

# **Board of Trustees**

## **Ventura County Community College District**

<p><b>MINUTES</b> <b>FOR THE MEETING OF</b> <b>JANUARY 14, 2003</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, January 14, 2003, in the Moorpark College Campus Center Conference Room, Moorpark, California.

### **Roll Call**

#### **Board Members Present:**

Arturo D. Hernández, President  
Cheryl Heitmann, Vice-President  
Robert S. Gonzales  
Allan W. Jacobs  
Mary Anne Rooney

#### **Absent:**

Holly McRoberts, Student Trustee

#### **Management Present:**

James Walker, Interim Chancellor  
Mike Gregoryk, Deputy Chancellor  
Eva Conrad, President, Moorpark College  
Lydia Ledesma-Reese, President, Oxnard College  
Larry Calderón, President, Ventura College  
Jack Lipton, General Counsel  
William Studt, Vice-Chancellor, Human Resources  
Vic Belinski, Associate Vice Chancellor, Information Technology  
Ruth Hemming, Executive Vice President, Student Learning, Moorpark College  
Ramiro Sanchez, Executive Vice President, Student Learning, Oxnard College  
Patricia Kistler, Director of Governmental and Public Affairs

#### **Faculty/Staff/Student Representatives:**

Jack Miller, Moorpark College Academic Senate President  
Mary Jones, Oxnard College Academic Senate President  
Richard Goff, Ventura College Academic Senate President  
Angie Marquez, Ventura College Classified Senate President  
Brandy Huffer, Moorpark College Student Representative  
Albert Mendez, Oxnard College Student Representative  
Larry Miller, AFT

### **CALL TO ORDER**

President Hernández called the meeting to order in the Moorpark College Campus Center Conference Room at 5:07 p.m.

### **PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS**

Patricia Navarro addressed the Board regarding legal services and a personnel item.

Martha Torgow addressed the Board regarding a personnel item.

#### RECESS TO CLOSED SESSION

At 5:22 p.m. President Hernández recessed the meeting to Closed Session in the Student Government Conference Room to consider the following items:

#### CONFERENCE WITH LABOR NEGOTIATOR under Government Code Section 54957.6.

VCCCD's designated negotiator is Vice-Chancellor of Human Resources William Studdt, and the employee organizations are AFT (the faculty union) and SEIU (the classified employees' union).

#### CONFERENCE WITH LEGAL COUNSEL regarding EXISTING LITIGATION under Government Code Section 54956.9(a), the Board will consider the following cases:

1. *AFT vs. VCCCD* (Paula Muñoz union discrimination/AFT Grievance).
2. *AFT vs. VCCCD* (Paula Muñoz evaluation/AFT Grievance).
3. *AFT vs. VCCCD* (Paula Muñoz summer 2000 assignment/AFT Grievance).
4. *AFT vs. VCCCD* (Paula Muñoz/Public Employment Relations Board Case No. LACE4170).
5. *Paula Muñoz vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV206043).
6. *AFT vs. VCCCD* (Ventura College Sheriff Academy/Public Employment Relations Board Case No. LACE4082).
7. *Robert Reeves vs. VCCCD* (California Department of Fair Employment and Housing Case No. E200102L005500).
8. *William Mandras vs. VCCCD* (California Department of Fair Employment and Housing Case Nos. E200102L038000, E200203L000700, and E200203L016500).
9. *Peter Holmes vs. VCCCD* (California Department of Fair Employment and Housing Case No. E200203L011800).
10. *William Donaldson vs. VCCCD, Gary Lewis, Octavio Garcia, and Joan Smith* (Ventura County Superior Court Case No. CIV210031).
11. *Gerald Leavitt and Gerard Kapuscik vs. VCCCD, the Ventura County Community College Districtwide Foundation, Philip Westin, Robert Gonzales, Arturo Hernández, Allan Jacobs, and Norman Nagel* (Ventura County Superior Court Case No. CIV212979).
12. *Ronald Segovia Dyste vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV214921).
13. *Valerius Lindsey vs. Oxnard College* (Los Angeles County Superior Court Case

No. BC279207).

