

Board of Trustees

Ventura County Community College District

<p>MINUTES FOR THE MEETING OF MARCH 8, 1999</p>
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The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Monday, March 8, 1999, in the Cowan Conference Center – Ventura Room, Camarillo, California.

Roll Call

Board Members Present:

Allan W. Jacobs, President
Robert S. Gonzales, Vice-President
Norman J. Nagel
Pete E. Tafoya
John D. Tallman

Management Present:

Philip Westin, Chancellor
Michael Gregoryk, Deputy Chancellor
James Walker, President, Moorpark College
Dennis Cabral, Executive Vice President, Student Learning, for Steven Arvizu, President, Oxnard College
Larry Calderón, President, Ventura College
Elise Schneider, Provost
Jack Lipton, Vice Chancellor, Human Resources/General Counsel
Anthony Tricoli, Associate Vice Chancellor, Student Learning
Eva Conrad, Executive Vice President, Student Learning, Moorpark College
Susan Johnson, Executive Director, Business Services and Financial Management
Vic Belinski, Executive Director, Information Technology
Barbara Buttner, Director, Public Affairs
Harry Culotta, Director, College Budgets, Oxnard College
Gil Putnam, Director, Facilities Planning and Construction
David Magallenes, Dean, Administration and College Services
Cheryl Shearer, Dean, Economic Development
Steve Tobias, Dean, Health Sciences/Physical Education/Athletics/Criminal Justice

Faculty/Staff/Student Representatives:

Elton Hall, Moorpark College Academic Senate President
Carmen Guerrero-Calderón, Oxnard College Academic Senate President
Cheryl Herrmann, Ventura College Classified Senate President
Larry Miller, AFT President
Candace Peyton, SEIU President

CALL TO ORDER

President Jacobs called the meeting to order in the Cowan Conference Center – Ventura Room at 5:05 p.m.

RECESS TO CLOSED SESSION

The Board of Trustees recessed to Closed Session at 5:06 p.m. in the Cowan Conference Center – Ojai Room, to address the following items:

Threatened Litigation [Gov. Code §54956.9(b)]

Possible Initiation of Litigation [Gov. Code §54956.9(c)]

Pending Litigation [Gov. Code §54956.9(a)]

- Cespedes v. VCCCD et al.
- Casmalia Disposal Site, Santa Barbara County, California
- Hefferman v. VCCCD et al.
- Martin v. VCCCD et al.
- Avila v. VCCCD
- Matsui v. VCCCD
- Palafox v. VCCCD
- Stickley v. VCCCD
- Chandler v. VCCCD

Public Employee Discipline/Evaluation

RECONVENE IN OPEN SESSION

President Jacobs reconvened the meeting in Open Session at 7:10 p.m. in the Cowan Conference Center, Ventura Room.

PLEDGE TO THE FLAG

Larry Calderón led the pledge to the flag.

CLOSED SESSION REPORT

Chancellor Westin read the following Closed Session Reports:

- In the case of *Palafox v. VCCCD*, EEOC Charge No. 34981042, the EEOC dismissed the case against the District.
- In the case of *Matsui v. VCCCD*, EEOC Charge No. 340980138, the EEOC dismissed the case against the District.
- In the case of *Avila v. VCCCD*, Department of Fair Employment and Housing Case No. C9899-L0002, the Complaint was withdrawn and the case was dismissed.

- In the case of *Casmalia Resources Site Steering Committee v. State of California et al.*, Los Angeles County Superior Court Case No. BC181431, the Board unanimously approved a settlement of the case as against the District. Copies of the settlement documents will be available through the Chancellor's Office.
- In the case of *Cespedes v. VCCCD et al.* Ventura County Superior Court Case No. CIV 180161, the parties have agreed to a settlement which was unanimously approved by the Board and the case has been dismissed. Copies of the settlement documents will be available through the Chancellor's Office.
- Pursuant to Section 54956.9(c). of the Government Code, the Board discussed the possibility of initiating litigation and voted unanimously to do so. Specific Complaint is filed and served.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Human Resources

5.1 Academic Actions

- 5.1.3 Approval of Full-Time Tenure Track Academic Personnel Appointment - Ventura College.** This item was revised to add the name of Nikola Varjich as a full-time tenure track Instructor in Machine Technology at Ventura College, effective May 1, 1999.

