

Board of Trustees

Ventura County Community College District

Mary Anne Rooney

Chair

Larry O. Miller

Vice-Chair

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Arturo D. Hernández

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Robert O. Huber

Trustee

Brian Lovatt

Student Trustee



James M. Meznik

Chancellor/Secretary to the Board

MINUTES FOR THE MEETING OF TUESDAY, APRIL 18, 2006

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, April 18, 2006, at the Marriott Ventura Beach.

ROLL CALL

Board Members Present:

Mary Anne Rooney, Chair

Larry O. Miller, Vice-Chair

Cheryl Heitmann

Arturo D. Hernandez

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, Oxnard College

Sue Johnson, Vice Chancellor, Business and Fiscal Affairs

Patricia Parham, Associate Vice Chancellor, Human Resources

Vic Belinski, Associate Vice Chancellor, Information Technology

Jim Botting, Police Chief

Carolyn Inouye, Director of Institutional Research

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

Max Reyes, Moorpark College Associated Student Representative

Nikki Geluz, Ventura College Associated Student Representative

Harry Korn, AFT

Diane Stephens, Assistant to the Chancellor

CALL TO ORDER

The meeting was called to order at 6:00 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

Limit: three minutes per person and 30 minutes per topic. The public is invited to speak on any item on the agenda or an item of interest that is not on the agenda. Agendized items may be addressed at the time the Board of Trustees considers the item.

Gary Johnson and Don Medley spoke on the issue of Retiree Medical Benefits.

RECESS TO CLOSED SESSION

Chair Rooney recessed the meeting to Closed Session at 6:20 p.m. to discuss the following items:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION {Gov’t Code §54956.9(b)} The exiting facts and circumstances that might result in litigation against the District arise from the following: (Two cases – Retiree Insurance Benefits and SBS Bid Protest)

RECONVENE IN OPEN SESSION

At 7:02 p.m., the meeting reconvened into Open Session.

CLOSED SESSION REPORT

Trustee Miller was recused from the discussion; Trustee Heitmann was absent from Closed Session. There was no report from closed session.

PLEDGE TO THE FLAG

Sheriff Bob Brooks led the pledge to the flag.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

Chair Rooney acknowledged elected officials in attendance, Supervisor Kathy Long, Sheriff Bob Brooks, Fire Chief Bob Roper and Santa Paula Mayor Richard Cook.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Human Resources

C-2A Approval of Abolishment of Positions [12]

- The FTE information for two academic positions listed to be abolished has been corrected as follows:

Counselor (MFN148)	11 mo./ 100%
Career Center Coordinator (MFN305)	10 mo./100%

C-3F Approval of Reassignments [33]

- Under Reassignments in Lieu of Lay-off, the Classification/Position to which Peggy Kinney is being reassigned is a Clerical Asst. I, which is also a voluntary demotion.

*Capital Planning, Design and Construction***A-6 Approval of the Measure S Priority Lists [161]**

- Under Background and Analysis, third paragraph, remove the words, “and recommended for approval.”

*Trustees/Chancellor***A-8 Third Reading: Addition of Board Policy Manual Chapter 5: Student Services and Deletion of Board Policy Manual Sections**

- Under BP 5040, *Student Records and Directory Information*, on page 179, the first two bullets in the 5th paragraph beginning “Directory information shall include...” have been added to make the language consistent with the Ed Code.
- BP 5150, *Extended Opportunity Programs and Services*, has been pulled pending further review.

A-9 Third Reading: Revision to Board Policy Manual Sections P 2220: Committees of the Board, BP 2710: Conflict of Interest, BP 3410: Nondiscrimination, and BP 3540: Sexual and Other Assaults on Campus

- Under BP 2220: Committees of the Board, on page 201, the description of the Audit/Budget Foundation Relations Subcommittee has been revised.

At this point, action item A-6, Approval of the Measure S Priority Lists, was reordered to the beginning of the agenda to accommodate those who wished to speak on this topic. Chair Rooney asked that speakers stay within the 3 minute limit.

Action Item

A-6 Approval of the Measure S Priority Lists [161]

This item presents for approval the Revised Measure S Proposed Cluster of Priorities list.

Before public comments were heard, Chair Rooney asked Chancellor Meznek for a staff report on item A-6, Approval of the Measure S Priority Lists. Dr. Meznek introduced Handel Evans who addressed the Board regarding the prioritization of the Measure S projects.