14. *Wood & Bender, LLP vs. VCCCD* (Ventura County Superior Court Case No. CIV216408).

CONFERENCE WITH LEGAL COUNSEL regarding ANTICIPATED LITIGATION under Government Code Section 54956.9(b), the Board will consider only six cases. Specifically, the existing facts and circumstances that might result in litigation against VCCCD arise from the following:

1. Raymond Centeno, a former District police officer, has threatened litigation against VCCCD based on the conditions of his employment. Copies of the letter dated October 14, 2002 from Mr. Centeno's attorney have been made available through the office of Pat Kistler, and Ms. Kistler has additional copies with her this evening for distribution to the public upon request.
2. Timothy Suel, a counselor at Ventura College, filed a Tort Claim against VCCCD on July 11, 2002, which the Board denied on August 22, 2002. Mr. Suel has not yet filed a lawsuit against VCCCD. Copies of the Tort Claim have been made available through the office of Pat Kistler, and Ms. Kistler has additional copies with her this evening for distribution to the public upon request.
3. Marian Carrasco, a counselor at Ventura College, filed a Tort Claim against VCCCD on July 23, 2002, which the Board denied on August 22, 2002. Ms. Carrasco has not yet filed a lawsuit against VCCCD. Copies of the Tort Claim have been made available through the office of Pat Kistler, and Ms. Kistler has additional copies with her this evening for distribution to the public upon request.
4. Laura Hilton, a classified employee at Ventura College, filed a Tort Claim against VCCCD on November 12, 2002, which the Board denied on November 26, 2002. Ms. Hilton has not yet filed a lawsuit against VCCCD. Copies of the Tort Claim have been made available through the office of Pat Kistler, and Ms. Kistler has additional copies with her this evening for distribution to the public upon request.
5. Beatriz Herrera, a counselor at Ventura College, filed a Complaint of Discrimination against VCCCD on September 17, 2002 with the California Department of Fair Employment and Housing which issued a Right-to-Sue Notice on September 19, 2002. Ms. Herrera has not yet filed a lawsuit against VCCCD. Copies of the Right-to-Sue Notice are available from Pat Kistler.
6. Golden Tee, Inc. filed a Claim against VCCCD on December 20, 2002. Copies of the Claim are available from Pat Kistler.

Trustee Gonzales pointed out that there were six cases to be discussed in Closed Session instead of seven, as indicated on the agenda.

At 7:00 p.m. President Hernández announced that the meeting would be delayed.

President Hernández reconvened the meeting in Open Session at 8:00 p.m. in the Campus Center

Conference Room. He apologized for the delay.

#### PLEDGE TO THE FLAG

Eva Conrad led the pledge to the flag.

#### CLOSED SESSION REPORT

President Hernández read the following Closed Session Report:

In the case of *Gerald Leavitt and Gerard Kapuscik vs. VCCCD*, the Ventura County Community College Districtwide Foundation, Philip Westin, Robert Gonzales, Arturo Hernández, Allan Jacobs, and Norman Nagel (Ventura County Superior Court Case No. CIV212979), on December 10, 2002, the Board voted unanimously to approve an agreement whereby the Plaintiffs, Mr. Leavitt and Mr. Kapuscik, on behalf of themselves and on behalf of all taxpayers of Ventura County, agreed to dismiss the lawsuit in exchange for a promise by VCCCD and the other Defendants not to bring any future action against the Plaintiffs. The Settlement Agreement has now been signed by all parties and the case has been dismissed in its entirety. Copies of the Settlement Agreement are available from Pat Kistler. Additionally, copies of the investigative report prepared for the law firm of Liebert Cassidy Whitmore are now available from Pat Kistler.

In the case of *AFT and Paula Muñoz vs. VCCCD* (Public Employment Relations Board Case No. LACE4170), on December 12, 2001, the AFT withdrew the Unfair Practice Charge, and on December 20, 2002, the Public Employment Relations Board dismissed the Complaint against VCCCD and closed the case.

