

Board of Trustees

Ventura County Community College District

<p style="text-align: center;">MINUTES FOR THE MEETING OF AUGUST 12, 2003</p>
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The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, August 12, 2003, in the Cowan Conference Center – Ventura 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
Elizabeth Wolfel, Student Trustee

Management Present:

William Studt, Interim Chancellor
Michael Gregoryk, Deputy Chancellor
Eva Conrad, President, Moorpark College
Lydia Ledesma-Reese, President, Oxnard College
Larry Calderón, President, Ventura College
Vic Belinski, Associate Vice-Chancellor, Information Technology
Sue Johnson, Associate Vice Chancellor, Business Services
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President
Carolyn Inouye, Director of Institutional Research

Faculty/Staff/Student Representatives:

Mary Jones, Oxnard College Academic Senate President
Becky Santillian-Hull, Ventura College Academic Senate President
Jack Miller, Moorpark College Academic Senate President
Larry Miller, AFT
Christ Ortega, Student Representative, Oxnard College
Felicia Torres, Classified Senate President, Oxnard College

CALL TO ORDER

President Hernández called the meeting to order in the Cowan Conference Center – Ventura Room at 4:04 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no public comments.

RECESS TO CLOSED SESSION

At 4:10 p.m. President Hernández recessed the meeting to Closed Session in the Cowan Conference Center, Ojai Room to consider the following items:

CONFERENCE WITH LABOR NEGOTIATOR [*Gov't Code* § 54957.6]

District's negotiator: 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)]

- *Marian A. Carrasco vs. VCCCD, Board of Trustees, Philip Westin, Larry Calderón, Becky Hull, and Guadalupe Guillén* (Ventura County Superior Court Case No. CIV217710)
- *Timothy Suel vs. VCCCD, Board of Trustees, Philip Westin, Larry Calderón, Becky Hull, and Guadalupe Guillén* (Ventura County Superior Court Case No. CIV217711)
- *Ronald Segovia Dyste vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV214921)
- *Laura Hilton vs. VCCCD* (Ventura County Superior Court Case No. CIV219896)
- *Wood & Bender vs. VCCCD*

CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION [*Govt. 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. A Claim was filed against the District on June 24, 2003. Because the claim involves an allegation of tortuous sexual conduct, the name of the claimant is not being released pursuant to the Brown Act, Section 54961(b) of the *Government Code*. Redacted copies of the Claim are available from Eileen Welser.
2. A Claim was filed against the District on February 21, 2003. Because the claim involves an allegation of tortuous sexual conduct, the name of the claimant is not being released pursuant to the Brown Act, Section 54961(b) *Government Code*. Redacted copies of the Claim are available from Eileen Welser.

PUBLIC EMPLOYEE APPOINTMENT [*Gov't Code* § 54957]

The Board will consider the Interim Vice Chancellor, Human Resources.

RECONVENE IN OPEN SESSION

PLEDGE TO THE FLAG

The pledge to the flag was lead by Anna Marie Valle.

CLOSED SESSION REPORT

There was no Closed Session Report.

Reports

REPORTS

- **Oxnard College**

Dr. Ledesma-Reese introduced Joe Ramirez, Dean of Student Services. Mr. Ramirez gave a brief overview of the services provided to the students.

Anna Marie Valle, the coordinator of the EOPS Care Program, made a presentation and distributed brochures describing the program.

Olivia Menchaca gave a brief overview of the Oxnard College Transfer Center.

Letty Mojica, intern in counseling, attributed her educational success to the programs at Oxnard College.

Dr. Ledesma-Reese thanked the team. She acknowledged Mary Jones, Oxnard College Academic Senate President, Joe Ramirez, Executive Vice President, Cathy Garnica, Public Information Officer, Chris Ortega, Student Government Representative, and Felicia Torres, Classified Senate Representative.

