

Board of Trustees Ventura County Community College District

Cheryl Heitmann

President

Mary Anne Rooney

Vice-President

Robert S. Gonzales

Trustee

Arturo D. Hernández

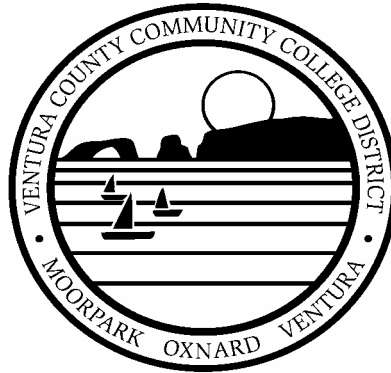
Trustee

Allan W. Jacobs

Trustee

Doreen Juarez

Student Trustee



William Studt

Interim Chancellor/

Secretary to the Board

MINUTES FOR THE REGULAR MEETING OF TUESDAY, AUGUST 10, 2004

CALL TO ORDER

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, August 10, 2004, in the Cowan Conference Center – Ventura Room.

Roll Call

Board Members Present:

Cheryl Heitmann, President

Mary Anne Rooney, Vice-President

Robert S. Gonzales

Arturo D. Hernández

Allan W. Jacobs

Doreen Juarez, Student Trustee

Management Present:

William Studt, Interim Chancellor

Eva Conrad, President, Moorpark College

Michael Gregoryk, Acting President, Ventura College

Lydia Ledesma-Reese, President, Oxnard College

Patricia Parham, Interim Vice-Chancellor, Human Resources

Ramiro Sanchez, Executive Vice President, Student Learning, Oxnard College

Joan Smith, Executive Vice President, Student Learning, Ventura College

Sue Johnson, Associate Vice Chancellor, Business Services

Vic Belinski, Associate Vice Chancellor, Information Technology

Carolyn Inouye, Director of Institutional Research

Faculty/Staff/Student Representatives:

Jack Miller, Moorpark College Academic Senate President

Lynn Fauth, Oxnard College Academic Senate President

Becky Hull, Ventura College Academic Senate President

Angela Marquez, Ventura College Classified Senate President
Larry Miller, AFT
Eileen Welsler, Executive Assistant to the Chancellor

President Heitmann called the meeting to order at 4:10 p.m. Trustee Gonzales arrived at 5:30 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

Greg Cross, SEIU, asked the Board to extend the contract between the District and the classified employees represented by SEIU, Local 535.

RECESS TO CLOSED SESSION

At 4:25 p.m., President Heitmann recessed the meeting to Closed Session in the Cowan Conference Center, Ojai Room. Trustee Gonzales arrived at 5:30 p.m.

The following items were considered during Closed Session:

CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION [*Gov't Code* § 54956.9(a)] The Board considered the following cases:

- *Ronald Segovia Dyste vs. VCCCD, Philip Westin, and Larry Calderón* (Ventura County Superior Court Case No. CIV214921)
- *Marian A. Carrasco vs. VCCCD, Board of Trustees, Philip Westin, Larry Calderón, Becky Hull, and Guadalupe Guillén* (Ventura County Superior Court Case No. CIV217710)
- *Laura Hilton vs. VCCCD* (Ventura County Superior Court Case No. CIV219896)
- *Stephanie Ruef vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV223739)
- *Gasperi vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV225291)
- *Ann DeReus vs. VCCCD, et al.* (Ventura County Superior Court Case No. SC037389)
- *Peter Holmes vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV227266)
- *County of Ventura vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV227648)

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION [*Gov't Code* § 54956.9(b)] The existing facts and circumstances that might result in litigation against the District arose from the following:

1. The Board convened into Closed Session to discuss the circumstances concerning the Math/Science Building Pipes – Ventura College.
2. The Board convened into Closed Session to discuss the issues regarding construction of the Learning Resources Center at Ventura College and the general contractor FTR International.
3. The Board convened into Closed Session to discuss the claim of Lillian Manning against the Ventura County Community College District.