Trustee Huber stated that the first paragraph of page 10 of the Broken Promises web material posted by the City of Santa Paula misrepresented his statement made at the Study Session of the Board of Trustees on October 11, 2005, regarding the countywide public safety project. He distributed the transcript of the October 11 Study Session and asked that it be made a part of the official record of this meeting.

At Trustee Heitmann’s request, Mr. Evans further explained the types of expenses that are associated with a new building, other than the cost of building materials and labor.

Trustee Rooney asked that only those public comments related to Item A-6 be heard at this time.

PUBLIC COMMENTS

Limit: three minutes per person and 30 minutes per topic. The public is invited to speak on any item on the agenda or an item of interest that is not on the agenda. Agendized items may be addressed at the time the Board of Trustees considers the item.

Supervisor Kathy Long, Laura Flores Espinosa, Dora Crouch, Mayor Richard Cook, Catherine Sepulveda, Bob Gonzales, Carmen Guerrero, Scott Rushing, Don Facciano, Danny Carrillo, Linda Rubenstein, Peter Wright, Connie Tushla and Sheriff Bob Brooks addressed the Board regarding the proposed Santa Clara Valley Center (Santa Paula Center).

Further discussion ensued regarding issues of transportation from the Santa Clara Valley to the various campuses, the commitment to long-range planning, funding for the Fire/Sheriff's Academy project, the location of the proposed parcel of land in Santa Paula, and the other off-campus projects, besides the Santa Paula Center, which are listed in the Measure S bond language.

It was moved by Trustee Heitmann, seconded by Trustee Huber, and carried on a 3-2 vote, with Trustee Hernandez and Trustee Miller voting "no," to approve the Measure S Priority Lists. (Lovatt – yes)

The meeting recessed at 9:40 p.m. and reconvened at 9:55 p.m.

Chair Rooney reordered the agenda calling for student government representatives' reports first, followed by the consent and action items, then other public comments and reports.

Reports

• Student Government Representatives' Reports

Ventura College Student Representative, Nikki Geluz, reported on the 80th anniversary activities at Ventura College, the donation to the lending library, and that Spring club week was moved to next week.

Max Reyes, Moorpark College Student Representative, reported on his trip to Washington DC and announced the winners of the faculty office space competition.

Student Trustee Lovatt acknowledged the work of the student governments and also reported on the Washington DC trip.

PUBLIC COMMENTS (continued)

Rene Rodriguez, Larry Manson, Charles Dahl addressed the Board on Retiree Benefits cuts. Orbie Ingersoll extended an invitation to the Board to visit his Music Appreciation classes at

Moorpark College. Cesar Hernandez and Patricia Navarro addressed the Board on EOPS/CARE funding.

Consent Calendar Items

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

Approval of Minutes

C-1 Action to Approve minutes of the Regular Meeting of the Board of Trustees for March 14, 2006. [1] was approved.

Human Resources

C-2 Employment & Position Management

- A. Approval of Abolishment of Positions [12]** was granted as listed.
- B. Approval of Abolishment and Establishment of Positions [14]** was granted to abolish a Business Office Asst./Seasonal position and establish a Business Office Assistant position Oxnard College, and to abolish an Instructional Lab Tech II/Learning Resources position and establish an Instructional Lab Tech II/Learning Resources/Limited Term position at Ventura College.
- C. Approval of Change in Positions [16]** was granted to change the Administrative Assistant II position, VCU456, at Ventura College from 12 months at 75% to 12 months at 100%, to change the Management Intern position, MMZ006, at Moorpark College from 1/1/06-12/30/06 to 7/1/06-6/30/07.
- D. Approval of Establishment of Positions [19]** was granted to establish a 12 month/47.5% Instructional Lab Tech II/Sciences position at Oxnard College; an 11 month/80% Instructional Asst./Assistive Tech Center position at Ventura College; a 12 month/100% Instructional Lab Tech II/Biology position at Moorpark College, a 12 month/100% Instructional Data Specialist position at Moorpark College, and a 10 month/49% Assistant College Trainer position at Moorpark College.
- E. Approval of Personnel [23]** was granted to one full time academic personnel at Ventura College, two part-time academic personnel at Oxnard College, three part-time academic personnel at Ventura College, one classified personnel at Moorpark College, one classified personnel at Ventura College, and one classified personnel at the District Administration Center.
- F. Approval/Ratification of Limited Term/Provisional Assignments [25]** was granted to 49 Limited Term/Provisional Assignments, three at Moorpark College, 29 at Oxnard College, and 17 at Ventura College.