5.2 Classified Actions

- 5.2.3 Approval of Probationary Personnel.** This item was revised to add the name of Barbara Buttner, as a lateral transfer, as Liaison for International Students, on Step 6 of the Management Salary Schedule, Level 115, effective March 9, 1999.

This item was also revised to pull the Fiscal Analyst/Confidential position in Accounting Services at the District Office.

- 5.4 Approval of Appointment of Vice Chancellor, Human Resources.** This item was revised to add the name of Dr. Marion Boenheim as Vice Chancellor, Human Resources, effective May 24, 1999.

Chancellor Westin pointed out that Dr. Boenheim is the Vice President of Human Resources for the Community Colleges of Spokane (a three-college system very similar to the Ventura County Community College District). He indicated that Dr. Boenheim served as the Director of Human Resources at Morehead State University in Kentucky and was Assistant to the Executive Vice Chancellor and Director of Affirmative Action at the University of Mississippi.

Business Services

6.3 Purchase Orders

6.3.1 Approval/Ratification of Purchase Order List #9 (FY 1998-99). This item was revised to add additional purchase orders to Purchase Order List #9 for January 26, 1999 – February 21, 1999.

6.7.3 Award of Contract to the Lowest Responsible Bidder for the New Elevator at the H/SS (Humanities and Social Sciences) Building at Moorpark College. This item was revised to award the contract to Stevens Construction, Inc., the lowest responsible bidder for the new elevator at the H/SS (Humanities and Social Sciences) building at Moorpark College.

Trustees/Chancellor

7.2 Action to Approve Request for Board of Trustees Travel. This item was revised to add Pete Tafoya to attend the Global Education Network Task Force meeting on March 19, 1999, at the Westin Hotel in San Diego.

7.3 Board of Trustees 1999 Schedule of Meetings. This item was revised to change the starting time of the Board Retreat on March 13 from 9:00 a.m. to 8:45 a.m.

PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

There were no public comments.

Board Actions

Consent Calendar Items

It was moved by Trustee Nagel, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the following Consent Calendar Items:

Approval of Minutes

2.1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for February 9, 1999 was approved.

Instructional Services

- 3.1 Second Reading: Course Approvals — New Courses: Moorpark and Ventura Colleges** was approved.
- 3.2 Destruction of Student Records, Ventura College** was approved for the destruction of records pursuant to provisions of "Regulations for Destruction of Records" (Title V, Division 6, Subchapter 2.5., Sections 59020-59041).

Human Resources

5.1 Academic Actions

5.1.1 Approval of Resignation/Retirement - Ventura College was granted to accept notices of intent to retire from the following full-time faculty members:

- Rita Beahan, Student Health Center Coordinator at Ventura College
- Cheryl Holt, Aquatics Coordinator at Ventura College
- Martin Mason, Physical Education Instructor at Ventura College
- James Whalen, Physical Education Instructor/Coach at Ventura College

5.1.3 Approval of Full-Time Tenure Track Academic Personnel Appointment - Ventura College was granted to Nikola Varjich a full-time tenure track Instructor in Machine Technology at Ventura College, effective May 1, 1999.

5.2 Classified Actions

5.2.1 Establishment of a Zoo Day Camp Technician Classification, EATM Program, Moorpark College was approved, effective March 9, 1999.

5.2.2 Establishment of a Network/Internet Administrator at Moorpark College was approved, effective March 9, 1999.

5.2.3 Approval of Probationary Personnel was granted.

5.2.4 Resignations of Permanent Personnel were approved.

5.2.5 Approval of Probationary to Permanent Personnel was granted.

5.2.6 Changes of Assignments were approved.

5.2.7 Provisional Assignments were approved.

5.2.8 Temporary Decrease of Assignment was approved for Julie Lovejoy, effective February 1 to April 9, 1999.

5.2.9 Termination of Provisional Assignments was approved.

5.2.10 Resignation of Limited Term Employee was approved for Jamie Skeeters, Chief of Police.

- 5.3 **Approval of VCCCD-AFT Side Letter Agreement** was granted to approve a Side Letter Agreement between the Ventura County Community College District and the Ventura County Federation of College Teachers, AFT Local 1828, AFL-CIO.
- 5.4 **Approval of Appointment of Vice Chancellor, Human Resources** was granted to appoint Dr. Marion Boenheim as Vice Chancellor, Human Resources, effective May 24, 1999.
- 5.5 **Acceptance of Resignation of Student Trustee** was approved to accept the resignation of Velia Soto as Student Trustee, effective February 1, 1999.