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

- Employee organizations: SEIU/AFT

STUDENT SUSPENSION/DISCIPLINE/EXPULSION [*Education Code* §66300]

- The Board considered the following student expulsions.
 - 900-01-7079
 - 900-09-5257

RECONVENE IN OPEN SESSION

President Heitmann reconvened the meeting in Open Session at 7:00 p.m. in the Cowan Conference Center, Ventura Room.

PLEDGE TO THE FLAG

Doreen Juarez led the pledge to the flag.

CLOSED SESSION REPORT (*If Necessary*)

President Heitmann read the following Closed Session Report:

- It was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a 5-0 vote, to expel student ID #900-09-5257 from all colleges of the Ventura County Community College District, until July 1, 2015.
- It was moved by Trustee Gonzales, seconded by Trustee Jacobs, and carried on a 5-0 vote, to expel student ID #900-01-7079 from all colleges of the Ventura County Community College District, until July 1, 2015.

Reports

- **President** – Lydia Ledesma-Reese invited the Board to attend the Flex Day activities at Oxnard College.
- **Academic Senate Representative** –

Becky Hull distributed the following documents:

- *Ventura College Academic Senate 2004-2005 Council Meeting Dates*
- *Flex Day Activities*

President Heitmann commented on the flex day activities that she attended.

Lynn Fauth reported on the following items:

- Flex Day at Oxnard College
- Contribution from Countrywide
- Academic Senate meeting dates

- **Chancellor**

- **Budget Update** – Bill Studt reported that the Governor signed the budget. Sue Johnson commented on the modifications to the budget. She distributed and reviewed the following documents:
 - *Revenues – General Fund – Unrestricted (Fund 111)*
 - *FY05 Projected Adoption Budget Targets*
- **Presentation on North Park Development** – Bill Studt introduced Vince Daly, Community Manager, from the North Park Development Company. Mr. Daly provided an overview of the impacts to the Moorpark College campus and explained the development model. Trustee Jacobs commented on the traffic increase.
- **Ventura County Regional Energy Alliance (VCREA)** – Cheryl Collart, VCREA Director, provided a brief overview of the Alliance. Ms. Collart distributed a letter from Supervisor Kathy Long dated August 10, 2004.
- **Articulation Agreement with Charter Oak State College** – Michael Gregoryk and Lydia Ledesma-Reese distributed information on Bridgepoint Education & Charter Oak State College. Eva Conrad indicated that Moorpark College had an articulation agreement willing to accept units from the college, but had no other agreement. Trustee Rooney expressed her concerns regarding Ventura College offering bachelor's degrees and asked what role the college had in providing faculty and classroom space to this program.

David Mandipole, Bridgepoint Education, explained the relationship with Charter Oak State College. Student Trustee Juarez asked about low-income students. Mr. Mandipole gave a brief overview of the program. Bill Studt, Mike Gregoryk, Lydia Ledesma-Reese, and Becky Hull commented on the program.

The Board requested notification prior to distribution of a press release; and a presentation on any program that was out of the ordinary. President Heitmann asked for an articulation report on this item.

The meeting recessed at 8:05 p.m. and reconvened at 8:15 p.m.

- **Vice Chancellor, Human Resources**

- **Standardized Emergency Management System (SEMS)** - Richard Spaniard, Risk Manager, distributed and explained the following documents:
 - SEMS Multihazard Functional Response Plan
 - District's SEMS Emergency Planning
 Mr. Spaniard announced that the SEMS Manual would be available on the district website. There was a brief discussion regarding the training held at the colleges and the district office.

At 8:30 p.m., Trustee Hernández left the dais.

- **Trustees**

- **Subcommittees** – Trustee Rooney reported on the Construction Subcommittee and indicated that Trustee Gonzales attended the last meeting for Trustee Hernández. She recommended that the Board review the priority list for construction projects to ensure that all projects fulfill the Academic and Facilities Plans. This item will be placed on a future Board agenda.

There was a brief discussion regarding the Oxnard College Accreditation Self Study. It was pointed out that in order to bring the documents current and up to date, the colleges would prepare an executive update prior to the accreditation visit. Trustee Jacobs expressed his concerns about portions of Standard IV. He asked for a report and suggested that it be discussed at an Accreditation Subcommittee meeting.

