

Board of Trustees Ventura County Community College District

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Robert O. Huber

Trustee

Larry O. Miller

Trustee

Doreen Juarez

Student Trustee



James M. Meznik

Chancellor/Secretary to the Board

MINUTES FOR THE MEETING OF TUESDAY, JANUARY 18, 2005

CALL TO ORDER

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, January 18, 2005, in the Ventura County Superintendent of Schools Conejo Room.

Roll Call

Board Members Present:

Cheryl Heitmann, President

Mary Anne Rooney, Vice-President

Arturo D. Hernández

Robert O. Huber

Larry O. Miller

Doreen Juarez, Student Trustee

Management Present:

James M. Meznik, Chancellor

William Studt, Vice Chancellor, Human Resources

Eva Conrad, President, Moorpark College

Michael Gregoryk, Interim President, Ventura College

Lydia Ledesma-Reese, President, Oxnard College

Patricia Parham, Associate Vice-Chancellor, Human Resources

Sue Johnson, Associate Vice Chancellor, Business Services

Vic Belinski, Associate Vice Chancellor, Information Technology

Carolyn Inouye, Director of Institutional Research

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
Angela Marquez, Ventura College Classified Senate President
Jose Fonseca, Oxnard College Student Representative
Harry Korn, AFT
Eileen Welser, Executive Assistant to the Chancellor

President Heitmann called the meeting to order at 5:30 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no public comments.

RECESS TO CLOSED SESSION

At 5:35 p.m., President Heitmann recessed the meeting to Closed Session.

CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION [Gov't Code § 54956.9(a)] The Board considered the following cases:

- *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)
- *VCCCD vs. Atkinson & Associates, Inc.; SAFECO Insurance Company of America; HPS Plumbing Services, Inc., et al.* (Ventura County Superior Court Case No.CIV227210)

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:

The Board convened into Closed Session to discuss the following items:

1. The Petition for Relief from Claims Filing Statute Requirements with William Swanson and the Ventura County Community College District.
2. The tolling agreement between Ventura County and the Ventura County Community College District.
3. The issues regarding construction of the Learning Resources Center at Ventura College and the general contactor FTR.

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

- Employee organizations: SEIU/AFT

The Closed Session meeting recessed at 7:15 p.m. President Heitmann announced that the Closed Session portion of the meeting was continued to Thursday, January 20, at 7:00 p.m. in the District Office.

RECONVENE IN OPEN SESSION

The meeting reconvened in Open Session at 7:20 p.m.

PLEDGE TO THE FLAG

Mike Gregoryk led the pledge to the flag.

CLOSED SESSION REPORT

The Board Chair read the following Closed Session Report:

It was moved by Trustee Huber, seconded by Trustee Rooney, and carried on a 5-0 vote, to continue the tolling agreement regarding the action “County of Ventura vs. VCCCD, (Ventura County Superior Court Case No. CIV 227648)” as follows:

“Authorize the Chancellor or his designee to enter into an agreement tolling procedural and substantive statutory deadlines and requirements related to the matters which are the subject of the action entitled, “County of Ventura vs. VCCCD, (Ventura County Superior Court Case No. CIV 227648)” be extended to the date April 4, 2005. Such tolling agreement shall extend to the rights and obligations of the County of Ventura only and shall be without prejudice to the rights, obligations, and defenses of the District.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

Dr. Ledesma-Reese presented a *Certificate of Recognition* to Oxnard College students, Angel Rivas and Marenn Esperitu, in appreciation of their artwork donation to the Marine Education Center. Trustee Miller acknowledged the students and staff for their efforts in preparing for the dedication of the Marine Education Center. Trustee Hernández commented on the parking lot dedication and thanked the students for their donation to the Marine Education Center. Dr. Ledesma-Reese recognized John Scheibe for his article in the *Ventura County Star* regarding the Oxnard College dedication.

Reports

- **Reports**
- **Campus Report – Michael Gregoryk**
 - Michael Gregoryk invited the Board to the dedication of the Ventura College Learning Resource Center and Library on January 19. He pointed out the library was open to the public. Mr. Gregoryk announced that February 14-20 was *Random Acts of Kindness Week* at Ventura College.