Business Services

- 6.2 **Checks**
 - 6.2.1 **Ratification of Accounts Payable and Payroll for the Period January 25, 1999, – February 19, 1999,** was approved.
- 6.3 **Purchase Orders**
 - 6.3.1 **Approval/Ratification of Purchase Order List #9 (FY 1998-99)** was approved for January 26, 1999 – February 21, 1999.
- 6.4 **Award of Bids**
 - 6.4.1 **Award of Bid #173, Printing of Class Schedules** was granted to the lowest responsible bidder.
 - 6.4.2 **Award of Bid #169, Classroom and Office Furniture** was granted to the lowest responsible bidder for classroom and office furniture for Moorpark College Math/Science Building and future District-wide purchases.
 - 6.4.3 **Award of Bid #170, Machine Shop Equipment** was granted to the lowest responsible bidder for machine shop equipment for the Ventura College Department of Machine Shop Technology.
 - 6.4.4 **Award of Bid #171, Machine Shop Lab Equipment and Supplies** was granted to award Bid #171, Machine Shop Lab Equipment and Supplies for the Ventura College Department of Machine Shop Technology to the lowest responsible bidder.
 - 6.4.5 **Award of Bid #172, Machine Shop Equipment – Computer Numerical Control Lathe** was granted to award Bid #172, Machine Shop Equipment –

Computer Numerical Control Lathe for the Ventura College Department of Machine Shop Technology to the lowest responsible bidder.

6.5 Budget Amendments

6.5.1 Approval of Contracts and Grants was granted.

6.5.2 Budget Amendment: Capital Projects Fund was approved.

6.6 Budget Transfers

6.6.1 Budget Transfer Monthly Summary: General Fund Unrestricted was approved to ratify the monthly Budget transfer summary to the General Fund Unrestricted for January 1999.

6.7 Contracts

6.7.1 Approval of Change Order #7 for the Moorpark College Math and Science Complex was granted in the amount of \$14,879 for the Moorpark College Math and Science Complex.

6.7.2 Approval of Change Order #1 for the Ventura College Y Building HVAC System Replacement was granted in the amount of \$9,750 for the Ventura College Y Building HVAC System Replacement.

6.7.3 Award of Contract to the Lowest Responsible Bidder for the New Elevator at the H/SS (Humanities and Social Sciences) Building At Moorpark College was granted to Stevens Construction, Inc., the lowest responsible bidder for the new elevator at the H/SS (Humanities and Social Sciences) building at Moorpark College.

6.7.4 Award of Contract to Kruger Bensen Ziemer Architects for the Child-Care Facility Expansion at Ventura College was granted to Kruger Bensen Ziemer Architects for the child-care facility expansion at Ventura College.

6.7.5 Award of Contract to Kruger Bensen Ziemer Architects for the Bookstore Remodel at Ventura College was granted.

6.7.6 Award of Contract to BTC Laboratories for Testing and Inspection Services for the Job and Career Center at Oxnard College was granted.

6.7.7 Award of Contract to BTC Laboratories for Testing and Inspection Services for the Child-Care Portable Facility at Ventura College was granted.

Trustees/Chancellor

- 7.1 **Board of Trustees Absence Due to Illness.** No absences were reported.
- 7.2 **Action to Approve Request for Board of Trustees Travel was approved as follows:**

Pete E. Tafoya to attend the Board of Governors and California Community Colleges Chancellor's Office Conference in Monterey on March 22-24, 1999.

Pete E. Tafoya to attend the Global Education Network Task Force meeting on Friday, March 19, 1999, at the Westin Hotel, Horton Plaza, in San Diego, California.
- 7.3 **Board of Trustees 1999 Schedule of Meetings** was approved to change the April 13 Board meeting to April 14 and to change the starting time of the Board Retreat on March 13 from 9:00 a.m. to 8:45 a.m.
- 7.4 **Reconfirmation of Student Trustee's Powers** was approved to reconfirm the student trustee's powers to make and second motions and to receive compensation.

Action Items

Resolutions

- 1. **Award of Excellence for 1997-98 Ventura College Women's Soccer Team (1.1)** was moved by Trustee Gonzales, seconded by Trustee Nagel, and carried on a unanimous vote.

