

Board of Trustees

Ventura County Community College District

Larry O. Miller

Chair

Robert O. Huber

Vice Chair

Stephen P. Blum

Trustee

Cheryl Heitmann

Trustee

Arturo D. Hernández

Trustee

Lorraine Hawes

Student Trustee

James M. Meznik

Chancellor/Secretary to the Board



MINUTES FOR THE MEETING OF TUESDAY, MAY 13, 2008

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, May 13, 2008, at the District Administrative Center, Ventura, California.

ROLL CALL

Board Members Present:

Larry O. Miller, Chair

Robert O. Huber, Vice Chair

Stephen P. Blum, Trustee

Cheryl Heitmann, Trustee

Arturo D. Hernández, Trustee

Lorraine Hawes, Student Trustee

Management Present:

James Meznik, Chancellor

Robin Calote, Ventura College President

Eva Conrad, Moorpark College President

Richard Durán, Oxnard College President

Sue Johnson, Vice Chancellor, Business Services

William Studt, Acting Vice Chancellor Planning and Organizational Development

Pam Eddinger, Executive Vice President, Student Learning

Lyn MacConnaire, Executive Vice President, Student Learning

Ramiro Sanchez, Executive Vice President, Student Learning

Patricia Parham, Associate Vice Chancellor, Human Resources

Clare Geisen, Director of Administrative Relations

Michael Arnoldus, Director of Employment/Personnel Commission

Ken Robinson, Director of Human Resources

Faculty/Staff/Student Representatives:

P. Scott Corbett, Oxnard College Academic Senate President

Margaret Tennant, Moorpark College Academic Senate President
Kathryn Schoenrock, Ventura College Academic Senate President
Sergio Lagunas, President, Oxnard College Associated Student Government
Donna Valle, Moorpark College Associated Student Government Representative
Mary Anne McNeil, Grants/Contracts
Les Dickey, Heery International
John Wagner, AFT President
Eileen Welser, Executive Assistant to the Chancellor

CALL TO ORDER

Chair Miller called the meeting to order at 6:00 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no Public Comments.

RECESS TO CLOSED SESSION

At 6:01 p.m., the meeting recessed to Closed Session.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

{Government Code §54956.9(a)} (One Case)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

{Government Code 54956.9(b)}

- Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9(b)(1) and (3)(A) : (Four Cases)

RECONVENE IN OPEN SESSION

Chair Miller called the meeting to order at 7:00 p.m.

PLEDGE TO THE FLAG

Trustee Hernández led the Pledge to the Flag.

CLOSED SESSION REPORT (if necessary)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

{Government Code §54956.9(a)}

The Board has received a proposed settlement agreement with the City of Moorpark that will dispose of the pending litigation between the Ventura County Community College District and the City concerning the City's objections to the District's Moorpark College EIR. The Moorpark City Council has approved the settlement agreement presented to the Board. It was moved by Vice Chair Huber, seconded by Trustee Hernández, and carried on a 5 - 0 vote, to approve the settlement agreement and instruct the Chancellor to execute the settlement agreement and proceed with the implementation.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION {Gov't Code Section 54956.9(b)}

1. It was moved by Vice Chair Huber, seconded by Trustee Heitmann, and carried on a 5 - 0 vote, that the Board reject the Notice of Amended Claim in the Matter of the Claim of Angelo Whitehead, Tavaris Gilbert, Danny Benson, against Board of Trustees of the Ventura County Community College District, Ventura College.
2. It was moved by Trustee Blum, seconded by Vice Chair Huber, and carried on a 5 - 0 vote, that the Board reject the Notice of Claim in the Matter of the Claim of Regan Andersen and Jeffrey Battle against Board of Trustees of the Ventura County Community College District, Oxnard College.

ACKNOWLEDGEMENT OF GUESTS AND SPECIAL RECOGNITIONS

The Board acknowledged Student Trustee Lorraine Hawes for her work. Ms. Hawes thanked the Board, presidents, and staff. At 7:05 p.m., the meeting adjourned to acknowledge Student Trustee Lorraine Hawes. The meeting reconvened at 7:13 p.m.

PUBLIC COMMENTS

John Wagner addressed the Board regarding AFT elections and introduced Michael Valle.

Pedro Chavez, representing the United Way Young Leader Society, reported on the Youth Empowerment Summit at Oxnard College and thanked the Ventura County Community College District for their support. Mr. Chavez announced that Anthony Rodriguez, Oxnard College, and Kevin Bortlerlie, Ventura College, were awarded the "Educator of the Year." He presented an award to Lorraine Hawes. Chair Miller commented on the California Youth Connection.

