

# Board of Trustees

## Ventura County Community College District

**Cheryl Heitmann**

*President*

**Mary Anne Rooney**

*Vice-President*

**Robert S. Gonzales**

*Trustee*

**Arturo D. Hernández**

*Trustee*

**Allan W. Jacobs**

*Trustee*

**Doreen Juarez**

*Student Trustee*



**James M. Meznik**

*Chancellor/Secretary to the Board*

### MINUTES FOR THE REGULAR MEETING OF TUESDAY, NOVEMBER 9, 2004

#### CALL TO ORDER

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, November 9, 2004, in the Moorpark College Campus Center Conference Room.

#### **Roll Call**

##### **Board Members Present:**

Cheryl Heitmann, President

Mary Anne Rooney, Vice-President

Robert S. Gonzales

Arturo D. Hernández

Allan W. Jacobs

Doreen Juarez, Student Trustee

##### **Management Present:**

James M. Meznik, Chancellor

William Studdt, Vice Chancellor, Human Resources

Eva Conrad, President, Moorpark College

Michael Gregoryk, Acting President, Ventura College

Lydia Ledesma-Reese, President, Oxnard College

Patricia Parham, Associate Vice-Chancellor, Human Resources

Dennis Cabral, Executive Vice President, Student Learning, Moorpark College

Sue Johnson, Associate Vice Chancellor, Business Services

Vic Belinski, Associate Vice Chancellor, Information Technology

Ray DiGuilio, Vice President, Business Services

Jim Botting, Chief of Police

**Faculty/Staff/Student Representatives:**

Jack Miller, Moorpark College Academic Senate President  
Lynn Fauth, Oxnard College Academic Senate President  
Becky Hull, Ventura College Academic Senate President  
Louise Christener, Moorpark College Classified Senate President  
Ahmed Labnouj, Moorpark College Director of External Affairs  
Larry Miller, AFT  
Susan Cabral, CSA  
Leanne Colvin, SEIU  
Eileen Welser, Executive Assistant to the Chancellor

President Heitmann called the meeting to order at 4:05 p.m.

**PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS**

There were no public comments.

**RECESS TO CLOSED SESSION**

At 4:10 p.m., President Heitmann recessed the meeting to Closed Session in the Student Government Conference Room, with Trustee Gonzales absent. Trustee Gonzales arrived at 4:30 p.m. and left at 6:30 p.m.

The following items were considered during Closed Session:

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

- *Ronald Segovia Dyste vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV214921)
- *Gasperi vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV225291)
- *Ann DeReus vs. VCCCD, et al.* (Ventura County Superior Court Case No. SC037389)
- *Peter Holmes vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV227266)
- *Kathryn Kelly vs. VCCCD* (Superior Court of the State of California Case No. SCO39647)

**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 arose from the following:

1. The Board discussed anticipated litigation involving the Moorpark College Child Development Center Bid Protest.

**CONFERENCE WITH LABOR NEGOTIATOR [Gov't Code § 54957.6]**

- Employee organizations: SEIU/AFT

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

- Chief of Police

President Heitmann reconvened the meeting in Open Session at 6:45 p.m. in the Campus Center Conference Room, with Trustee Gonzales absent.

President Heitmann thanked Moorpark College for their hospitality.

#### PLEDGE TO THE FLAG

Trustee Jacobs led the pledge to the flag.

#### CLOSED SESSION REPORT

There was no Closed Session Report.

#### ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

President Heitmann welcomed the newly elected trustees, Larry Miller and Robert Huber.

- **Presentation of Plaque in Recognition of Outstanding Service and Commitment to the Ventura County Community College District to the following Trustees.** President Heitmann presented a plaque to Trustee Allan Jacobs. The Board acknowledged Dr. Jacobs for his service to the District. President Heitmann announced that Trustee Gonzales was called away and would receive his plaque when he returned.

