

# Board of Trustees

## Ventura County Community College District

**Larry O. Miller**

Chair

**Robert O. Huber**

Vice Chair

**Stephen P. Blum, Esq.**

Trustee

**Cheryl Heitmann**

Trustee

**Arturo D. Hernández**

Trustee

**Donna Valle**

Student Trustee



**James M. Meznik**  
Chancellor/Secretary to the Board

<p><b>MINUTES</b> <b>FOR THE MEETING OF</b> <b>TUESDAY, SEPTEMBER 9, 2008</b></p>
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The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, September 9, 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, Esq., Trustee

Cheryl Heitmann, Trustee

Arturo D. Hernández, Trustee

Donna Valle, Student Trustee

#### **Management Present:**

James Meznik, Chancellor

Robin Calote, President, Ventura College

Richard Durán, President, Oxnard College

Pam Eddinger, President, Moorpark College

Sue Johnson, Vice Chancellor, Business Services

Richard Dawe, Vice Chancellor, Planning and Organizational Development

Ramiro Sanchez, Executive Vice President, Student Learning

Brenda Shubert, Executive Vice President, Student Learning

Patricia Parham, Associate Vice Chancellor, Human Resources

Eleanor Brown, Interim Vice President

Jaime Casillas, Interim Vice President

Ray Di Giulio, Vice President

Dave Keebler, Vice President

John al-Amin, Vice President

Michael Arnoldus, Director

Lori Bennett, Dean

Dan Brown, Dean  
Pat Ewins, Dean  
Kay Faulconer Boger, Dean  
Dan Brown, Dean  
Clare Geisen, Director  
Carmen Guerrero, Dean  
Glenn Hisayasu, Assistant Dean  
Kim Hoffmans, Dean  
Brian Hu, Director  
Karen Gorback, Assistant Dean  
Carolyn Inouye, Dean  
Gwendolyn Lewis Huddleston, Dean  
Victoria Lugo, Dean  
Floyd Martin, Dean  
Tim McGrath, Dean  
Darlene Melby, Business Manager  
Lisa Miller, Dean  
Jerry Mortensen, Assistant Dean  
Inajane Nicklas, Dean  
Ken Robinson, Director  
Kathy Scott, Dean  
John Sinutko, Director  
Julius Sokenu, Dean  
Heather Untalan, Assistant Dean

**Faculty/Staff/Student Representatives:**

P. Scott Corbett, Academic Senate President, Oxnard College  
Peter Sezzi, Academic Senate President, Ventura College  
Margaret Tennant, Academic Senate President, Moorpark College  
Johnny Vasquez, Student Representative, Oxnard College  
Lauren Lewow, Moorpark College Student Government, Director of External Affairs  
Mary Anne McNeil, Grants/Contracts  
Les Dickey, Heery International  
John Wagner, AFT President  
Eileen Welsler, Executive Assistant to the Chancellor

**CALL TO ORDER**

Chair Miller called the meeting to order at 5:32 p.m.

**PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS**

Dr. Trudy Arriaga, Ventura Unified School District Superintendent, addressed the Board regarding the Ventura College/El Camino High School Grand Opening.

RECESS TO CLOSED SESSION

At 5:33 p.m., the meeting was recessed to Closed Session.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
*{Government Code § 54956.9(b)}* (1 Case)

CONFERENCE WITH LABOR NEGOTIATORS *{Government Code § 54957(6.)}*

- AFT

RECONVENE IN OPEN SESSION

Chair Miller called the meeting to order at 6:36 p.m.

PLEDGE TO THE FLAG

P. Scott Corbett led the Pledge to the Flag.

CLOSED SESSION REPORT

There was no Closed Session Report.

ACKNOWLEDGEMENT OF GUESTS AND SPECIAL RECOGNITIONS

- **Oath of Office Administered to Richard DeLaO, Chief of Police.** Vice Chair Huber administered the Oath of Office to Chief Richard DeLaO. Vice Chair Huber acknowledged Chief DeLaO for his response to a recent incident at Ventura College. A brief recess was held to recognize Chief Richard DeLaO.

Chief DeLaO introduced his wife, daughters, and granddaughter. He commented on a recent incident at Ventura College.

PUBLIC COMMENTS

There were no Public Comments.

REPORTS

- **Student Representatives**
  - Lauren Lewow, Director of External Affairs, Moorpark College Associated Student Government, provided an update on campus events and upcoming conferences.
  - Johnny Garcia Vasquez, Vice President, Oxnard College Associated Student Government, gave an overview of activities and upcoming campus events.
  - Nancy Pham, President, Ventura College Associated Student Government, commented on encouraging students to vote, club activities, and events at Ventura College.

