

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

Parheese Ehya

Student Trustee

James M. Meznik

Chancellor/Secretary to the Board



MINUTES FOR THE MEETING OF TUESDAY, OCTOBER 10, 2006

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, October 10, 2006, at 255 West Stanley Avenue in Ventura, California.

ROLL CALL

Board Members Present:

Mary Anne Rooney, Chair

Larry O. Miller, Vice-Chair

Cheryl Heitmann

Arturo D. Hernández

Robert O. Huber

Student Trustee, Pardeese Ehya

Management Present:

James M. Meznik, Chancellor

Eva Conrad, President, Moorpark College

Robert Jensen, Interim President, Oxnard College

Robin Calote, President, Ventura College

Sue Johnson, Vice Chancellor, Business Services

Patricia Parham, Associate Vice Chancellor, Human Resources

Pam Eddinger, Executive Vice President, Student Learning

Ramiro Sanchez, Executive Vice President, Student Learning

Ken Bailey, Vice President, Business Services

Ray Di Guilio, Vice President, Business Services

Tom Kimberling, Vice President, Business Services

Jim Botting, Police Chief

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
Richard Debnan, Moorpark College Student Representative
Jose Hernandez, Oxnard College Student Representative
Mary Anne McNeil, Grants/Contracts
Handel Evans, Bond Measure S Program Director
Harry Korn, AFT
Eileen Welser, Executive Assistant to the Chancellor

CALL TO ORDER

Chair Rooney called the meeting to order at 5:37 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

RECESS TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION {Gov't Code §54956.9(b)}. (1 Case)

The Closed Session for Pending Litigation was authorized under Government Code Section 54956.9(b) (1) based on significant exposure to litigation. The fact and circumstances surrounding this matter are that a group of District retirees has expressed an interest in suing the District regarding recent changes in the District's health benefits.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION {Gov't Code Section 54956.9(a)}

- *City of Moorpark vs. VCCCD, et al. (Ventura County Superior Court Case No. SCO46582)*

STUDENT SUSPENSION/DISCIPLINE/EXPULSION [Education Code §66300]

- 900430824
- 900495184

CONFERENCE WITH LABOR NEGOTIATOR

- Patricia Parham

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

- Chancellor

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

- Employee No. 900000858
- Employee No. 900328973

RECONVENE IN OPEN SESSION

At 7:35 p.m., the meeting reconvened in Open Session.

PLEDGE TO THE FLAG

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

The Board of Trustees acknowledged Citizens Oversight Committee members Kay Wilson Bolton, Don Facciano, and Michael Wesner.

Ceremonial Resolutions

- R-1 Resolution in Support of Proposition 1D the Kindergarten-University Public Education Facilities Bond Act Of 2006 [1]** was moved by Trustee Miller, seconded by Trustee Huber, and carried on a unanimous vote.

Trustee Heitmann expressed her support of the resolution.

PUBLIC COMMENTS

Trustee Candidate Meredith McKenzie addressed the Board.

Reports

- **Chancellor**
 - **Accreditation Process Overview.** Eva Conrad and Robin Calote gave a brief update on the accreditation process. The following documents were distributed and explained:
 - *Status of Accreditation Process*
 - *Letter from the Accrediting Commission for Community and Junior Colleges January 31, 2005.*
 - **Palm Trees at Ventura College.** Robin Calote provided an update on the Palm Trees at Ventura College.
 - **Planning Process.** Dr. Meznek gave a brief overview of the planning process and indicated that a Strategic Planning meeting was scheduled for October 20.
 - **Oxnard College Presidential Search Update.** Chancellor Meznek provided a brief update.
 - **Student Trustee.** Chair Rooney explained the process that was used to obtain student trustee candidates.

The following candidates made a five-minute presentation.

- **Parheese Ehya** – Eva Conrad explained the process that was used at Moorpark College and introduced Parheese Ehya.
- **Carlos Perez** – Robert Jensen introduced Carlos Perez.
- **Elias Banales, Jr.** – Robin Calote introduced Elias Banales, Jr.

Chair Rooney provided an update on former Student Trustee Tanya Pulley who was injured in a car accident.