- **Ventura College**

Dr. Larry Calderón invited the Board to flex-week activities at Ventura College. President Hernández recognized Dr. Calderón as the Santa Paula Latino Town Hall Education Honoree.

- **Moorpark College**

President Hernández commented on the Moorpark College parking lot grand opening and pointed out that the project was completed under budget.

- **Student Government Representative**

Chris Ortega reported on the new ID system at Oxnard College and thanked Joe Ramirez for

providing him the experience of working on the new student center. Mr. Ortega invited the Board to the upcoming events August 18-20.

- **Classified Senate Representative**

Felicia Torres said this was a first-time experience for her as Classified Senate Representative and her major goal will be to bring the morale back up at the campus.

- **Student Trustee**

Student Trustee Wolfel commented on the upcoming student trustee conference and said she has recently joined LULAC (League of United Latin American Citizens) and encouraged the student government representatives to attend the 2003 Youth Leadership Conference. She stressed the need for leaders to become mentors.

- **Personnel Commission Representative**

Patricia Parham announced that applications are being accepted for a seat on the Personnel Commission.

Ms. Parham also gave a brief update on retirements, layoffs, transfers and demotions resulting from the State budget deficit. Trustee Heitmann thanked Ms. Parham for her efforts.

- **College Management Association Representative**

Patricia Parham advised she has resigned from her position as President of CMA and is pleased to announce the election of Diane Moore as the new President.

- **Deputy Chancellor**

- **State Budget**

Michael Gregoryk gave an update on the final budget adopted by Governor Davis. He pointed out the possibility of mid-year cuts.

- **Measure "S" and Capital Construction Projects**

Handel Evans gave an overview of the current activities in the construction projects at each of the colleges. He introduced Richard Thomas, senior partner for AC Martin. Mr. Thomas advised there have been numerous meetings since November 2002 to complete the Master Plan for Oxnard College. Dr. Ledesma-Reese also commented on how the project was a shared governance activity with numerous committee meetings where faculty, staff and administrators attended. Two community meetings were also held to receive input from the community on their

concerns and desires for the Oxnard College Campus. Mr. Thomas answered questions and addressed concerns of the Board of Trustees.

Subcommittees

- **Audit Subcommittee**

Trustee Jacobs commented on the audit subcommittee meeting with the auditor. Trustee Heitmann said the areas highlighted were procurement cards, retirees who may still be taking advantage of health care and police overtime. The committee plans to meet quarterly to follow these processes. Trustee Heitmann suggested an informational presentation be given to the Board on the role of an internal auditor and asked this be placed on the agenda at a future meeting.

- **Chancellor Search Subcommittee**

Trustee Rooney suggested planning a time when the search process should begin again. President Hernández said this item should be put on the agenda for full Board discussion to discuss the last search in order to give direction to the subcommittee. Mr. Studt will gather the information from the prior search and provide that to the Board prior to discussion.

- **Construction Subcommittee**

Trustee Jacobs indicated it was critical that this subcommittee meet on a regular basis. He suggested that if regular Board members on the subcommittee are unable to attend due to scheduling conflicts, another Board member should attend on their behalf.

- **Legislative Subcommittee**

Trustee Rooney emphasized the seriousness of SB6 and the threat to our local government. Mike Gregory was assigned to arrange for future meetings of the Legislative Subcommittee.

The Board recessed at 8:00 p.m. and reconvened at 8:10 p.m.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

PUBLIC COMMENTS

There were no public comments.

Consent Calendar Items

It was moved, seconded and carried on by unanimous vote to approve the Consent Calendar items.
(Wolfel-yes)

Approval of Minutes

- 2.1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for July 8, 2003** was approved.

Human Resources

Patricia Parham gave a brief overview of the Human Resources board item categories and described what the titles each meant.

