

Board of Trustees

Ventura County Community College District

Robert O. Huber

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Stephen P. Blum, Esq.

Vice Chair

Cheryl Heitmann

Trustee

Arturo D. Hernández

Trustee

Larry O. Miller

Trustee

Donna Valle

Student Trustee



James M. Meznik

Chancellor/Secretary to the Board

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| <p>ORDER OF THE MINUTES FOR THE FOR THE MEETING OF TUESDAY, JANUARY 13, 2009</p> |
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The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, January 13, 2009, at the District Administrative Center Multi-Purpose Room, Ventura, California.

ROLL CALL

Board Members Present:

Robert O. Huber, Chair

Stephen P. Blum, Esq., Vice Chair

Cheryl Heitmann, Trustee

Arturo D. Hernández, Trustee

Larry O. Miller, 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

Jaime Casillas, Interim Vice President

Ray Di Guilio, Vice President

David Keebler, Vice President

John al-Amin, Vice President

Lori Bennett, Dean

Kay Faulconer Boger, Dean

Terry Cobos, Director

Dave Fuhrmann, Director

Dan Brown, Dean
Clare Geisen, Director
Carmen Guerrero, Dean
Lucia Haro, Interim Dean
Tim Harrison, Dean
Kim Hoffmans, Dean
Brian Hu, Director
Carolyn Inouye, Dean
Gwen Lewis-Huddleston, Dean
Victoria Lugo, Dean
Floyd Martin, Dean
Tim McGrath, Director
Mary Anne McNeil, Director
Darlene Melby, Business Manager
Lisa Miller, Dean
Jerry Mortensen, Assistant Dean
Inajane Nicklas, Dean
David Oliver, Dean
Rick Shaw, College Technical Services
John Sinutko, Director
Julius Sokenu, Dean
Kathy Scott, Dean
Robert Taylor, 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
Lauren Lewow, Director of External Affairs, ASG, Moorpark College
Sara Yakhi, President, Associated Student Government, Moorpark College
Johnny Garcia Vasquez, President, ASG, Oxnard College
Handel Evans, Bond Measure S Program Director
John Wagner, AFT President
Eileen Welser, Executive Assistant to the Chancellor

CALL TO ORDER

Chair Huber called the meeting to order at 5:34 p.m.

RECESS TO CLOSED SESSION

At 5:37 p.m., the meeting was recessed to Closed Session.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

- Chancellor's Evaluation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

{Government Code §54956.9(a)} (7 p.m. to 8 p.m.)

1. Case No. 56-2008-00332181-CU-PO-VTA, Derick Bell, Angelo Whitehead, Tavaris Gilbert, Danny Benson, Jeffrey Battle, Regan Andersen, Plaintiffs, vs. Board of Trustees of the Ventura County Community College District, James Meznik, Robin Calote, Ventura College, Richard Duran, Oxnard College, and Does 1 through 100, Defendants
2. Case No. 56-2007-00303058-CU-WM-VTA, Ventura County Community College Retirees Association, Petitioners and Plaintiffs, vs. Ventura County Community College District; Board of Trustees of Ventura County Community College District; Does 1 through 50, inclusive, Respondents and Defendants
3. Case No. 56-2007-00285673-CU-WM-VTA, Larry Guevara, Plaintiff and Appellant v. Ventura County Community College District, Personnel Commission of the Ventura County Community College District, James Botting, James Meznik, and Sue Johnson Defendants and Respondents

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

{Government Code §54956.9(b)} (One case)

PUBLIC EMPLOYEE/DISCIPLINE/DISMISSAL/RELEASE *{Government Code § 54957}*

CONFERENCE WITH LABOR NEGOTIATOR

- AFT/SEIU

RECONVENE IN OPEN SESSION

Chair Huber called the meeting to order at 8:08 p.m.

PLEDGE TO THE FLAG

Trustee Miller led the Pledge to the Flag.

CLOSED SESSION REPORT (if necessary)

There was no Closed Session Report

PUBLIC COMMENTS

Connie Jenkins, AFT, provided public testimony to the Board regarding the AFT proposal. John Wagner commented on the Human Resources reclassification agenda item C-2B.