- **Academic Senates**
 - Jeff Baker reported on a ballot measure, activities on campus, strategic planning, and accreditation.
 - Katheryn Schoenrock commented on academic senate activities, the planning process, and the State Basic Skills Committee.
 - Jeanette Redding mentioned participatory governance committees, accreditation, campus change network, Course Outline Festival, and Campus Cleanup Day.
- **Classified Senates**
 - Jose Cornelio reported on the Classified Barbeque, change in classified senate meetings, Classified Connection meeting, training for classified senate members, and Multi-Cultural Day planning.
- **Student Representatives**
 - Richard Debnan provided an update on a recent conference and activities at Moorpark College.
 - Jose Hernandez commented on student government activities, more faculty student interaction, conference, student retention, and clubs at Oxnard College.
- **Trustees**
 - **Subcommittees**
 - Trustee Huber provided an overview of the September Construction Projects Subcommittee meeting.
 - Trustee Miller reported on the Board on the October Audit/Budget/Foundation Relations Subcommittee meeting.
 - **Trustee Reports/Announcements/Correspondence**
 - Trustee Heitmann updated the Board on the Community College League of California Legislative Committee, commented on recent legislation, indicated that she was a guest lecturer on communication at Moorpark College, and commented on grievances.
 - Trustee Miller commented on meetings within the community. He indicated that October was Domestic Violence Awareness Month.
 - Trustee Hernández acknowledged the campuses for their activities and commented on the community college process. He asked for additional information on the grant process and suggested that the Board discuss their philosophy for grants.
 - Chair Rooney announced that there were two seats open on the California Community College Trustees Board of Directors and asked for nominees. She commented on the ballot initiative and equalization.
 - Chair Rooney reminded the Board members to complete their Board Assessments after every meeting.

PUBLIC NOTICES OF CHANGES TO THE AGENDA

Human Resources

C-2 Employment & Position Management

- D. Approval of Personnel [28]** was revised to pull Heidi DiNardo – Account Clerk II at Moorpark College.
- E. Approval/Ratification of Limited Term/Provisional Assignments [30]** was revised to pull Stella Garcia/Child Development Assistant at Ventura College.

Business Services

C-10 Acceptance of Annual Financial and Budget Report for Fiscal Year 2005-2006 (CCFS-311) [52] Exhibit A was revised as follows:

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Academic Salaries Fund: 11 Actual \$54,051,625; Budget \$58,402,696
Academic Salaries Fund 12 Actual \$ 4,375,929; Budget \$ 4,152,072
Classifies Salaries Fund 11 Actual \$19,687,519; Budget \$21,689,807
Classified Salaries Fund 12 Actual \$ 6,309,944; Budget \$ 6,519,167

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Academic Non Instructional Salaries \$ 8,944,407
Classified Non Instructional Salaries \$16,233,503

Action Items

Trustees/Chancellor

- A-3 Appointment to the Citizens Oversight Committee [112]** was revised to add the name of Richard Regnier to fill Position E, designated as a member of a Foundation affiliated with the District for appointment to the Citizens Oversight Committee for the Measure S Bond Program.
- A-10 Approval of General Contract Agreement for Legal Services of Atkinson, Andelson, Loya, Ruud, and Romo [136]** was pulled.

Consent Calendar Items

It was moved by Trustee Miller, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve the Consent Calendar Items, with the exception of Item C-5 that was pulled for further discussion.

Approval of Minutes

C-1 Meeting Minutes [3]

- A. Action to Approve the Minutes of the Regular Meeting of the Board of Trustees for September 12, 2006, was approved.**

Human Resources

C-2 Employment & Position Management was approved as listed.

- A. Approval of Abolishment of Positions [12]**
- B. Approval of Change in Position [13]**
- C. Approval of Establishment of Positions [14]**
- D. Approval of Personnel [28]**
- E. Approval/Ratification of Limited Term/Provisional Assignments [30]**

C-3 Changes in Personnel/Employment Status was approved as listed.

- A. Approval/Ratification of Separation from Employment – Academic & Classified Employees [32]**
- B. Approval of Probationary to Permanent Personnel [34]**
- C. Approval of Change in Assignments of Classified Employees [35]**
- D. Approval of Granting of Sick Leave Days from Established Sick Leave Pool for Full and Part-time Academic Employees [37]**

Business Services

C-4 Ratification of Accounts Payable and Payroll for the Period of August 29, 2006 – September 21, 2006 [39] was approved.

C-6 Surplus/Disposal of Equipment [48] was approved.

C-7 Acceptance of Gifts [49] was approved.

