

Board of Trustees

Ventura County Community College District

Cheryl Heitmann

President

Mary Anne Rooney

Vice-President

Arturo D. Hernández

Trustee

Robert O. Huber

Trustee

Larry O. Miller

Trustee

Doreen Juarez

Student Trustee



James M. Meznik

Chancellor/Secretary to the Board

MINUTES FOR THE REGULAR MEETING OF TUESDAY, DECEMBER 7, 2004

CALL TO ORDER

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, December 7, 2004, in the Ventura County Superintendent of Schools Conejo Room.

Roll Call

Board Members Present:

Cheryl Heitmann, President

Mary Anne Rooney, Vice-President

Arturo D. Hernández

Robert O. Huber

Larry O. Miller

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

Sue Johnson, Associate Vice Chancellor, Business Services

Vic Belinski, Associate Vice Chancellor, Information Technology

Steve Tobias, Dean, Ventura College

Carolyn Inouye, Director of Institutional Research

Jim Botting, Chief of Police

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
Harry Korn, AFT
Eileen Welser, Executive Assistant to the Chancellor

President Heitmann called the meeting to order at 4:05 p.m. Trustee Hernández arrived at 4:30 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no public comments.

RECESS TO CLOSED SESSION

At 4:05 p.m., President Heitmann recessed the meeting to 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)
- *Gasperini 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)
- *Kathryn Kelly vs. VCCCD* (Superior Court of the State of California Case No. SCO39647)
- *VCCCD vs. Atkinson & Associates, Inc.; SAFECO Insurance Company of America; HPS Plumbing Services, Inc., et al.* (Ventura County Superior Court Case No. CIV227210)

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 arise from the following:

1. The Board convened into Closed Session to discuss the claim of Tiffane Williams & David Williams.
2. The Board convened into Closed Session to discuss anticipated litigation with FTR International for the VC/LRC.
3. The Board will convene into Closed Session to discuss anticipated litigation concerning the Math/Science Building waste pipe problem.

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

- Employee organizations: SEIU/AFT

RECONVENE IN OPEN SESSION

President Heitmann reconvened the meeting in Open Session at 6:20 p.m.

PLEDGE TO THE FLAG

Trustee Huber led the pledge to the flag.

CLOSED SESSION REPORT

1. It was moved by Trustee Rooney, seconded by Trustee Huber, and carried on a 5-0 vote, to deny the claim of Tiffane Williams & David Williams.

CEREMONIAL ADMINISTRATION OF THE OATH OF OFFICE TO AND SEATING OF NEW TRUSTEES.

Trustee Heitmann administered the Oath of Office to Robert O. Huber and Larry O. Miller.

Trustees Huber and Miller introduced their family and friends. The Board welcomed Trustees Huber and Miller.

Board Actions

Trustees/Chancellor

- A-1 Election of President of the Board of Trustees** was moved by Trustee Rooney, seconded by Trustee Miller, and carried on a unanimous vote, to elect Cheryl Heitmann as President of the Board of Trustees. (Juarez – yes)
- A-2 Election of Vice-President of the Board of Trustees** was moved by Trustee Hernández, seconded by Trustee Huber, and carried on a unanimous vote, to elect Mary Anne Rooney as Vice-President of the Board of Trustees. (Juarez – yes)
- A-3 Appointment of Secretary to the Board of Trustees** was moved by Trustee Hernández, seconded by Trustee Miller, and carried on a unanimous vote, to appoint James M. Meznik, Ph.D., as Secretary to the Board of Trustees. (Juarez – yes)
- A-4 Certification of School Board Representative to Vote in Election for Members of the County Committee on School District Organization** was moved by Trustee Hernández, seconded by Trustee Huber, and carried on a unanimous vote, to select Larry Miller as the representative who shall have one vote for each member to be elected to the Ventura County Committee on School District Organization at its annual meeting. (Juarez – yes)
- A-5 Second Reading: Board of Trustees 2005 Schedule of Meetings** was revised to add a Study Session on January 15, 2005. It was moved by Trustee Huber, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the 2005 Schedule of Meetings for the Board of Trustees as revised. (Juarez – yes)

Trustee Miller commented on the meeting schedule.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

The Board presented a gift to Eileen Welser in recognition of her dedication to the Board. Trustee Hernández acknowledged President Heitmann and Trustee Rooney.

A brief recess was held to welcome new trustees and to recognize newly elected officers.

At 6:50 p.m., Trustee Hernández left the dais.

Audit Report – Heidi White, Vavrinik, Trine Day & Company, presented the audit to the Board. President Heitmann reported on the Audit/Budget/Foundation Subcommittee.

