

Board of Trustees

Ventura County Community College District

Larry O. Miller

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Robert O. Huber

Vice Chair

Stephen P. Blum, Esq.

Trustee

Cheryl Heitmann

Trustee

Arturo D. Hernández

Trustee

Donna Valle

Student Trustee



James M. Meznik
Chancellor/Secretary to the Board

**MINUTES
FOR THE MEETING OF
TUESDAY, NOVEMBER 18, 2008**

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, November 18, 2008, at the Moorpark College Campus Center Cafeteria, Moorpark, California.

ROLL CALL

Board Members Present:

Larry O. Miller, Chair

Robert O. Huber, Vice Chair

Stephen P. Blum, Esq., Trustee

Cheryl Heitmann, Trustee

Arturo D. Hernández, Trustee

Donna Valle, Student Trustee

Management Present:

James Meznik, Chancellor

Robin Calote, President, Ventura College

Richard Durán, President, Oxnard College

Pam Eddinger, President, Moorpark College

Sue Johnson, Vice Chancellor, Business Services

Richard Dawe, Vice Chancellor, Planning and Organizational Development

Ramiro Sanchez, Executive Vice President, Student Learning

Brenda Shubert, Executive Vice President, Student Learning

Eleanor Brown, Interim Vice President

Jaime Casillas, Interim Vice President

Ray Di Guilio, Vice President

David Keebler, Vice President

John al-Amin, Vice President

Michael Arnoldus, Director

Lori Bennett, Dean

Terry Cobos, Director

Pat Ewins, Dean

Kay Faulconer Boger, Dean

Dan Brown, Dean
Clare Geisen, Director
Carmen Guerrero, Dean
Kim Hoffmans, Dean
Brian Hu, Director
Carolyn Inouye, Dean
Victoria Lugo, Dean
Floyd Martin, Dean
Mary Anne McNeil, Director
Darlene Melby, Business Manager
Lisa Miller, Dean
Jerry Mortensen, Assistant Dean
Inajane Nicklas, Dean
David Oliver, Dean
John Sinutko, Director
Julius Sokenu, Dean
Heather Untalan, Assistant Dean
Rich DeLaO, Chief

Faculty/Staff/Student Representatives:

P. Scott Corbett, Academic Senate President, Oxnard College
Peter Sezzi, Academic Senate President, Ventura College
Margaret Tennant, Academic Senate President, Moorpark College
Donna Santschi, Classified Senate Representative, Moorpark College
Johnny Vasquez, Vice President, Associated Student Government (ASG), Oxnard College
Elizabeth Rangel, Public Relations Officer, ASG, Oxnard College
Lauren Lewow, Director of External Affairs, ASG, Moorpark College
Nancy Pham, ASG President, Ventura College
Handel Evans, Bond Measure S Program Director
Les Dickey, Heery International
John Wagner, AFT President
Eileen Welser, Executive Assistant to the Chancellor

CALL TO ORDER

Chair Miller called the meeting to order at 5:31 p.m. Trustee Hernández arrived at 5:45 p.m. Trustee Heitmann was absent.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

Charles Bonsignore, Alan Dikes, Gregory Ramirez, Jennifer Theiler, Danae Theiler, Tabitha Sanchez, Chris Ruffinelli, and Ric Ruffinelli commented on Closed Session agenda items including issues pertaining to conference with legal counsel – existing and potential litigation, and public employee/discipline/dismissal/release.

The Board heard from Jeff Theiler, public employee, who requested to be heard in public session pursuant to Government Code Section 54957(b) (1). The Board recessed to closed session to deliberate with respect to this matter.

RECESS TO CLOSED SESSION

At 6:01 p.m., the meeting was recessed to Closed Session, with Trustee Heitmann absent.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION {*Government Code § 54956.9(a)*}

- *Debra Cronin vs. Ventura County Community College District*

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION {*Government Code § 54956.9(b)*} (One case)

PUBLIC EMPLOYEE/DISCIPLINE/DISMISSAL/RELEASE {*Government Code § 54957*} (One case)

RECONVENE IN OPEN SESSION

Chair Miller called the meeting to order at 7:10 p.m. Trustee Heitmann arrived at 7:12 p.m.

CLOSED SESSION REPORT

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

It was moved by Chair Miller, seconded by Trustee Blum, and carried on a 4 to 0 vote, with Trustee Heitmann absent, that the Board reject the Tort Claim in the matter of Debra Cronin vs. Ventura County Community College District.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

It was moved by Chair Miller, seconded by Trustee Hernández, and carried on a 4 to 0 vote, with Trustee Heitmann absent, that the Board terminate the employment of employee #900-00-7291, effective November 19, 2008.