- **Classified Senates' Reports**
 - Angie Marquez congratulated Trustees Huber and Miller on behalf of the Ventura College classified staff. She gave a brief overview of the classified staff activities and commented on the development of a classified orientation. Ms. Marquez acknowledged Sandy Hajas, Diane Moore, and Larry Manson for their hard work in the planning and development of the center.
- **Student Representatives' Reports**
 - Jose Fonseca, Oxnard College Representative, gave a brief overview of activities at Oxnard College.
- **Tenure** – Eva Conrad and Bill Studt provided a brief overview of the tenure process. Bill Studt pointed out that it was an administrative procedure and that the AFT contract and Title V were reviewed prior to the development of the process. There was a brief discussion regarding the timeline for granting tenure and exceptions. Trustee Hernández thanked Mr. Studt for providing clarity on the tenure process. Trustee Huber asked for additional information on exceptions to the four-year process at the next Board meeting.
- **Budget Report** – Sue Johnson gave a brief overview of the Governor's budget for 2005-2006 and the effect on the Ventura County Community College District. Ms. Johnson distributed and reviewed the following items:
 - Projected Enrollment Shortfall and Budget Impact – Fiscal Year 2004-2005
 - FTES Analysis Fiscal Year 2004 vs. Fiscal Year 2005
 - FTES Comparisons 2004-05 compared to 2003-04
 - Revenues General Fund-Unrestricted (Fund 111) Projections – Fiscal Year 2005
 - Initial Budget Projection – Fiscal Year 2005-2006
 - 2005-06 System Budget and Governor's Budget
 - Fiscal Year 2006 Preliminary Revenue/Costs

Ms. Johnson said that additional information would be provided at the February 8 Board meeting. There was discussion regarding restructuring to decrease the deficit, student enrollment, and the reserve.

- **Trustees**
 - **Subcommittees**
 - Trustee Rooney commented on the January 6 Board Construction Subcommittee meeting notes and asked for additional information. She announced that the Renovation of the Child Development Center at Oxnard College was completed on time and under budget.

The Board requested an update on the priority list for the construction projects. Handel Evans commented on the process that was used to develop the list. It was decided to schedule a study session to discuss the Measure "S" Priority Lists.

- **Trustee Reports/Announcements/Correspondence**

Trustee Rooney commented on the Ventura County Reserve and Sheriff's Academy graduation on January 8. Ms. Rooney asked the Board to consider a policy or philosophy statement regarding contracting with small local emerging businesses in Ventura County. This item was referred to the Rules, Operations and Procedures subcommittee.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

C-3 Revision to Human Resources- Employment Position Management

- F. Approval of Abolishment of Positions at Oxnard College:** This item was revised to remove the abolishment of position XCU252, Child Development Assistant (10 mo./47.5%) and replace it with the abolishment of position XCU244, Child Development Assistant (10 mo./47.5%).

PUBLIC COMMENTS

Bea Herrera expressed her concerns regarding Items A-2 and A-3 – Sabbatical Leave Recommendations. She also commented on an article regarding negotiations.

Harry Korn addressed the Board regarding the Tenure Process Report and Items A-2 and A-3 – Sabbatical Leave Recommendations.

Consent Calendar Items

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

Approval of Minutes

- C-1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for December 7, 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 Equivalency, Ratification and Approval of Part-time Faculty** was granted as listed for spring 2005.
- C. Approval of Probationary Personnel** was granted as listed.
- D. Approval of Appointment of Academic Personnel** was granted as listed.
- E. Approval of Reinstatement of Personnel** was granted as listed.

- F. **Approval of Abolishment of Positions at Oxnard College** was granted to abolish (XCU203) Clerical Assistant I, 12-mo./35%; (XCU030) Child Development Associate, 10 mo., 100%; and (XCU244) Child Development Assistant (10 mo./47.5%) at Oxnard College, effective March 4, 2005.
 - G. **Approval of Abolishment and Establishment of Position** was granted to abolish the position VCU134, Technical Word Processing Operator and to establish the position VCU473, Instructional Lab Technician I – Learning Resources at Ventura College, effective January 19, 2005.
 - H. **Approval of Change of Positions** was granted as listed.
 - I. **Approval of Employment of Relatives** was granted as listed.
 - J. **Approval of Limited Term Assignments** was granted as listed.
 - K. **Addition of Bilingual Differential to Classified Position- Oxnard College** was approved to add a 2.9% bilingual differential to the position of Financial Aid Technician, XCU084, at Oxnard College, effective January 19, 2005.
- C-4 Changes in Personnel-Employment Status**
- A. **Approval of Resignation/Retirement of Academic and Classified Employees** was granted to approve the resignation/retirement of full-time academic and classified employees as listed.
 - B. **Approval of Change in Assignment** was granted to approve the change of assignment for Olivia Dalseme at Oxnard College, effective July 1, 2004.
 - C. **Approval of Temporary Reduction in Assignment – Oxnard College** was granted to approve a voluntary request for a temporary reduction in assignment of Katharine Merrill at Oxnard College.
 - D. **Approval of Probationary to Permanent Personnel** was granted as listed.
 - E. **Approval of Re-assignment of Classified Personnel** was granted to approve the reassignment in lieu of layoff of Dora Hartman from Moorpark to Ventura College, effective January 19, 2005.
 - F. **Change to Effective Date of Exception to Salary Placement for a full-time Temporary Academic Employee – Ventura College** was granted to change the effective date of exception to the salary placement of Michael Callahan, Institutional Researcher (VFZ002) at Ventura College to August 11, 2004.
 - G. **Approval of Sick Leave Days from Established Sick Leave Pool for Full-time Academic Employee – Moorpark College** was granted to approve five months of half salary to Susan Izumo, full-time counselor at Moorpark College, effective as of October 26, 2004.
 - H. **Approval of Family and Medical Leave (FMLA) and Leave of Absence Without Pay** was granted to Barbara Cochran, Oxnard College, effective December 20, 2004 through March 25, 2005, and to Erlinda Ispahani, Ventura College effective as of January 4, 2005 through January 31, 2005.
- C-5 Instructional Calendar 2005-2006 Academic Year** was approved.

