

# **Board of Trustees Ventura County Community College District**

<p><b>MINUTES FOR THE STUDY SESSION OF JANUARY 24, 2003</b></p>
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The Study Session of the Board of Trustees of the Ventura County Community College District was held on Friday, January 24, 2003, in the District Service Center Chancellor's Conference Room, Camarillo, California.

## **Roll Call**

### **Board Members Present:**

Arturo D. Hernández, President  
Cheryl Heitmann, Vice-President  
Robert S. Gonzales  
Allan W. Jacobs  
Mary Anne Rooney  
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  
Alan Nordquist, Interim Vice President, College Services, Moorpark College  
Ramiro Sanchez, Executive Vice President, Student Learning, Oxnard College  
Rene Rodriguez, Dean, Evening Programs, Moorpark College  
Sue Johnson, Assistant Vice Chancellor, Business Services  
Irene Pinkard, Assistant Vice Chancellor, Human Resources  
Patricia Kistler, Director of Governmental and Public Affairs  
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President

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

Jack Miller, Moorpark College Academic Senate President  
Mary Jones, Oxnard College Academic Senate President  
Angie Marquez, Ventura College Classified Senate President  
Larry Miller, AFT  
Elena Nua, SEIU

## **CALL TO ORDER**

President Hernández called the meeting to order in the District Service Center Chancellor's Conference Room at 8:30 a.m.

## PLEDGE TO THE FLAG

Larry Calderón led the pledge to the flag.

## PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

David Maron addressed the Board regarding agenda items.

**Brown Act Presentation.** Roger Myers of Myers, Widders, Gibson, Jones & Schneider, LLP., made a presentation regarding *The Brown Act*. He distributed copies of *The Brown Act*, from the California Attorney General's Office, and copies of the Power Point Presentation.

At 10:20 a.m., the meeting was recessed, and at 10:45 a.m. the meeting reconvened.

## Action Items

Trustee Gonzales indicated that he would not vote on Item 6.8.1 to avoid any conflict of interest and left the dais at 10:46 a.m.

### *Business Services*

1. **Approval of Request for Proposal (RFP) for Legal Services (6.8.1)** was moved by Trustee Heitmann, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Gonzales absent, to approve the Request for Proposal (RFP) for legal services. (McRoberts – yes)

Michael Gregoryk gave a brief update on the process that was used for developing an RFP for legal services. He distributed and reviewed the *Multi-District Colleges by Region Legal Use Survey*. Trustee Rooney requested information on the size of the districts in the survey and what their legal fees were.

Mr. Gregoryk indicated that the proposals would be reviewed at the April Board meeting. There was a brief discussion regarding the finalists providing *Good Standing Certificates*. It was decided that members of the adhoc committee, President Hernández and Trustee Heitmann, would review the applicants and bring recommendations to the Board for review.

At 11:13 a.m. Trustee Gonzales returned.

There was a brief discussion regarding adhoc committees. President Hernández indicated that he would work with staff to develop a process and description for subcommittees and adhoc committees.

### *Trustees/Chancellor*

2. **Action to Approve Governing Board Member Absence (7.1).** No absences were reported.

3. **Second Reading: Revision to Board Policy Manual Appendix A.II: Agenda Format (7.2)** was tabled.

It was decided that the adhoc agenda committee would work with staff to revise the agenda.

4. **Second Reading: Board of Trustees 2003 Schedule of Meetings (7.3)** was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the following 2003 Schedule of Meetings for the Board of Trustees: (McRoberts – yes)

### **2003 Calendar of Meetings**

<b>Date:</b>	<b>Time:</b>	<b>Type:</b>
<b><i>Tuesday, January 14</i></b>	<i>5:00 p.m.</i>	<i>Closed Session</i>
<b><i>Moorpark College</i></b>	<i>7:00 p.m.</i>	<i>General Purpose Meeting</i>
<b><i>Friday, January 24</i></b>	<i>8:00 a.m.</i>	<i>Study Session</i>
<b><i>District Service Center</i></b>		
<b><i>Tuesday, February 11</i></b>	<i>4:00 p.m.</i>	<i>Closed Session</i>
<b><i>Oxnard College</i></b>	<i>6:00 p.m.</i>	<i>General Purpose Meeting - Reports</i>
	<i>7:00 p.m.</i>	<i>General Purpose Meeting</i>
<b><i>Thursday, March 13</i></b>	<i>4:00 p.m.</i>	<i>Closed Session</i>
<b><i>Ventura College</i></b>	<i>6:00 p.m.</i>	<i>General Purpose Meeting - Reports</i>
	<i>7:00 p.m.</i>	<i>General Purpose Meeting</i>
<b><i>Tuesday, April 8</i></b>	<i>4:00 p.m.</i>	<i>Closed Session</i>
<b><i>Cowan Conference Center</i></b>	<i>6:00 p.m.</i>	<i>General Purpose Meeting - Reports</i>
	<i>7:00 p.m.</i>	<i>General Purpose Meeting</i>
<b><i>Tuesday, May 13</i></b>	<i>4:00 p.m.</i>	<i>Closed Session</i>
<b><i>Cowan Conference Center</i></b>	<i>6:00 p.m.</i>	<i>General Purpose Meeting - Reports</i>
	<i>7:00 p.m.</i>	<i>General Purpose Meeting</i>
<b><i>Tuesday, June 17</i></b>	<i>4:00 p.m.</i>	<i>Closed Session</i>
<b><i>Cowan Conference Center</i></b>	<i>6:00 p.m.</i>	<i>General Purpose Meeting - Reports</i>
	<i>7:00 p.m.</i>	<i>General Purpose Meeting</i>