C-3 Changes in Personnel/Employment Status

- A. Approval of Separation from Employment – Academic & Classified Employees and Extension of Retirement Date [27]** was granted.
- B. Approval of Probationary to Permanent Personnel [28a]** was granted.
- C. Approval of Rescission of Employment under Special Pre-Retirement Program [29]** was granted.

- D. Approval of Granting Sick Leave Days from Established Sick Leave Pool for Full-time Academic Employees [30]** was granted for 23 days of sick leave at half pay from the Sick Leave Pool per VCCCD/AFT Agreement section 8.9c to Liesel Rigsby, Oxnard College, and 36 days at half pay to Muthena Naseri, Moorpark College.
- E. Approval of Changes in Assignment [31]** was granted.
- F. Approval of Reassignments [33]** was granted.

Business Services

- C-4 Ratification of Accounts Payable and Payroll Checks for the Period of February 24, 2006 – March 28, 2006. [35]** was approved.
- C-6 Monthly Budget Transfer Summary [49]** was approved for ratification for the month of March 2006 for the General Fund-Unrestricted and General Fund-Restricted.
- C-7 Surplus/Disposal of Equipment [51]** was approved.
- C-8 Acceptance of Gifts [52]** was approved as listed.
- C-9 Approval of Amendments to Grants, Contracts, and Categorical Programs for Fiscal Year 2005-2006 [54]** was granted.
- C-10 Approval of New Contracts & Grants for Fiscal Year 2005-2006 [56]** was granted.
- C-12 Resolution: Issuance of 2006-2007 Tax and Revenue Anticipation Notes (TRANs) and Participation in the Community College League of California (CCLC) Pooled Tran Program [59]** was approved to issue 2006-2007 Tax and Revenue Anticipation Notes (TRANs) through participation in the Community College League of California (CCLC) pooled TRAN program in an amount not to exceed \$10,000,000 and to designate bond counsel and financial advisory services required in connection with this program.
- C-13 Award of Request for Proposal 273, Collegiate Scoreboard for Ventura College [80]** as granted to develop a marketing plan based on the scope of work and specifications of RFP 273, Collegiate Scoreboard for Ventura College, with Daktronics Sportsmarketing.
- C-14 Award of Bid 275, Softball Scoreboard for Oxnard College [82]** was granted to award a contract for Bid 275, Softball Scoreboard for Oxnard College, to A. Bates General Contractor for \$33,100.

Capital Planning, Design and Construction

- C-16 Approval to Increase the Contract with Spencer/Hoskins Associates for Project # 19058: the Learning Resource/Telecommunications Center at Moorpark College [86]** was granted to increase the contract with Spencer/Hoskins Associates for increased architectural services in the amount of \$35,743 in connection with contractor change orders at the Learning Resource Center/Telecommunications Building at Moorpark College.

