

# 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*



**James M. Meznik**

*Chancellor/Secretary to the Board*

## MINUTES FOR THE REGULAR MEETING OF SEPTEMBER 14, 2004

### CALL TO ORDER

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, September 14, 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:

James M. Meznik, Chancellor

William Studdt, Vice Chancellor, Human Resources

Eva Conrad, President, Moorpark College

Michael Gregoryk, Acting President, Ventura College

Lydia Ledesma-Reese, President, Oxnard College

Patricia Parham, Associate Vice-Chancellor, Human Resources

Ramiro Sanchez, Executive Vice President, Student Learning, Oxnard 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  
Ahmed Labnouj, Moorpark College Director of External Affairs  
Larry Miller, AFT  
Diane Moore, CMA  
Eileen Welser, Executive Assistant to the Chancellor

President Heitmann called the meeting to order at 4:05 p.m. Trustee Hernández arrived at 4:15 p.m.

#### PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no public comments.

#### RECESS TO CLOSED SESSION

At 4:06 p.m., President Heitmann recessed the meeting to Closed Session in the Cowan Conference Center, Ojai Room.

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)
- *Doris Antal vs. VCCCD, et al.* (Ventura County Superior Court Case No. CIV221532)
- *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)
- *Kathryn Kelly vs. VCCCD* (Superior Court of the State of California Case No. SCO39647)

#### 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:

The Board convened into Closed Session to discuss the following claims against the Ventura County Community College District:

1. Lillian Manning
2. Veronica Beltran

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

- Employee organizations: SEIU/AFT

PUBLIC EMPLOYEE PERFORMANCE EVALUATION [*Gov't Code* § 54957]

The Board considered the following academic administrator:

- Chancellor

RECONVENE IN OPEN SESSION

President Heitmann reconvened the meeting in Open Session at 6:08 p.m. in the Cowan Conference Center, Ventura Room.

PLEDGE TO THE FLAG

William Studt led the pledge to the flag.

CLOSED SESSION REPORT

There was no Closed Session Report.

## Reports

- **Oxnard College**

- **President** – Andres Orozco, Media Developer, made a brief presentation on the Oxnard College Television Program. He acknowledged the faculty, students, and staff. Trustee Hernández thanked the administration, faculty, and staff at OCTV and commented on various video projects. Trustee Rooney said she was impressed with the quality of the program. Lydia Ledesma-Reese pointed out OCTV would be housed in the proposed Oxnard College auditorium.

Ramiro Sanchez reported on a proposed partnership between Oxnard College and the Capital Broadcasting Corporation to deliver courses in a distance-learning format. There was a brief discussion regarding distance learning vs. traditional courses.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

President Heitmann welcomed Chancellor Meznek and introduced the following individuals:

2004-2005 Grand Jury Members

Charles Welsford

Tom Nielsen

Luz Maria Pearson

Trustee Candidates

Robert Huber

Larry Miller

- **Student Government Representative** – Ahmed Labnouj expressed his concerns regarding the cost of tuition and textbooks. He reported on Moorpark College *Club Day*, the *Funeral for Education*, and the student government meeting.
- **Academic Senate Representative**
  - Lynn Fauth commented on the Oxnard College *Multi-Cultural Day*, Scholar Series, and college committees.
  - Becky Hull reported on the Tenure Review Committees, the Accreditation revisit, and the update of the Academic Senate by-laws. Ms. Hull reported on the joint meeting with the Academic Senate and the Classified Senate, and asked about the Ventura College presidential search. Trustee Hernández acknowledged the academic senate presidents.
- **Classified Senate Representative** – Angela Marquez commented on the new faculty orientation at Ventura College, the accreditation team visit, committees, and meetings with the Board President. She thanked Dr. Meznek for accepting the invitation to attend the joint Academic Senate/Classified Senate meeting.
- Trustee Rooney acknowledged Jack Miller and Carmen Guerrero as Board members on the *Ventura County Star's* Editorial Board.
- On behalf of Felicia Torres, Lydia Ledesma-Reese distributed information regarding Oxnard College's Cultural Arts Day on April 13, 2005.
- **College Management Association Representative** – Diane Moore commented on CMA Goals, the Professional Academic Development Plan, working with Board, and Team Building.
- **Chancellor**