Trustee Jacobs thanked faculty, staff, management, and the Board. Eva Conrad, Lydia Ledesma-Reese, Mike Gregoryk, and Becky Hull presented gifts to Dr. Jacobs. James Walker and Dennis Cabral acknowledged Trustee Jacobs.

- **Presentation of Plaque in Recognition of Outstanding Service and Commitment to the Ventura County Community College District to the following Trustees.** President Heitmann acknowledged Trustee Gonzales.

#### ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

Trustee Hernández presented Certificates to the following group:

- **League of United Latin American Citizens (LULAC)** for recognizing the achievements of educators, classified employees and students on October 22, 2004, at their 75<sup>th</sup> Anniversary Gala Celebration “*A Salute to Educators.*” Chris Espinosa thanked the Board.

Lydia Ledesma-Reese introduced David Rodriguez and presented a video on the LULAC conference.

- **National American Indian & Alaska Native Heritage Month** to proclaim November 2004 as *National American Indian & Alaska Native Heritage Month* fostering the celebration of diversity and keeping strong the rich cultural foundation of our community.

Trustee Hernández accepted the Resolution on behalf of Pat Brock, an Oxnard College student, and asked that a copy of the resolution be sent to the colleges.

A brief reception was held in recognition of Trustees Gonzales and Jacobs.

## Reports

- **Moorpark College Reports**
  - **President's Report/Introductions**
    - Eva Conrad introduced Susan Bennion and Candace Peyton and distributed a list of the recently hired, Moorpark College full-time faculty.
  - **Academic Senate Report**
    - Jack Miller distributed and commented on the planning document, "Making Decisions at Moorpark College for 2004 –2005." He thanked Trustees Jacobs and Gonzales for their service to the community colleges.
  - **Classified Senate Report**
    - Louise Christener reported on the Moorpark College Classified Senate and invited the Board to the Annual Holiday Party on December 15.
  - **Student Representative Report**
    - Ahmed Labnouj reported on the pumpkin give-away and vote debate at Moorpark College.
- **Other College Reports**
  - Becky Hull distributed a California Performance Review Resolution from the Ventura College Academic Senate.
  - Lynn Fauth acknowledged Dr. Jacobs and introduced Jenny Redding, Academic Senate Vice-President at Oxnard College.
- **Trustees**
  - **Subcommittees**
    - Trustee Jacobs commented on the Audit/Budget/Foundation Subcommittee. He commented on the following items:
      - Bond Audit for 2003-2004
      - Budget shortfall enrollment and contingency plan
      - Proposal for Management Audit
      - Advertising and promoting district
      - Actuarial study of retiree benefits
    - Trustee Rooney reported on the Construction Subcommittee meeting and the increase in construction costs.
- **Trustee Reports/Announcements/Correspondence** – Trustee Rooney mentioned the following items:
  - Oxnard College Academic Senate meeting
  - Friends of Assistive Technology Training Center
  - Alternative Text Production Center

- **Student Trustee Report:** Student Trustee Juarez reported on student petitions regarding high tuition and increased cost of textbooks. She said that she would be attending the CalSACC meeting and commented on the “Missing Community College Student Project.”

Trustee Jacobs reported on the Moorpark College Foundation Ball. President Heitmann commented on the unveiling of the President Ronald Reagan commemorative postage stamp at the Reagan Presidential Library and Museum in Simi.

#### ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

#### *Ceremonial Resolutions*

- R-1 Resolution Endorsing the Campaign for College Opportunity** was moved by Trustee Rooney, seconded by Trustee Hernández, and carried on a 4-0 vote, with Trustee Gonzales absent. (Juarez – yes)

#### PUBLIC NOTICE OF CHANGES TO THE AGENDA

President Heitmann read the following changes:

**C-19 Capital Planning and Design Construction**

- C. Approval of Schematic Design Drawings for the Ventura College Warehouse** was pulled from the agenda.

At 7:45 p.m., the meeting was recessed. The meeting reconvened at 8:10 p.m.