- C-17 Award of Contract to McGillivray Construction, Inc. for Project #19118: Reconstruction of Existing Library at Moorpark College [88]** was granted to award a contract to McGillivray Construction, Inc. in the amount of \$3,700,000 for reconstruction of the existing library at Moorpark College.
- C-18 Reject All Bids for Project #19426: Plumbing Repair/Replacement Project at Moorpark College [89]** was granted to reject all bids for Project # 19426: Plumbing Repair/Replacement at Moorpark College.
- C-19 Approval of a Contract with Sturdi-Steel Corporation for Project #29110: New Stadium Seating at Oxnard College [90]** was granted to award a contract to Sturdi-Steel Corporation in the amount of \$391,800 for the purchase and installation of the proposed new exterior stadium bleachers at Oxnard College.
- C-20 Approval to Issue a Contract Addendum to Gonzalez/Goodale Architects for Project #29110: Athletic Field Renovation at Oxnard College [91]** was granted to approve a contract addendum for increased architectural services in the amount of \$69,950 to Gonzalez/Goodale Architects, for additional design services in connection with the renovation of the Track and Field complex at Oxnard College.
- C-21 Approval of Subcontractor Substitution for Project #29118: LRC Telephone MDF Renovation at Oxnard College [93]** was granted to approve the substitution of Coastline Painting and Drywall for Jenkins Drywall, as the listed drywall subcontractor for the LRC Telephone MDF Renovation at Oxnard College.
- C-22 Approval of a Contract with Pat McCarthy Construction, Inc. for Project #29108: Installation of the New Monument Signs at Oxnard College [94]** was granted to award a contract to Pat McCarthy Construction in the amount of \$43,081 for the installation of two new monument signs and associated electrical work at Oxnard College.
- C-23 Approval of Budget Transfer Between Measure S Infrastructure Projects at Oxnard College [95]** was granted to approve a budget transfer between Measure S Infrastructure Projects at Oxnard College.
- C-24 Acceptance of Completion of Project #29115: Campus Electrical Infrastructure Upgrade Phase III at Oxnard College [97]** was granted to accept as complete the contract for Project # 29115: Campus Electrical Infrastructure Upgrade Phase III at Oxnard College.
- C-25 Approval of Schematic Design Drawings for the Modernization of Buildings “APP”, “DP” and “S” at Ventura College [98]** was granted to approve the schematic design for the modernization of Buildings “APP”, “DP” and “S” at Ventura College.
- C-26 Approval of a Contract with McGillivray Construction, Inc. for Project #39105: Construction of the Entry Element, Restrooms and Plaza for Phase II of the Athletic Field Renovations at Ventura College [100]** was granted to approve a contract with McGillivray Construction, Inc. in the amount of \$2,399,078 for the construction of the ticket booth, concession stand, restrooms and plaza for Phase II of the Athletic Field Renovations at Ventura College.

- C-27 Approval of Contract with J. Evans Construction for Project #39096: Replacement of Chemical Waste Piping, First, Second and Third Floors, of the Math & Science Building at Ventura College [101]** was granted to approve a contract with J. Evans construction in the amount of \$349,000 for the replacement of chemical waste piping, first, second, and third floors, of the Math & Science Building at Ventura College.
- C-28 Approval of Contract Increase with Fugro West Inc. for Project #39105: Renovations at the Athletic Fields at Ventura College [102]** was granted to increase the contract with Fugro West, Inc. in the amount of \$19,000 for additional soils inspection services at the Athletic Fields at Ventura College.
- C-29 Approval of Contract Increase with BTC Laboratories for Project #39105: Renovations at the Athletic Complex at Ventura College [103]** was granted to approve a contract increase of \$100,000 to BTC Laboratories for additional inspection services for continuing renovations at the Athletic Complex at Ventura College.
- C-30 Acceptance of Change Order Summary Report for Capital Projects [104]** was granted to approve the Change Order Summary Report for Capital Projects.

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

- C-5 Approval/Ratification of Board Purchase Order Report #11 for FY 2005/2006 [36]** was moved by Trustee Huber, seconded by Trustee Hernandez, and carried on a unanimous vote, to approve Purchase Order Report #11 for FY 2005/2006. (Lovatt – absent)

Trustee Huber questioned the use of out-of-County firms, specifically Gardena Valley News and Westminster Press, for printing jobs. He also asked for clarification on the work that Neal Subic and Associates were performing at the Stanley Ave. location.

- C-11 Approval of Agreement between Royal Street Communications, LLC and the Ventura County Community College District, Oxnard College [58]** was moved by Trustee Huber, seconded by Trustee Heitmann, and carried on a unanimous vote. (Lovatt – absent)

Trustee Huber questioned whether the campus was consulted about this work and if the work affected classes. Ms. Johnson stated that the request had come from the campus.

- C-15 Award of Bid 277, Renovation of District Administration Office [84]** was moved by Trustee Huber, seconded by Trustee Heitmann, and carried on a unanimous vote. (Lovatt – absent)

Trustee Huber requested that expenditures on this project be tracked with the original estimate.

First Reading Items

- **Course Approvals: New and Revised Courses at Moorpark and Oxnard Colleges and Revised Programs at Oxnard College [126]** was accepted for second reading.