5.1 Classified Actions

- 5.1.1 Resignation of Classified Personnel** were approved as follows:

<u>Name</u>	<u>Classification</u>	<u>Dept./Loc.</u>	<u>Eff. Date</u>
Flores, Sonja M.	Clerical Asst. I	Counseling/MC	08/01/03
Goulding, Gladys	Child Dev. Asst.	Child Dev. Cntr./MC	05/31/03
Myers, Patricia	Kiln Operator	Art/VC	08/15/03
Pettipas, Tammy	Instr Lab Tech II/Nurs	Health Science/MC	07/29/03
Pell, Jennifer	Instr. Lab Tech. II/Nurs	Health Science/VC	09/12/03

- 5.1.2 Probationary Personnel** were approved as follows:

<u>Name</u>	<u>Classification</u>	<u>Rate</u>	<u>Eff. Date</u>
Barajas, Norma	Family Dev Asst/Bil	\$2,421.38/mo.	08/13/03

11 mos., 100% (PCN#XCU318 - Vacancy of C. Sanchez, resigned)

- 5.1.3 Probationary to Permanent Personnel** were approved as follows:

<u>Name</u>	<u>Classification/Location</u>	<u>Rate</u>	<u>Eff. Date</u>
Bigelow, Matthew	Clerical Asst. I (Snl)	\$2,655.42/mo.	06/01/03
Gibson, Charisse	Adm. & Rec Asst I (Snl)	\$2,326.09/mo.	09/01/02
Herrera, Manuel	Acctng Tech II-Payroll	\$3,008/mo.	07/21/03

- 5.1.4 Provisional Assignments** were approved as listed.

- 5.1.5 Approval of Employment of Relatives** were approved as follows:

<u>Name</u>	<u>Classification</u>	<u>Eff. Date</u>
Schwabauer, Jodie	Student Aide	06/23/03-06/30/04

(VC – Bookstore)

- 5.1.6 Approval of Declination of Position** were approved as follows:

<u>Name</u>	<u>Classification</u>	<u>Location</u>	<u>Eff. Date</u>
Munoz, Adriana	Clerical Asst. I/Bilingual	OC	07/21/03

(PCN#XCU319)

5.1.7 Voluntary Demotions were approved as follows:

<u>Name</u>	<u>Classification</u>	<u>Rate</u>	<u>Eff. Date</u>
Lindsay, Nancy	Business Office Asst., - MC	\$1,366.08/mo.	08/11/03
(48%, 12 mos., PCN#MCU419)			
Mariscal, Michael	Cust/Grounds Maint. Wrkr.-	\$2,523.50/mo.	07/07/03
DSC (PCN#DCU114)(+swing shift diff.)			

5.1.8 Addition of Shift Differential to Position

<u>Name</u>	<u>Classification</u>	<u>Rate</u>	<u>Eff. Date</u>
Hernandez, Carlos	Food Serv. Asst. II – OC	\$1,014.66/mo.	07/14/03
(PCN#XCU275, 11 mos., 47.5%)			

5.1.9 Reassignment of Classified Personnel

<u>Name</u>	<u>Classification/Location</u>	<u>Rate</u>	<u>Eff. Date</u>
Kramer, David	Warehouse Oper II, VC	\$3,730/mo.	07/31/03
(PCN#VCU459)			
Troutt, David	Grounds Maint Wrkr OC	\$3,350/mo.	07/07/03
(PCN#XCU060)			

5.1.10 Change of Assignment

<u>Name</u>	<u>Classification</u>	<u>Rate</u>	<u>Eff. Date</u>
Neumann, Rhonda	Foster Care Project Spec.	\$4,263/mo.	08/13/03
(ICPD/VC – PCN#VCU454, increase from 75% to 100%, 12 mos.)			
Talmage, Dickie	Business Off Asst. I, OC	\$2,699/mo.	08/13-31/03
(Business Office/OC – PCN#XCU309, increase from 45% to 100%)			