In the case of *Valerius Lindsey vs. Oxnard College* (Los Angeles County Superior Court Case No. BC279207), the Board unanimously voted to respond to the Complaint.

In the case of *Wood & Bender, LLP vs. VCCCD* (Ventura County Superior Court Case No. CIV216408), the Board unanimously voted to respond to the Complaint.

Regarding the threatened litigation against VCCCD by former District police officer Raymond Centeno, the Board unanimously voted to approve a Settlement Agreement whereby VCCCD will pay to Mr. Centeno the sum of \$350,000 in exchange for mutual releases. Copies of the Settlement Agreement are available from Pat Kistler.

#### ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

President Hernández acknowledged Art Halenbeck and Pat Murray of the Ventura Chapter of the League of Women Voters.

James Walker welcomed the students from Student Trustee McRoberts' Economics class.

President Hernández presented a Certificate of Appreciation to Monte Clark, who accepted on behalf of the Hospital Association of Southern California. Mr. Clark thanked the Board.

President Hernández presented a Certificate of Appreciation to Sharon Miller, Moorpark College Student Activities Specialist. Ms. Miller thanked the Board.

#### PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

Patricia Navarro addressed the Board regarding Action Item 5.5 – Position Announcement and Composition of the Chancellor's Search Committee. Gerard Kapuscik addressed the Board about the RFP on legal services discussion item.

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### *Consent Calendar Items*

It was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve the following Consent Calendar Items: (McRoberts – absent)

#### *Student Learning*

- 3.1 Second Reading: Course Approvals: New and Revised Courses – Moorpark and Ventura Colleges** was approved.
- 3.2 Ventura College Study Abroad Program – Spanish in Cuernavaca, Mexico, Summer 2003** was approved.

#### *Human Resources*

- 5.1 Classified Actions** were approved.
  - 5.1.1 Probationary to Permanent Personnel** was granted to approve the change of the following probationary personnel from probationary to permanent.

<u>Name</u>	<u>Classification/Location</u>	<u>Effective Date</u>
Bjordahl, James	Bookstore Oper. Asst./MC	01/01/03
Burres, Geoff	TV/Radio Prod. Spec./MC	12/01/02
Greenberg, Sandra	Prod Asst Alt Text Prod Center/VC	11/13/02
Klipp, Marsha	Acct. Tech. II-Payroll/DSC	12/17/02
Martinengo, Bob	Alt Text Prod Center Supv/VC	11/20/02
Paarmann, Charles	Custodian/VC	12/01/02
Sanchez, Eduardo	CC Police Officer I/DW	12/01/02

Torres, Vanessa

Child Dev. Asst./OC

12/15/02

- 5.1.2 Retirement of Permanent Personnel** was approved to accept the retirement of Marilyn Jean Kauffman, Assistant Registrar, Admissions and Records at Oxnard College, effective December 30, 2002.
- 5.1.3 Termination of Provisional Assignment** was approved to accept the termination of Carolyn Rutherford, Administrative Assistant III at Moorpark College, effective December 6, 2002.
- 5.1.4 Promotional Employee** was approved to accept the promotion of Maria Cardona, Financial Aid Specialist, Moorpark College, effective January 15, 2003.
- 5.1.5 Resignation of Probationary Personnel** was approved to accept the resignation of the following probationary personnel:
- Richard Galope, Ventura College, effective December 2, 2002
  - Jonathan Holley, Oxnard College, effective December 18, 2002
- 5.1.6 Approval of Employment of Relatives** was approved to appoint the following relatives.
- Michel Mathieu, Student Assistant, Ventura College, effective January 15, 2003.
  - Rene Smentek, Student Assistant, District Service Center, effective January 15, 2003
- 5.1.7 Provisional Assignments** were approved for the following hourly provisional assignments.

