

# Board of Trustees Ventura County Community College District

<p style="text-align:center"><b>MINUTES FOR THE SPECIAL MEETING OF APRIL 23, 2003</b></p>
---

The Special Meeting of the Board of Trustees of the Ventura County Community College District was held on Wednesday, April 23, 2003, in the Cowan Conference Center, 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  
Michael Gregoryk, Deputy Chancellor  
Eva Conrad, President, Moorpark College  
Lydia Ledesma-Reese, President, Oxnard College  
Tom Kimberling, Vice President, College Services, for Larry Calderón, President, Ventura College  
Jack Lipton, General Counsel  
William Studt, Vice-Chancellor, Human Resources  
Romero Sanchez, Executive Vice President, Student Learning  
Al Nordquist, Executive Vice President, Student Learning  
Sue Johnson, Assistant Vice Chancellor, Business Services  
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  
Becky Hull, Ventura College, Academic Senate Vice-President  
Elena Nua, SEIU

## **CALL TO ORDER**

President Hernández called the meeting to order in the Cowan Conference Center, Ventura Room, at 4:11 p.m.

RECESS TO CLOSED SESSION

At 4:30 p.m. the Board recessed to Closed Session to consider the following items:

CONFERENCE WITH LABOR NEGOTIATOR [*Gov't Code* § 54957.6]. The District's negotiator is Vice-Chancellor of Human Resources William Studt and the employee organizations are AFT and SEIU.

CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION [*Gov't Code* § 54956.9(a)]

- *AFT vs. VCCCD* (Paula Muñoz union discrimination/AFT Grievance)
- *AFT vs. VCCCD* (Paula Muñoz evaluation/AFT Grievance)
- *AFT vs. VCCCD* (Paula Muñoz summer 2000 assignment/AFT Grievance)
- *Paula Muñoz vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV206043)
- *AFT vs. VCCCD* (Office of Administrative Hearings Case No. 2003-04-0031)
- *Ronald Segovia Dyste vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV214921)

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION [*Gov't Code* § 54956.9(b)]

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 filed a lawsuit against the District. Copies of the Right-to-Sue Notice are available from Pat Kistler.
2. Donetta Corbett filed a Claim against the District on March 25, 2003. Copies of the Claim are available from Pat Kistler.

PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS [*Gov't Code* § 54957]. The Board will consider all academic administrators.

PUBLIC EMPLOYEE APPOINTMENT [*Gov't Code* § 54957]. The item for appointment of General Counsel was pulled from the agenda.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

Candace Peyton, Charlotte Wakenhut, Penny Hahn, Michelle Orozco, and Angelica Gonzales addressed the Board regarding the elimination and reduction of classified positions.

At 7:38 p.m. Chancellor Walker announced that the Board would be in Closed Session for an additional 30 minutes.

## RECONVENE IN OPEN SESSION

The meeting reconvened in Open Session at 8:00 p.m.

## PLEDGE TO THE FLAG

Tom Kimberling led the pledge to the flag.

## CLOSED SESSION REPORT

In the case of *Paula Muñoz vs. VCCCD*, Ventura County Superior Court Case No. CIV206043, on February 28, 2003, the Board voted 4-1, with Trustees Hernández, Heitmann, Rooney, and Jacobs voting “yes,” and Trustee Gonzales voting “no,” to approve a Settlement Agreement. The Agreement now has been fully executed and is final. The Agreement provides, in part, for the District to pay to Ms. Muñoz the sum of \$62,500. Copies of the Agreement are available from Pat Kistler.

In the matter regarding Beatriz Herrera, on February 28, 2003, the Board voted 4-1, with Trustees Hernández, Heitmann, Rooney, and Jacobs voting “yes,” and Trustee Gonzales voting “no,” to approve a Settlement Agreement. The Agreement now has been fully executed and is final. The Agreement provides, in part, for the District to pay to Ms. Herrera the sum of \$10,000. Copies of the Agreement are available from Pat Kistler.

Regarding the Claim filed by Donetta Corbett on March 25, 2003, the Board voted unanimously to deny the Claim.

## PUBLIC COMMENTS REGARDING AGENDA ITEMS

Bud Bailey and Elena Nua addressed the Board regarding the elimination and reduction of classified positions.

## ITEMS FOR DISCUSSION

### ➤ **Projections for 2003-2004 Budget**

Michael Gregoryk gave a brief summary of the 2003-04 proposed budget methodology.

The following items were discussed:

- The bond rating and the impact on the interest rate
- Disparity in cost per FTES
- Economies of scale
- District Office
- Collegewide services
- Academic master plans
- Program review

The Board asked staff to do the following:

- Ensure that the District is running cost efficiently
- Review the cost-cutting suggestions made by the representatives of the classified staff
- Provide a response to the classified staff representatives

Chancellor Walker pointed out that the allocation model would be reviewed during the 2003/2004 academic year.

➤ **Contract Renewals**

- SIG
- IBM

Trustee Rooney asked for a fully executed SIG contract and suggested that the Board review alternative methods of saving money in the contract. There was a brief discussion regarding this item.