5.1.11 Reinstatements

<u>Name</u>	<u>Classification</u>	<u>Months</u>	<u>Eff. Date</u>
Baker, Mary	Bookstore Cashier, MC	12	8/13/03
Purcell, Jerry	Bookstore Oper Asst., MC	12	8/13/03
Taylor, Andrea	Accounting Clerk II, MC	12	8/13/03
Baughman, Carol	Accounting Tech. II, MC	12	8/13/03
Bjordahl, James	Bookstore Oper Asst., MC	12	8/13/03
Grimm, Steven	College Bkstre/Bus Mgr, MC	12	8/13/03
Lopez, Daniel	Bookstore Stock Asst., MC	12	8/13/03

<u>Name</u>	<u>Classification</u>	<u>Rate</u>	<u>Eff. Date</u>
Ayala, Adrian	Std. Hlth. Cntr. Asst., OC	\$2,406.40/mo.	09/01/03
(Health Office/OC – PCN#XCU263, increase from 60%, 11 mos. to 80%, 12 mos.)			

5.1.12 Lay-Off of Permanent Personnel

<u>Name</u>	<u>Classification</u>	<u>Months</u>	<u>Eff. Date</u>
Ikeda, Mark	Asst Comp Tech/Media Acc Spec MC	12	7/20/03
George, Loni	Clerical Asst. I, OC	12	7/20/03
Moraza, Antonio	Instr Asst./Mach Shop/Bil., VC	12	7/20/03
Henshaw, Charlotte	Instructional Lab Tech., MC	12	7/20/03

Hobbs, Elaine	Library Asst., MC	12	7/20/03
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5.1.13 Termination of Classified Employee

<u>Name</u>	<u>Classification</u>	<u>Eff. Date</u>
Sanchez, Albert (PCN#MCU049)	Custodian, MC	July 14, 2003
Vera, Sonia (PCN#XCU212)	Bookstore Cashier – Seasonal	March 31, 2003

5.2 Academic Actions

5.2.1 Acceptance of Resignation of Full-time Academic

Personnel – Moorpark College was granted to accept the resignation from Priscilla Lee, a full-time instructor in Nursing at Moorpark College, effective July 31, 2003.

5.2.2 Approval of Part-time Faculty – Moorpark, Oxnard and Ventura College

was granted as listed.

5.2.3 Approval of full-time temporary non-tenure track academic personnel –

Moorpark College was granted to approve the appointment of Kathleen Ellis, Instructor in Nursing, a full-time temporary non-tenure track (grant-funded) academic personnel.

5.3 Approval of VCCCD-AFT Side Letter of Agreement – Acceptance of

Resignation/Retirement was granted to approve the Side Letter of Agreement between the Ventura County Community College and the American Federation of College Teachers, AFT Local 1828, to extend the retirement incentive of a one-time payment of \$25,000 to Charles D. Molnar, who has submitted his resignation, for the purpose of retirement, effective August 6, 2003. With his current age and 35 years of District service, Mr. Molnar is also eligible for the continuing District health and welfare benefits per Article 4, Section 4.5 of the VCCCD/AFT Agreement. Further, the savings from Mr. Molnar's retirement will be credited to the faculty's proportionate share of the 2003-2004 budget deficit.

5.4 Approval of VCCCD-AFT Side Letter of Agreement – Change to Sabbatical Leave

was granted to approve the attached Side Letter of Agreement between the Ventura County Community College and the American Federation of College Teachers, AFT Local 1828, to allow a change in the time period of the one-year sabbatical leave granted for the 2003-2004 academic year to Dianne Sukiennik, Moorpark College.

Business Services

6.2 Checks

6.2.1 Ratification of Accounts Payable and Payroll for the Period of June 21, 2003 – July 18, 2003

was granted to ratify Accounts Payable and Payroll for the period of

June 21, 2003 – July 18, 2003.

6.3 Purchase Orders

6.3.1 Approval/Ratification of Board Purchase Order Report #15 FY 2002/03 was granted to approve/ratify Board Purchase Order Report #15, FY 2002/03, from June 24, 2003 to July 23, 2003.