<u>Name/Classification</u>	<u>Location</u>	<u>Effective Date</u>
Jeff Barrett/Production Asst.	MC	*01/01/03 – 06/30/03
Mia Bortolussi /Reader-Grader	MC	*11/18/02 – 2/28/03
Ryan Campbell/Production Asst.	MC	*01/01/03 – 06/30/03
Erik Fest/Fire Technician Asst.	OC	*11/25/02 – 6/30/03
Marcella Gatlin/Production Asst.	MC	*01/01/03 – 06/30/03
Krista Lederer/Production Asst.	MC	*01/01/03 – 06/30/03
Michael McGivney/Instr Lab Tech/Constr.	VC	*12/18/02 – 04/01/03
James Petersen/Fire Technician Asst.	OC	*11/1/02 – 6/30/03
Patricia Pillow/Cashier	VC	*01/02/03 – 01/17/03
Margaret Sych/Interpreter	MC	*01/06/03 – 05/14/03
Jennifer Wahl/Tutor	VC	01/20/03 – 05/10/03
Catrina White/Interpreter	OC	*11/25/02 – 12/18/02
Jon Zuber/Production Asst.	MC	*01/01/03 – 06/30/03

\*Early start

- 5.1.8 Change of Assignment** was approved for Christina Martinez, Ventura College, to increase her assignment as Matriculation Specialist II/Bilingual from 25% to 55%, effective January 15, 2003.
- 5.1.9 Probationary Personnel** was granted to approve Manual Herrera, Jr., Account Technician II – Payroll, at the District Service Center, effective January 21, 2003.

- 5.1.10 Reassignment** was granted to approve the reassignment of Katherine Lyon, Human Resources Data Systems and Records Specialist, at the District Service Center from the Human Resources Department to the Payroll Department.
- 5.1.11 Establishment of New Classification Specification** was granted to establish an Instructional Lab Technician I - Construction Technology classification, effective January 15, 2003.
- 5.1.12 Temporary Change of Assignment** was granted to approve a temporary change of assignment for Cherri Ziegler, Instructional Lab Technician I – Office of Technology, Oxnard College, for a decrease to 90%, effective January 6, 2003 – March 4, 2003, and a decrease to 80%, effective March 11, 2003 - May 8, 2003.
- 5.1.13 Resignation of Permanent Personnel** was granted to accept the resignation of Jeffrey Katzoff, Assistant College Trainer, Ventura College, effective January 16, 2003.

## **5.2 Academic Actions**

- 5.2.1 Granting of Sick Leave Days from Established Sick Leave Pool for Part-time Academic Employee – Moorpark College** was approved to grant 102.04 hours of sick leave pay from the sick leave pool per the VCCCD/AFT Agreement, Article 8.9(D), to Patricia DeVita-Vessa, part-time instructor at Moorpark College.
- 5.2.2 Granting of Sick Leave Days from Established Sick Leave Pool for Full-time Academic Employee – Ventura College** was approved to grant 87 days of half-pay sick leave days from the sick leave pool per the VCCCD/AFT Agreement, Article 8.9(C) to David Robles, full-time counselor at Ventura College.
- 5.2.3 Extension of Full-time Temporary Academic Management Assignment – Ventura College** was approved to extend the full-time temporary academic management assignment of Ismael (Mayo) de la Rocha as Intern Dean, Social Sciences/Foreign Languages at Ventura College, effective January 1, 2003 through December 31, 2003.
- 5.2.4 Temporary Increase of Assignment for a Part-time Instructor – Moorpark College** was granted to increase the assignment for John Dueppen, part-time instructor at Moorpark College, from 60% to 100%, effective September 12, 2002 through December 18, 2002.
- 5.2.5 Approval of Part-time Faculty – Oxnard Moorpark, and Ventura** was granted to approve the names of part-time faculty to be hired during the Spring 2003 semester.

## ***Business Services***

### **6.2 Checks**

- 6.2.1 Ratification of Accounts Payable and Payroll for the Period of November 20, 2002 – December 18, 2002** was approved.