Reports

- **Reports**

- **Articulation – Eva Conrad/Bill Studt**

- Eva Conrad distributed and gave a brief overview of the document, *Articulation in the Ventura County Community College District*. She said an update on the Charter Oaks articulation agreement would be provided at the February Board meeting. There was a brief discussion regarding this item. Chancellor Meznek said an information item regarding articulation agreements would be sent to the Board.

- **Campus Report – Lydia Ledesma-Reese**

- Lydia Ledesma-Reese gave a brief report on Oxnard College. Lynn Fauth introduced the new Oxnard College faculty. Lydia Ledesma-Reese commented on the Marine Biology facility, the north parking lot ribbon cutting ceremony, the President’s Holiday Annual Reception, the *Holiday Giving Tree*, and Multi-Cultural Days. She said that the electricity would be turned off at Oxnard College on December 20. Dr. Ledesma-Reese distributed the Annual Accountability Report to the Community. She read an email from a student.

- **Ventura College** – Michael Gregoryk invited the Board to the Grand Opening and Dedication of the Learning Resources Center on January 19.

- **Academic Senate Report**

- Becky Hull thanked President Heitmann for attending the Academic Senate Meeting in November. She announced the newly elected officers and commented on LRC building,

- Becky Hull asked about the Study Abroad Program status. Mike Gregoryk reported that the State Chancellor advised the colleges about Study Abroad Programs that violate Title 5, that they are not accessible to all students. Chancellor Meznek said a report would be provided to the Board.

- **Trustees**
 - **Subcommittees**

Trustee Rooney reported on the November 22, 2004, Board Construction Subcommittee meeting. She commented on funding and indicated that prioritization of the projects was necessary.
 - **Trustee Reports/Announcements/Correspondence**

Trustee Rooney acknowledged the college foundations and gave a brief report on the activities of the Ventura College Foundation. President Heitmann thanked Mike Gregoryk for his efforts. Larry Miller recognized John Scheibe, *Ventura County Star*.

Trustee Juarez reported on the *March on March* in Sacramento. She commented on fees and the cost of textbooks and student activities.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

- C-4 **Revisions to Human Resources- Employment Position Management**
 - F. **Approval of Abolishment and Establishment of Positions** was revised to change the Fiscal Impact to a cost *savings* of \$35,000 in salary and benefits.
- C-18 **Capital Planning and Design Construction**
 - C. **Approval of Contract for Labor Compliance Consulting Services** was pulled from the agenda.

PUBLIC COMMENTS

Harry Korn, AFT President, welcomed Trustees Miller and Huber. He addressed the Board regarding negotiations and expressed his concerns regarding Item C-6 – Approval of District Management Contracts.

Bea Herrera, AFT, expressed her concerns regarding Item C-6 – Approval of District Management Contracts.

Consent Calendar Items

It was moved by Trustee Rooney, seconded by Student Trustee Juarez, and carried on a 4-0 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 November 9, 2004** was pulled for discussion.

Student Learning

- C-2 Fall 2004 Candidates for Graduation at Moorpark, Oxnard, and Ventura Colleges** were accepted.
- C-3 Fall 2004 Candidates for Certificates at Moorpark, Oxnard, and Ventura Colleges** were accepted.

Human Resources

C-4 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 was granted as listed for the fall of 2004.
- C. Approval of Probationary Personnel was granted as listed.
- D. Approval of Appointment of Academic Personnel was granted as listed.
- E. Approval of Change in Step Placement was granted to change from Step 1 to Step 3 Jim Petersen, Fire Academy Equipment Technician (XCU001), Oxnard College, effective September 15, 2004.
- F. Approval of Abolishment and Establishment of Positions was granted to abolish two Family Development Assistant Positions (XCU317 & XCU318) at Oxnard College, effective December 8, 2004.
- G. Approval of Abolishment of Positions at Moorpark College was granted to abolish the positions (MCU418) Administrative Assistant II, effective January 31, 2005 and (MFZ017) Grant Project Manager for Neighborhoods for Learning Grant, effective April 30, 2005.

C-5 Changes in Personnel-Employment Status

- A. Approval of Resignation/Retirement of Full-time Academic Employees was granted as listed.
- B. Approval of Change of Assignment – Oxnard College was granted to reinstate the month of assignment for Rick Carnahan, Assistive Computer Technology/Media Access Specialist (XCU284), to 12 months effective December 8, 2004.
- C. Approval of Temporary Increase in Assignments – Ventura College was granted to approve the temporary increase of assignment for five classified employees at Ventura College.

- D. Approval of Temporary Reduction in Assignment – Ventura College was granted to approve a voluntary request for a temporary reduction in assignment of a classified employee at Ventura College.
- E. Approval of Probationary to Permanent Personnel was granted as listed.
- F. Approval of Reassignment of Classified Personnel was granted as listed.