Joe Mendoza, Ventura County Office of Education Director of Migrant Education, acknowledged the Board, Robin Calote, and Ramiro Sanchez for the use of Ventura College for their event. Mr. Mendoza provided an overview of the 6th Annual Migrant Education Speech and Debate Tournament.

REPORTS

• **Student Representatives**

- Sara Yakhi said she was elected as Associated Student Government President at Moorpark College and the Student Senate representative from Region 6. Ms. Yakhi commented on a textbook rental program and environmental awareness.
- Donna Valle addressed the Board regarding her new position as Student Trustee.
- Andrew Anzalone thanked the Board for the opportunity to serve as Associated Student Government President at Moorpark College and announced that he would be working at the State Academic Senate.
- Lori Hawes thanked the Board for the opportunity to serve as Student Trustee.

The Board of Trustees acknowledged Student Trustee Hawes and welcomed Student Trustee Elect Donna Valle.

- **Chancellor**

- **Community College Survey of Student Engagement**

- Richard Durán distributed the following documents:
 - *Executive Summary – Committing to Student Engagement, Reflections on CCSEE's First Five Years, 2007 Findings*
 - *Overview of National 2007 CCFSEE Cohort Survey Results*
 - *The Community College Student Report – 2008 Student Survey Results.*

Dr. Durán said the three colleges were participating in a national survey of students, the Community College Survey of Student Engagement (CCSSE) and a faculty companion survey, the Community College Faculty Survey of Student Engagement (CCFSSE).

- **Acknowledgment of Academic Senates**

- James Meznek thanked the Academic Senates for an extremely productive year. Dr. Meznek acknowledged Kathryn Schoenrock for her work during her time as Academic Senate President and welcomed Peter Sezzi, the newly elected Academic Senate President.

- **Budget Update**

- Sue Johnson updated the Board on the State Budget. Trustee Hernández asked for a report of FTES by semester, show growth and attrition rate at the end of the year. Sue Johnson said she could provide the Board with an enrollment report in the Board Update next week.

- **Association of Governing Boards Conference Update**

- Eileen Welser reported on the Association of Governing Boards Board Professional Leadership Group, the Policy and Procedures Subscribers Workshop, and the Community College League of California California Executive Assistants for Board and CEOs Conference.

- **National Center for Study of Collective Bargaining in Higher Education Conference Presentation**

- Patricia Parham and Connie Jenkins reported on their panel at the National Center for Study of Collective Bargaining in Higher Education Conference regarding negotiating progressive and innovative contracts.

Chair Miller announced that the next Board meeting would be held on Thursday, June 19, 2008.

- **Academic Senates**

- P. Scott Corbett, Oxnard Academic Senate President, commented on the end of the year events. Mr. Corbett acknowledged Kathryn Schoenrock.
- Margaret Tennant, Moorpark College Academic Senate President, commented on the Moorpark College Debate and Speech Team. Ms. Tennant distributed and reviewed a trip report from the statewide academic senate and reported on the Outstanding People Awards. Margaret Tennant invited the Board to the ceremony for transfer students at 3:00 p.m. on Thursday, May 14, 2008.

- Kathryn Schoenrock, Ventura College Academic Senate President, thanked the Board and the Ventura College faculty for the opportunity to serve as academic senate president.
- **Trustees**
 - **Committees**
 - **Trustee Reports/Announcements/Correspondence**
 - Trustee Blum reported on the Capital Planning and Construction Committee meetings April 22 and May 2, 2008. Trustee Blum complimented Oxnard College for the Youth Conference and the Fire Academy Graduation. He acknowledged Trustee Hernández for promoting Oxnard College with Dr. Durán.
 - Trustee Hernández distributed a copy of the Association of Governing Boards' *Statement on Board Responsibility on Intercollegiate Athletics*. Trustee Hernández commented on the Youth Empowerment Summit and the 6th Annual Migrant Education Speech and Debate Tournament. He thanked the colleges for all their efforts with the students.
 - Vice Chair Huber acknowledged the academic senates, thanked Student Trustee Hawes, and welcomed Donna Valle. Vice Chair Huber expressed his concerns regarding the *Student Voice* article on recycling and asked for a report to make it more effective. He complimented Trustee Heitmann on the Music Festival.
 - Trustee Heitmann recognized the academic senate presidents, students, and Student Trustee Hawes. She commented on the Oxnard College presentation to highlight the college.
 - Chair Miller congratulated Lorraine Hawes on her Title V Endowment Scholarship by Oxnard College Foundation. Dr. Miller commented on the recent reunion at Moorpark College and the speech event at Ventura College.