- Student Trustee Valle reported on the Freshman Social at Moorpark College and thanked Chair Miller for attending the event. Ms. Valle commented on conferences and registering students to vote.
- **Chancellor**
  - **Online Requisition Application Processing System (ORAP)**
    - Patricia Parham, Associate Vice Chancellor, Human Resources, and Michael Arnoldus, Director, Employment/Personnel Commission, Human Resources, provided an update on the ORAP System.
  - **District In-Service Day**
    - Clare Geisen, Director of Administrative Relations, provided an update on the District In-Service Day held on August 14, 2008 at the Oxnard Performing Arts & Convention Center. Trustee Hernández acknowledged Ms. Geisen and staff for their work on the District In-Service Day.
- **Academic Senates**
  - Peter Sezzi, Ventura College Academic Senate President, commented on a recent incident at Ventura College and acknowledged those who were involved. He announced that enrollment was up at Ventura College.
  - Margaret Tennant, Moorpark College Academic Senate President, provided an update on enrollment, orientation of new tenure committees, and activities at Moorpark College.
  - P. Scott Corbett, Oxnard College Academic Senate President, commented on enrollment, the Dean's Retreat, and awards presented on Flex Day.
- **Classified Senates**
  - Valerie Lee, Oxnard College Classified Senate President, provided an update on Classified Senate activities, the Classified Leadership Institute, fundraisers for scholarships, classified representatives on hiring committees for administrators, and release time for Classified Senate meetings. She invited the Board to *Multi-Cultural Day* on October 8.
- **Trustees**
  - **Committees**
    - Trustee Heitmann reported on the Audit/Budget/Foundation Relations Committee meeting.
    - Trustee Blum reported on the Capital and Facilities Planning Committee meeting.
  - **Reports/Announcements/Correspondence**
    - Trustee Hernández commented on the ribbon cutting ceremony at El Camino High School and acknowledged the colleges for the enrollment increases.
    - Chair Miller asked for a moment of silence for the victims of September 11, 2001.

## CHANGES TO THE AGENDA

*Business Services*

**Consent Item C-11: Acceptance of Annual Financial and Budget Report for FY 2007-2008 (CCFS-311)** was revised to read as follows:

The General Fund Unrestricted and General Fund Restricted combined ending fund balance should read **\$19,531,624**, and the ending fund balance for the General Fund Restricted should read **\$3,826,968**.

In addition, various pages in Exhibit A were revised to reflect changes made to the Actual Federal Revenues and Deferred Revenues amounts for the General Fund-Restricted.

*Capital Planning & Facilities*

A-3 Approval of Contract with Howard S. Wright Constructors for the Ventura College ATC/GPC & HSC Project #39120 [p. 126] was pulled from the agenda

## CONSENT CALENDAR ITEMS

It was moved by Vice Chair Huber, seconded by Trustee Blum, and carried on a unanimous vote, to approve the Consent Calendar items with the exception of Items C-2B, C-7, and C-14F. (Valle – yes)

*Approval of Minutes***C-1 Meeting Minutes**

**A. Action to Approve the Minutes of the Regular Meeting of the Board of Trustees for August 12, 2008 [p. 1]** was approved.

*Human Resources*

**C-2 Employment and Position Management** were approved as follows:

- A. Approval of Abolishment and Establishment of Positions [p. 11]**
- C. Approval of Abolishment and Establishment of Positions [p. 14]**

**C-3 Changes in Personnel/Employment Status** were approved as follows:

- A. Approval of Changes in Positions and Assignments [p. 15]**
- B. Approval of Separation from Employment [p. 16]**

*Business Services*

**C-4 Ratification of Accounts Payable and Payroll for the Period of July 22, 2008 – August 18, 2008 [p. 17]** was approved.

- C-5 Approval/Ratification of Board Purchase Order Report #4 for FY 2008-09 [p. 18]** was granted from July 18, 2008 to August 12, 2008.
- C-6 Surplus/Disposal of Equipment [p. 27]** was approved as listed.
- C-8 Acceptance of Completion of Bid 327, Painting Project for Summer 2008 [p. 29]** was approved.
- C-9 Acceptance of Completion of Bid 329, Moorpark College Gymnasium Acoustic Ceiling Cleaning and Restoration [p. 30]** was approved.
- C-10 Acceptance of Completion of Bid 333, Refinish Gymnasium Floor, Moorpark College [p. 31]** was approved.
- C-11 Acceptance of Annual Financial and Budget Report for FY 2007-08 [p. 32]** was approved as revised.
- C-12 Establishment of 2008-09 Gann Appropriation Limit as Required by the California Constitution [p. 64]** was approved.
- C-13 Approval of New Grants and Contracts for Fiscal Year 2008-09 [p. 68]** was granted.

