

# Board of Trustees

## Ventura County Community College District

**Mary Anne Rooney**

*Chair*

**Larry O. Miller**

*Vice-Chair*

**Cheryl Heitmann**

*Trustee*

**Arturo D. Hernández**

*Trustee*

**Robert O. Huber**

*Trustee*

**Brian Lovatt**

*Student Trustee*



**James M. Meznik**

*Chancellor/Secretary to the Board*

### MINUTES FOR THE MEETING OF THURSDAY, FEBRUARY 16, 2006

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, February 16, 2006, Cowan Conference Center, Camarillo, California.

#### **Roll Call**

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

Mary Anne Rooney, Chair

Larry O. Miller, Vice-Chair

Cheryl Heitmann

Arturo D. Hernández

Robert O. Huber

Brian Lovatt, Student Trustee

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

James Meznik, Chancellor

Eva Conrad, President, Moorpark College

Lydia Ledesma-Reese, President, Oxnard College

Robin Calote, President, Ventura College

Sue Johnson, Vice Chancellor, Business and Administrative Services

William Studdt, Vice Chancellor, Human Resources

Ramiro Sanchez, Executive Vice President, Student Learning

Patricia Parham, Associate Vice-Chancellor, Human Resources

Carolyn Inouye, Director of Institutional Research

Jim Botting, Police Chief

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

Jeff Baker, Moorpark College Academic Senate President

Jeanette Redding, Oxnard College Academic Senate President

Kathryn Schoenrock, Ventura College Academic Senate President

Jose Cornelio, Oxnard College Classified Senate President

Max Reyes, Moorpark College Associated Student Representative

Nikki Geluz, Ventura College Associated Student Representative

Harry Korn, AFT

Eileen Welser, Executive Assistant to the Chancellor

RECESS TO CLOSED SESSION

Chair Rooney called the meeting to order at 5:46 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no public comments.

RECESS TO CLOSED SESSION

At 5:48 p.m., Chair Rooney recessed the meeting to Closed Session in the Ojai Room to discuss the following items:

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

- *Patricia Kistler vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV231014)

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 arises from the following: (One Case – Measure S Project)

RECONVENE IN OPEN SESSION

At 6:10 p.m. the meeting reconvened into Open Session in the Camarillo Room.

PLEDGE TO THE FLAG

Eva Conrad led the pledge to the flag.

CLOSED SESSION REPORT

The Board has met in Closed Session and has discussed the bid protest lodged by California Track and Field of Fresno California against the award of a contract to Turf Builders Company of Wilsonville Oregon. Turf Builders Company is the low bidder on the project to install a new synthetic track surface at the Athletic Field Renovation at Ventura College. The Board has elected to accept the recommendation of the Chancellor and counsel on this matter to deny the protest, the vote was 5-0 with no abstentions.

PUBLIC COMMENTS

Linda Rubenstein addressed the Board regarding the Ventura College East Campus.

Art Hernández recognized Ms. Rubenstein for her work at the Ventura College East Campus in Santa Paula. The Board expressed their concerns about a dean chastising an employee for addressing the Board.

## Reports

- **Chancellor's Report**

- **District Administrative Center Air Quality.** Chancellor Meznek indicated that a written report would be distributed at the March Board meeting.

Chancellor Meznek reported on a proposed Community Advisory Council and in March, will provide models for discussion at a Study Session.

The following suggestions were made:

- Establish three community groups to form a districtwide group
- Review other community college advisory groups
- Establish timeline

- **Budget Update/Equalization.** Sue Johnson distributed and reviewed the Preliminary Equalization Simulations for 2006-2007. There was discussion regarding advocating for equalization as it is written in the current Governor's budget. Student Trustee Lovatt will discuss with the student governments. Sue Johnson will provide updates on equalization to the Board.

- **Student Government Representatives' Reports**

Nikki Geluz reported on the following Ventura College Associated Student Government activities:

- Vending machines with scantrons, pencils, and papers
- Lending Library
- Club Day
- Purchasing computers for the Internet Café

Max Reyes reported on the following Moorpark College activities:

- Talent show
- Faculty office competition
- Adhoc committee textbook solutions
- Elections committee

Student Trustee Lovatt commented on his travel to Washington D.C.

- **Academic Senates' Reports**

Katheryn Schoenrock reported on a Women's Basketball Team presentation.