C-6 Approval of District Management Contracts was pulled for discussion.

Administrative Services

- C-7 Ratification of Accounts Payable and Payroll for the Period of October 16, 2004 – November 10, 2004** was approved for the period of October 16, 2004 – November 10, 2004.
- C-8 Approval/Ratification of Board Purchase Order Report #7 FY 2004/05** was granted from October 18, 2004 to November 11, 2004.
- C-9 Approval of New Grants and Contracts for Fiscal Year 2004-2005** was granted to accept new grants and contracts for FY 2004-2005.
- C-10 Approval of New Grant for Fiscal Year 2004-2005** was pulled for discussion
- C-11 Approval of Amendments to Grants, Contracts and Categorical Programs for Fiscal Year 2004-2005** was granted.
- C-12 Quarterly Report of Investments for Ventura County Community College District** was pulled for discussion.
- C-13 Monthly Budget Transfer Summary** was approved to ratify the monthly budget transfer summary for the month of October 2004 for the General Fund-Unrestricted and General Fund-Restricted.
- C-14 Bid 248, Library Furniture for Moorpark College** was approved to purchase and install new wood library furniture, which includes tables, quad study stations, chairs, and reference stands, for the Moorpark College LRTC Building.
- C-15 Surplus/Disposal of Equipment and Materials** was approved as listed.
This item presents for approval the surplus/disposal of equipment and materials.
- C-16 Rejection of Bid 228, Ventura College Re-Roofing Project** was approved.
- C-17 Award of Bid #249, Tree Removal at Moorpark College** was approved to award Bid #249, Tree Removal at Moorpark College to the lowest responsible bidder after the December bid opening.
- C-18 Capital Planning and Design Construction**
 - A. Approval of the 2005-06 Scheduled Maintenance and Special Repairs Program Priority List was granted.
 - B. Approval of Resolution Adopting a Labor Compliance Program under AB1506 for Proposition 47 and 55-Funded Public Works Projects was granted.
 - C. Approval of Contract for Labor Compliance Consulting Services (178) was pulled from the Agenda.
 - D. Approval of Final Design Drawings for the New Maintenance and Operations Warehouse Facility at Moorpark College was granted.
 - E. Approval to Increase the Contract with Carde-Ten Architects for the Renovation of the Existing Library at Moorpark College was pulled for discussion.

- F. Approval of Contract with JCM Group for Schedule Analysis at the Learning Resource/Telecommunications Center at Moorpark College was pulled for discussion.
- G. Approval to Increase the Contract with Nadel-JSA Architects for the new Student Services Building at Oxnard College was granted to increase by \$151,980 the contract with Nadel-JSA Architects for programming, planning and design services in connection with construction of the new Student Services Building at Oxnard College.
- H. Approval of Schematic Design Drawings for the Oxnard College Warehouse was granted.
- I. Approval to Proceed to Bid for the LRC Secondary Effects Building “D” and “CR” Remodel Project at Ventura College was granted.
- J. Approval of Final Design Drawings for the Athletic Field Upgrade Project at Ventura College was granted.
- K. Approval to Execute a Contract with Taft Electric for the Field Lighting for the Athletic Field at Ventura College was granted to authorize management to execute a contract with Taft Electric Company, the lowest responsible bidder for the field lighting for the athletic field at Ventura College.
- L. Approval to Execute a Contract with All Star Bleachers, Inc. for the Exterior Bleacher System for the Athletic Field at Ventura College was granted to authorize management to execute a contract in the amount of \$670,858 with All Star Bleachers, Inc., the lowest responsible bidder for the Exterior Bleacher System for the athletic field at Ventura College.
- M. Approval to Execute a Contract with Empire & Associates, Inc. for the Synthetic Turf for the Athletic Field at Ventura College was granted to authorize management to execute a contract with Empire & Associates, Inc., who is deemed the preferred vendor for the Synthetic Turf System for the athletic field at Ventura College.
- N. 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*

Approval of Minutes

- C-1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for November 9, 2004** was moved by Trustee Rooney, seconded by Student Trustee Juarez, and carried on a 2-0-2 vote, with Trustees Huber and Miller abstaining, and Trustee Hernández absent. (Juarez – yes)

- C-6 Approval of District Management Contracts** was moved by Trustee Rooney, seconded by Student Trustee Juarez, and carried on a 3-1 vote, with Trustee Hernández absent, to approve the renewal of contracts for the management positions at the District Service Center, Moorpark, Oxnard and Ventura College, effective July 1, 2005.

Trustee Miller expressed his concerns about multi-year contracts. James Meznik explained the evaluation process that was used. Student Trustee Juarez acknowledged the managers for their support of the students, faculty, and staff. Trustee Huber asked about the fiscal impact.