CHANGES TO THE AGENDA

- C-22 Approval to Execute an Agreement with SunGard Higher Education Inc. for the Banner Software Maintenance and Luminis Web Portal System Maintenance [p. 90]** was revised to reflect that the contract period for this agreement will be May 1, 2008 through April 30, 2013. Maintenance for the first year is \$195,016 with a 6% annual increase each year for a total cost of \$1,092,310 for a five-year period.

At 8:40 p.m., the meeting was recessed.

CONSENT CALENDAR ITEMS

It was moved by Vice Chair Huber, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the Consent Calendar Items with the exception of Items C-17 and C-18. (Hawes – yes)

Approval of Minutes

- C-1 Meeting Minutes**
Action to Approve the Minutes of the Regular Meeting of the Board of Trustees for April 8, 2008 [p. 1] was granted.

Human Resources

- C-2 **Employment and Position Management** was approved as listed.
- A. **Approval of Abolishment and Establishment of Positions [p. 10]**
 - B. **Approval/Ratification of Establishment of Positions [p. 11]**
 - C. **Approval/Ratification of Equivalency [p. 12]**
 - D. **Approval/Ratification of Personnel [p. 13]**
 - E. **Approval/Ratification of Limited Term/Provisional Assignments [p. 19]**
- C-3 **Changes in Personnel/Employment Status** were approved as listed.
- A. **Approval/Ratification of Separation from Employment and Revision to Retirement Date - Academic and Classified Employees [p. 21]**
 - B. **Approval/Ratification of Probationary to Permanent Personnel [p. 23]**
 - C. **Approval/Ratification of Changes in Positions & Assignments [p. 25]**
 - D. **Approval of Request for Granting of Sick Leave Days from Sick Leave Pool for Full-time Academic Employee at Moorpark College [p. 27]**
 - E. **Request for Extension of Leave of Absence without Pay for a full-time Instructor at Moorpark College [p. 28]**
 - F. **Request from a full-time Classified Employee at Moorpark College for Family & Medical Leave (FMLA) [p. 29]**

Business Services

- C-4 **Ratification of Accounts Payable and Payroll for the Period of March 14, 2008 – April 17, 2008 [p. 30]** was approved.
- C-5 **Approval/Ratification of Board Purchase Order Report #12 for FY 2007-08 [p. 31]** was granted from March 17 to April 22, 2008.
- C-6 **Acceptance of Gifts [p. 57]** was approved to accept the following gift:
Cash Donation of \$1,000.00 to be used by the 2008 Oxnard College Youth Conference for the purchase of a laptop computer and iPods as conference prizes, donated by Dr. Eduardo M. Miranda
- C-7 **Surplus/Disposal of Equipment [p. 58]** was approved as follows:
- A. **Items less than a \$5,000 value to be disposed per Ed Code 81452.**

Disposal of computers and copiers that are outdated and can no longer be repaired or used in the District.

The following vehicles are in poor condition and will be traded-in on two new police vehicles, purchase order P0063229 submitted for May, 2008 Board approval.

- 1999 Ford Crown Victoria Police Vehicle VIN 2FAFP71W64X202510
- 1999 Ford Crown Victoria Police Vehicle VIN FAFP71W5YX204877

The following vehicles are in extremely poor, non-working condition, and will be disposed of for scrap metal.

- 1982 Dodge Van, License Number E791756 VIN 2B7KB33U2CK191698
- 1971 Dodge Van, License Number KE261Z617634 VIN KE261Z617634
- 1982 Dodge Van, License Number E791757 VIN 2B7KB33U0K191697
- 1966 Ford Truck, License Number E178110 VIN F10AR747464
- 1965 Ford Truck, License Number E178110 VIN F25DR648348
- 1971 Datsun Truck, License Number E478684 VIN PL521452086
- Cushman Cart, Model Number 898302-1110, Serial Number 288856
- Cushman Cart, Model: Eagle, Serial Number 590050
- Cushman Cart, Serial Number 19850
- Taylor-Dunn Cart, Serial Number 100420
- Nordco Cart, Model: Marketeer, Serial Number 203434
- 1975 Ford Tractor
- Kaboto Tractor

C-8 Monthly Budget Transfer Summary [p. 60] was ratified for the month of March 2008 for the General Fund-Unrestricted and General Fund-Restricted.