REPORTS

- **Student Representatives**

- Lauren Lewow, Director of External Affairs, Associated Student Government, Moorpark College, reported on the Winter Retreat, upcoming student rally in Sacramento, and Student Assembly activities.
- Johnny Garcia Vasquez, President, Associated Student Government, Oxnard College, mentioned activities at Oxnard College, including ASU Live, St. Patrick's Foundation, IOC Social, and Club Rush.
- Sara Yakhi, President, Associated Student Government, Moorpark College, announced the student rally scheduled for March 16 in Sacramento and commented on lobbying to keep fees low and education options open for students.

- **Chancellor**

- **Receipt of Initial Proposal – AFT Local 1828.** Chancellor Meznik read the following statement:

The Administration is in receipt of the initial proposal from the AFT for the purpose of negotiating faculty compensation for fiscal year 2009-2010. The proposal is available in the Human Resources Department. A public hearing will be held at the February 10 meeting of the Board of Trustees prior to acceptance of the proposal.

Given the uncertainty of the budget, the District will prepare its proposal to the AFT in March, and hold a public hearing at the April Board of Trustees meeting.

- **District Master Plan Update.** Richard Dawe, Vice Chancellor, Planning and Organizational Development, provided an update on the District Master Plan.

- **Academic Senates**

- P. Scott Corbett, Academic Senate President, Oxnard College, reported on the first day of classes, increased enrollment, and serving students.
- Margaret Tennant, Academic Senate President, Moorpark College, commented on enrollment and productivity at Moorpark College. Dr. Tennant then announced a story recently aired on CNN Headline News regarding Moorpark College's History Department's partnership with the Museum of Ventura County to publish its *Journal*.
- Peter Sezzi, Academic Senate President, Ventura College, reported on increased enrollment, productivity, participatory governance, and college planning. Mr. Sezzi commented on the success of the Textbook Lending Library at Ventura College.

- **Trustees**

- **Committees**

Vice Chair Blum reported on the Capital and Facilities Planning Committee meeting and recommended approval for all Capital Planning and Facilities agenda items.

- **Reports/Announcements/Correspondence**
 - Trustees Hernández wished everyone a Happy New Year and spoke briefly about budget challenges.
 - Trustee Heitmann commented on budget challenges and the important role of the college Foundations.
 - Trustee Miller pointed out the high numbers of emancipated foster youth attending community colleges.
 - On behalf of the Board, Trustee Miller requested a report regarding vocational education progress.
 - Chair Huber wished everyone a Happy New Year and read a letter from former City of Moorpark Mayor, Patrick Hunter, thanking VCCCD for recognizing his service to the community at his retirement ceremony, which was attended by Chair Huber and President Eddinger in December 2008.

CHANGES TO THE AGENDA

Human Resources

C-2 Employment and Position Management

- C. **Approval of Abolishment of Positions [Page 16]** was pulled from the agenda.

First Reading: Addition to Board Policy Manual Sections BP 5700: Athletics [Page 64] was updated for formatting and changing the phrase “Coaches are selected and evaluated based on their contributions to students and the college, and their sports.”

CONSENT CALENDAR ITEMS

It was moved by Trustee Miller, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the Consent Calendar Items with the exception of Items C-2B, C-12, and C-13. (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 December 9, 2008 [Page 1]** was approved.

Human Resources

C-2 Employment and Position Management

- A. **Approval of Establishment of Positions [Page 14]** was approved as listed.
- B. **Approval of Reclassification of Positions [Page 15]** was pulled for discussion.

- C-3 Changes in Personnel/Employment Status**
A. Approval of Changes in Positions & Assignments [Page 17] was approved as listed.