### **6.3 Purchase Orders**

- 6.3.1 Approval/Ratification of Board Purchase Order Report #8** was granted for the period covering November 21, 2002 – December 19, 2002.

**6.4. Award of Bids**

**6.4.1 Approval of Bid #194, Multipurpose Paper** was granted for District-wide use for publication department jobs, printers, copiers, fax machines and other general office equipment.

**6.5 Budget Amendments****6.5.1 Approval of Contracts & Grants Budget Amendments - General Fund**

**Restricted** was granted to accept budget amendments to existing contracts, grants and designated programs for FY 2002-2003.

**6.6.1 Budget Transfers**

**6.6.1 Monthly Budget Transfer Summary** was approved to ratify the monthly budget transfer summary for the month ending November 30, 2002, for the General Fund-Unrestricted and General Fund-Restricted.

**6.7 Contracts****6.7.1 Approval of New Contracts and Grants – General Fund Restricted**

**General Fund Unrestricted – Designated** was granted to accept new contracts and grants for FY 2002-2003.

**6.8 Other**

**6.8.1 Approval of a Lease Addendum Between Ventura County Community College District and County of Ventura, Department of Airports** was granted to approve a lease agreement addendum between Ventura County Community College District and County of Ventura, Department of Airports for the lease of the District Service Center.

**6.9 Capital Planning, Design and Construction**

**6.9.1 Approval of Change Order #5 for Project #29026: Student Services Building at Oxnard College** was granted in the amount of \$13,672 for Project #29026: Student Services Building at Oxnard College.

**6.9.2 Approval of Change Order #6 for Project #29026: Student Services Building at Oxnard College** was granted in the amount of \$37,000 for Project #29026: Student Services Building at Oxnard College.

**6.9.3 Approval of Change Order #2 for Project #19058: Learning Resource/Telecommunications Center at Moorpark College** was granted in the amount of \$6,925 for Project #19058: Learning Resource/Telecommunications Center at Moorpark College.

*Trustees/Chancellor*

- 7.1 Action to Approve Governing Board Member Absence** was approved for Student Trustee McRoberts.



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

**6.5 Budget Amendments**

**6.5.2 Budget Amendment, General Fund – Unrestricted** was moved by Trustee Jacobs, seconded by Trustee Gonzales, and carried on a unanimous vote, to amend the General Fund Revenue and Expenditure accounts. (McRoberts – absent)

Trustee Jacobs expressed his concerns about the amendment. Michael Gregoryk, Eva Conrad, Lydia Ledesma-Reese, and Larry Calderón updated the Board on budget cuts.

*Approval of Minutes*

**2.1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for December 10, 2002** was revised as follows with a motion from Trustee Jacobs, seconded by Trustee Gonzales, and carried on a 4-1 vote, with President Hernández, Trustees Gonzales, Heitmann, and Jacobs voting yes, and Trustee Rooney voting no. (McRoberts – absent)

Page 13: “The Board took action to enter into an agreement with the following, subject to agreement with all parties:

- *Gerald Leavitt and Gerard Kapuscik vs. VCCCD, Ventura County Community College Districtwide Foundation, Philip Westin, Robert Gonzales, Arturo Hernández, Allan Jacobs, and Norman Nagel* (Ventura County Superior Court Case No. CIV212979)”

It was pointed out that this Case was discussed in Closed Session and was not announced publicly at that time because all parties had not agreed to the settlement agreement.

At 8:43 p.m. Trustee Gonzales excused himself and indicated that he would not vote on the following item:

**6.9 Capital Planning, Design and Construction**

**6.9.4 Approval of Subcontractor Substitution for Project #19058: Learning Resource/Telecommunications Center at Moorpark College** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 4-0, with Trustee Gonzales absent, to substitute the subcontractor Custom Metal & Air Conditioning, Inc. with Sheldon Mechanical Corporation for the mechanical portion of the work on Project #19058: Learning Resource/Telecommunication Center at Moorpark College. (McRoberts – absent)

Ron Harris, Custom Metal & Air Conditioning expressed his concerns about the substitution. Trustee Rooney asked for written material prior to Board meeting.