#### PUBLIC COMMENTS

There were no public comments.

#### *Consent Calendar Items*

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

#### *Approval of Minutes*

- C-1 Action to Approve the Minutes of the Special Meeting of the Board of Trustees for October 6, 2004** was approved.
- C-2 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for October 12, 2004** was approved.

### *Human Resources*

#### **C-3 Employment & Position Management**

- A. Approval/Ratification of Hourly Limited Term/Provisional Assignments** was granted as listed.
- B. Approval of Ratification and Approval of Part-time Faculty** was granted as listed.
- C. Approval of Probationary Personnel** was granted as listed.
- D. Approval of Change in Position** was granted to change the vacant position of Clerical Assistant I (Seasonal) (XCU037) from 6 months, 60% to 6 months, and 47.5% at Oxnard College, effective November 10, 2004.
- E. Approval of Establishment of Positions** was granted to establish the following positions: Grounds Maintenance Worker (12 mos., 47.5%) (VCU472) in the Maintenance and Operations department, effective November 10, 2004 at Ventura College; Clerical Assistant I (10 mos., 45%) (XCU325) in the Fire Technology department at Oxnard College, effective November 10, 2004; Instructor, Nursing (VFT394) full-time tenure-track position at Ventura College, to be filled in the Spring semester of 2005, effective November 10, 2004.

#### **C-4 Changes in Personnel-Employment Status**

- A. Approval of Resignation/Retirement of Full-time Classified Employees** was granted to approve the resignation/retirement of full-time academic and classified employees.
- B. Approval of Abolishment of Position and Increase in Position/Employee Assignment – Moorpark College** was granted to abolish a Student Health Services Asst. II position and to increase the percent of assignment for the Clerical Assistant I position and the assignment of the current employee in the Clerical Assistant I position in the Student Health Center Office at Moorpark College.
- C. Approval of Temporary Coordinator Assignment – Ventura College** was granted to temporarily appoint Linda Rovai to the 50% Coordinator, DSP&S position at Ventura College.
- D. Approval of Probationary to Permanent Personnel** was granted as listed.
- E. Approval of Extension of Assignment for a Full-time Temporary Non-tenure Track Academic Employee – Moorpark College** was granted to extend the full-time temporary assignment for the Project Manager/Principal-MCHS at Moorpark College.
- F. Approval of Reassignment of Classified Personnel** was granted as listed.
- G. Approval of Employment under Special Pre-Retirement Program – Ventura College** was granted to approve a request from a full-time Counselor at Ventura College to participate in the Pre-retirement Program under Section 4.13 of the VCCCD/AFT Agreement.
- H. Approval of Transfer** was granted to approve the voluntary transfer of Barbara Taylor from the District Service Center to Accounting Technician I at Oxnard College.
- I. Approval of Reclassification – Oxnard College** was granted to approve the reclassification of Linda Fintel at Oxnard College from her current classification to a new classification approved by the Personnel Commission.

- J. Approval of Temporary Increase of Assignments** was granted for Lisa Ayala and Irene Timms, effective November 10, 2004.
  - K. Appointment of Interim President, Ventura College** was approved to appoint Michael Gregoryk as Interim President at Ventura College, effective November 10, 2004, until a new president is appointed.
- C-5 Approval of Classified Employees' Nomination for Personnel Commissioner** was granted to reappoint Barbara Harison as Personnel Commissioner, effective December 1, 2004.