Jeff Baker commented on a suggested theme for next year at Moorpark College.

Jeanette Redding expressed her concerns regarding the Chancellor's visit to Oxnard College. Ms. Redding read the *Resolution Presented by the Oxnard College Academic Senate to the Board of Trustees on February 16, 2006.*

- **Classified Senates' Reports**  
Jose Cornelio invited the Board to *Multicultural Arts Day 2006*, an event hosted by the Oxnard College Classified Senate.
- **Trustees**
  - **Subcommittees**  
Trustee Heitmann reported on the Audit/Budget/Foundation Subcommittee, AGB Foundation Conference, the Building Naming Policy, and the statewide legislative committee. There was discussion regarding contacting local legislators to advocate for equalization in the Governor's budget. Trustees Miller and Huber agreed to contact local legislators. Trustee Heitmann will contact Chair Rooney and Trustee Hernández and provide a list at the next Board meeting.

Trustee Huber reported on the Construction Subcommittee and indicated that the prioritization of projects would be on the April agenda. There was a brief discussion regarding the women's softball program at Oxnard College. It was pointed out that a team sport did not require review by the Academic Affairs Subcommittee. This item will be discussed at the next construction subcommittee meeting. Chair Rooney requested additional data regarding the Field of Dreams at Oxnard College. Handel Evans will provide written correspondence at the Construction Subcommittee.

Trustee Miller expressed his concerns regarding a total compensation letter sent to employees. Chancellor Meznik said that a letter of explanation would be incorporated in the next mailing.

Trustee Heitmann commented on the Civic Alliance Subcommittee meeting.

There was a brief discussion regarding communication to the Board and it was suggested that a formal plan be developed.

Chair Rooney reported on the Community College League of California Legislative Conference. Ms. Rooney said she invited Dolores Suerte to Oxnard College to provide information on the foundation that she established.

PUBLIC NOTICES OF CHANGES TO THE AGENDA

*Human Resources*

**C-2F - Approval of Personnel.** The following classified employee was changed from Step 3 to Step 2 on the salary schedule and the salary has been revised:

<u>Name</u>	<u>Classification/Position#</u>	<u>Loc.</u>	<u>Salary</u>	<u>Effective</u>
Tracy Corbett	Accounting Tech III (MCU431) 12 mo/100% ( <i>Step 2</i> )	MC	\$3,286/mo	02/21/06

*Capital Planning, Design and Construction*

**C-17A Approval of Contract for Administration Building Information Technology Area Upgrade at Moorpark College** was revised to include the name of the lowest responsible bidder, Century Contractors in the amount of \$95,035.46.

- C-17D Approval of Contract for Contaminated Material Abatement and Interior Demolition of the Existing Library Building at Moorpark College** was revised to include the name of the lowest responsible bidder, Ventura Asbestos Control in the amount of \$210,000.

*Human Resources*

- A – 1 Approval of Tenure Recommendations** was revised as follows:
- The six faculty members recommended for tenure at Moorpark College are in their 4<sup>th</sup> year tenure track status.
  - The statement indicating one is completing the 1<sup>st</sup> year of the 3<sup>rd</sup> contract is being deleted.
  - The Recommendation of Chancellor was changed to N/A.
  - The list of those recommended tenure was revised to reflect deletion of the name of Shara Chess at Moorpark College.
- A – 2 Approval of Tenure Track Contract Recommendations.** The Recommendation of Chancellor was changed to N/A.

*Consent Calendar Items*

It was moved by Trustee Huber, seconded by Trustee Miller, and carried on a unanimous vote, to approve the Consent Calendar Items. (Lovatt – yes)

*Approval of Minutes*

- C-1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for January 17, 2006.** [1] was approved.

*Human Resources*

- C-2 Employment & Position Management**
- A. Approval of Abolishment of Positions [11]** was granted as listed.
  - C. Approval of Change in Position [16]** was granted to approve a change to the Job Developer/Mental Health position #XCU328 at Oxnard College, the Instructional Assistant/Multi-Clerical/Bilingual position at Oxnard College, and the Clerical Assistant III position #VCU477 at Ventura College.
  - D. Approval of Change in Classification [18]** was granted to reclassify Jan Wiley and Joseph Reznak, both classified employees at Ventura College.
  - E. Approval of Equivalency [20]** was granted to Silvinia Bamrungpong at Oxnard College, and Lorna Markey and Garry Nix at Ventura College.
  - F. Approval of Personnel (Revised) [21]** was granted to approve full-time academic personnel at Ventura and Moorpark Colleges; part-time academic personnel at Moorpark, Oxnard, and Ventura Colleges; and classified personnel at Moorpark and Ventura Colleges.