PLEDGE TO THE FLAG

Mike Arnoldus led the Pledge to the Flag.

PUBLIC COMMENTS

Human Resources

- A-1 Reappointment of James L. King to the Personnel Commission [p. 1]** was moved by Vice Chair Huber, seconded by Trustee Hernández, and carried on a unanimous vote, to reappoint James L. King to the Personnel Commission. (Valle – yes)

REPORTS

- **Student Representatives**

- Lauren Lewow commented on proposed mid-year budget cuts, a letter writing campaign, Student Club Day, and conferences.
- Johnny Vasquez expressed his concerns regarding the state budget.
- Elizabeth Rangel announced the following events at Oxnard College: ASG rally, Christmas toy giveaway, Spring Formal, and Annual Sports Day.
- Nancy Pham mentioned Spirit Week, the Health Center, Technology Center, scholarship awards, and plans for letters to the Governor regarding the budget,
- Donna Valle reported on her recent conferences, environmental sustainability issues, counseling, diversity, legislation, and student fees.

ACKNOWLEDGEMENT OF GUESTS AND SPECIAL RECOGNITIONS

- Certificate of Recognition for Moorpark Mayor Patrick Hunter. On December 3, Vice Chair Huber and President Pam Eddinger will attend Mayor Hunter's retirement ceremony.
- Chair Miller presented a Certificate of Recognition to Rupinder Kaur Bhatia on receiving her United States citizenship.
- **Chancellor**
 - **Budget Update** – Sue Johnson, Vice Chancellor, Business and Administrative Services provided an update on the state budget and indicated that a Budget Study Session would be held during the December Board meeting. The Board expressed their concerns about the budget. Student Trustee Valle indicated students have also expressed concerns regarding the budget.
- **Academic Senates**
 - Peter Sezzi commented on activities at Ventura College, sabbatical leaves, restriction of faculty access to the AllUsers email, the STEM grant, relocation of the office of bilingual services, *Little Women* at the Ventura College Theater, Transfer Day, and a classified senate meeting.
 - Margaret Tennant acknowledged Sue Johnson and Ray Di Guilio for their presentation of the budget. Dr. Tennant expressed her concerns regarding the revision to the email system and commented on the state academic senate plenary meeting.
 - P. Scott Corbett thanked Sue Johnson for her presentation at the Fall Budget Forum. He acknowledged Ventura College for their STEM grant. Dr. Corbett expressed his concerns regarding the changes to the AllUsers email and commented on allFaculty Group Studio on Luminis.

- **Classified Senates**
 - Donna Santschi mentioned the Annual Holiday Luncheon on December 11 at Moorpark College.
 - Ms. Santschi read Barbara Cogert's report regarding Ventura College classified senate activities.

- **Trustees**
 - **Committees**
 - Steve Blum reported on the October 28 Capital Planning and Construction Committee meeting.
 - Larry Miller reported on the October 27 meeting of the Audit/Budget/Foundation Relations Committee.
 - **Reports/Announcements/Correspondence**
 - Trustee Hernández commented on the email system, deferred maintenance, the Performing Arts Center at Oxnard College, and ideas from the ACCT conference.
 - There was a brief discussion regarding deferred maintenance and construction. Handel Evans provided a brief overview of construction projects.
 - Trustees Hernández and Blum reported on the ACCT Annual Congress in New York City – The American Promise: Combating Poverty Through Education the Role of Community College Trustees. Trustee Hernández distributed information on the conference. Trustee Blum distributed and commented on a list of events at the conference.
 - Trustee Heitmann commented on the Ventura County Regional Energy Authority meeting, management practices, recycled cups for water, two sided Board reports, and asked for monthly reports on energy savings.
 - Vice Chair Huber thanked the Board for changing the November Board meeting so he was able to attend.
 - Chair Miller reported on a California Youth Connection event.
 - **Ventura County Homeless and Housing Coalition/United Way.** Cathy Brudnicki, Executive Director. This item will be placed on the December Board meeting agenda.

CHANGES TO THE AGENDA

Capital Planning & Facilities

- C-15A** **Approval of Contract with Lowest and Most Responsible Bidder for the Construction of the Regional Fire, Sheriff & Police Education and Training Academy, Project #89106** was pulled from the agenda.

CONSENT CALENDAR ITEMS

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

Approval of Minutes

C-1 Meeting Minutes

- B. Action to Approve the Minutes of the Planning Session of the Board of Trustees for October 18, 2008 [p. 14]** was moved by Trustee Blum, seconded by Vice Chair Huber, and carried on a unanimous vote. (Valle – yes)

Vice Chair Huber commented on the Master Plan Objectives and Outcomes and requested a Board discussion be placed on the agenda.