C-9 Acceptance of Completion of Bid 318, Glass Door Replacement Project for Ventura College [p. 62] was approved.

C-10 Award of Bid 320, Signage for Oxnard College [p. 63] was granted to award a contract to C&C Signs, in the amount of \$119,185 for Bid 320, Signage for Oxnard College.

C-11 Approval of Bid 331, Printing of Schedule of Classes [p. 64] was granted to the lowest responsible bidder, VQS Enterprises with the low bid of \$256,450.

C-12 Quarterly Financial Status Report, General Fund – Unrestricted (CCFS-311Q) [p. 65] was accepted.

C-13 Approval of Amendments to Grants, Contracts, and Designated Programs for Fiscal Year 2007-2008 [p. 68] was granted.

C-14 Approval of New Grants and Contracts for Fiscal Year 2007-2008 [p. 73] was granted.

C-15 Approval of Contract Renewal with Fickewirth and Associates for Insurance Broker Services [p.76] was granted to renew a professional services contract with Fickewirth and Associates for insurance broker services for the 2008-09 fiscal year.

C-16 Approval to Execute a Multi-Year Memorandum of Understanding (MOU) with WRD Consulting Group, LLC for Oxnard College [p. 77] was granted to assist Oxnard College in its efforts to obtain funding under the College Cost Reduction and Access Act – Hispanic-Serving Institutions Program (CCRAA-HSI).

- C-19 Approval of Lease Agreement with Western Rotocraft, Inc. for the Ventura College East Campus in Santa Paula [p. 83]** was granted to renew the lease agreement with Western Rotocraft, Inc., for the Ventura College East Campus in Santa Paula located at 115 Dean Drive, Suites A, B, C and D, Santa Paula. This building is adjacent to the main facility currently leased from Martha Horning.
- C-20 Approval to Purchase a National Notification Network System from 3N [p. 85]** was granted to approve a three-year contract with 3N to implement a National Notification Network System.
- C-21 Approval of Contract with Strata Information Group to Provide Project Management Services for Banner and Luminis Administrative Systems [p. 87]** was granted to renew the contract with Strata Information Group (SIG) for ongoing project management services and specialized technical support for the Banner administrative system, the Luminis web portal system, and related database applications.
- C-22 Approval to Execute an Agreement with SunGard Higher Education Inc. for the Banner Software Maintenance and Luminis Web Portal System Maintenance [p. 90]** was granted to approve the contract renewal of a maintenance agreement with SunGard Higher Education for the Technical Currency Program (TCP) covering all Banner modules currently used by the District and the Luminis Web Portal System. The contract period for this agreement will be May 1, 2008 through April 30, 2013. Maintenance for the first year is \$195,016 with a 6% annual increase each year for a total cost of \$1,092,310 for a five-year period.

Capital Planning, Design and Construction

- C-23 Capital Planning, Design and Construction**
- A. Approval of Temporary Construction License and Easement with the City of Camarillo for the Construction of a New Water Main through the Camarillo Property [p. 92]** was granted for the Chancellor or his designee to execute any and all further agreements necessary to grant a temporary construction license and permanent easement to the City of Camarillo for construction of a new water line on the District Property in Camarillo.
- B. Acceptance of Completion of Contract with Bernards Bros., Inc. for the Learning Resources & Technology Building at Moorpark College, Project #19058 [p. 94]** was approved to accept completion and closeout of construction contract with Bernards Bros., Inc. for the Learning Resources & Technology building at Moorpark College, project #19058.
- C. Approval of Contract with Spectrum Strategies to Prepare Final Project Proposal for Potential State Funding of a New Arts Complex at Moorpark College, and Measure S Budget [p. 96]** was granted in the amount of \$31,000 to prepare a Final Project Proposal (FPP) for the State to potentially fund a portion of the Arts Complex at Moorpark College.