Business Services

- C-4 Ratification of Accounts Payable and Payroll for the Period of November 18, 2008 to December 9, 2008 [Page 18]** was approved.
- C-5 Approval/Ratification of Board Purchase Order Report #8 for FY 2008-09 [Page 19]** was granted from November 18, 2008 to December 9, 2008.
- C-6 Surplus/Disposal of Equipment [Page 25]** was granted to surplus/disposal of the following equipment and materials:
- Items less than a \$5,000 value to be disposed per Ed Code 81452.
- Disposal of Dell computers that are outdated and too costly to be repaired.
- C-7 Acceptance of Gifts [Page 26]** was granted to accept the \$2,000 donation from Mike Hornbuckle to be used by the Moorpark College Basketball Program.
- C-8 Acceptance of Completion of Bid 334, Moorpark College Energy Retrofit Project, HVAC [Page 27]** was approved.
- C-9 Acceptance of Completion of Bid 339, Restroom Renovation at Oxnard College [Page 28]** was approved.
- C-10 Monthly Budget Transfer [Page 29]** was approved to ratify the monthly budget transfer summary for the month of November 2008 for the General Fund-Unrestricted and General Fund-Restricted.
- C-11 Approval of Amendment to General Fund Unrestricted – Designated Program For Fiscal Year 2008-2009 (Fund 114) [Page 31]** was granted.
- C-12 Approval of Amendments to Contracts & Grants for Fiscal Year 2008-09 [Page 33]** was pulled for discussion.
- C-13 Approval of New Contracts and Grants for Fiscal Year 2008-09 [Page 35]** was pulled for discussion.

Capital Planning and Facilities

C-14 Capital Planning and Facilities

- A. Approval of the 2009-2010 Scheduled Maintenance and Special Repairs Program Priority List [Page 39]** was granted.
- B. Approval to Issue an Addendum to Gensler Architects for Continuing Construction Administration Services for the Moorpark College Academic Center, Project #19119 [Page 42]** was granted to approve an addendum to the Architectural Design Agreement with Gensler Architects, in the amount of \$120,000 for continuing construction administration cost for the New Academic Center at Moorpark College.
- C. Approval Measure S Budget Transfers at Moorpark College [Page 44]** was granted to approve the budget transfers for the Concrete Walkway Renovation and Replacements, Electrical Systems Upgrades and EATM Complex projects at Moorpark College.
- D. Approval Measure S Budget Transfers at Oxnard College [Page 46]** was granted to approve the budget transfers for the Renovate Athletic Facilities (bleacher and softball scoreboard), North Campus Drive Parking Lot and Electrical Systems Upgrades projects at Oxnard College.
- E. Approval Measure S Budget Transfers at Ventura College [Page 48]** was granted to approve the budget transfers for the Theatre Building “G” Renovation and the Infrastructure Improvement to Campus Site Finishes projects at Ventura College.
- F. Acceptance of Change Order Summary Report for Capital Projects [Page 50]** 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

Human Resources

- C-2 Employment and Position Management** was moved by Trustee Miller, seconded by Chair Huber, and carried on a 3-2 vote, with Chair Huber, Trustees Heitmann and Miller voting yes, and Trustees Blum and Hernández voting no, to approve the reclassification of Patricia Parham, Associate Vice Chancellor of Human Resources to Vice Chancellor of Human Resources, retroactive to July 1, 2008. [Page 15] (Valle – abstain)

Trustees Hernández and Heitmann expressed their concerns regarding the reclassification. Chair Huber reported this item was on the January Board agenda with three other approved reclassifications, and this item was pulled for further information. Chair Huber expressed his support for the reclassification of Patricia Parham.

Business Services

- C-12 Approval of Amendments to Contracts & Grants for Fiscal Year 2008-09 [Page 33]** was moved by Chair Huber, seconded by Trustee Miller, and carried on a unanimous vote, to approve the amendments to contracts and grants budgets for FY 2008-09 and authorize the amendment of the General Fund Restricted budgets. (Valle – yes)
- C-13 Approval of New Contracts and Grants for Fiscal Year 2008-09 [Page 35]** was moved by Chair Huber, seconded by Trustee Miller, and carried on a unanimous vote, to approve new contracts and grants for FY 2008-09 and authorize the amendment to the General Fund Restricted budgets. (Valle – yes)

Chair Huber asked that all contracts and grants agenda items include Future Fiscal Impact.

First Reading

- **First Reading: Addition to Board Policy Manual Sections BP 5700: Athletics [Page 64]** was accepted for Second Reading.