6.6 Budget Transfers

6.6.1 Monthly Budget Transfer Summary This item presents for ratification the monthly budget transfer summary for the months of April-June 30, 2003 for the General Fund-Unrestricted and General Fund-Restricted.

6.6.2 Fiscal Year-End Budget Transfers were approved for 2003-2003 fiscal year-end closing budget transfers between major expenditure classifications in accordance with Education Code Section 70902 and Title 5, California Code of Regulations, Section 58307.

6.7 Contracts

6.7.1 Approval of New Contracts and Grants for Fiscal year 2003-2004 was granted to accept new contracts for FY 2003-2004.

6.7.2 Authority to Execute an Agreement with IBM Corporation for Annual Maintenance Contract on Data Center was granted to authorize management to execute a contract with IBM Corporation (via IBM Premier Business Partner Sirius Computer Solutions) to provide maintenance for all Data Center Servers.

6.8 Other

6.8.1 Amendment to the Original Lease Agreement Between Ventura County Community College District and the County of Ventura for Use of the Oxnard College/Student Service Center. This item was pulled from the agenda. Additional information is needed.

6.8.2 Acceptance of Gifts was granted to accept the following gifts:

Dave Thomas, a retired Moorpark College employee, gave a Staples gift card to the Personnel Commission at the July 17, 2003 meeting; value of gift card is \$200.

Deborah Jacobson, a former employee, donated an Electric Wheel Chair and Battery Charger for student use at Moorpark College. The chair and battery are both four years old, estimated value of the chair is \$900 and the battery charger is \$300.

6.8.3 Surplus/Disposal of Equipment was approved to surplus/dispose “Woman in Repose” Sculpture by Philip Negrete, deceased. The sculpture was carved out of rose and gray colored marble and sits on a wooden base. It was donated to an art sale then purchased by the District approximately 20 years ago. The family requested the return of the sculpture. Art instructors of the District estimated the statue value between \$900 between \$2000.

6.9 Capital Planning, Design and Construction

6.9.1 Approval of Contract for Penfield & Smith for Civil Engineering Services at Oxnard College

was granted to approve the contract for Penfield & Smith in the amount of \$114,654 for civil engineering services to design a drainage swale and retention basin at Oxnard College. These fees may be subject to change depending on the evolution of the design process or if additional specialty sub-consultants are required.

6.9.2 Approval of Increase in Contract to BTC Laboratories for Required Testing and Inspection Services at the Ventura College Learning Resource Center

was granted to approve an increase of \$130,000 in the contract to BTC Laboratories, Inc. for additional testing and special inspection services for Project #39066: Ventura College Learning Resource Center.

6.9.3 Renewal of Professional Services Contract with Legal Firm of Gibbs, Giden, Locher & Turner LLP for Various Construction-related Issues

was approved to renew the professional services contract with the legal firm of Gibbs, Giden, Locher & Turner LLP for various construction-related issues that may arise in fiscal year 2003/04, not to exceed \$75,000.

6.9.4 Acceptance of Change Order Summary Report for Capital Projects

was granted to approve the Change Order Summary report for capital projects.

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

Student Services

4.1 Summer 2003 Candidates for Associate Degree at Moorpark, Oxnard and Ventura Colleges. This item was moved by Trustee Gonzales and seconded by Trustee Heitmann and carried on a unanimous vote. (Wolfel-yes)

Trustee Gonzales wanted to acknowledge those involved in achieving their educational goals.

4.2 Summer 2003 Candidates for Certificates of Achievement at Moorpark, Oxnard and Ventura Colleges. This item was moved by Trustee Gonzales and seconded by Trustee Rooney and carried on a unanimous vote (Wolfel-yes)

Trustee Gonzales wanted to acknowledge those involved in achieving their educational goals.