- D. Approval to Issue an Addendum to Perkins & Will Architects for Additional Design Services for the Health Science Complex at Moorpark College, Project #19117 [p. 98]** was granted with Perkins & Will Architects, in the amount of \$59,520 for additional cost to complete the design of the Health Science Complex at Moorpark College and to meet DSA sign off deadline.
- E. Approval of Contract with Dillon & Co. for the A&E Buildings renovation at Ventura College, Project #39068 [p. 99]**
This item presents for approval a contract with Dillon & Co. in the amount of \$155,000 for the A&E Buildings Renovation at Ventura College, Project #39068.
- F. Approval of Reduction in Retention for Rerouting of Existing Utilities for ATC/GPC/HSC at Ventura College, Project #39120 [p. 100]** was granted to approve the reduction in retention for C&S Pipeline from 10% to 5% of the contract value for Rerouting of Existing Utilities for ATC/GPC/HSC at Ventura College, Project #39120.
- G. Acceptance of Change Order Summary Report for Capital Projects [p. 101]** was approved.
- H. Approval to Issue a Contract to the Lowest and Most Responsible Bidder for the Construction of the Health/Science Complex at Moorpark College, Pending Approval by State Chancellor's Office for State Funding, Project #19119 [p. 102]** was granted.
- I. Approval to Issue a Contract to the Lowest and Most Responsible Bidder for the Construction of the Performing Arts classroom and Auditorium at Oxnard College, Pending Approval by State Chancellor's Office for State Funding, Project #29117 [p. 104]** was granted.

Student Learning

- C-24 Spring 2008 Candidates for Graduation and Certificates at Moorpark, Oxnard, and Ventura Colleges [p. 106]** was approved as listed.
- C-25 New Summer 2008 Community Education Offerings at Moorpark College [p. 167]** was approved.

Trustees/Chancellor

- C-26 Approval of Student Trustee Privileges 2008-2009 [p. 169]** was granted.
- C-27 Resolution of the Ventura County Community College District Ordering a Regular Governing Board Member Election, Ordering Consolidation with Other Elections, and Constituting "Specification of the Election Order" to be held on November 4, 2008 [p. 170]** was approved.

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

C-17 Approval of Extension of Contract for Legal Services with Atkinson, Andelson, Loya, Ruud, and Romo [p. 79] was to amend to a 90-day contract was moved by Trustee Blum, seconded by Trustee Heitmann, and carried on a unanimous vote.

C-18 Approval of Execution of Contract for General Legal Services with Fagen, Friedman & Fulfrost [p. 81] was amended to a 90-day contract. It was moved by Trustee Blum, seconded by Trustee Heitmann, and carried on a unanimous vote, effective July 1, 2008. (Hawes – yes)

There was discussion regarding the review of legal services. The Board requested a discussion to consider if and when they wish to release a Request for Proposal for Legal Services and Accountants/Auditors. It was pointed out the need to bring clarification on how to access services and what kinds of issues there were.

FIRST READING

- **First Reading Revision to Chapter 5 of the Board Policy Manual: Student Services, BP 5030 Credit by Examination Fee [p.173]** was accepted for Second Reading.

ACTION ITEMS/SECOND READING ITEMS

Capital Planning, Design and Construction

A-1 Approval for Use of Unallocated Reserves for Contract with Penfield & Smith Engineers to Prepare Plans for an Alternate Entrance Road to the Camarillo Property (requires 2/3 vote) [p. 177] was moved by Vice Chair Huber, seconded by Trustee Blum, and carried on a unanimous vote, to approve the use of Unallocated Reserves to issue a contract with Penfield & Smith Engineers in an amount not to exceed \$25,000 to prepare plans for an alternate entrance road to the Camarillo property. (Hawes – yes)

Trustee Hernández asked if additional charges would be requested. Handel Evans explained the project.

OPEN STUDY SESSION

At 9:10 p.m., Chair Miller opened the Study Session.

- **2008-2012 Ventura County Plan for Career and Technical Education Course Sequencing**

Ramiro Sanchez acknowledged Paula Munoz and Richard Chaparro. Dr. Sanchez distributed and reviewed information regarding the Ventura County Plan for Career and Technical Education Course Sequencing. Trustee Hernandez acknowledged Ramiro Sanchez.

CLOSE STUDY SESSION

At 9:20 p.m., Chair Miller closed the Study Session.

Student Learning

A-2 Approval of the 2008-2010 Ventura County Plan for Career and Technical Education Course Sequencing [p. 179] was moved by Trustee Blum, seconded by Vice Chair Huber, and carried on a unanimous vote. (Hawes – yes)

A-3 Second Reading: Course Approvals: New and Revised Courses at Moorpark and Oxnard Colleges [p. 181] was moved by Vice Chair Huber, seconded by Trustee Blum, and carried on a unanimous vote. (Hawes – yes)

End of Board Actions

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.