James Meznek thanked the Board, the college Presidents, the Vice Chancellor of Human Resources, managers, and staff. He announced that the Chancellor's Office staff was being proactive.
- **Trustees**
  - **Subcommittees**
    - Trustee Rooney reported on the September 1 Board Construction Subcommittee meeting.
  - **AB 700, Simitian** – Vic Belinski reviewed data security within the Ventura County Community College District. He announced that the Ventura County Community College District received the *2004 Technology Focus Award* from the Board of Governors for outstanding achievements in Educational Technology. There was a brief discussion regarding legal compliance and an independent audit. President Heitmann asked the Chancellor to review this issue.
  - **Proposition 68** – Trustee Rooney commented on this item and asked the Board to adopt a resolution against this Proposition. This item will be placed on the next Board agenda.

- **Campaign for College Opportunity** – This item will be rescheduled.
- **Student Trustee**
  - **California Performance Review (CPR) Commission** – Student Trustee Juarez expressed her opposition to the proposed Commission. President Heitmann acknowledged Ms. Juarez for her assistance on this issue. This item will be placed on the next Board agenda.
  - President Heitmann commented on the Trustee Candidate Orientation.

At 7:35 p.m. the meeting was recessed and reconvened at 7:40 p.m.

#### OPEN PUBLIC HEARING

At 7:40 p.m. President Heitmann opened the Public Hearing for the Ventura County Community College District Adoption Budget of 2004-2005. The Budget became available for public inspection in September 2004, at 333 Skyway Drive, Camarillo, CA 93010, during normal business hours.

President Heitmann acknowledged Sue Johnson and Bill Studt for their work on the budget. Sue Johnson distributed and reviewed the Executive Summary of the 2004-2005 Adoption Budget. She pointed out that Ventura County Community College District was officially off the State “Watch List.”

Ms. Johnson highlighted the following items:

- Equalization
- 4-Week Summer Session Restored
- Faculty Hiring
- Funding Load-Banking Liability
- Reserve for Self-Insurance Retention
- 5 % Reserve

Sue Johnson explained the following budget challenges:

- Declined Enrollment
- Ensuring a 5 % Reserve
- Increase in Cost of Health Benefits
- Property Tax Shortfall
- Retiree Health Benefits Liability
- Student Health Centers
- State-Wide Deficit
- Allocation Model

Ahmed Labnouj asked Ms. Johnson about the Moorpark College Student Center Fee account.

There was a brief discussion regarding bond ratings, JPA, fee waivers for student health centers and FTES. Sue Johnson distributed and reviewed information on FTES and pointed out that enrollment was down districtwide. Ms. Johnson announced that a 4-week summer session had been added and that the colleges were developing an Enrollment Management Plan. Trustee Jacobs asked about the International and non-resident students. Chancellor Meznik said that a presentation on enrollment management would be made at the next Board meeting.

**A-1 Adoption of 2004-2005 Adoption Budget** was moved by Trustee Jacobs, seconded by Trustee Rooney, and carried on a unanimous vote, to adopt the 2004-2005 Adoption Budget for all funds of the Ventura County Community College District. (Juarez – yes)

The meeting was recessed at 8:35 p.m. The meeting was reconvened at 8:37 p.m.

#### CLOSE PUBLIC HEARING

At 8:37 p.m. President Heitmann closed the Public Hearing.

It was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a unanimous vote, to reorder the agenda to place the Action Items first. (Juarez – yes)

## Action Items

### *Administrative Services*

**A-2 Approval to Extend the Contract with HE Consulting, Inc. for Capital Construction Management** was moved by Trustee Rooney, seconded by Trustee Gonzales, and carried on a 4-1 vote, with Trustee Hernández voting no, to extend a contract with HE Consulting, Inc. for the services of J. Handel Evans to provide oversight of the Measure S Capital Construction Program. (Juarez – yes)

Trustee Hernández expressed his concerns regarding this item and indicated that he did not support this contract. Chancellor Meznik explained the contract's terms. He said that Mr. Evans' consulting services had been used to backfill the Director of Facilities and Planning position. There was a brief discussion regarding the level of customer service that was required.

Trustee Hernández resigned from the Board Construction Subcommittee, and Trustee Gonzales volunteered to serve on the committee.

**A-3 Approval of a One-Year 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 unanimous vote, from October 1, 2004, through September 30, 2005, in the amount of \$3,350,000. (Juarez – yes)

Trustee Hernández asked for additional background in future agenda items.