Trustee Gonzales presented the *Award of Excellence* for 1997-98 to Coach Steve Hoffman. Coach Hoffman introduced Kristi Birney, Sharon Collins, Nicole Straky, Cori Russell, Lynn Ray, and Alicia Garcia.
- 2. **Award of Excellence for 1997-98 Ventura College Men's Water Polo Team (1.2)** was moved by Trustee Tallman, seconded by Trustee Tafoya, and carried on a unanimous vote.

Trustee Tallman presented the *Award of Excellence* for 1997-98 to Coach Larry Baratte. Coach Baratte introduced Bill Bruininga.

Larry Calderón congratulated the teams and acknowledged Richard James, Athletic Director at Ventura College. Richard James pointed out that the Ventura College Women's Soccer Team and the Ventura College Men's Water Polo Team were recipients of the Commission on Athletics' 1997-98 California Community College Scholar Team Award.

Business Services

3. **Budget Amendment General Fund-Unrestricted (6.5.3)** was moved by Trustee Tafoya, seconded by Trustee Nagel, and carried on a unanimous vote.

Philip Westin indicated that this item would restore funds to the General Fund Restricted by \$633,296 and increase the Reserves to 4.54 percent. Dr. Westin commended staff for their efforts.

TRUSTEE ISSUES

- **Governing Board Subcommittee Reports**
 - **Audit Subcommittee.** Trustee Tafoya gave a brief overview of the March 1, 1999, Audit Subcommittee meeting to review the Foundation Audits. He pointed out that the formats of the Foundation audits were almost the same format. He indicated that there was discussion on kinds of services that are offered to each foundation, which led to a relationship discussion between the district and the Foundations.

4. **Acceptance of the Annual Audited Reports for Fiscal Year Ending June 30, 1998 for Moorpark, Oxnard, and Ventura College Foundations (6.8.1)** was moved by Trustee Tafoya, seconded by Trustee Tallman, and carried on a unanimous vote.

Action on Items Listed on the Consent Calendar but Not Yet Approved

Human Resources

5.1 Academic Actions

- 5.1.2 **Approval of Part-Time Faculty to be Hired 1999 Spring Semester - Oxnard College and Ventura College** was moved by Trustee Tafoya, seconded by Trustee Nagel and carried on a unanimous vote.

Trustee Tafoya asked about the equivalency for the coach. Jack Lipton indicated that the basis for the equivalency was general experience in the field. He pointed out that this individual was a major league baseball player.

5.1.4 Approval of Employment Under Special Pre-Retirement Program was moved by Trustee Tafoya, seconded by Trustee Nagel, and carried on a unanimous vote, for the following full-time Instructors at Ventura College and Moorpark Colleges under the Special Pre-Retirement Program beginning in the 1999-2000 Academic Year.

- William Robinson, Instructor in Mathematics at Ventura College
- Randy John, Instructor in Psychology at Ventura College
- Balazs Becht, Instructor in Physics/Astronomy at Moorpark College
- Judy Alexander, Instructor in Nutrition at Moorpark College

Trustee Tafoya asked about the pre-retirement program. Chancellor Westin provided a brief overview. He pointed out that under the Special Pre-Retirement Program as outlined in Article 4.13 of the VCCCD/AFT Agreement, full-time faculty can request a less than full time assignment, where at the end of that time they will retire. President Jacobs expressed his concerns about the 10-year window referenced in Article 4.13.h.

5.1.5 Exception to Salary Placement was moved by Trustee Tafoya, seconded by Trustee Gonzales, and carried on a unanimous vote, to grant an exception to salary placement to Miguel del Aguila, a part-time instructor at Ventura College.

Trustee Tafoya asked about the background on this item. Chancellor Westin indicated that Mr. Aguila is a well-known composer and the exception to the salary placement was based on his eminence in the field.

Business Services

6.7.8 Contract Approval: Lease of Oxnard College Soccer Fields was pulled from the agenda.

Trustee Tafoya expressed his concerns regarding this item. This item will be placed on the April Board meeting agenda with the Board's concerns addressed.

End of Board Actions

FIRST READING ITEMS

- **Consideration of the Community College Governance Policies: A Joint Statement of the Board of Governors and Trustees of Community College Districts (CCCT)** was referred for Second Reading.

