

# Board of Trustees

## Ventura County Community College District

**Cheryl Heitmann**

*President*

**Mary Anne Rooney**

*Vice-President*

**Arturo D. Hernández**

*Trustee*

**Robert O. Huber**

*Trustee*

**Larry O. Miller**

*Trustee*



**James M. Meznik**

*Chancellor/Secretary to the Board*

### MINUTES FOR THE MEETING OF TUESDAY, JULY 12, 2005

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, July 12, 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

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

James M. Meznik, Chancellor

Lydia Ledesma-Reese, President, Oxnard College

Eva Conrad, President, Moorpark College

Robin Calote, President, Ventura College

Michael Gregoryk, Deputy Chancellor

William Studt, Vice Chancellor, Human Resources

Patricia Parham, Associate Vice-Chancellor, Human Resources

Sue Johnson, Associate Vice Chancellor, Business Services

Vic Belinski, Associate Vice Chancellor, Information Technology

Ramiro Sanchez, Executive Vice President, Student Learning

Carolyn Inouye, Director of Institutional Research

Jim Botting, Chief of Police

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

Jeff Baker, Moorpark College Academic Senate President

Jeannette Redding, Oxnard College Academic Senate President

Kathryn Schoenrock, Ventura College Academic Senate President

Harry Korn, AFT  
Eileen Welser, Executive Assistant to the Chancellor

CALL TO ORDER

President Heitmann called the meeting to order at 5:05 p.m. Trustee Hernández arrived at 5:35 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

Mark Pachowicz addressed the Board, on behalf of Trustee Miller, regarding conflict of interest concerns.

RECESS TO CLOSED SESSION

At 5:10 p.m., President Heitmann recessed the meeting to Closed Session.

The following items were considered during Closed Session:

CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION [Government Code Section: 54956.9(a)] The Board considered the following cases:

- *Gasperi vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV225291)
- *Peter Holmes vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV227266)
- *Rita Martinez and Raymond Brie vs. Board of Trustees of the VCCCD* (Ventura County Superior Court Case No. CIV227997)
- *Patricia Kistler vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV231014)
- *Tiffane T. Williams and David E. Williams as the Surviving Heirs, Personal Representatives, Successors of Interest of Decedent, Sarah N. Williams vs. VCCCD et al.* (Ventura County Superior Court Case No. CIV232233)
- *Golden Tee, Inc. vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV230977)

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION – Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9:

The Board considered whether or not to initiate litigation, including alternatives to litigation, in order to resolve a potential conflict of interest arising from Trustee Larry Miller's receipt of District-provided retirement health benefits.

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. Tolling Agreement between the Ventura County Community College District and the County of Ventura.
2. RFP 256 protest of NEC regarding PBX replacement project (new phone system).

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

- Employee organizations:  
AFT – Chief Negotiator, Jackson Parham

RECONVENE IN OPEN SESSION

President Heitmann reconvened the meeting in Open Session at 7:10 p.m.

PLEDGE TO THE FLAG

Trustee Huber led the pledge to the flag.

CLOSED SESSION REPORT

The Board Chair read the following Closed Session Report:

1. The Board voted 4-0, with Trustee Hernández absent, to extend until January 31, 2006, the Tolling Agreement between the Ventura County Community College District and the County of Ventura.
2. The Board voted 4-0, with Trustee Hernández absent, to reject the protest of NEC of the RFP 256 concerning the PBX replacement project (new phone system).
3. The Board voted 4-0, with Trustee Miller recusing himself, to authorize the Chancellor to obtain an opinion from the Attorney General regarding a Conflict of Interest with Board Member Larry Miller.

## Reports

- **Reports**

- **Chancellor's Report**

- **Budget Update.** Sue Johnson gave a brief update on the state budget. She distributed and explained the following documents: 1) *Ventura County Community College District Revenues, General Fund – Unrestricted (Fund 111) Projections – Fiscal Year 06 (VCCCD)*, and 2) *VCCCD FTES Comparisons 2003-04 (at Annual) compared to 2004-05 (at Annual)*. There was a brief discussion regarding Senate Bill 361, the effects of the budget cuts at the colleges, KH Study results, enrollment plans, student retention, and the policy regarding payment of student fees. The Board asked for additional information on the payment of student fees and student enrollment retention.

- **Campus Report – Moorpark College**

Eva Conrad reported on the high school at Moorpark College and announced that the grant from the Department of Education was renewed for five years.

- **Academic Senates' Reports**

Jeff Baker gave a brief update on the Moorpark College Academic Senate activities and commented on the Leadership Institute.

Kathryn Schoenrock reported on the reception for Robin Calote and the Board Study Session.