ACTION ITEMS/SECOND READING ITEMS

Business Services

- A-1 Resolution for Adoption of the Elite Choice Governmental 457(B) Deferred Compensation Plan and the Elite Choice 403(B) Tax Sheltered Annuity Plan, and Approval of Resolution to Freeze The Tax Deferred Services(TDS) 457(B) Plan [Page 68]** was moved by Trustee Heitmann, seconded by Trustee Miller, and carried on a unanimous vote, to adopt the Elite Choice Governmental 457(b) Deferred Compensation Plan and the Elite Choice 403(b) Tax Sheltered Annuity Plan, and approve a Resolution to freeze the 457(b) Plan with Tax Deferred Services (TDS). (Valle – yes)
- A-2 Adoption of 2009-2010 Nonresident Tuition Rate, Foreign Student Capital Outlay Surcharge, and Foreign Student Application Processing Fee [Page 73]** was moved by Vice Chair Blum, seconded by Trustee Miller, and carried on a unanimous vote, to adopt the 2009-2010 Nonresident Tuition Rate, as required by law; the 2009-2010 Foreign Student Capital Outlay Surcharge, as permitted by law; and the 2009-2010 Foreign Student Application Processing Fee as permitted by law. (Valle – yes)
- A Nonresident Tuition Rate, effective Fall 2009, of \$189 per semester unit (the Statewide cost of education rate, an increase of \$8 per unit and an increase in revenue estimated at \$72,000).
 - A Foreign Student Capital Outlay Surcharge Rate, effective Fall 2009, of \$14 per semester unit (representing no increase from prior year).
 - A Foreign Student Application Processing Fee, effective Fall 2009, in the amount of \$50 per applicant (representing no increase from prior year).

- A-3 Authorization for Use of Measure S Bond Funds for the Moorpark College Health Sciences and the Oxnard College Performing Arts Classroom/Auditorium Projects and Approval of Budget Amendment to FY 2008-09 Capital Projects Fund [Page 76]** was moved by Trustee Miller, seconded by Vice Chair Blum, and carried on a unanimous vote, to authorize the use of Measure S bond funds for the Moorpark College Health Sciences and the Oxnard College Performing Arts Classroom/Auditorium projects and approval of the corresponding budget amendment to the FY 2008-09 Capital Projects Fund. (Valle – yes)

Human Resources

- A-4 Sabbatical Leave Recommendations 2009 – 2010 per Agreement Between VCCCD and AFT [Page 79]** was moved by Trustee Miller, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the following Sabbatical Leave recommendations of the district Sabbatical Leave Committee. (Valle – yes)

| <u>Rank</u> | <u>Faculty Member</u> | <u>Campus</u> | <u>Discipline</u> | <u>Length of Leave</u> |
|-------------|-----------------------|---------------|-------------------|------------------------|
| 1. | Letrisha Mai | Moorpark | Counseling | Spring '10 |
| 2. | Luanne Crockett | Oxnard | Chemistry | Spring '10 |
| 3. | Kathryn Schoenrock | Ventura | English | Spring '10 |
| 4. | Nils Slattum | Moorpark | English | Fall '09 |
| 5. | Ana Maria Valle | Oxnard | EOPS/CARE | Spring '10 |
| 6. | Becky Santillan Hull | Ventura | Counseling | Spring '10 |
| 7. | Svetlana Kasalovic | Moorpark | Graphics/Media | Spring '10 |
| 8. | Elvia Rivero | Oxnard | Child Dev. | Academic Year 09-10 |
| 9. | Lisa Anderson | Ventura | Mathematics | Spring '10 |
| 10. | Nenagh Brown | Moorpark | History | Fall '09 |

Student Learning

- A-5 Second Reading: Course Approvals: New and Revised Courses at Moorpark, Oxnard, and Ventura Colleges. [Page 81]** was moved by Vice Chair Blum, seconded by Trustee Miller, and carried on a unanimous vote. (Valle – yes)

Trustees/Chancellor

- A-7 Action to Nominate a Member of the VCCCD Board of Trustees to Serve on the California Community Colleges Trustees Board of Directors [Page 121].** No nominations were made.

Trustee Hernández thanked Becky Hull and Marian Carrasco for their assistance with his children while they attended Ventura College

ADJOURNMENT

Chair Huber announced that the February 10 Board meeting would be held at Oxnard College.

At 9:13 p.m. the meeting was adjourned