Trustee Hernández pointed out that Student Trustee McRoberts was absent due to illness.

At 8:50 p.m. Trustee Gonzales returned.

## Action Items

### *Human Resources*

1. **Sabbatical Leave Recommendations, per AFT Contract – 2003-2004 (5.3)** was moved by Trustee Jacobs, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve the required thirteen 2003-2004 Sabbatical Leave recommendations of the District Sabbatical Leave Committee, along with those recommended as alternates. (McRoberts – absent)

<u>Faculty Member</u>	<u>Discipline</u>	<u>Campus</u>	<u>Length of Leave</u>
Lori Bennett	Business	Moorpark	Spring Sem. 2004
James Kenney	Music	Oxnard	Spring Sem. 2004
Marian Carrasco	Counselor	Ventura	Spring Sem. 2004
Raquel Olivera	Spanish	Moorpark	AY 2003-2004
Marie Butler	Sociology	Oxnard	Spring Sem. 2004
Marta de Jesus	Life Science	Ventura	Spring Sem. 2004
John Gray	Photography	Moorpark	Spring Sem. 2004
Olivia Menchaca	Transfer Cntr. Coord.	Oxnard	Spring Sem. 2004
Ara Khanjian	Economics	Ventura	Spring Sem. 2004
Edna Ingram	Counselor	Moorpark	Spring Sem. 2004
Les Wieder	Theater/Radio-TV	Moorpark	Spring Sem. 2004
Diane Sukiennik	Counselor (Matric.)	Moorpark	AY 2003-2004
Maureen Harrigan	Biology	Moorpark	AY 2003-2004

#### Alternates

Helga Winkler	Spanish	Moorpark	Spring Sem. 2004
Gillian Dale	English	Moorpark	AY 2003-2004
Tom Spraggins	Accounting	Moorpark	AY 2003-2004
Patti Dozen	Essential Skills	Moorpark	Fall Sem. 2003
David Harrington	Criminal Justice	Moorpark	Spring Sem. 2004

Trustee Jacobs expressed his concerns about the cost of this item.

2. **Consideration of Additional Sabbatical Leave Recommendations for 2003-2004 (5.4)** was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve two sabbatical leaves that have been recommended by the District Sabbatical Leave Committee for fiscal year 2003-2004 in addition to those recommended in Item 5.3. (McRoberts – absent)

<u>Faculty Member</u>	<u>Discipline</u>	<u>Campus</u>	<u>Length of Leave</u>
Gillian Dale	English	Moorpark	AY 2003-2004
Tom Spraggins	Accounting	Moorpark	AY 2003-2004

Trustee Jacobs pointed out that these are one-year sabbaticals.

3. **Position Announcement and Composition of the Chancellor's Search Committee (5.5)** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a unanimous vote, to approve the position announcement and composition of the Chancellor's Search Committee. (McRoberts – absent)

Trustees Rooney and Jacobs gave a brief report on the December 20<sup>th</sup> and January 9<sup>th</sup> Chancellor's Search subcommittee meetings. It was pointed out that the student trustee was added to the list of subcommittee members, along with an additional community member from each trustee area. There was a brief discussion regarding this item. It was decided that a short job description would be sent to the Board for the community members. The subcommittee asked each Board member to provide two names of individuals to serve on the Chancellor's Search Committee prior to the next Board meeting.

Brandy Huffer addressed the Board regarding the selection of the community members for the Chancellor's Search Committee.

4. **Request for Proposals – Executive Search Firms (5.6)** was amended to include the following changes, with a motion from Trustee Rooney, seconded by Trustee Jacobs, and carried on a unanimous vote, to approve the Request for Proposals from Executive Search firms to provide consulting services to the Board of Trustees in their recruitment of a Chancellor for the District. (McRoberts – absent)

- Request full presentations
- Break out Services and Request a Cost Per Item
- Send out RFP globally

The subcommittee will bring a list of candidates to be interviewed to the next Board meeting.