- G. Approval/Ratification of Limited Term/Provisional Assignments [23]** was granted as listed at Moorpark, Oxnard, and Ventura Colleges.

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

- A. Approval of Resignation/Retirement of Academic & Classified Employees [25]** was granted as listed.
- B. Approval of Probationary to Permanent Personnel [27]** was granted as listed.
- C. Approval of Temporary Changes in Assignments [29]** was granted as listed for classified employees at the District Administration Center.
- D. Approval of Requests for Leave of Absence Without Pay and Family & Medical Leave (FMLA) [31]** was granted as listed for academic employees at Oxnard and Moorpark Colleges for the academic year 2006-07.
- E. Approval of Granting Sick Leave Days from Established Sick Leave Pool for Full-time Academic Employee and Family & Medical Leave (FMLA) [33]** was granted for 38 days of sick leave from the Sick Leave Pool per VCCCD/AFT Agreement section 8.9C to Olivia Menchaca, full-time faculty member at Oxnard College, which will cover her through the end of the spring semester. In addition she is requesting Family and Medical Leave for the period February 6 through May 19, 2006.
- F. Approval of Employment under Special Pre-Retirement Program [35]** was granted to the listed full-time academic employees to participate in the Special Pre-Retirement Program per Section 4.13 of the VCCCD/AFT Agreement, for the 2006-07 academic year, effective as of July 1, 2006.
- G. Request for Change to Sabbatical Leave [37]** was granted to Kimberly Hoffmans, Instructor of Nursing at Moorpark College, to change her sabbatical leave from a one-year leave to a one-semester leave for Fall, 2005.

***Business Services***

- C-4 Ratification of Accounts Payable and Payroll Checks for the Period of December 23, 2005 – January 26, 2006 [38]** was approved.
- C-6 Monthly Budget Transfer Summary [46]** was approved for ratification the monthly budget transfer summary for the month of January 2006 for the General Fund-Unrestricted and General Fund-Restricted.
- C-7 Surplus/Disposal of Equipment [48]** was approved.
- C-8 Acceptance of Gifts [49]** was approved as listed.
- C-9 Approval of Amendments to Grants, Contracts, and Categorical Programs for Fiscal Year 2005-2006 [50]** was granted.
- C-10 Approval of New Contracts & Grants for Fiscal Year 2005-2006 [53]** was granted.

- C-11 Budget Amendments – General Fund Unrestricted – Designated, Child Development Center [57]** were approved.
- C-12 Quarterly Financial Status Report, General Fund – Combined (CCFS-311Q) [59]** was approved.
- C-14 Approval to Supplement Board Approved Purchase Order to Scottel Voice and Data for Additional Upgraded PBX Equipment [63]** was approved to supplement \$34,919 to the Board-approved purchase order for Scottel Voice and Data for additional and upgraded equipment for the PBX Phone System Replacement Project.
- C-17 Capital Planning, Design and Construction**
- A. Approval of Contract for Administration Building Information Technology Area Upgrade at Moorpark College (Revised) [67]** was granted to Century Contractors in the amount of \$95,035.46, for the upgrade to the Information Technology area in the Administration Building at Moorpark College.
  - B. Approval of Contract with Irwin Telescopic Seating Company for the Replacement of Gymnasium Bleachers at Moorpark College [68]** was granted to Irwin Telescopic Seating Company in the amount of \$204,150.02 for the replacement of the Gymnasium Bleachers at Moorpark College.
  - C. Approval to Supplement the Contract with BTC Laboratories for Additional Testing and Special Inspections for the Child Development Center at Moorpark College [69]** was granted to supplement the contract with BTC Laboratories in the amount of \$50,000 to provide additional testing and special inspections for structural steel erection, welding and concrete installation at the new Child Development Center at Moorpark College.
  - D. Approval of Contract for Contaminated Materials Abatement and Interior Demolition of the Existing Library Building at Moorpark College (Revised) [71]** was granted to Ventura Asbestos Control for the abatement of contaminated materials and the interior demolition of the existing Library Building at Moorpark College.
  - E. Approval of Budget Transfer Between Measure S Projects at Oxnard College [73]** was granted to approve a budget transfer within the Measure S Proposed Cluster of Priorities list for Oxnard College.
  - F. Approval to Increase the Contract with MVE Institutional Architects for the Design of the Performing Arts Classroom and Auditorium Building at Oxnard College, Project #29117 [75]** was granted to authorize management to increase the professional services contract with MVE Institutional Architects by \$185,878 for the design and construction of the proposed Performing Arts Classroom and Auditorium Building to be constructed at Oxnard College.
  - G. Approval of Supplement to KBZ Architects for the Design of the Installation of Air Conditioning in the Student Services Center at Ventura College [77]** was granted to supplement to the contract with KBZ Architects in the amount of \$34,500 to provide architectural services for the construction of a chilled water pipeline (air conditioning) from the LRC cooling units to Building D (Student Services Center) at Ventura College.