### 2003 Calendar of Meetings (Continued)

<b>Date:</b>	<b>Time:</b>	<b>Type:</b>
<i>Tuesday, July 8</i>	4:00 p.m.	<i>Closed Session</i>
<i>Cowan Conference Center</i>	6:00 p.m.	<i>General Purpose Meeting – Reports</i>
	7:00 p.m.	<i>General Purpose Meeting</i>
<i>Tuesday, August 12</i>	4:00 p.m.	<i>Closed Session</i>
<i>Cowan Conference Center</i>	6:00 p.m.	<i>General Purpose Meeting – Reports</i>
	7:00 p.m.	<i>General Purpose Meeting</i>
<i>Tuesday, September 16</i>	4:00 p.m.	<i>Closed Session</i>
<i>Cowan Conference Center</i>	6:00 p.m.	<i>General Purpose Meeting – Reports</i>
	7:00 p.m.	<i>General Purpose Meeting - Adopt Final Budget</i>
<i>Tuesday, October 14</i>	4:00 p.m.	<i>Closed Session</i>
<i>Cowan Conference Center</i>	6:00 p.m.	<i>General Purpose Meeting - Reports</i>
	7:00 p.m.	<i>General Purpose Meeting</i>
<i>Tuesday, November 25</i>	4:00 p.m.	<i>Closed Session</i>
<i>Cowan Conference Center</i>	6:00 p.m.	<i>General Purpose Meeting – Reports</i>
	7:00 p.m.	<i>General Purpose Meeting</i>
<i>Tuesday, December 9</i>	4:00 p.m.	<i>Closed Session</i>
<i>Cowan Conference Center</i>	6:00 p.m.	<i>Annual Organizational Meeting - Reports</i>
	7:00 p.m.	<i>Annual Organizational Meeting</i>

#### PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no Public Comments.

#### RECESS TO CLOSED SESSION

At 11:50 a.m. the Board recessed to Closed Session at to consider the following items:

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

- (1) *Paula Muñoz vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV206043).
- (2) *William Donaldson vs. VCCCD, Gary Lewis, Octavio Garcia, and Joan Smith* (Ventura County Superior Court Case No. CIV210031).
- (3) *Valerius Lindsey vs. Oxnard College* (Los Angeles County Superior Court Case No. BC279207).

- (4) *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 two cases. Specifically, the existing facts and circumstances that might result in litigation against the District arise from the following:

- (1) Beatriz Herrera, a counselor at Ventura College, filed a Complaint of Discrimination against the District 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 the District. Copies of the Right-to-Sue Notice are available from Pat Kistler.
- (2) Golden Tee, Inc. filed a Claim against the District on December 20, 2002. Copies of the Claim are available from Pat Kistler.

#### RECONVENE IN OPEN SESSION

The meeting reconvened in Open Session at 12:48 p.m. Trustee Gonzales arrived at 12:55 p.m.

#### CLOSED SESSION REPORT

President Hernández read the following Closed Session Report:

Regarding the Claim filed by Golden Tee, Inc. on December 20, 2002, the Board voted unanimously to deny the Claim.

- **Budget Workshop.** Evan Cohon expressed her concerns about cutting the summer school program.

James Walker gave a brief overview of budget cuts and the allocation of funds. He pointed out that a group of 30-60 people have met to review the budget and make recommendations for cuts.

Michael Gregoryk reported on the following items:

- Overview of How District Receives Revenue
- Budget Allocation Model
- Direction to Deal with Mid-Year Cuts
- Suggestions to Implement this Year, in Effect next year.

Mr. Gregoryk distributed the Community College League of California *State Budget Update #4*. Sue Johnson gave a brief overview on funding from the state, the District's allocation process, and the proposed allocation methodology for 2003-2004. There was a brief discussion regarding this item. Larry Calderón commented on funding and explained the budget process that was used at Ventura College. Holly McRoberts asked about writing the Governor regarding the budget. Patricia Kistler will provide Ms. Roberts with the necessary information.

At 2:30 p.m. the meeting recessed and reconvened at 2:50 p.m.

Mike Gregoryk gave a brief overview of the reserves and mid-year budget cuts. Bill Studt updated the Board negotiations with the unions.

It was pointed out that the colleges are offering summer school without the four-week program. The Board provided staff with suggestions for cutting costs.

At 3:45 p.m. the Board recessed and reconvened at 3:50 p.m.

President Hernandez acknowledged staff for their efforts. Larry Calderón, Eva Conrad, and Lydia Ledesma-Reese explained their budget cuts. They acknowledged staff for their efforts during the process. James Walker pointed out that this District would no longer be able to provide the level of services to students or each other with reductions.

At 4:35 p.m. Trustee Gonzales left the meeting.

The Board acknowledged staff for their efforts in the budget process. President Hernández asked for additional information on the budget cuts to keep the Board informed.

Connie Jenkins, part-time instructor, addressed the Board regarding the layoff of part-time instructors.

#### ADJOURNMENT

At 4:30 p.m., it was moved by Trustee Heitmann, seconded by Trustee Rooney, and carried on a unanimous vote to adjourn the meeting. (McRoberts – yes)