- A-4 Authority to Execute a Contract with IBM Corporation/Sirius Computer Solutions for Data Center Computer Systems Annual Maintenance Contract** was moved by Trustee Jacobs, seconded by Trustee Gonzales, and carried on a unanimous vote, to authorize management to execute a contract with IBM Corporation/Sirius Computer Solutions (an IBM Premier Business Partner) to provide maintenance for all Data Center servers and computer systems. (Juarez – yes)

*Trustees/Chancellor*

- A-6 Revision to Board of Trustees 2004 Schedule of Meetings** was moved by Trustee Rooney, seconded by Student Trustee Juarez, and carried on a 3-0-2 vote, with Trustees Gonzales and Jacobs abstaining, to add to the Schedule of Meetings a Study Session on September 22, 2004, at 6:00 p.m. in the District Service Center; and to change the December Board meeting date to December 7, 2004. (Juarez – yes)
- A-7 Second Reading: Proposed Revision to Board Policy Manual Appendix E.X: Conflict of Interest** was moved by Trustee Jacobs, seconded by Trustee Gonzales, and carried on a unanimous vote. (Juarez – yes)

*End of Board Actions*

At 9:00 p.m. Trustee Rooney left the meeting.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Chancellor Meznek read the following changes to the agenda:

**Human Resources**

**C-3 Employment & Position Management**

- C. Approval of Probationary Personnel:** This item was revised to add a recommendation to hire Mr. Michael Bastine as the Director of Alternate Text Production Center (VMC001) at Ventura College, effective October 5, 2004, Step 2 \$5,763/month.

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

*Administrative Services*

- C-7 Quarterly Financial Status Report, General Fund – Combined (CCFS-311Q)** was moved by Trustee Jacobs, seconded by Trustee Gonzales, and carried on a 4-0 vote, with Trustee Rooney absent. (Juarez – yes)

Trustee Jacobs expressed his concerns regarding the enrollment shortfall and the funding for health services and police services.

## *Consent Calendar Items*

It was moved by Trustee Gonzales, seconded by Trustee Hernández, and carried on a 4-0 vote, with Trustee Rooney absent, to approve the following Consent Calendar items. (Juarez – yes)

### *Approval of Minutes*

- C-1 Action to Approve the Minutes of the Study Session of the Board of Trustees for August 10, 2004** was approved.
- C-2 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for August 10, 2004** was approved.

### *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 for the following part-time instructors:
- | <u>Part-Time Faculty Members</u> | <u>Discipline</u>          | <u>College</u> |
|----------------------------------|----------------------------|----------------|
| Lyn Jones                        | Business                   | Ventura        |
| Robert Eranio                    | Environmental Technologies | Moorpark       |
| Dyane Jackson                    | Biology                    | Moorpark       |
- 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 Probationary Personnel** was granted as listed.
- D. **Approval of Employment of Relatives** was granted as listed.
- E. **Approval of Appointment of Full-time Management Personnel – Ventura College** was granted to appoint David Bransky as Assistant Dean of Student Services, a full-time temporary academic manager at Ventura College, effective September 15, 2004.
- F. **Approval of Appointment of Full-time Non-Tenure Track Academic Personnel – Oxnard College** was granted as listed, effective September 15, 2004.
- G. **Approval of Abolishment and Change in Positions - District Service Center** was granted to abolish a Grounds Maintenance Worker (60%) and the increase of the Custodian (40%) position to 100% at the District Service Center, effective September 15, 2004.
- H. **Approval of Limited Term Assignments** was granted as listed.
- I. **Approval of Establishment of Position – Moorpark College** was granted to establish a Financial Aid Technician (12 mo/100%) position (MCU423) in the Financial Aid Department at Moorpark College, effective September 15, 2004.



- J. **Approval of Establishment of Position – Moorpark College** was granted to establish a Counselor Assistant (12 mo/100%) position (MCU424) in the Financial Aid Department at Moorpark College, effective September 15, 2004.
- K. **Approval of Change in Step Placement** was granted to change from Step 1 to Step 3 Catherine Sanchez, Business Office Assistant (12 mo/100%) at Oxnard College, effective September 15, 2004.
- L. **Approval of Reemployment of Classified Personnel** was granted to re-employ Irene Timms, Administrative Assistant II, at Ventura College, effective September 7, 2004.