Administrative Services

- C-6 Ratification of Accounts Payable and Payroll for the Period of November 11, 2004 – December 16, 2004** was approved for the period of November 11, 2004 – December 16,

- 2004.
- C-7 **Approval/Ratification of Board Purchase Order Report #8 FY 2004/05** was pulled for discussion.
 - C-8 **Approval of New Grants and Contracts for Fiscal Year 2004-2005** was granted.
 - C-9 **Approval of Amendments to Grants, Contracts and Categorical Programs for Fiscal Year 2004-2005** was granted.
 - C-10 **Monthly Budget Transfer Summary** was approved for the month of November 2004 for the General Fund-Unrestricted and General Fund-Restricted.
 - C-11 **Surplus/Disposal of Equipment and Materials** was approved as listed.
 - C-12 **Bid #246, Library Shelving for Moorpark College LRTC Building** was approved to purchase and install new book shelving for the Moorpark College LRTC Building.
 - C-13 **Bid #240, Fiber-Optic Cable Upgrade at Ventura College** was granted to the lowest responsible bidder to be determined after the February 2005 bid opening.
 - C-14 **Acceptance of Completion of Bid #239, Installation of Fiber Optic Cable for Oxnard College** was approved for Bid 239, Installation of Fiber Optic Cable for Oxnard College.
 - C-15 **Bid #251, Library Security Equipment for Ventura and Moorpark Colleges** was approved to purchase and install new library security equipment in both Ventura College LRC and Moorpark College LRTC buildings.
 - C-16 **Budget Amendment: Capital Projects Fund (State Construction Funds)** was approved.
 - C-17 **Approval of the Memorandum of Understanding - Response to Part I Crimes Occurring on the Moorpark, Oxnard, and Ventura College Campuses** was pulled for discussion.
 - C-18 **Capital Planning and Design Construction**
 - A. **Approval of Contract with Golden State Labor Compliance Services for Labor Compliance Consulting Services for the Moorpark College Child Development Center** was granted to provide consulting services in connection with the Labor Compliance Program as required by State law for construction funds provided by Propositions 47 and 55.
 - B. **Approval to Increase Contract with CM West for Project Management Services for Learning Resources/Telecommunication Center at Moorpark College** was granted.
 - C. **Approval of Schematic Design Drawings for the Library Renovation at Moorpark College** was granted.
 - D. **Acceptance of Completion of Project #29111: Renovation of Child Development Center at Oxnard College** was approved.
 - E. **Approval of Final Design Drawings for the Track and Field Improvements and the Gymnasium Renovation at Oxnard College** was granted.
 - F. **Approval of Final Bid Documents for the Learning Resources Center Secondary Effects Renovation Project at Ventura College** was granted to approve final bid documents for the LRC Secondary Effects Renovation Project (Building "D" and "CR" Renovation: Project #39068) at Ventura College.
 - G. **Approval of Schematic Design Drawings for the Food Services Renovation at Ventura College** was granted.

