget information on grant items.

- C-13 Acceptance of Annual Financial and Budget Report (CCFS-311)** was moved by Trustee Jacobs, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Trustee Gonzales absent. (Wolfel – yes)

Michael Gregoryk and Sue Johnson gave a brief explanation of the Annual Financial and Budget Report. There was discussion about obtaining comparative data on financial statements among college districts. Trustee Jacobs expressed his concerns about deficit spending and the decreased reserve. It was decided that the board would schedule a budget study session and that the budget subcommittee would meet prior to the study session.

Trustee Jacobs expressed his concerns about funding equalization. Michael Gregoryk and Sue Johnson updated the Board on this issue. Mr. Gregoryk will provide the Board information on the districts involved in equalization. The Board asked for a resolution regarding this issue.

At 8:30 p.m. the meeting was recessed and reconvened at 8:45 p.m.

C-15 Capital Planning and Design Construction

C. Approval of Contract with Martinez Architects, Inc. for Scheduled

Maintenance at Oxnard College and Camarillo Airport Site was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a 3-0-1 vote, with President Hernández abstaining, and Trustee Gonzales absent, to approve the contract in the amount of \$27,772 for projects within the scheduled maintenance budget at Oxnard College and the Camarillo Airport site. These fees may be subject to change depending on the evolution of the conceptual design process, or if additional specialty sub-consultants are required.

D. Approval of Extra Services to Existing Contract with Martinez Architects, Inc. for Oxnard College Child Development Center was moved by Trustee Heitmann, seconded by Trustee Jacobs, and carried on a 3-0-1 vote, with President Hernández abstaining, and Trustee Gonzales absent, to approve extra services in the amount of \$16,000 to the existing Martinez contract in the amount of \$65,808. If approved, the new total amount of this contract will be \$81,808.

First Reading Items

- **First Reading: Board of Trustees 2004 Schedule of Meetings** was accepted for Second Reading.

The following additional items were suggested:

- Hold one meeting at each campus
 - Schedule Study Sessions
- **First Reading: Course Approvals: New and Revised Courses – Moorpark, Oxnard and Ventura Colleges** was accepted for Second Reading.

- **First Reading: Course Approvals: Proposed Certificate and Associate in Arts Program in Human Services at Ventura College** was accepted for Second Reading.

Trustee Heitmann asked about the Human Services Certificate. Larry Calderon distributed additional information.

Action Items/Second Reading Items

Business Services

- A-1 Budget Amendment – General Fund – Unrestricted** was moved by Trustee Jacobs, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Trustee Gonzales absent, to amend General Fund Expenditure accounts and the General Fund Reserve. (Wolfel – yes)

Trustee Jacobs expressed his concerns regarding this item.

- A-2 Request for Deferral for Full-Time Faculty Obligation for Fall 2003** was moved by Trustee Jacobs, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Gonzales absent, to approve a Request for Deferral for Full-Time Faculty Obligation for Fall 2003 from the California Community Colleges Chancellor's Office. (Wolfel – yes)

Larry Miller addressed the Board regarding this item. Michael Gregoryk, Sue Johnson, and Carolyn Inouye gave a brief explanation regarding the request for deferral for full-time faculty obligation for Fall 2003. Mr. Gregoryk suggested that a position paper be sent to Chancellor Nussbaum and the Board of Governors expressing our concerns.

There was discussion regarding lobbying legislators. The Board asked for periodic updates on this issue. President Hernández suggested that staff schedule a subcommittee meeting when staff needs board direction. Bill Studt said that staff would develop an action plan to deal with this issue.

Trustees/Chancellor

- A-3 Action to Approve Governing Board Member Absence** was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Trustee Gonzales absent, to approve the absence of Trustee Gonzales. (Wolfel – yes)
- A-4 Approval of Agreement to Provide Professional Services as Chief Negotiator** was moved by Trustee Jacobs, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Trustee Gonzales absent, to approve a General Retainer Agreement with Parham & Rajcic to provide professional services as chief negotiator for AFT contract negotiations. (Wolfel – yes)

President Hernández and Trustee Jacobs expressed their support for Mr. Parham. Bill Studt pointed out that Patricia Parham is Jack Parham's wife and that there would be no conflict of interest.

End of Board Actions

Trustee Issues

- **Trustee Reports/Announcements/Correspondence**

Trustee Jacobs inquired about resources needed to complete the accreditation process. Bill Studt will discuss this issue with the District Executive Team.

Student Trustee Wolfel distributed the article from the *Ventura County Star* regarding the LULAC conference. She commented on the Halloween celebration at Oxnard College.

Trustee Rooney reported on her visit to Moorpark College. She acknowledged the EATM students for hard work during the recent fires. Trustee Rooney commented on the Oxnard College Community/Student Services Center Open House. She announced that three Board members were attending the Community College League of California (CCLC) conference in Oakland.

Trustee Jacobs updated the Board on the school district reorganization group.

President Hernández commented on the Oxnard College Open House. He said he would be attending the CCLC conference.

Trustee Heitmann commented on the Oxnard College Open House, Spirit night at Moorpark College, the tour of the LRC Building at MC, and the Assisted Technology Awards Ceremony.

ADJOURNMENT

At 9:50 p.m., the meeting was adjourned in Honor of John D. Tallman, Former Trustee of the Ventura County Community College District. Moment of silence.