Human Resources

C-2 Employment and Position Management

- B. Approval of Established Positions [p. 21]** was moved by Trustee Blum, seconded by Vice Chair Huber, and carried on a unanimous vote. (Valle – yes)

Trustee Heitmann expressed her concerns regarding new positions because of budget issues. Trustee Blum suggested revisions to the format of the agenda items to determine the fiscal impact. The Board expressed their concerns regarding this item. Chancellor Meznek pointed out the grant positions were fully vetted in Chancellor's Cabinet and the grant development process was being reviewed. Sue Johnson explained the current process used.

Business Services

- C-5 Approval/Ratification of Board Purchase Order Report #6 for FY 2008-09 [p. 26]** was moved by Vice Chair Huber, seconded by Trustee Blum, and carried on a unanimous vote, to approved Board Purchase Order Report #6 from September 22, 2008 to October 27, 2008. (Valle – yes)

- C-12 Approval of International Travel for Marie Butler, Professor of Sociology at Oxnard College [p. 45]** was moved by Trustee Blum, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve the International Travel for Oxnard College employee Marie Butler, Professor of Sociology, to present a research paper at two international conferences in London, England and Oxford, England. (Valle – yes)

The Board expressed concerns regarding travel cost.

CONSENT CALENDAR ITEMS

It was moved by Vice Chair Huber, seconded by Trustee Blum, and carried on a unanimous vote, to approve the Consent Calendar items, with the exception of C1B, C2B, and C5, and C12 (Valle – yes)

*Approval of Minutes***C-1 Meeting Minutes**

- A. Action to Approve the Minutes of the Regular Meeting of the Board of Trustees for October 14, 2008 [p. 2]** was granted.

*Human Resources***C-2 Employment and Position Management** were approved as follows.

- A. Approval of Abolishment and Establishment of Positions [p. 19]**
C. Approval of Abolished Positions [p. 24]

Business Services

- C-4 Ratification of Accounts Payable and Payroll for the Period of September 23, 2008 – October 27, 2008 [p. 25]** was approved.
- C-6 Surplus/Disposal of Equipment and Materials [p. 38]** was approved to dispose of a Lanier Fax machine that is outdated and too costly to be repaired by the District.
- C-7 Acceptance of Gifts [p. 39]** was approved to accept the donation from Amgen, Inc., of lab coats, lab chairs, towels and a cabinet to be used by the Oxnard College chemistry labs, air conditioning program, and maintenance department.
- C-8 Acceptance of Completion of Bid 320, Signage for Oxnard College [p. 40]** was granted to accept completion of Bid 320, Signage for Oxnard College.
- C-9 Acceptance of Completion of Bid 328, Door Repair and Replacement Project [p. 41]** was granted to accept the completion of Bid 328, Door Repair and Replacement.
- C-10 Acceptance of Completion of Bid 332, HVAC Replacement for the E Building (Bookstore) at Ventura College [p. 42]** was granted to accept the completion of Bid 332, HVAC Replacement for the E Building (Bookstore) at Ventura College.
- C-11 Award of Bid 345, Multi-Campus Painting Project [p. 43]** was granted to award Bid 345, Multi-Campus Painting Project to Abco Painting with the low bid of \$17,800.
- C-13 Approval of New Grants and Contracts for Fiscal Year 2008-09 [p. 48]** was granted.

- C-14 **Quarterly Financial Status Report, General Fund–Unrestricted (CCFS-311Q) [p. 52]** was approved.