**C-4 Changes in Personnel-Employment Status**

- A. **Approval of Resignation/Retirement of Full-time Academic and Classified Employees** was granted as listed.
- B. **Approval of Change of Assignments** was granted as listed.
- C. **Approval of Probationary to Permanent Personnel** was granted as listed.
- D. **Approval of Granting of Sick Leave Days from Established Sick Leave Pool for Part-time Academic Employee – Ventura College** was granted to grant 23.54 hours of sick leave from the Sick Leave Pool per VCCCD/AFT contract to Brett Miller, a part-time instructor at Ventura College.
- E. **Approval of Decrease in Positions – Oxnard College** was granted as listed.
- F. **Approval of Transfer** was granted to transfer Connie Nykirk, Administrative Assistant III/Confidential, from Oxnard College to the District Service Center.

*Administrative Services*

- C-5 Ratification of Accounts Payable and Payroll for the Period of July 20, 2004 – August 24, 2004** was approved.
- C-6 Approval/Ratification of Board Purchase Order Report #4 FY 2004/05** was granted from July 20, 2004 to August 25, 2004.
- C-7 Quarterly Financial Status Report, General Fund – Combined (CCFS-311Q)** was pulled for discussion.
- C-8 Establishment of 2004-2005 Gann Appropriation Limit as Required by the California Constitution** was approved.
- C-9 Approval of New Contracts, Grants and Designated Programs for Fiscal Year 2004-2005** was granted.
- C-10 Contract with Western Research and Development Center and Oxnard College** was approved for technical assistance, advisory, and consultant services for Title V funds.
- C-11 Approval to Contract with MBS Systems for Oxnard College and Ventura College Bookstores** was granted for the procurement and installation of an automated bookstore inventory and point-of-sale system for Oxnard and Ventura Colleges.
- C-12 Approval of Lease Agreement Between the Fellows Family Trust and Ventura County Community College District, Oxnard College** was granted for office rental for the Foster & Kinship Care Education Program.
- C-13 Award of Contract for Tree Maintenance Between West Coast Arborists and Ventura College** was granted for tree maintenance between West Coast Arborists and Ventura College.

- C-14 Surplus/Disposal of Equipment and Materials** was approved.
- C-15 Capital Planning and Design Construction**
- A. **Acceptance of Completion of Project #39130: East Parking Lot Renovation at Ventura College** was approved.
  - B. **Acceptance of Completion of Project #39116: Math & Science Building Upgrades (Room 308 Remodel) at Ventura College** was approved.
  - C. **Acceptance of Completion of Project #39116: Math & Science Building Upgrades (Ventilation System) at Ventura College** was approved.
  - D. **Approval to Execute a Contract with the Lowest Responsible Bidder for the Exterior Bleacher System for the Athletic Field at Ventura College** was granted to authorize management to execute a contract with the firm submitting the lowest responsible bid for the Exterior Bleacher System for the Athletic Field at Ventura College to be determined after the September 10, 2004, bid opening.
  - E. **Approval to Execute a Contract with the Lowest Responsible Bidder for the Field Lighting for the Athletic Field at Ventura College** was granted to authorize management to execute a contract with the firm submitting the lowest responsible bid for the Field Lighting for the Athletic Field at Ventura College to be determined after the September 10, 2004, bid opening.
  - F. **Acceptance of Change Order Summary Report for Capital Projects** was approved.
  - G. **Approval of Contract with American Electric Company for the Electrical Infrastructure Upgrades at Oxnard College** was granted to award a contract in the amount of \$447,000 with American Electric Company for the Electrical Infrastructure Upgrades and Improvements at Oxnard College.

## Trustee Issues

- **Trustee Reports/Announcements/Correspondence**

Trustee Jacobs commented on his meeting with the Student Trustee and the Associated Student Government Presidents.

Trustee Hernández acknowledged Student Trustee Juarez for her dedication to the students. He asked about training regarding sexual harassment.

The Board acknowledged Mike Gregoryk as president of the SELF Board.

President Heitmann commented on the Community College League of California Legislative Committee meeting.

Student Trustee Juarez asked about the Board Legislative Subcommittee.

## ADJOURNMENT

At 9:07 p.m., the meeting was adjourned.