Rabin Polito addressed the Board regarding SIG and IBM contracts. The Board asked Mr. Polito to put his concerns in writing.

George Hajj, President of MAT2000, addressed the Board regarding the request to re-bid the district-wide computer bid on the agenda.

CHANGES TO THE AGENDA

*Human Resources*

2. **Elimination and Reduction of Classified Positions (5.3)** was revised on page 3 to indicate that PCN XCU263, Student Health Center Assistant, was reduced from 80% to 60%.

*Consent Calendar Items*

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

*Human Resources*

- 5.1. **Classified Actions** were approved.
- 5.1.1 **Resignation of Permanent Personnel** was approved as follows:  
 Allen Macias, Police Officer I, effective April 15, 2003.  
 Carmen Sanchez, Family Development Asst., effective February 21, 2003.
- 5.1.2 **Resignation of Probationary Personnel** was approved for Sonya Huckleby, Payroll Supervisor, effective April 9, 2003.

- 5.1.3 Approval of Request for Voluntary Leave of Absence Without Pay** was granted as follows:  
Katherine Metzger, Job Placement Spec., effective May 19 – June 13, 2003.  
Diana Salberg, Library Assistant, effective May 15 – June 19, 2003.
- 5.1.4 Probationary to Permanent Personnel** was approved for Rick Carnahan, Assistive Computer Tech/Media Spec., effective April 1, 2003.
- 5.1.5 Approval of Employment of Relative** was granted for Ignacio Cervantes, Student Aide, effective February 18, 2003.
- 5.1.6 Provisional Assignment** was approved for Sharilyn Vasquez, Fire Technician Asst., effective April 9 – June 30, 2003.
- 5.1.7 Voluntary Demotion** was approved for Elena Nua, Acct. Tech. I, effective April 17, 2003.
- 5.2 Academic Actions**
- 5.2.1 Reinstatement of Academic Position** was approved for reinstatement of the position of Director of Institutional Research and Learning Outcomes Assessment, Oxnard College, effective April 24, 2003 – June 30, 2004.

## Action Items

### *Ceremonial Resolutions*

- 1. Resolution to Honor Retiring Ventura County Community College District Administrator, Ruth Hemming (1.1)** was moved by Trustee Jacobs, seconded by Trustee Heitmann, and carried on an unanimous vote, to honor Dr. Ruth Hemming for her service to the Ventura County Community College District. (McRoberts – yes)

Trustee Rooney read the resolution.

### *Human Resources*

- 2. Elimination and Reduction of Classified Positions (5.3)** was moved by Trustee Gonzales, seconded by Trustee Jacobs, and carried on a unanimous vote, to approve the elimination and reduction of particular classified positions throughout the District as listed. (McRoberts – no)

Chancellor Walker gave a brief overview of the item. The Board asked for an update at the May 13<sup>th</sup> Board meeting.

- 3. Approval of VCCCD-AFT Side Letter of Agreement (5.4)** was moved by Trustee Gonzales, seconded by Trustee Rooney, and carried on a unanimous vote, to approve a Side Letter of Agreement between the Ventura County Community College District and American Federation of College Teachers, AFT Local 1828, to

address the faculty proportionate share of the District's 2003-2004 deficit.  
(McRoberts – yes)

The Board acknowledged the negotiating team for their efforts in addressing the faculty proportionate share of the deficit.

### ***Business Services***

4. **Methodology for Allocating Fiscal Year 2003-04 Resources (6.8.1)** was moved by Trustee Rooney, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve the methodology for allocating fiscal year 2003-04 resources as recommended by the Budget Allocation Review Committee Task Force.  
(McRoberts – yes)
5. **Request for Adoption of a Preliminary Level of Reserves for fiscal year 2003-04 (6.8.2)** was moved by Trustee Gonzales, seconded by Student Trustee McRoberts, and carried on a unanimous vote, to establish a preliminary level of reserves of 3% for fiscal year 2003-04. (McRoberts – yes)
6. **Request to Re-bid the District-Wide Computer Bid (6.8.3)** was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a unanimous vote, to re-bid the District-Wide computer bid. (McRoberts – yes)

Trustee Rooney recommended that at the 6-month renewal period that the item not be renewed because at the time of bid the item was not in good standing with the State of California.

Sue Johnson and Terry Cobos gave a brief explanation of this item. Rabin Polito commented on this item.

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

Chris Valenzano addressed the Board on behalf of Assemblyman Tony Strickland regarding student fee increase.

## **Trustee Issues**

- **Governing Board Subcommittee Reports**

President Hernández updated the Board on the review of the RFPs for legal services. There was a brief discussion and it was decided that the ad hoc committee would recommend 3-5 applicants to the Board for interview. Trustee Gonzales indicated that he would like to review the applications.

The Board recessed to Closed Session at 10:00 p.m. The Board reconvened in Open Session at 12:29 a.m. and announced that a Special Board meeting was scheduled for May 6 at 6 p.m. in the District Service Center conference room.

**ADJOURNMENT**

At 12:30 a.m. the meeting was adjourned.

C:/mydocs/board/min/min034-23