Action Items/Second and Third Reading Items

PUBLIC COMMENTS (continued)

Harry Korn commented on item A-1, District Management Contracts, item A-8, Board Policy Chapter 5, Student Services, and item A-10, Academic Freedom Policy. Ray DiGuilio addressed the Board regarding item A-2, Approval of Salary Increase for Unrepresented Employee Groups. Romelia Richman and Akym Rinkovsky addressed the Board on item A-10, Academic Freedom Policy.

Human Resources

- A-1 Approval of District Management Contracts [134]** was moved by Trustee Huber, seconded by Trustee Heitmann, and carried on a 4-1 vote, with Trustee Miller voting no. (Lovatt – absent)
- A-2 Approval of Salary Increase for Unrepresented Employee Groups [137]** was moved by Trustee Huber, seconded by Trustee Heitmann, and carried on a unanimous vote. (Lovatt – absent)

Business Services

- A-3 Budget Amendment General Fund - Unrestricted [138]** was moved by Trustee Huber, seconded by Trustee Rooney, and carried on a unanimous vote. (Lovatt – absent)
- A-4 Approval of the Fiscal Year 2006-07 Student Health Services Fee Increase [140]** was moved by Trustee Heitmann, seconded by Trustee Huber, and carried on a 4-1 vote, with Trustee Miller voting no. (Lovatt – absent)

Capital Planning, Design and Construction

- A-5 Approval of Facilities Master Plan 2005-2015 for Moorpark College [142]** was moved by Trustee Miller, seconded by Trustee Huber, and carried on a unanimous vote. (Lovatt – absent)

Student Learning

- A-7 Second Reading: Course Approvals: New and Revised Courses – Oxnard and Ventura Colleges [162]** was moved by Trustee Huber, seconded by Trustee Hernandez, and carried on a unanimous vote. (Lovatt – absent)

Trustees/Chancellor

- A-8 Third Reading: Addition of Board Policy Manual Chapter 5: Student Services and Deletion of Board Policy Manual Sections [169]** was moved by Trustee Miller, seconded by Trustee Rooney, and carried on a unanimous vote. (Lovatt – absent)
- A-9 Third Reading: Revision to Board Policy Manual Sections BP 2220: Committees of the Board; BP 2710: Conflict of Interest; BP 3410: Nondiscrimination; and BP 3540: Sexual and Other Assaults on Campus [199]** was moved by Trustee Heitmann, seconded by Trustee Miller, and carried on a unanimous vote. (Lovatt – absent)
- A-10 Second Reading: Addition of Board Policy Manual BP 4030 – Academic Freedom and the Deletion of Section C-12A [206]** was moved by Trustee Miller, seconded by Trustee Huber, and carried on a unanimous vote. (Lovatt – absent)

Reports (continued)

Chancellor's Report

- **Presidential Search Update.** Chancellor Meznik reported on the progress of the presidential search for Oxnard College and asked the Board for approval to use this same firm for the Vice Chancellor of Human Resources position. The names of three qualified firms will be brought forth for interviews.
- **Student Trustee Election.** Chancellor Meznik reported that as of June 1, 2006, the new Student Trustee will be Tanya Pulley from Moorpark College.
- **Community Advisory Committees.** Chancellor Meznik reported that a list of people who might be interested in serving on these committees has been compiled. He asked that the Board approve moving forward with this item.
- **Equalization Update.** Sue Johnson provided an update on equalization to the Board.

Academic Senates' Reports

- Jeannette Redding thanked the Board for allowing the Technical Assistance Visit and reported that the Oxnard College Strategic Plan will be presented at the next Board meeting.
- Jeff Baker commented on the Technical Assistance Visit and his disappointment that more people couldn't participate.
- Kathryn Schoenrock also commented on the Technical Assistance Visit.

Trustees

- **Technical Assistance Visit.** Chair Rooney reported on the Technical Assistance Visit, noting that the Board has agreed to invite the consultants back to present this same information at a Board study session.

Chancellor Meznik thanked everyone for their work on the Academic Freedom Policy and the Board presentation on the Capital Construction projects.

End of Board Actions

ADJOURNMENT

The meeting adjourned at 11:20 p.m.

Pursuant to the federal Americans with Disabilities Act, if you need any special accommodation or assistance to attend or participate in the meeting, please direct your written request, as far in advance of the meeting as possible, to the office of Chancellor James Meznik, Ph.D., VCCCD, 333 Skyway Drive, Camarillo, CA 93010, (805) 384-8302.