Jeannette Redding commented on the Leadership Institute and collegial consultation.

The Board welcomed Gladys Rodriguez, the Oxnard College Student Government President.

At 8:25 p.m. the meeting was recessed and reconvened at 8:30 p.m.

## PUBLIC COMMENTS

Maryanne deGoede, Carol Weinstock, Joann Abing, Janna Calkins, Charles Duncan, Don Rodrigues, Jim Downer, Dexter McDonald, Richard Flowers, Laura Shapiro-Snair, Richard Fox, June Behar, and Janet Wall addressed the Board regarding the Journalism Program, Horticulture Program, and Item A-1: *Action to Rescind Item A-12 from the March 8, 2005, Board Meeting: Resolution to Reduce and/or Discontinuance of Particular Kinds of Academic Programs and Services.*

- **Trustees**

- **Subcommittees**

Trustee Rooney reported on the June 28, 2005, Construction Subcommittee meeting. Trustees Rooney and Huber acknowledged Moorpark College for the revised schematic drawings of the EATM Program building.

- **Trustee Reports/Announcements/Correspondence**

President Heitmann announced the following items:

- Eva Conrad received the *Ventura County Leadership Academy Alumnus Award*
- The Ventura County Community College District and Community Memorial Hospital received the *Collaborative Action Award* from the Workforce Investment Board
- Eileen Welsler was appointed to the Association of Governing Boards' Board Professional Staff Planning Committee.

There was a brief discussion regarding the June 10, 2005, Study Session at Moorpark College, and the six imperatives that were developed.

The Board welcomed Ventura College President Robin Calote and acknowledged Michael Gregoryk for his work in the Ventura County Community College District. President Heitmann announced that a reception would be held for Michael Gregoryk on July 14, 2005.

## PUBLIC NOTICES OF CHANGES TO THE AGENDA

### Human Resources

#### **C-2 Revision to Human Resources-Employment Position Management**

**C. Approval of Classified, Academic and Management Personnel:** This item was revised to add the appointment of Dr. Pam Eddinger, Executive Vice President of Student Learning at Moorpark College, effective July 18, 2005.

Business Services**C-12 Capital Planning, Design and Construction**

- F. **Approval of Contract with Pat McCarthy Construction for the Improvements to the Information Technology Area in the LRC Building at Oxnard College:** This item was revised to add the name of the contractor and the amount of the contract.

*Consent Calendar Items*

It was moved by Trustee Rooney, seconded by Trustee Miller, and carried on a unanimous vote, to approve the Consent Calendar Items.

*Approval of Minutes*

- C-1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for June 21, 2005** was granted.

*Human Resources***C-2 Employment & Position Management**

- A. **Approval/Ratification of Limited Term/Provisional Assignments** was granted as listed.
- B. **Approval of Equivalency, Ratification and Approval of Part-time Faculty** was granted as listed for the Summer and Fall of 2005.
- C. **Approval of Classified, Academic and Management Personnel** was granted as listed.
- D. **Approval of Advanced Salary Placement for Academic Personnel** was granted to approve the advanced salary placement for a Radiologic Technology Instructor at Moorpark College.

**C-3 Changes in Personnel/Employment Status**

- A. **Approval of Resignation/Retirement of Academic & Classified Employees** was granted as listed.
- B. **Approval of Probationary to Permanent Personnel** was granted.
- C. **Approval of Voluntary Demotions/Reassignments in Lieu of Lay-off of Classified Employees** was granted to approve the voluntary demotions/reassignments of classified employees into positions by the Board at the June 21, 2005 meeting, effective July 1, 2005.
- D. **Lay-Off of Permanent Classified Personnel** was approved to lay-off the listed classified personnel due to the elimination of their positions, as a result of a Board action taken on March 8, or as a result of bumping rights invoked by more senior employees.
- E. **Approval of Temporary Change of Assignment for Classified Personnel** was granted to approve a temporary change in the assignment of a classified employee at Ventura College.