Trustee Tafoya updated the Board on the Joint Statement and pointed out that the document is currently in review at the state level by a number of different agencies and will be in place sometime in June or July. Chancellor Westin pointed out that the Board of Governors and the leadership of the California Community College Trustees have developed a joint statement on

community college governance with some commonly held positions on governance in order to improve and strengthen the current structure. Dr. Westin indicated that at the next Board meeting, he would provide written comments to be forwarded to the State Chancellor's Office.

REPORTS

STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Academic Senate Representatives.**
 - Elton Hall announced that nominations for officers have closed for Academic Senate offices at Moorpark College and that the vote will take place next month.
 - Carmen Guerrero-Calderón indicated that the Oxnard College Academic Senate is in the process of nominating officers and that all offices are open, except that of president. She pointed out that the Academic Senate is reviewing their constitution. She announced that Oxnard College is currently in the nomination process for the “Big Six” awards, including the William Simpson Award.
- **Classified Senate Representatives.** Cheryl Herrmann updated the Board on the Classified Senate at Ventura College. She indicated that they were in the process of reviewing the Bylaws Policy and developing a Web Page for the Classified Senate. She announced that the Classified Awards would be presented in May.

CHANCELLOR'S REPORT

- **Chancellor's Report**
 - **Presidents' Reports.**
 - Larry Calderón announced that the Ventura College women's basketball team is qualified for the state tournament in Irvine. He pointed out that the Ventura College automotive students earned five medals at the California Vocational Industrial Clubs of America Region Three Skills Competition. Dr. Calderón invited the Board to Aaron Copland's “The Tender Land” at Ventura College, presented by the Ventura College Opera and the Ventura County Master Chorale.
 - Dennis Cabral reminded the Board that the Accreditation Team would be at the college for their site visit at the end of the month. He indicated that more than 70 staff and community members participated in the March 5 Campus “Spring Cleaning.” Dr. Cabral announced that professor Ed Lynch was named “Engineering Teacher of the Year” and Oxnard College students Tran Nam Bui and Arnel Torralba were awarded \$1,000 scholarships at the 1999 National Engineers Week Scholarship banquet. He pointed out that the Oxnard College Dental Hygiene Program is offering quality dental care at affordable prices.
 - James Walker indicated that Rosie the Baboon from America's Teaching Zoo at Moorpark College was highlighted on the cover of the Ventura Star TV Guide. He announced that the Spring Spectacular at America's Teaching Zoo will be held on March 13-14 and 20-21 at Moorpark College.
 - **College Presentation – Moorpark College.** James Walker introduced Brenda Shubert. Ms. Schubert updated the Board on the Professional Studies Program. She pointed out that the program is designed to provide the professional working adult with educational support in their current career or for transition into another career.
 - **Deputy Chancellor's Report**

- **District Police/Security Services.** Michael Gregoryk indicated that the District Police/Security Services report would be postponed until the April Board Meeting.
- Mr. Gregoryk distributed the Information Technology *Newsletter*. He acknowledged Barbara Buttner for her efforts in developing the newsletter.
- Chancellor Westin announced that Dr. Boenheim, Vice Chancellor of Human Resources would begin working for the District on May 24, 1999. He pointed out that she will be at the District March 17-19 and again on April 19-23. He invited the Board to a reception for Dr. Boenheim on Friday, March 19 at the District Office.

FIRST READING ITEMS

- **Course Approvals: New, Revised and Deleted Courses—Moorpark, Oxnard and Ventura Colleges** were referred for Second Reading.

TRUSTEE ISSUES

- **Governing Board Subcommittee Reports** Robert Gonzales gave a brief overview of the February 16 Board Construction Subcommittee.
- **Other**
 - President Jacobs expressed his concerns regarding the First Reading item: Consideration of the Community College Governance Policies: A Joint Statement of the Board of Governors and Trustees of Community College Districts (CCCT). He asked the Chancellor to gather input from faculty, managers, and classified staff.

PUBLIC COMMENTS REGARDING NON-AGENDIZED ITEMS

- **Student and Staff Issues**
Elton Hall, speaking as a private citizen, presented the Board of Trustees with a proposal regarding Closed Session activities.

Carmen Guerrero-Calderón, as a representative of the Oxnard College Academic Senate, expressed their concerns regarding the revision of the Board meeting calendar.

CLOSED SESSION

At 8:35 p.m. the meeting was adjourned to Closed Session.

ADJOURNMENT

At 8:40 p.m., it was moved by Trustee Nagel and seconded by Trustee Tafoya, to adjourn the meeting.