### *Capital Planning and Facilities*

- C-14 Capital Planning and Facilities [p. 71]**
- A. Approval to Execute an Addendum with PW Environmental for the Maintenance Building Remedial Action Plan at Oxnard College, Project #29087 [p. 71]** was granted to approve a supplement with PW Environmental in the amount of \$234,090 for the Remedial Action Plan (RAP) submitted to the County of Ventura Environmental Health Division on October 8, 2007, for the area surrounding the Maintenance Building at Oxnard College.
- B. Approval of Subcontractor Substitution for Concrete Work for the Oxnard College Performing Arts Classroom and Auditorium, Project #29117 [p. 72]** was granted to approve the substitution of Michael Anthony Companies for CalCoast Concrete as the listed Concrete subcontractor for the Oxnard College Performing Arts Classroom and Auditorium, project #29117.
- C. Approval of Contractor for Project Inspector Services for Oxnard College Performing Arts Classroom and Auditorium, Project #29117 [p. 73]** was granted to approve a contract with Nething & Associates Inspection Consultants, for project inspector services as required by the Division of the State Architect at a rate of \$82/hr, not to exceed \$250,000, based upon 24-month schedule for the Oxnard College Performing Arts Classroom and Auditorium, project #29117.

- D. Approval to Execute a Contract with Geotechniques for the Oxnard College Performing Arts Classroom and Auditorium, Project #29117 [p. 74]** was granted to approve a contract for \$55,940 with Geotechniques, for earthwork inspection, foundation concrete inspections and testing, for the Oxnard College Performing Arts Classroom and Auditorium, project #29117.
- E. Acceptance of Completion of Contract with Dillon & Co. for Renovation of Buildings A & E at Ventura College, Project #39068 [p. 75]** was granted to approve the acceptance of completion of the contract with Dillon & Co. for the renovation of Buildings A & E at Ventura College, project #39068.

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

### ***Human Resources***

**C-2 Employment and Position Management**

- B. Approval of Establishment of Positions [p. 12]** was moved by Trustee Heitmann, seconded by Vice Chair Huber, and carried on a unanimous vote. (Valle – yes)

Trustee Heitmann asked for additional information about the Industry General Regional Collaborative. Richard Durán and Jaime Casillas gave a brief overview of the program and the grant.

### ***Business Services***

- C-7 Acceptance of Gifts [p. 28]** was moved by Trustee Blum, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the following gifts: Two (2) Club Care Utility Electric Carts donated by J & E Farms, to be used by the Oxnard College Athletic Program. (Valle – yes)

Trustee Blum acknowledged the donation from J & E Farms.

### ***Capital Planning and Facilities***

**C-14 Capital Planning and Facilities**

- F. Acceptance of Change Order Summary Report for Capital Projects [p. 76]** was moved by Trustee Heitmann, seconded by Vice Chair Huber, and carried on a unanimous vote.

Trustee Heitmann asked for additional information regarding the process used for approval of Change Orders. Vice Chair Huber and Trustee Blum stated they review each Change Order thoroughly. Les Dickey, Heery International, Inc., provided an overview of the Change Order development process.

Chancellor Meznek distributed the *Community Report*.

## ACTION ITEMS/SECOND READING ITEMS

*Business Services*

- A-2 Resolution: Authorization of the Issuance of Election of 2002 (Measure S) General Obligation Bonds, Series C [p. 96]** was moved by Trustee Blum, seconded by Chair Miller, and denied on a 2-1-2 vote, with Chair Miller and Trustee Blum voting yes, Vice Chair Huber and Trustee Heitmann abstaining, and Trustee Hernández voting no. **It was moved to reconsider Item A-2 by Trustee Hernández, seconded by Chair Miller, and carried on a unanimous vote. (Valle – yes)**

**Reconsideration of Item A-2**

**Resolution: Authorization of the Issuance of Election of 2002 (Measure S) General Obligation Bonds, Series C [p. 96]** was moved by Trustee Blum, seconded by Chair Miller, and carried on a 3-0-2 vote, with Chair Miller, Trustees Blum, and Hernández voting yes, and Vice Chair Huber and Trustee Heitmann abstaining. (Valle–yes) The document will be corrected to reflect Chair of the Board instead of President.