- H. Approval of a Contract with Turf Builders Co. for the Construction of the Synthetic Track Surface for the Athletic Field Renovation at Ventura College [78]** was granted in the amount of \$332,000.
- I. Acceptance of Change Order Summary Report for Capital Projects [79]** was approved.

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

***Human Resources***

**C-2 Employment & Position Management**

- B. Approval of Establishment of Positions [14]** was moved by Trustee Miller, seconded by Trustee Huber, and carried on a unanimous vote, to establish a 12 month/100% Student Activities Specialist position, a 12 month/47.5% Accounting Clerk I position, and a 12 month/100% Grounds Supervisor position at Ventura College. (Lovatt – yes)

Student Trustee Lovatt welcomed the Ventura College Student Activities Specialist.

***Business Services***

- C-5 Approval/Ratification of Board Purchase Order Report #9 for FY 2005/2006 [39]** was moved by Trustee Huber, seconded by Trustee Hernández, and carried on a unanimous vote, from January 3 – February 2, 2006. (Lovatt – abstain)

Trustee Huber asked about the procedures for buying automobiles. Chancellor Meznik will provide the Board information on the procedures used for purchasing automobiles.

- C-13 Approval of Notice to Terminate Lease Agreement Between Trinity Lutheran Church and Ventura College [62]** was moved by Trustee Hernández, to table pending additional information from staff, seconded by Trustee Huber, and carried on a 4-1 vote, with Trustee Miller voting no. (Lovatt – abstain)

Mark Beck, Trinity Lutheran Church, expressed his concerns about this item. Robin Calote reported on the meeting with members of the church.

The Board asked for the following additional information:

- Cost of maintenance
- Cost factor analysis
- Market value
- Impact on the Church

- C-15 Acceptance of Completion of Bid 263, Slurry and Seal Coat of Parking Lots at Moorpark, Oxnard, and Ventura Colleges [64]** was moved by Trustee Miller, seconded by Trustee Huber, and carried on a unanimous vote. (Lovatt – yes)



- C-16 Approval to Submit an Application to the CCC/IOU Energy Efficient Partnership Program and Approval to Establish a Capital Projects Fund Budget [65]** was moved by Trustee Heitmann, seconded by Trustee Miller, and carried on a unanimous vote, to submit an application for selected campus energy efficiency projects and to establish a Capital Projects Fund Budget upon notification of award of funds. (Lovatt – yes)

Trustee Heitmann acknowledged this partnership and commented on the Ventura County Regional Energy Alliance. There was a brief discussion regarding energy conservation.

### *Student Learning*

- C-18 Moorpark College Study Abroad Program: Masterworks Abroad Concert Tour to Sweden, Finland, Estonia, and Russia from June 21 – July 4, 2006 (Revised) [96]** was moved by Trustee Huber, seconded by Trustee Miller and carried on a unanimous vote. (Lovatt – yes)

The staff report was revised under Analysis to indicate that the cost of the 13-day travel program to Sweden, Finland, Estonia and Russia is approximately \$3,200, paid by the student, based on 40 participants.

The meeting was recessed at 7:50 p.m. and reconvened at 8:10 p.m.