- H. Approval to Execute a Contract with Robert Cohen Company, LLC, for the Synthetic Track Surfacing for the Athletic Facilities Renovation at Ventura College** was granted to authorize management to execute a contract with Robert Cohen Company, LLC, who is deemed the preferred vendor for the Synthetic Track Surfacing for the Athletic Facilities Renovation at Ventura College.
- I. Approval of Extension of Contract with Rincon Consultants for Environmental Impact Consulting Work at the Camarillo Site** was granted to approve an increase of \$55,000 to the contract with Rincon Consultants for additional testing and environmental work at the Camarillo site.
- J. Appointment of Student Member to the Citizens Oversight Committee** was granted to appoint Evan Hess, a student at Moorpark College, to Position D (a one year term) on the Citizens Oversight Committee for the Measure S Bond Program.
- K. Acceptance of the District's Revised State Five-Year Capital Construction Plan** was approved to accept the District's Revised State Five-Year Capital Construction Plan, as outlined on the attachment.
- L. Acceptance of Change Order Summary Report for Capital Projects** was approved.

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

Administrative Services

- C-7 Approval/Ratification of Board Purchase Order Report #8 FY 2004/05** was moved by Student Trustee Juarez, seconded by Trustee Rooney, and carried on a unanimous vote, from November 11, 2004 to December 15, 2004. (Juarez – yes)

Trustee Huber asked about centralizing printing costs to save money. Chancellor Meznick said the district was reviewing the cost.

- C-17 Approval of the Memorandum of Understanding - Response to Part I Crimes Occurring on the Moorpark, Oxnard, and Ventura College Campuses** was moved by Trustee Huber, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the MOU's with the Ventura County Sheriff's Department (VCSD), Oxnard Police Department (OPD), and the Ventura Police Department (VPD) with regard to responding to Part I Crimes (felonies) occurring on the college campuses. [Education Code 67381 (b)(c)(d)] (Juarez – yes)

Student Trustee Juarez asked about the jurisdiction for campus police and Jim Botting explained.

Action Items

Administrative Services

- A-1 Adoption of 2005-2006 Nonresident Tuition Rate, Foreign Student Capital Outlay Surcharge, and Foreign Application Processing Fee** was moved by Trustee Hernández, seconded by Trustee Rooney, and carried on a unanimous vote as listed. (Juarez – yes)

Human Resources

- A-2 Sabbatical Leave Recommendations, Per AFT Contract 2005-2006** was moved by Trustee Miller, seconded by Trustee Rooney, and carried on a unanimous vote. (Juarez – yes)

There was a brief discussion regarding sabbaticals. The Board asked for sabbatical reports upon completion.

- A-3 Consideration of Additional Sabbatical Leave Recommendations for 2005-2006** was moved by Trustee Miller. Died for lack of second.
- A-4 Approval of Resolution for Medicare Division** was moved by Trustee Hernández, seconded by Trustee Huber, and carried on a unanimous vote, to file an application and enter into an agreement with the State to extend Medicare Only-Coverage for eligible Academic employees who elected coverage during the Medicare Division Election. (Juarez – yes)

Student Learning

- A-5 Adoption of Student Equity Plan** was moved by Trustee Rooney, seconded by Trustee Hernández, and carried on a unanimous vote. (Juarez – yes)
- A-6 Second Reading Course Ratification and Approval: New and Revised Courses – Moorpark, Oxnard, and Ventura Colleges** was moved by Trustee Hernández, seconded by Trustee Rooney, and carried on a unanimous vote. (Juarez – yes)

Trustee Huber expressed his concerns about this item and pointed out that courses are to be approved prior to placing in the college schedule.

Trustees/Chancellor

- A-8 Review and Assignment of Board of Trustees Subcommittees and Ad Hoc Committees -- Appointments to Serve for 2005** was moved by Trustee Miller, seconded by Trustee Rooney, and carried on a unanimous vote, to include the following appointments. (Juarez – yes)

Subcommittee Representatives:

Audit/Budget/Foundation

Mr. Arturo D. Hernández
Mr. Larry Miller

Legislative Program

Ms. Cheryl Heitmann
Mr. Larry Miller
Ms. Doreen Juarez

Construction Projects

Mr. Robert O. Huber
Ms. Mary Anne Rooney

Ad Hoc Committee Representation:

Rules, Operations & Procedures

Ms. Cheryl Heitmann
Mr. Arturo D. Hernández

The Board appointed Trustee Huber, with Trustee Hernández as an alternate, to serve as the representative who shall have one vote for each member to be elected to the Ventura County Committee on School District Organization, at its annual meeting.

- A-9 Action to Nominate a Member of the VCCCD Board of Trustees to Serve on the California Community Colleges Trustees Board of Directors** was moved by President Heitmann, seconded by Trustee Miller, and carried on a unanimous vote, to nominate Trustee Rooney, a member of the Ventura County Community College District Board of Trustees, to serve on the California Community Colleges Trustees Board. (Juarez – yes)

End of Board Actions

ADJOURNMENT

At 10:00 p.m., the meeting was adjourned to January 20, 2005, at 7:00 p.m.