Sue Johnson commented on the following items:

- Elimination of retiree benefits
- Cap on cost of benefits
- Breaking a pattern of “me to.”

C-10 Approval of New Grant for Fiscal Year 2004-2005 was moved by Trustee Miller, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Hernández absent. (Juarez – yes)

Mike Gregoryk gave a brief overview of the nursing grant.

C-12 Quarterly Report of Investments for Ventura County Community College District was moved by Trustee Miller, seconded by Student Trustee Juarez, and carried on a 4-0 vote, with Trustee Hernández absent.

President Heitmann said that the Audit/Budget Subcommittee has discussed alternative methods for investments.

C-18 Capital Planning and Design Construction

E. Approval to Increase the Contract with Carde-Ten Architects for the Renovation of the Existing Library at Moorpark College was moved by Trustee Huber, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Hernández absent, to approve an increase of \$39,215 to the contract with Carde-Ten Architects for additional planning and design services in connection with the renovation of the existing Library at Moorpark College. (Juarez – yes)

Les Dickey, JCM, explained the increase in the contract.

F. Approval of Contract with JCM Group for Schedule Analysis at the Learning Resource/Telecommunications Center at Moorpark College was moved by Trustee Huber, seconded by Trustee Rooney, and carried on a 4-0 vote, with Trustee Hernández absent, to approve a contract with JCM Group to review and prepare an analysis of the contractor’s construction schedule for the Moorpark College LRTC in an amount not to exceed \$30,000. (Juarez – yes)

Les Dickey, JCM, updated the Board on this item.

First Reading Items

Student Learning

- **Course Approvals: New and Revised Courses – Moorpark, Oxnard, and Ventura Colleges (196)** was accepted for Second Reading.

President Heitmann pointed out that some of the courses were in the schedule prior to approval. Chancellor Meznik indicated that the process would be revised to ensure that the Board approves the courses before being placed in the schedule.

Action Items

Administrative Services

- A-6 Acceptance of the Audited Financial Statements for the Fiscal Year Ending June 30, 2004 (2007)** was moved by Trustee Rooney, seconded by Student Trustee Juarez, and carried on a 4-0 vote, with Trustee Hernández absent, to accept the audited financial statements for the fiscal year ending June 30, 2004. (Juarez – yes)

At 8:25 p.m., Trustee Hernández returned.

Human Resources

- A-7 Approval of Modification to Benefit Coverage and Salary Schedules for Managers, Classified Supervisors and Confidential Employees** was moved by Trustee Rooney, seconded by Student Trustee Juarez, and carried on a 4-1 vote, with Trustee Miller voting no, to approve the modification to benefit coverage and salary schedules for Managers, Classified Supervisors, and Confidential employees. (Juarez – yes)

Trustee Miller expressed his concerns about the modification of the benefit coverage. Trustee Huber expressed his support for a District reserve. Trustee Hernández expressed his concerns about unfunded liabilities. President Heitmann commended the managers for taking a leadership role in capping benefits coverage for the good of the district.

Trustees/Chancellor

- A-8 Review and Assignment of Board of Trustees Subcommittees and Ad Hoc Committees -- Appointments to Serve for 2005** was moved by Trustee Rooney, seconded by Trustee Hernández, and carried on a unanimous vote, to review and assign Board of Trustees subcommittees and ad hoc committee appointments to serve for 2005. (Juarez – yes)

- A-9 Acceptance of the Ventura County Community College District Student Election Procedure** was moved by Trustee Hernández, seconded by Trustee Rooney, and carried on a unanimous vote, to accept the Ventura County Community College District Student Election Procedure. (Juarez – yes)

Student Trustee Juarez expressed her support for this item. The Board acknowledged Mike Gregoryk and the committee. There was a brief discussion regarding the signature requirement.

A-10 Direct the Chancellor to Update the Ventura County Community College District Board Policy Manual was amended to include that any policy change would be brought to the Board for final approval. It was moved by Trustee Rooney, seconded by Trustee Miller, and carried on a unanimous vote, to authorize the Chancellor to update the Ventura County Community College District Board Policy Manual. (Juarez – yes)

President Heitmann reported on the process that would be used.

President Heitmann pointed out that the Chancellor would utilize the Community College League of California/Liebert Cassidy Whitmore Policy and Procedures Template as the basis for all Board Policy and that it would be reviewed by the Rules, Operations & Procedures Subcommittee.

End of Board Actions

RECESS TO CLOSED SESSION

At 8:55 a.m. the meeting recessed to Closed Session

ADJOURNMENT

At 9:50 p.m., the meeting was adjourned in memory of Harold Smalley, President Heitmann's father.