Capital Planning and Facilities

C-15 **Capital Planning and Facilities**

- B. Approval of Contract with Twining Laboratories to Provide materials Testing and Inspection Services for the Regional Fire, Sheriff & Police Education and Training Academy, Project #/89106 [p. 57]** was granted to approve a contract with Twining Laboratories in the amount of \$295,560 for Materials Testing and Inspection Services for the construction of the Regional Fire, Sheriff & Police Education and Training Academy, Project #89106.
- C. Approval of Contract with Kenneth B. Thomas for Project Inspector Services for the Regional Fire, Sheriff & Police Education and Training Academy, Project #89106 [p. 58]** was granted to approve a contract with Kenneth B. Thomas, in the amount of \$272,000 for Project Inspector Services as required by the Division of the State Architect at a rate of \$70/hour, not to exceed \$272,000, based upon a 22 month schedule for the Regional Fire, Sheriff & Police Education and Training Academy, Project #89106.
- D. Approval of Subcontractor Substitution for the Moorpark College Health Science Complex, Project #19117 [p. 59]** was granted to approve the substitution of J & S Excavating, Inc. as the listed Site Utilities with Sam Hill & Sons, Inc. for the Site Utilities portion of the work on the Moorpark College Health Science Complex, Project #19117.
- E. Approval of Measure S Budget Transfers at Moorpark College [p. 60]** was granted to approve budget transfers to the Measure S funded project #19210, PE Annex at Moorpark College.
- F. Approval to Execute a Contract with Smith Emery International for the Oxnard College Performing Arts Classroom and Auditorium, Project #29117 [p. 61]** was granted to approve a contract with Smith Emery International in the amount of \$307,540 for construction materials testing and inspection services for the Oxnard College Performing Arts Classroom and Auditorium, Project #29117.
- G. Approval to Execute an Addendum to the Contract with Bureau Veritas for Oxnard College Student Services and Food Services Center, Project #29120 [p. 62]** was granted to approve an addendum to the contract for \$80,000 with Bureau Veritas, for Material Testing and Special Inspection for the Oxnard College Student Services Center and Food Services Center, Project #29120.
- H. Acceptance of Change Order Summary Report for Capital Projects [p. 63]** was approved.

Student Learning

- C-16 **Approval of New Spring 2009 Community Education Classes at Ventura College [p. 77]** was granted.
- C-17 **Authorization for Destruction of Records - Ventura College [p. 81]** was granted to

approve the destruction of records at Ventura College pursuant to provisions of “Regulations for Destruction of Records” (Title 5, Division 6, Chapter 10, Subchapter 2.5, Sections 59020-59041), approved by the Board of Governors on September 23, 1976.

Trustees/Chancellor

- C-18 Approval of Date, Time and Location for the Annual Organizational Meeting [p. 82]** was granted to establish December 9, 2008, at 7:00 p.m., at 255 West Stanley Avenue, Suite 150, Ventura, California, as the date, time, and location for the annual organizational meeting.

First Reading

- **First Reading: Board of Trustees 2009 Schedule of Meetings [p. 83]** was accepted for Second Reading.

Trustee Heitmann indicated that she was not available on the third Tuesday of the month. It was decided to return the February and October Board meetings to the second Tuesday of the month (February 10 and October 13). Trustee Blum asked that a yearly calendar be developed for the Board Committees. It was decided to add a Study Session to the calendar.

ACTION ITEMS/SECOND READING ITEMS

Business Services

- A-2 Acceptance of the Audited Reports of the Bond Construction Fund for the Fiscal Year Ending June 30, 2008: Measure S Financial Audit/Measure S Performance Audit [p. 58]** was moved by Trustee Heitmann, seconded by Vice Chair Huber, and carried on a unanimous vote, to accept the Financial Audit report and the Performance Audit report for the Bond Construction Fund/Measure S Bond Program, for the fiscal year ending June 30, 2008. (Valle – yes)
- A-3 Approval of Agreement with Envoy Plan Services, Inc. for Third Party Administrator Services and Approval of 457(B) Plan Adoption and Participation in Deferred Compensation Plan Provided by Envoy Plan Services, Inc. [p. 87]** was moved by Trustee Heitmann, seconded by Vice Chair Huber, and carried on a unanimous vote, to approve an agreement with Envoy Plan Services, Inc. for Third Party Administration (TPA) services for 403(b) and 457(b) plans and approval of 457(b) Plan Adoption and participation in the Deferred Compensation Plan provided by Envoy Plan Services, Inc. (Valle – yes)

Student Learning

- A-4 Second Reading/Approval: Course Approvals: New and Revised Courses at Moorpark and Ventura Colleges [p. 91]** was moved by Vice Chair Huber, seconded by Trustee Hernández, and carried on a unanimous vote. (Valle – yes)

Trustees/Chancellor

- A-5 Action to Approve Governing Board Member Absence [p. 98]** was moved by Trustee Hernández, seconded by Vice Chair Huber, and carried on a unanimous vote, to approve the absence of Student Trustee Valle, who did not attend the October 18 Board Planning Session. Ms. Valle attended the California Community College Student Affairs Association Leadership Conference on October 17 – 19, 2008. (Valle – abstain)

DISCUSSION

- **Discussion of Board of Trustees Committees -- Appointments to Serve for 2009 [p. 99]**
- Chair Miller asked the Board to list three choices for committee appointments. The Trustees will send their preferences to the Chancellor's Office for discussion at the December Board meeting.

ADJOURNMENT

The meeting was adjourned at 9:25 p.m.