### *Administrative Services*

- C-6 Ratification of Accounts Payable and Payroll for the Period of September 22, 2004 – October 15, 2004** was approved.
- C-7 Approval/Ratification of Board Purchase Order Report #6 FY 2004/05** was granted, from September 21, 2004 to October 18, 2004.
- C-8 Approval of New Grants and Contracts for Fiscal Year 2004-2005** was granted to accept new grants and contracts for FY 2004-2005.
- C-9 Approval of an Amendment to Contract for Fiscal Year 2004-2005** was granted to accept an amendment to the contract total for the California Department of Education, Child Development Careers Project.
- C-10 Approval of Amendments to Grants and Contracts for Fiscal Year 2004-2005** was granted to accept budget amendments to existing grants and contracts for FY 2004-2005.
- C-11 Quarterly Financial Status Report, General Fund – Combined (CCFS-311Q)** was approved to accept the quarterly financial status report (CCFS-311Q) for the General Fund-Combined as required by law.
- C-12 Monthly Budget Transfer Summary** was approved to ratify the monthly budget transfer summary for the months of July through September 2004 for the General Fund-Unrestricted and General Fund-Restricted.
- C-13 Approval of Contract with Computerland of Silicon Valley for Symantec and Norton Anti-Virus Licensing for Fiscal Year 2004-2005** was granted to authorize management to execute a contract with Computerland of Silicon Valley for District-wide Anti-Virus Software Licensing for FY 2004-2005.
- C-14 Approval of the Agreement for Tegrity Software License for Title V, Oxnard College – Year 4** was granted.
- C-15 Acceptance of Completion of Bid 221 Fuel Tank Removal and Installation at the Ventura College Maintenance & Operations Department** was approved to accept completion for Bid 221 Fuel Tank Removal and Installation at the Ventura College Maintenance & Operations Department.
- C-16 Bid 247, Ventura East Campus Maintenance Project** was approved to award the bid to the firm submitting the lowest responsible bid to be determined after the November 2004 bid opening.
- C-17 Acceptance of Gifts** was approved. The following items were donated:
  - Phaser 6250 Color LaserJet Network Printer**
  - To be used by DSC Information Technology Department
  - Donated by: Xerox
  - 19226 Harnett Street
  - Northridge, CA 91326

**1976 Chevy ½ ton Truck C1500 – CCT236Z123417**

To be used by Moorpark Buildings & Grounds Department  
Donated by: Simi Valley Parks and Recreation  
1682 Sycamore Drive  
Simi Valley, CA 93065

**Microsoft OneNote Software Distribution CDs**

To be used by the students, faculty and staff of the District Office to enhance computer use, organizational skills and learning.  
Donated by: Microsoft/L Squared Solutions  
Address: N/A

**C-18 Surplus/Disposal of Equipment** was approved

- A. Items less than a \$2,500 value to be disposed per Ed Code 81452.
- Miscellaneous Equipment that is outdated or can no longer be repaired (Electronic equipment, printers, computers).
  - Wiggins Forklift – Tag #N00006696, S/N 9761148, Model W0LPG44SR
  - 1996 Ford Crown Victoria, Mileage: 140,743, Vin: 2FALP71W7RX130009, License Plate: 004192
  - 1998 Ford Crown Victoria, Mileage: 42,073 Vin: 2FAFP71W3WX150153, License Plate: 0033771

**C-19 Capital Planning and Design Construction**

- A. Approval of Increase to Contract for Rincon Consultant to Prepare Environmental Impact Report at Moorpark College** was granted to increase the contract with Rincon Consultant for the EIR at Moorpark College in the amount of \$35,000.
- B. Approval to Execute a Contract with Austin Veum Robbins Partners as the Architect for the “F” Building Renovation at Ventura College** was granted to authorize management to execute a professional services contract in the amount of \$145,000 with Austin Veum Robbins Partners to provide architectural services for the renovation of Building “F” at Ventura College.
- C. Approval of Schematic Design Drawings for the Ventura College Warehouse** was pulled from the agenda.
- D. Approval of Purchase of Library Detection System for the Learning Resources Center at Ventura College** was granted to purchase a book detection system and self-checkout system for the Learning Resource Center at Ventura College in the amount of \$47,920.
- E. Acceptance of Change Order Summary Report for Capital Projects** was granted to approve the Change Order Summary Report for capital projects.



*Trustees/Chancellor*

- C-20 Appointment to Student Trustee Committee** was approved to appoint the Student Trustee Committee to evaluate the policy and procedures related to the Student Trustee.