The following items were donated.

Stage Speakers, Powered Subwoofer and Stage Stands

To be used by the Music Department at Moorpark College.

Donated by: Barry Collin

C-8 Acceptance of Completion of Bid No. 278, Oxnard College P.E. Locker Room Roof Restoration [50] was approved.

C-9 Acceptance of Completion of Bid No. 284, Oxnard College Painting Project – Summer 2006 [51] was approved.

C-10 Acceptance of Annual Financial and Budget Report for Fiscal Year 2005-2006 (CCFS-311) [52] was approved.

C-11 Approval of New Contracts and Grants for Fiscal Year 2006-2007 [76] was granted.

Capital Planning, Design and Construction

- C-12 Reject All Bids for Project # 29086: Public Restrooms located on North Parking Lot “H” at Oxnard College [82]** was approved.
- C-13 Approval to Issue a Contract Addendum to Paul Murdoch Architects for Project # 29124: LRC Renovation at Oxnard College [83]** was granted to approve a contract addendum for increased architectural services in the amount of \$267,517.60 to Paul Murdoch Architects, for additional design services to provide a Technology Plan, Technology Plan Implementation, and coordination for the LRC Renovation at Oxnard College.
- C-14 Acceptance of Completion of Contract for Project # 29125: Gym Remodel at Oxnard College [85]** was approved.
- C-15 Budget Amendment: Capital Projects Fund (State Construction Funds) [86]** was approved.
- C-16 Approval of Contract with Daktronics Company for Project # 39105: Renovate Athletic Facilities at Ventura College [88]** was granted in the amount of \$50,101 to provide and install an outdoor Football/Soccer scoreboard as part of the Athletic renovation to the field at Ventura College.
- C-17 Approval for Payment of Fees for Project # 39118: Health Science Complex and Project # 39120: Advanced Technology Center/General Purpose Classrooms at Ventura College [89]** was granted to ratify the action by the Chancellor to approve the payment of fees to the Division of the State Architect in the amount of \$147,100 for Project # 39118: Health Science Complex and Project # 39120: Advanced Technology Center/General Purpose classrooms at Ventura College thus avoiding significant delays in the advancement of the project.
- C-18 Approval to Amend the Agreement for Professional Services with Legal Firm of Orbach, Huff & Suarez LLP [91]** was granted in an amount not to exceed \$200,000 for professional legal services relating to the District’s Capital Planning and Construction and Facility issues.
- C-19 Approval to Amend the District Capital Outlay Program for 2006-2007 [95]** was granted in the amount of not less than \$2,000,000 for off-campus traffic mitigation at the three campus locations.
- C-20 Decertify Moorpark College Master Plan EIR and Set Aside Approval of Moorpark College Master Plan [97]** was approved.
- C-21 Acceptance of Change Order Summary Report for Capital Projects [99]** was approved.

Student Learning

- C-22 Acceptance and Adoption of Results from the Oxnard College Program Review Process for 2005-2006 [107]** was approved. The following programs were reviewed:

Addictive Disorders Studies	Admissions and Records	Culinary Arts
Economics	Engineering Technology	English
EOPS	Foster Care and Kinship	Library
Mathematics	Media Center	Speech
Student Health Center	Television (instructional)	Tutorial Center

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

Business Services

- C-5 Approval/Ratification of Board Purchase Order Report #6 for FY 2006/2007 [40]** was moved by Trustee Miller, seconded by Trustee Heitmann, and carried on a unanimous vote, with the exception of PO053446 and PO000041 that were voted on separately.

PO053446 – Barbara Brown Marketing and Design, Inc., was moved by Trustee Miller, seconded by Chair Rooney, and carried on a 3-1-1 vote, with Trustee Huber voting no and Trustee Heitmann abstaining.

PO000041 – Ray Bowman was moved by Trustee Huber, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Chair Rooney abstaining.

There was discussion regarding the redesign of a logo at Moorpark College. Trustee Huber asked for additional information on PO053446. Eva Conrad commented at activities for Moorpark College's 40th Anniversary.

End Consent Calendar

Action Items/Second Reading Items

- A-4 Interview and Appointment of Student Trustee [113]** was moved by Trustee Heitmann, seconded by Trustee Huber, and carried on a 3-2 vote, with Trustees Hernández and Miller voting no, to approve the appointment of Pardeese Ehya as Student Trustee to serve for the term from October 10, 2006, to May 31, 2007.