## **First Reading Items**

- **First Reading: Course Approvals: New and Revised Courses – Ventura College and the Revised Associate Degree at Moorpark College [109]** was accepted for Second Reading.
- **First Reading – Addition of Board Policy Manual Chapter 5: Student Services and Deletion of Board Policy Manual Sections [117]** was revised as follows and will return for First Reading:
  - BP 5010 – Admission: include grade level
  - BP 5020 – Delete the 5<sup>th</sup> paragraph (duplicate)
  - Add Title 9 Compliance in document

Chancellor Meznek explained the process that was used to review Chapter 5 and pointed out that the college presidents and academic senate presidents will review the policy at their campus.

Chair Rooney reported on AB 540 and suggested that the District adopt a self-certification policy. The college presidents will provide comments to the chancellor. Chapter 5 was referred to the Rules, Operations & Procedures Subcommittee for review.

## **Action Items/Second Reading Items**

Harry Korn commented on Items A-1, A-2, and A-3 – Approval of General Tenure Sequence Recommendation.

### *Human Resources*

**A-1 Approval of Tenure Recommendations [148]** was tabled by a motion from Trustee Huber, seconded by Trustee Heitmann, and carried on a 3-2 vote, with Chair Rooney and Trustee Miller voting no. (Lovatt – yes)

Trustee Heitmann expressed her concerns regarding this item and asked for additional information. It was decided to discuss the approval of tenure recommendations at a Special Board meeting. The agenda item will include the relevant portion of the AFT contract and an explanation of the process.

**A-2 Approval of Tenure Track Contract Recommendations [151]** was moved by Trustee Miller, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve the recommendations for second and third contract tenure track status for faculty at Moorpark, Oxnard and Ventura Colleges as listed, effective Academic Year 2006-07. (Lovatt – yes)

**A-3 Approval of General Tenure Sequence Recommendation [154]** was granted as follows:

The recommendation from the Tenure Review Committee for Item A was moved by Trustee Miller, seconded by Chair Rooney and denied on a 1-4 vote, with Trustee Miller voting yes, and Chair Rooney, Trustees Heitmann, Hernández, and Huber voting no. (Lovatt – no)

A. It was moved by Trustee Huber, seconded by Trustee Hernández, and carried on a 4-1 vote, with Trustee Miller voting no, to approve third contract for Amy Cook, Oxnard College Counselor. (Lovatt – no)

The recommendations from the Tenure Review Committee for Items B-F were moved by Trustee Miller and died for a lack of a second.

B. It was moved by Trustee Huber, seconded by Trustee Hernández, and carried on a 4-1 vote, with Trustee Miller voting no, to approve a third contract for Maureen Eliot, Ventura College Instructor in Health Education/Physical Education. (Lovatt- no)

C. It was moved by Trustee Huber, seconded by Trustee Hernández, and carried on a 4-1 vote, with Trustee Miller voting no, to approve a third contract for Angelica Gonzales, Ventura College Counselor. (Lovatt – no)

D. It was moved by Trustee Hernández, seconded by Trustee Huber, and carried on a 4-1 vote, with Trustee Miller voting no, to approve a third contract for Glen Hisayasu, Ventura College Counselor. (Lovatt – no)

- E. It was moved by Trustee Huber, seconded by Trustee Hernández, and carried on a 4-1 vote, with Trustee Miller voting no, to approve third contract for Hector Sanchez, Ventura College Counselor – EOPS. (Lovatt – no)
  
- F. It was moved by Trustee Hernández, seconded by Trustee Huber, and carried on a 4-1 vote, with Trustee Miller voting no, to approve third contract. (Lovatt – no)

***Student Learning***

- A-4 Second Reading: Course Approvals: New and Revised Courses – Moorpark and Oxnard Colleges [157]** was moved by Trustee Heitmann, seconded by Trustee Huber, and carried on a unanimous vote. (Lovatt – yes)

***Trustees/Chancellor***

- A-5 Revision to Board of Trustees 2006 Schedule of Meetings [169]** was moved for discussion by Trustee Miller, seconded by Chair Rooney. The Board announced that the Joint Board of Trustees/Personnel Commission Meeting would be held at 7:00 p.m. on March 14, 2006. The Board will be polled to determine a date for the April Board meeting.
  
- A-6 Second Reading – Addition of Board Policy Manual Chapter 4 and the Deletion of Sections of Board Policy Manual [171]** was moved by Trustee Hernández, seconded by Trustee Huber, and carried on a unanimous vote. (Lovatt – yes)

**End of Board Actions**

ADJOURNMENT

At 9:00 p.m. the meeting was adjourned.