Human Resources

5.5 Appointment of Interim Vice Chancellor, Human Resources. The appointment of Patricia Parham as Interim Vice Chancellor, Human Resources, effective August 13, 2003 was moved by Trustee Heitmann and seconded by Trustee Jacobs and carried on a unanimous vote (Wolfel-yes).

The Board congratulated Ms. Parham and said they were looking forward to working with her in this capacity.

Business Services

6.3.2 Approval/Ratification of Board Purchase Order Report #4 FY 2003/04 was granted to approve/ratify Board Purchase Order report #4, FY 2903/04, from June 24, 2003 to July 30, 2003. This item was moved by Trustee Jacobs and seconded by Trustee Heitmann and carried on a unanimous vote. (Wolfel-yes)

Trustee Jacobs inquired whether we should go out for bid regarding the open purchase order with Jordano's at the three colleges to ensure the prices are competitive. Mike Gregoryk will report back after this item is investigated.

6.4.1 Award of Request for Proposal for Management of Golf Driving Range at Moorpark College was granted to authorize management to execute a contract for the management of the Moorpark College Golf Driving Range to TAK Enterprises. Trustee Rooney moved to approve the item with the proviso the \$10,000 will be stated as net annually, seconded by Trustee Heitmann and carried on a unanimous vote.

Trustee Rooney asked for clarification of the background and analysis section.

Action Items/Second Reading Items

Business Services

1. Budget Amendment

Budget Amendment General Fund – Unrestricted (6.5.1) was moved by Trustee Jacobs, seconded by Trustee Rooney, and carried on a unanimous vote, to amend General Fund Revenue accounts, to acknowledge the net savings from operational sites, and to amend the

General Fund Reserve. Trustee Jacobs moved to work toward a 4% reserve fund and Trustee Gonzales seconded this motion which carried a unanimous vote. (Wolfel – yes)

2. **Selection of Audit Firm for Audit of the Prop 39 Bond Funds (Measure S) For Fiscal Year 2002-03 (6.8.4)** was moved by Trustee Jacobs, seconded by Trustee Heitmann, and carried on a unanimous vote, to accept the recommendation of the Governing Board Audit Subcommittee and engage Vicenti, Lloyd & Stutzman, LLP to conduct the Prop 39 bond funds audit (Measure S) for Ventura County Community College District for a one-year engagement period, commencing with the audit for Fiscal Year 2002-03. (Wolfel – yes).
3. **Appointment of a Primary Law Firm to Provide Legal Services for the District (6.8.5)** was moved by Trustee Heitmann, seconded by Trustee Rooney, and carried on a unanimous vote, with one absentia, to appoint Lozano Smith as the primary law firm to provide legal services for the District. (Wolfel – yes)
4. **Approval to Negotiate and Execute Contract with Strata Information Group to Supply Ongoing Specialized Banner and Project Management Services for Banner Administrative System (6.8.6)** was moved by Trustee Gonzales, seconded by Trustee Heitmann, and carried on a unanimous vote, to negotiate a services contract with Strata Information Group (SIG) for ongoing specialized banner and project management services for Ventura County Community College District's maintenance management service of the SCT Banner 2000 Administrative Software Suite. (Wolfel – yes)

End of Board Actions

ITEMS FOR DISCUSSION

Trustee Issues

Trustee Reports/Announcements/Correspondence

Trustee Jacobs

Trustee Jacobs stressed the importance of evaluations being completed in a timely fashion. Mr. Studt said the evaluations would be completed at the end of August.

Trustee Hernández

President Hernández commented on David Viar's presentation at the management meeting. Mr. Viar offered to assist the Board with their future retreat. President Hernández asked William Studt to coordinate dates with Mr. Viar and send the Board notes from the previous retreat.

Student Trustee Wolfel

Student Trustee Wolfel thanked Christ Ortega, Oxnard College Student Government Representative, for attending the board meeting and the great work he was doing.

ADJOURNMENT

At 9:30 p.m., the meeting was adjourned.