Chair Rooney administered the Oath of Office to Student Trustee Parheese Ehya.

At 9:30 p.m., Trustee Heitmann left the meeting.

Human Resources

- A-1 Approval of Modification of Student Salary Schedule [109]** was moved by Trustee Miller, seconded by Chair Rooney, and carried on a 4-0 vote, with Trustee Heitmann absent. (Ehya – abstain)

Trustees/Chancellor

- A-3 Appointment to the Citizens Oversight Committee [112]** was moved by Trustee Huber, seconded by Trustee Miller, and carried on a 4-0 vote, with Trustee Heitmann absent, to approve the appointment of three new members to the Citizens Oversight Committee for the Measure S Bond Program as follows:
- 1) Leigh Nixon will fill Position A, designated for someone active “in a business organization representing the business community located within the District”
 - 2) William G. Kiefer will fill Position C, designated as someone active “in a bona fide taxpayers’ organization;”
 - 3) Richard Regnier will fill Position E, designated as a member of a Foundation affiliated with the District. (Ehya – abstain)
- A-5 Annual Update of Designated Position List in Exhibit A of Conflict Of Interest Code [114]** was moved by Trustee Miller, seconded by Trustee Huber, and carried on a 4-0 vote, with Trustee Heitmann absent, to update the Exhibit A – Designated Positions contained in the District’s Conflict of Interest Code. (Ehya – abstain)

Business Services

- A-6 Approval of a Request for Proposal (RFP) for Legal Services [121]** died for a lack of a motion.
- A-7 Approval of the Methodology for Allocation of One-Time Funds for Instructional Equipment and Library Materials (IELM) and for Scheduled Maintenance, and Approval of the Restricted Fund and Capital Projects Fund Budget Amendments [130]** was moved by Trustee Miller, seconded by Trustee Huber, and carried on a 4-0 vote, with Trustee Heitmann absent. (Ehya – abstain)
- A-8 Budget Amendment General Fund – Unrestricted Designated (Fund 114) [132]** was moved by Trustee Huber, seconded by Chair Rooney, and carried on a 4-0 vote, with Trustee Heitmann absent. (Ehya – abstain)
- A-9 Acceptance of the Audited Reports of the Bond Construction Fund for the Fiscal Year Ending June 30, 2006: Measure S Financial Audit and Measure S Performance Audit [134]** was moved by Trustee Huber, seconded by Trustee Miller, and carried on a 4-0 vote, with Trustee Heitmann absent. (Ehya – abstain)

Chair Rooney thanked staff for their hard work

- A-11 Approval of the Methodology for Allocation of One-Time General Purpose Funds for Local Priorities and Approval of General Fund Restricted Budget Amendment [137]** was moved by Trustee Miller, seconded by Trustee Huber, and carried on a 4-0 vote, with Trustee Heitmann absent, to approve the methodology for allocation of \$2,177,913 in one-time funds for local priorities and approval of the corresponding General Fund Restricted Budget Amendment. (Ehya – abstain)

Chair Rooney thanked staff for their efforts.

RECESS TO CLOSED SESSION

At 9:45 p.m. the meeting was recessed to Closed Session.

RECONVENE IN OPEN SESSION

At 12:05 a.m. the meeting reconvened in Open Session.

CLOSED SESSION REPORT

STUDENT SUSPENSION/DISCIPLINE/EXPULSION [*Education Code §66300*]

- It was moved by Trustee Miller, seconded by Chair Rooney, and carried on a 4-0 vote, with Trustee Heitmann absent, to expel student ID #900430824 from all colleges of the Ventura County Community College District, until November 1, 2011.
- It was moved by Trustee Miller, seconded by Chair Rooney, and carried on a 4-0 vote, to expel student ID #900495184 from all colleges of the Ventura County Community College District, until July 1, 2011.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

- It was moved by Chair Rooney, seconded by Trustee Hernández, and carried on a 3-1 vote, with Trustee Heitmann absent, to initiate termination procedures on Employee No. 900328973.
- Employee No. 900000858 – It was pointed out that Trustee Hernández was asked to recuse himself from Closed Session during this item and he declined. Trustee Hernández said, based on the definition from counsel, he felt there was no conflict and did not leave the discussion.

End of Board Actions

ADJOURNMENT

The meeting was adjourned at 12:10 a.m.