Trustee Hernández expressed his concerns regarding Item A-2 and suggested that staff research other possibilities for savings within the Bond Program. Trustee Hernández distributed information regarding a financial consultant and pointed out the benefits. Chancellor Meznek provided a brief overview of the bond process and indicated that the District had been successful in bringing rates below those provided to the public. Sue Johnson explained the process used to monitor the cost for the taxpayers and explained approval of the Resolution would complete the transaction. Chancellor Meznek expressed his concerns regarding delaying the bond. There was further discussion regarding this item following the initial vote. Les Dickey explained that the District might be subject to delay damages.

*Student Learning*

- A-4 Second Reading: Course Approvals: New and Revised Courses, New Proficiency Awards at Ventura College [p. 127]** was moved by Trustee Blum, seconded by Trustee Heitmann, and carried on a unanimous vote. (Valle – yes)

## OPEN STUDY SESSION

At 8:50 p.m., Chair Miller opened the Study Session.

- **Oxnard College Follow Up Accreditation Report.** Richard Durán, President of Oxnard College, provided an overview of the Oxnard College Follow Up Accreditation Report. Vice Chair Huber commented on the accreditation process and indicated that some items needing improvement did not appear to be addressed. Chancellor Meznek explained the Department of Education's two-year rule. The Board of Trustees acknowledged Oxnard College on their report.

## CLOSE STUDY SESSION



At 9:12p.m., Chair Miller closed the Study Session.

### *Student Learning*

- A-5 Acceptance of Oxnard College Follow Up Accreditation Report [p. 133]** was moved by Trustee Blum, seconded by Trustee Heitmann, and carried on a unanimous vote. (Valle – yes)

#### OPEN STUDY SESSION

At 9:13 p.m., Chair Miller opened the Study Session.

- **Annual Self-Evaluation of the Governing Board.** Richard Dawe provided an overview of the Board of Trustees Annual Self-Evaluation.

Trustee Hernández apologized and indicated he was on vacation and missed the deadline for submission of his self-evaluation. Vice Chair Huber commented on the growth of the Board and mutual respect and indicated the Board had learned to work together and put students first. Trustee Hernández commented on the demands of Chancellor Meznek's time and suggested a discussion during the Board retreat. Trustee Heitmann said the Board should set the retreat agenda and suggested reviewing KH Study topics. Trustee Blum acknowledged the Board and the way they have worked together. Chair Miller said he was encouraged and pleased with the survey results. Chair Miller pointed out the perception of the community is that the students are being served. Chair Miller renewed his request to win the *Saturn Award* as a district with exemplary labor and management relations. Vice Chair Huber said the retreat should include Academic and Classified Senate representatives. Trustee Hernández asked the Board to commit to a day, so staff can plan accordingly.

#### CLOSE STUDY SESSION

At 9:40 p.m., Chair Miller closed the Study Session.

### *Trustees/Chancellor*

- A-6 Acceptance of the Annual Self-Evaluation of the Governing Board for 2007-2008 [p. 134]** was moved by Vice Chair Huber, seconded by Trustee Blum, and carried on a unanimous vote. (Valle – yes)

#### OPEN STUDY SESSION

At 9:45 p.m., Chair Miller opened the Study Session.

- **Discussion of Contract Renewal or Issuance of Request for Proposal for Legal Services.** Trustee Heitmann opened the discussion questioning the need for numerous legal counsels. Vice Chair Huber explained the advantage of a public entity having various specialists in their respective areas, and that the hourly rates appear fair. Trustee Hernández expressed support for an RFP process to determine what legal services firms can offer to the District. Trustee Blum suggested evaluating current legal services. Vice Chair Huber stated he is satisfied with current legal services provided and recommended that if dissatisfied with a law firm, then seek a request for proposal. Chair Miller suggested staff provide reports to the Chancellor, followed by the Chancellor reporting to the Board. Trustees Heitmann and Hernández suggested periodic requests for proposals for legal services.

Chair Miller then recommended staff provide reports on current legal firms, and the Board would determine whether to retain or open up to a request for proposals. Trustee Blum and Vice Chair Huber agreed with the recommendation by Chair Miller. There was consensus.

At the general direction of the Board, staff will prepare a report regarding current legal services, seek individual trustee input to determine if there are difficulties with any current law firms, and the report will be brought to the Board in October for a discussion to determine renewal of legal services.

#### CLOSE STUDY SESSION

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

#### ADJOURNMENT

At 10:11p.m., the meeting was adjourned.