Trustee Jacobs reported on the Audit Subcommittee and commented on the revisions to the business section of the Board Policy Manual. He indicated that foundations would be part of the auditing process and announced that there would be a review of the Redevelopment Agencies within the county to ensure that the Ventura County Community College District is getting their fair share.

It was announced that Trustee Rooney was appointed to the Education Committee of Community College League of California (CCLC), that Cheryl Heitmann was appointed to the Legislative Committee of the CCLC, and that Trustee Rooney received her Master’s Degree.

The Board recognized Bill Studt as Interim Chancellor and presented him a gift for his contribution to the Ventura County Community College District. Bill Studt thanked the Board and acknowledged staff for their help.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Human Resources

C-3 Revisions to Human Resources- Employment Position Management

- A. Approval/Ratification of Hourly Limited Term/Provisional Assignments** was revised to remove Anne Marie Leicester’s assignment and to correct Patricia Pillow’s classification from Cashier to Bookstore Cashier.
- B. Approval of Equivalency, Ratification and Approval of Part-time Faculty – Moorpark, Oxnard and Ventura College** was revised to add and/or remove from the attached list of part-time faculty hires.

Names Added:

Oxnard

| | |
|-----------------|---------|
| Ahrens, Jack | English |
| Bernstein, Tree | English |
| Chancy, Garrett | English |
| Fullante, Luis | ESL |
| McGarry, Paul | ESL |
| Schaffer, Ron | English |

Ventura

| | |
|-----------------------|--|
| Davis, Cara | Architecture (EH) |
| Miller-Nara, Lorraine | ESL (EH) |
| Monka, Steve | Assistant Women's Soccer Coach (EH) |
| Smith, Bob | PE (Golf Coach) (EH) |
| Theilor, Jeff | PE – Assistant Men’s Basketball Coach (EH) |
| Perrault, Jeff | PE (EH) |

Names Removed:

Ventura

| | |
|------------------------|---------|
| Bouzaglo, Kerry | ESL |
| Reichman, Jeffrey | English |
| Wagstaff-Robbins, Edie | English |

- E. Approval of Probationary Personnel:** This item was revised to remove the custodian position.
- F. Approval of Employment of Relatives:** This item was revised to add that Nick Bailey is related to Jeanne Bailey, Institutional Advancement Officer at Moorpark College.
- G. Approval of appointment of full-time non-tenure track academic personnel at Ventura College and Moorpark College** was revised to include Michael Callahan’s name as the Institutional Researcher at Ventura College and to include an end date (10/29/04) for Dennis Raft’s assignment at Moorpark College.
- H. Approval of appointment of full-time Tenure Track academic personnel-Oxnard College** was removed.
- J. Approval of Limited Term Assignments** was revised to add the names for the following assignments and to change Ms. Korinke’s end date.

| <u>Name</u> | <u>Classification</u> | <u>Dept/Location</u> | <u>Effective Date</u> |
|-------------------|-----------------------|----------------------|-----------------------|
| Korinke, Kimberly | Financial Aid Tech | Financial Aid/MC | 08/11/04 – 02/11/05 |
| Smith, Paula | Student Serv. Asst II | Financial Aid/MC | 08/11/04 – 11/11/04 |

PUBLIC COMMENTS

Susan Stofan, SEIU Local 535, addressed the Board in support of Agenda Item A-7 – Approval of VCCCD-SEIU Side Letter Agreement.

Consent Calendar Items

It was moved by Trustee Gonzales, seconded by Trustee Rooney, and carried on a unanimous vote, with Trustee Hernández absent, to approve the following Consent Calendar items. (Juarez – yes)

Approval of Minutes

- C-1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for July 13, 2004** was approved.

Student Services

- C-2 Summer 2004 Candidates for Associate Degrees at Moorpark, Oxnard, and Ventura Colleges** were accepted.