*Business Services*

- C-4 Ratification of Accounts Payable and Payroll for the Period of May 28, 2005 – June 20, 2005** was approved for the period of May 28, 2005 - June 20, 2005.
- C-5 Approval/Ratification of Board Purchase Order Report #2 for Fiscal Year 2005-2006** was granted to approve/ratify Board Purchase Order Report #2 for FY 2005-2006 from May 1, 2005 to June 21, 2005.
- C-6 Approval/Ratification of Board Purchase Order Report #14 for Fiscal Year 2004-2005** was granted to approve/ratify Board Purchase Order Report #14 for FY 2004-2005, from May 27, 2005 to June 21, 2005.
- C-7 Approval of New Contract for Fiscal Year 2005-2006** was granted to accept a new contract for FY 2005-2006, as listed.
- C-8 Monthly Budget Transfer Summary** was approved to ratify the monthly budget transfer summary for the months of May and June 2005 for the General Fund-Unrestricted and General Fund-Restricted.
- C-9 Surplus/Disposal of Equipment** was approved for surplus/disposal of equipment and materials.
- C-10 Acceptance of Gifts** were approved as listed.
- C-11 Approval of Contract with Scottel Voice and Data, Inc. for the PBX Phone System Replacement** was granted to approve a contract, not to exceed \$1,103,000 to Scottel Voice and Data, Inc. for the PBX Phone System Replacement project.
- C-12 Capital Planning, Design and Construction**
- A. Approval of Schematic Design Drawings for the Advanced Technology Center/General Purpose Classroom and the Health Science Center at Ventura College** was granted to approve the schematic design drawings for two projects at Ventura College that are both under contract with the same architect Leo A. Daly, for design and bidding.
  - B. Approval of Schematic Design Drawings for the EATM Facility at Moorpark College** was granted.
  - C. Award of Bid 266, Exterior Guard Railing for Ventura College Learning Resource Center** was approved to award Bid 266, Exterior Guard Railing for Ventura College Learning Resource Center, to the lowest responsible bidder.
  - D. Approval of Contract to JCM Group to Manage the Design and Construction of the Public Restrooms/Office/General Storage Facility at Oxnard College** was granted to approve a \$5,000 contract to JCM Group to manage the design and construction of the Public Restroom/Office/General Storage Facility to be used primarily for the weekend community markets, which are held on the Oxnard College campus.
  - E. Approval to Proceed with the Design of the Public Restrooms/Office/General Storage Facility at Oxnard College** was granted to proceed with the design of

the Public Restrooms/Office/General Storage Facility to be used primarily for the weekend community markets, which are held on the Oxnard College campus.

- F. Approval of Contract with Pat McCarthy Construction for the Improvements to the Information Technology Area in the LRC Building at Oxnard College** was granted to approve a contract with Pat McCarthy Construction for the improvements to the Information Technology area in the LRC Building at Oxnard College.
- G. Approval of Contract with BTC Labs to Provide Inspector of Record Services for the Track and Field Renovation at Oxnard College** was granted to approve a contract with BTC Labs in the amount of \$39,600 to provide Inspector of Record (IOR) services for the Track and Field Renovation project at Oxnard College.
- H. Acceptance of Change Order Summary Report for Capital Projects** was granted to approve the Change Order Summary Report for Capital Projects.
- I. Award of Bid 265, Basketball Scoreboard for Moorpark College** was granted to approve the award of a contract for Bid 265, Basketball Scoreboard for Moorpark College, to the lowest responsible bidder after the July 6, 2006, bid opening.
- J. Award of a Contract to PlanNet Consulting for the Production of a Telecommunications Infrastructure Standards Document** was approved to award a contract to PlanNet Consulting for the production of a Telecommunications Infrastructure Standards Document for use by architects and designers involved in Measure S projects throughout the District.

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

### *Student Learning*

- C-13 Approval of Fall Community Education Classes at Ventura College** was moved by Trustee Huber, seconded by Trustee Rooney, and carried on a unanimous vote, to approve the Fall Community Education Classes at Ventura College.

Chancellor Meznek said that non-credit community services classes are not held if they do not meet enrollment requirements. Trustee Huber commented on contract language regarding enrollment and asked for additional data on new credit courses.

## Action Items/Second Reading Items

### *Human Resources*

- A-1 Action to Rescind Item A-12 from the March 8, 2005, Board Meeting: Resolution to Reduce and/or Discontinuance of Particular Kinds of Academic Programs and Services** was moved by Trustee Miller. This item died for lack of a second.

Trustee Miller expressed his support of the reinstatement of the Horticulture and Journalism Programs. Trustee Huber expressed his concerns regarding the item and Trustee Hernández pointed out there was no additional information provided to support reinstatement of the programs.

### *Business Services*

- A-2 Action to Approve Budget Amendment** was moved by Trustee Rooney, seconded by Trustee Hernández, and carried on a unanimous vote, to amend the General Fund Unrestricted Reserve and Revenue and Expenditure accounts.
- A-3 Award of RFP 264, PBX Project Management Services Contract** was moved by Trustee Rooney, seconded by Trustee Huber, and carried on a unanimous vote, to award a contract to Prism Technology Group for the PBX Project Management services of the District-wide PBX Replacement Project.

### *End of Board Actions*

ADJOURNMENT

At 9:55 p.m., the meeting was adjourned.