*Business Services*

5. **Adoption of 2003-2004 Nonresident Tuition rate, Foreign Student Capital Outlay Surcharge, and Foreign Application Processing Fee (6.8.2)** was moved by Trustee Jacobs, seconded by Trustee Gonzales, and carried on a 3-2, with President Hernández, Trustees Gonzales and Jacobs voting yes, and Trustees Heitmann and Rooney voting no, to adopt the 2003-2004 Nonresident Tuition rate, Foreign Student Capital Outlay Surcharge, and Foreign Application Processing Fee as follows: (McRoberts – absent)
- a. A foreign student capital outlay surcharge rate, effective Summer 2003, of \$14 per semester unit,
  - b. A foreign student application processing fee, effective Summer 2003, in the amount of \$50 per applicant,
  - b. A nonresident tuition rate, effective Summer 2003, of \$149 per semester unit (the Statewide average cost rate, an increase of \$8 per unit and an increase in revenue estimated at \$108,000).

Lydia Ledesma-Reese, Larry Calderon, and Eva Conrad commented on the rate increase. Trustee Rooney expressed her concerns about the District's loss of revenue.

6. **Surplus/Disposal of Equipment (6.8.3)** was moved by Trustee Jacobs, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the surplus/disposal of equipment and materials.
7. **Acceptance of Gifts (6.8.4)** was moved by Trustee Gonzales, seconded by Trustee Jacobs, and carried on a unanimous vote, to accept the gift to the Ventura College Water Polo Program of 4 tickets to the NCAA Men's Water Polo Championship from Jack P. Lipton, Burke, Williams & Sorensen, LLP. (McRoberts – absent)

President Hernández thanked Dr. Lipton.

8. **Approval of Extension of Contract for JCM Group as Construction Managers for the District (6.9.6)** was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve an extension of the contract with JCM Group as the Construction Managers for the District from February 1 through February 28, 2003, not to exceed \$150,000. (McRoberts – absent)

Trustee Rooney gave a brief explanation on this item.

9. **Establishment of a Project Labor Agreement for Measure S Bond Construction Program (6.9.7)** was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a unanimous vote, to authorize management to establish a Project Labor Agreement for Measure S bond projects. (McRoberts – absent)

There was a brief discussion regarding the effects of this agreement on future bond projects.

10. **Adoption of a Resolution to Enable the District to Enter Into an Owner-Controlled Insurance Program (6.9.8)** was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve a resolution to enter into an Owner-controlled Insurance Program, via the Statewide Education Wrap-Up Program. (McRoberts – absent)

President Hernández gave a brief overview of this item.

11. **Approval to Execute a Contract with Leo A. Daly Architects to Provide Master Plan Architectural Services to Ventura College (6.9.9)** was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a unanimous vote, to authorize management to execute a professional services contract with the firm of Leo A. Daly to provide master plan architectural consulting services for Ventura College, pending successful negotiations of contract terms. (McRoberts – absent)

Trustee Rooney pointed out that Leo A. Daly Architects has agreed to use local companies.

12. **Approval to Execute a Contract with Gonzalez/Goodale/Martinez to Design Athletic Facilities at Ventura and Oxnard Colleges and a Running Track at Moorpark College (6.9.10)** was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a unanimous vote, to authorize management to execute a professional services contract with the firm of Gonzalez/Goodale/Martinez to design athletic facilities at Ventura and Oxnard Colleges and a running track at Moorpark College, pending successful negotiations of contract terms. (McRoberts – absent)

### *Trustees/Chancellor*

11. **Second Reading: Board of Trustees 2003 Schedule of Meetings (7.2)** was amended to change the March 11<sup>th</sup> meeting to March 13<sup>th</sup> by a motion from Trustee Jacobs, seconded by Trustee Rooney, and carried on a unanimous vote, to approve the 2003 Schedule of Meetings for the Board of Trustees. (McRoberts – absent)

It was pointed out that the Closed Session would begin at 4 p.m.