Human Resources

- C-3 Employment & Position Management**
- A. **Approval/Ratification of Hourly Limited Term/Provisional Assignments** was granted as listed.
 - B. **Approval of Equivalency, Ratification and Approval of Part-time Faculty – Moorpark, Oxnard and Ventura College** was granted to Pamela Huth, a part-time Art instructor at Ventura College. The Board ratified and approved the list of part-time hourly faculty employees at Moorpark, Oxnard, and Ventura Colleges for the fall of 2004.
 - C. **Approval of Establishment of Positions – Moorpark College and Oxnard College** was granted to establish the following positions: Placement Project Specialist (12 month/40%), position (MCU422) at Moorpark College and a Grounds Maintenance Worker (12 month/100%), position (XCU323) at Oxnard College, effective August 11, 2004.
 - D. **Approval of Reinstatement of Personnel** was granted to reinstate Dickie Talmage, Business Office Assistant I at Ventura College; and Michael Mariscal, Grounds Maintenance Worker at Oxnard College.
 - E. **Approval of Probationary Personnel** was granted as listed.
 - F. **Approval of Employment of Relatives** was granted as listed.
 - G. **Approval of Appointment of Full-time Non-tenure Track Academic Personnel – Ventura College and Moorpark College** was granted as listed.
 - H. **Approval of Appointment of Full-time Tenure Track Academic Personnel – Oxnard College** was pulled from the agenda.
 - I. **Approval of Abolishment and Establishment of Position – Ventura College** was granted to abolish a vacant Student Services Assistant II position (VCU126), 100%/12 mo., and to establish a Community Services Specialist (12 mo/100%) position (VCU469) in the Community & Economic Development Department at Ventura College, effective August 11, 2004.

- J. **Approval of Limited Term Assignments** was granted as listed.
- C-4 Changes in Personnel-Employment Status**
- A. **Approval of Resignation of Full-time Faculty and Classified Employees** was granted as listed.
- B. **Approval of Increase in Position/Assignment** was granted to approve the increase in the position of Computer Maintenance Tech. (XCU299) and the assignment of Michael Alexander, Computer Maintenance Technician at Oxnard College, from 60%, 12 months to 100%, 12 months, effective August 11, 2004.
- C. **Termination of Temporary Limited Term Assignment** was approved to terminate the limited term assignment of Crystal Wirth, Business Office Assistant at Moorpark College in the Business Office, effective May 31, 2004.
- D. **Approval of Probationary to Permanent Personnel** was granted.
- E. **Approval of Request for Family Medical Leave and Leave of Absence Without Pay** was granted for Janice Wiley, Student Health Center Assistant for Family Medical Leave and to Diane Anderson, Instructor, Nursing for Family Medical Leave and Leave Without Pay.
- F. **Approval for Voluntary Demotion** was granted to Laura Brower from Executive Assistant to the Deputy Chancellor to Executive Assistant to the Vice Chancellor of Human Resources.
- G. **Lay-off of Permanent Personnel** was approved to lay off Stephanie Otwell-Curtis, Child Development Assistant at Moorpark College.

Administrative Services

- C-5 Ratification of Accounts Payable and Payroll for the Period of June 23, 2004 – July 19, 2004** was approved.
- C-6 Approval/Ratification of Board Purchase Order Report #3 FY 2004/05** was granted to approve/ratify Board Purchase Order Report #3, FY 2004/05, from June 23, 2004 to July 20, 2004.
- C-7 Approval/Ratification of Board Purchase Order Report #16 FY 2003/04** was granted to approve/ratify Board Purchase Order Report #16, FY 2003/04, from June 23, 2004 to July 20, 2004.
- C-8 Monthly Budget Transfer Summary** was approved for the month of June 2004 for the General Fund-Unrestricted and General Fund-Restricted.
- C-9 Quarterly Report of Investments For Ventura County Community College District** was approved to accept the Quarterly Report of investments for the Ventura County Community College District.
- C-10 Fiscal Year-End Budget Transfers** was granted to approve the 2003-2004 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.