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

*Trustees/Chancellor*

- C-21 Approval of Date, Time and Location for the Annual Organizational Meeting** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 4-0 vote, with Trustee Gonzales absent, to establish December 7, 2004, at 4:00 p.m., in the Ventura County Superintendent of Schools Office – Conejo Room, as the date, time, and location for the annual organizational meeting. (Juarez – yes)

President Heitmann pointed out that the meeting would be held in the Ventura County Superintendent of Schools Office and that Closed Session would be at 4 p.m.

President Heitmann announced that a welcome reception for Dr. Meznek would be held on November 16.

## Action Items

*Administrative Services*

- A-5 Award of Contract for Construction of the Child Development Center at Moorpark College** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 4-0 vote, with Trustee Gonzales absent, to reject all bids. (Juarez – yes)
- A-6 Action to Accept or Reject Bid Protest for Child Development Center at Moorpark College.** No action was taken.

Marc Feldman, Feldman & Associates, distributed a letter dated October 15, 2004, regarding the Child Development Building.

## First Reading Items

*Trustees/Chancellor*

- **Board of Trustees 2005 Schedule of Meetings** was accepted for Second Reading.

Dr. Meznek pointed out there would be a Board training study session in January. There was a brief discussion regarding the days and times of the meeting.

- **Revision to the Ventura County Community College District Student Election Code** was accepted for Second Reading.

Student Trustee Juarez expressed her concerns regarding the procedures. Mike Gregoryk explained the process that was used in developing the document. The revision to the Student Election Code was discussed and this item will be reviewed by the Rules, Operations & Procedures Ad Hoc Committee.

## **Action Items**

### *Administrative Services*

- A-1 Budget Amendment** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 4-0 vote, with Trustee Gonzales absent, to amend the Bookstore budgets by \$55,000 to implement an automated bookstore inventory and point-of-sale system. (Juarez – yes)

Sue Johnson explained the funding for this item.

- A-2 Acceptance of the Audited Reports of the Bond Construction Fund for the Fiscal Year Ending June 30, 2004: Measure S Financial Audit and Measure S Performance Audit** was moved by Trustee Jacobs, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Gonzales absent, to accept the Financial Audit report and the Performance Audit report for the Bond Construction Fund/Measure S Bond Program, for the fiscal year ending June 30, 2004. (Juarez – yes)

Trustee Jacobs gave a brief overview of this item. Sue Johnson distributed and explained *VCCCD Measure S Cash Flow Estimate*.

- A-3 Approval of General Retainer Agreement for Legal Services of Parham and Rajcic** was moved by Trustee Hernández, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Gonzales absent, to approve the General Retainer Agreement with Parham & Rajcic to provide professional services as chief negotiator for AFT contract negotiations. (Juarez – yes)

- A-4 Approval of the Specifics for the Method to Fund Retiree Health Obligations** was moved by Trustee Rooney, seconded by Trustee Hernández, and carried on a 4-0 vote, with Trustee Gonzales absent, to approve the specifics for the method to fund retiree health benefit obligations in compliance with GASB 45 by the year required for implementation. (Juarez – yes)

Sue Johnson distributed and reviewed the following documents:

- Actuarial Study of Retiree Health Liabilities
- Retiree Health Liability Analysis
- Letter from Blue Cross dated October 11, 2004

*Trustees/Chancellor*

**A-7 Declaration of Confidence in and Support for the Ventura County Community College District Chief of Police** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 3-1 vote, with Trustee Hernandez voting no, and Trustee Gonzales absent, to approve the Declaration of Confidence in and Support for the Ventura County Community College District Chief of Police. (Juarez –no)

Chris Collier addressed the Board about this item. Trustee Hernández expressed his concerns regarding the declaration. Trustee Jacobs expressed his support of Chief Botting.

*End of Board Actions*

ADJOURNMENT

At 9:15 p.m., the meeting was adjourned.