12. **Review and Assignment of Board of Trustees Subcommittees and Ad Hoc Committees -- Appointments to Serve for 2003 (7.3)** was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the subcommittees and ad hoc committee

appointments to serve for 2003. (McRoberts – absent)

<u>Subcommittee</u>	<u>Members</u>	
Audit/Budget/Foundation	Cheryl Heitmann	Allan Jacobs
Legislative Program	Bob Gonzales	Allan Jacobs
Construction Projects	Art Hernandez	Mary Anne Rooney
Personnel Commission	Bob Gonzales	Mary Anne Rooney

#### Ad Hoc Committee

Rules, Operations & Procedures	Cheryl Heitmann	Art Hernandez
Chancellor's Search Committee	Allan Jacobs	Mary Anne Rooney

Trustee Rooney asked that each committee put together what the committee does. Art Hernández will work with staff to bring back draft descriptions.

### *End of Board Actions*

## DISCUSSION

- **Process for Approving Contracts for Projects Under Measure “S”**

This item will be addressed during the Board Study Session.

- **RFP for Legal Services**

Michael Gregoryk distributed a draft Request for Proposal for legal services. There was a brief discussion on developing a RFP for approval on January 24<sup>th</sup>. Trustee Jacobs asked about other districts' policies on legal services.

Gerard Kapuscik addressed the Board regarding this item.

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## Reports

### STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Student Government representatives**

Fenix Pleitez asked the Board to consider placing Student Reports at the beginning of the agenda. Ms. Pleitez gave a brief update on the student government activities. She reported on a fundraiser and a book trust fund at Ventura College.

Brandy Huffer commented on the agenda format. She reported on student government activities and the Athletic Banquet Hall of Fame. She invited the Board to attend the Moorpark College Talent Show.

Art Hernández pointed out that the proposed agenda format has the student government reports at the beginning of the agenda.

- **Academic Senate representatives**

Richard Goff commented on Measure S, the Chancellor's Search Subcommittee meeting, and the non-resident tuition rate. Mr. Goff read a letter from the Academic Senate dated November 25, 2002, regarding Ventura College.

#### INTERIM CHANCELLOR'S REPORT

- **Deputy Chancellor's Report**

- **State Budget Update**

- Michael Gregoryk updated the Board on the State budget and distributed preliminary budget information for fiscal year 2002/2003 and 2003/2004. James Walker pointed out that the budget subcommittee of DCAS represents all constituencies throughout the district and that the work of the committee would be presented at the Study Session on January 24.

- **Report on Measure S Capital Construction Program**

- Handel Evans reported on the Citizens Oversight Committee meeting.

## First Reading Items

- **Course/Program Approvals: New and Revised Courses and Programs - Oxnard College**

Trustee Rooney pointed out that the UC System would accept the college algebra course with changes. Eva Conrad explained the CAN numbering system.

- **Revision to Board Policy Manual Appendix A II: Agenda Format**

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## Trustee Issues

- **Trustee Issues**

- Trustee Rooney reported on the Nursing Pinning Ceremony at Ventura College, the college basketball games, and the Citizens' Oversight Committee. She commented on the letter from Citrus College regarding Senate Bill 6.
- Cheryl Heitmann indicated that she would be attending the Ventura County School Boards' Association dinner on January 29<sup>th</sup>. She expressed her concerns about the Ventura County

Superintendent of Schools' insert in the *Ventura County Star*.

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RECESS TO CLOSED SESSION

At 12:20 a.m. the Board recessed to Closed Session.

RECONVENE IN OPEN SESSION

At 1:00 a.m. the Board reconvened in Open Session.

CLOSED SESSION REPORT

There was no Closed Session Report.

ADJOURNMENT

At 1:01 a.m. the meeting was adjourned.