- C-11 Approval of Continuing Contract Between Ventura County Community College District (VCCCD) and California State University, Channel Islands (CSUCI)** was granted to approve the continuation of the agreement between Ventura County Community College District (VCCCD) and California State University, Channel Islands (CSUCI) to provide Police Dispatch Services to VCCCD campuses.
- C-12 Amendment to Subcontract with Interface Children and Family Services for Staffing Services under the Moorpark/Simi Valley Neighborhood for Learning (NfL) Grant** was approved, not to exceed \$400,000, to the subcontract for FY05, with Interface Children and Family Services for the provision of staffing services related to the primary NfL grant from the Children and Families First Commission.
- C-13 Award of Bid #237, Football/Soccer/Track Scoreboard for Moorpark College** was approved to award a contract for Bid #237, Football/ Soccer/Track Scoreboard for Moorpark College to the lowest responsible bidder, Fair-Play Scoreboards.
- C-14 Capital Planning and Design Construction**
- A. Award of Bid #239, Installation of Fiber-Optic Cable at Oxnard College** was approved to award Bid #239: Installation of Fiber-Optic Cable at Oxnard College, to the lowest responsible bidder to be determined after the August 2004 bid opening.
 - B. Approval to Execute a Contract with Thoma Engineering to Provide Electrical/ Mechanical Engineering Services for Renovation and Expansion to the Information Technology Area in the LRC Building at Oxnard College** was granted to authorize management to execute a professional services contract in the amount of \$72,975 with the firm of Thoma Engineering to provide electrical and mechanical engineering services for the design and construction of the renovation and expansion of the Information Technology area in the LRC building at Oxnard College. This contract amount includes an allowance of \$3,475 for reimbursable expenses.
 - C. Approval to Appoint GKK Education as the Architect for the New Classroom Building at Oxnard College** was granted to appoint GKK Education as the architect for the design of the proposed new Classroom Building at Oxnard College, pending successful contract negotiations.
 - D. Approval to Appoint Austin Veum Robbins as the Design Architect for the Food Service Renovation at Ventura College** was granted.
 - E. Approval to Appoint a Design Architect for the Building “G” Theater Due Diligence Study at Ventura College** was granted.
 - F. Supplement to the Professional Services Contract with Legal Firm of Orbach, Huff & Suarez LLP for Various Construction-Related Issues** was granted for various construction-related issues that may arise not to exceed \$210,000.

- G. **Approval of Contract with Carrier Johnson for Architectural Services for Fire/Sheriff Training Academy, Camarillo Airport Site** was granted to approve the final contract with Carrier Johnson in the amount of \$1,674,400 for architectural services for the above-referenced work. These fees may be subject to change depending on the evolution of the conceptual design process, or if additional specialty sub-consultants are required.
- H. **Acceptance of Change Order Summary Report for Capital Projects** was approved.

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

First Reading Items

Trustees/Chancellor

- FR-1 **Proposed Revision to Board Policy Manual Appendix E.X: Conflict of Interest** was accepted for Second Reading.

Action Items/Second Reading Items

Administrative Services

- A-1 **Second Reading: Revision to Board Policy Manual Section D: Business and Fiscal Affairs** was moved by Trustee Gonzales, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Hernández absent. The following correction was included:
(Juarez – yes)
- 2. **Authorization to Travel** should read as follows:
“All Travel Requests, including summer travel, must be approved in advance by the appropriate College President or designee, or the ~~Deputy~~ Chancellor or designee for the District Service Center.”

There was a brief discussion regarding the language in Section D.10 a. and Section 1.2. Trustee Jacobs highlighted the Code of Ethics portion of the policy.

- A-2 **Approval of Contract Between VCCCD and Vavrinek, Trine, Day & Co., LLP for the Purpose of a Redevelopment Agency Audit** was moved by Trustee Gonzales, seconded by Trustee Jacobs, and carried on a 4-0 vote, with Trustee Hernández absent, to approve the contract with Vavrinek, Trine, Day & Co., to ensure that school districts within the County of Ventura are receiving the proper amount of redevelopment tax sharing revenues from redevelopment project areas. (Juarez –yes)

- A-3 Approval of a Resolution to Participate in the Joint Powers Agreement for the Creation and Operation of the Ventura County Regional Energy Alliance** was moved by Trustee Rooney, seconded by Student Trustee Juarez, and carried on a 4-0 vote, with Trustee Hernández absent, to appoint President Heitmann as the District's member of the Board of Directors of the Alliance and the Chancellor to serve as the District's alternate member. (Juarez – yes)
- A-4 Approval of Plan for a Method to Fund Retiree Health Benefit Obligations** was moved by Trustee Jacobs, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Hernández absent. (Juarez – yes)

Sue Johnson gave a brief overview of the item.

Capital Planning and Design Construction

- A-5 Approval of Restrictive Covenant for Storm Water Quality Control Measures Maintenance and Access in Favor of the City of Oxnard (Oxnard College)** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 4-0 vote, with Trustee Hernández absent, to approve an agreement with the Ventura County Community College District and the City of Oxnard relating to storm water quality control measures maintenance and access on the Oxnard College campus. This agreement will be recorded as a restrictive covenant. (Juarez – yes)
- A-6 Approval of A One-Month Extension of the Contract with JCM Group as Construction and Program Managers for the Ventura County Community College District** was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a 4-0 vote, with Trustee Hernández absent, to approve a one-month extension of the contract with JCM Group as the construction and program managers for the Ventura County Community College District from September 1 through September 30, 2004, at the same terms and conditions, not to exceed \$276,072. (Juarez – yes)

Human Resources

- A-7 Approval of VCCCD-SEIU Side Letter Agreement** was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a 4-0 vote, with Trustee Hernández absent, to approve a 1.62 percent salary increase to earnings from July 1, 2003, through June 30, 2004, to classified employees in Units A and B employed as of August 10, 2004 and those laid off between July 1, 2004 and August 10, 2004. (Juarez – yes)
- A-8 Approval of a One-Time Payment Off the Salary Schedule for Employees** was moved by Trustee Gonzales, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Hernández absent, to approve a one-time off the salary schedule payment to employees active as of August 10, 2004, in the unrepresented groups designated - Confidential, Supervisors, Managers - and a one-time payment of stipends to faculty members as designated by AFT. (Juarez – yes)

- A-9 Approval of Salary Increase for Faculty – 2004-05** was moved by Trustee Rooney, seconded by Student Trustee Juarez, and carried on a 4-0 vote, with Trustee Hernández absent, to approve a 2.8% salary increase to faculty on the academic salary schedule for academic year 2004-05, effective retroactive to July 1, 2004. (Juarez – yes)

Student Learning

- A-10 Second Reading: Acceptance of Accreditation Self Studies** was moved by Trustee Jacobs, seconded by Trustee Gonzales, and carried on a 4-0 vote, with Trustee Hernández absent. (Juarez – yes)
- A-11 Acceptance of the Educational Master Plan for Ventura College** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 4-0 vote, with Trustee Hernández absent. (Juarez – yes)

Becky Hull and Joan Smith distributed the *Executive Summary of the Educational Master Plan* and gave a brief overview of the Plan. Student Trustee Juarez commented on the Educational Master Plan development process.

- A-12 Course Approvals: New Courses – Oxnard College** was moved by Trustee Jacobs, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Hernández absent. (Juarez – yes)

Trustees/Chancellor

- A-13 Action to Approve Governing Board Member Absence.** No absences were reported.
- A-14 Appointment of Secretary to the Board of Trustees** was moved by Trustee Rooney, seconded by Trustee Jacobs, and carried on a 4-0 vote, with Trustee Hernández absent, to appoint James Meznek as Secretary to the Board of Trustees, effective August 23, 2004. (Juarez – yes)
- A-15 Revision to Board of Trustees 2004 Schedule of Meetings** will be discussed at the September Board meeting.

End of Board Actions

Trustee Issues

- **Trustee Reports/Announcements/Correspondence** – Trustee Rooney commented on AB 700 and asked that it be placed on the agenda.

ADJOURNMENT

At 9:40 p.m., the meeting was adjourned.