

Board of Trustees

Ventura County Community College District

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



James M. Meznick
Chancellor/Secretary to the Board

**ORDER OF THE MINUTES FOR THE
FOR THE MEETING OF
TUESDAY, MAY 12, 2009**

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, May 12, 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
Donna Valle, Student Trustee

Absent:

Larry O. Miller, Trustee

Management Present:

James Meznick, Chancellor
Robin Calote, President, Ventura College
Richard Durán, President, Oxnard College
Pam Eddinger, President, Moorpark College
Richard Dawe, Vice Chancellor, Planning and Organizational Development
Sue Johnson, Vice Chancellor, Business Services
Patricia Parham, Vice Chancellor, Human Resources
Jaime Casillas, Interim Vice President
Ramiro Sanchez, Executive Vice President, Student Learning
Brenda Shubert, Executive Vice President, Student Learning
Eleanor Brown, Interim Vice President
Ray Di Guilio, Vice President
David Keebler, Vice President
John al-Amin, Vice President
Michael Arnoldus, Director
Lori Bennett, Dean
David Bransky, Dean

Dan Brown, Dean
Terry Cobos, Director
Patricia Ewins, Dean
Kay Faulconer Boger, Dean
Clare Geisen, Director
Karen Gorback, Assistant Dean
Carmen Guerrero, Dean
Tim Harrison, Dean
Kim Hoffmans, Dean
Brian Hu, Director
Carolyn Inouye, Dean
Victoria Lugo, Dean
Floyd Martin, Dean
Alex Miranda, Dean
Tim McGrath, Dean
Mary Anne McNeil, Director
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
Jay Wysard, Director of Human Resources Operations
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
Rachael Uffer, Ventura College Classified Representative
Samer Naji, Moorpark College Student Representative
Kadeem Coad, Ventura College Student Representative
John Wagner, AFT President
Handel Evans, Bond Measure S Program Director
Les Dickey, Heery International
Eileen Welser, Executive Assistant to the Chancellor

CALL TO ORDER

Chair Huber called the meeting to order at 5:33 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no public comments.

RECESS TO CLOSED SESSION

At 5:35 p.m., the meeting was recessed to Closed Session.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

{Government Code §54956.9(a)}

- Case No. 56-2007-00285673-CU-WM-VTA, Court of Appeal No. B205201; Larry Guevara vs. Ventura County Community College District et al.
- Case No. 56-2009-00342483-CU-PO-VTA, Olga Mehner, Plaintiff, vs. Ventura Community College District; Ventura College; Does 1 to 100, Defendant

CONFERENCE WITH LABOR NEGOTIATOR

- AFT Local 1828

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

RECONVENE IN OPEN SESSION

Chair Huber called the meeting to order at 6:48 p.m., with Trustee Miller absent.

PLEDGE TO THE FLAG

Vice Chair Blum led the Pledge to the Flag.

CLOSED SESSION REPORT

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

1. It was moved by Vice Chair Blum, seconded by Trustee Hernández, and carried on a 4-0 vote, with Trustee Miller absent, that employee #900025929 be terminated from employment with Ventura County Community College District effective May 13, 2009.

	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Bob Huber	<u>X</u>	—	—
Steve Blum	<u>X</u>	—	—
Art Hernandez	<u>X</u>	—	—
Cheryl Heitmann	<u>X</u>	—	—
Larry Miller	—	—	<u>X</u>

ACKNOWLEDGEMENT OF GUESTS AND SPECIAL RECOGNITIONS

- **Certificate in Support of Propositions 1A Through 1F.** Vice Chair Blum acknowledged the Certificate in Support of Propositions 1A through 1F. Trustee Heitmann expressed her concerns regarding the wording in the certificate. The Certificate was revised to reflect the chancellor's support of Propositions 1A - 1F.
- **Certificate of Appreciation for Student Trustee Donna Valle.** Chair Huber presented the Certificate of Appreciation to Student Trustee Valle who thanked the Board, staff, and students.

At 7:10 p.m., a brief reception was held in honor of Student Trustee Valle.

The meeting reconvened at 7:25 p.m.

PUBLIC COMMENTS

Joseph Martinez, SEIU, and Linda-Marie Monier addressed the Board.

REPORTS

- **Student Representatives**

Kadeem Coad, Ventura College Student Representative, commented on the Youth Empowerment Summit, Student Senate General Assembly, Pirate Picnic, Lending Library Donations Week, ASB Awards Banquet, and Scholarships for Youth.

Samer Naji, Moorpark College Student Representative, mentioned the Transfer Social, finals week, and activities on campus.

Student Trustee Valle reported on the Student Senate General Assembly.

- **Chancellor**

- **Update on Student Life.** Robin Calote, Pam Eddinger, and Richard Durán reported on student life on campus. Clare Geisen provided an update on the Student Portal. Trustee Hernández asked for a report this fall about the student portal.

- **Academic Senates**

Margaret Tennant, Moorpark College Academic Senate President, invited the Board to the Annual Brunch. Dr. Tennant pointed out the three colleges were functioning well together in committees. She announced Jeff Baker was the new academic senate president.

P. Scott Corbett, Oxnard College Academic Senate President, recognized Christine Morla, Amy London-Edwards, Teresa Bonham, Connie Owens, and Richard Duran. The Board acknowledged Dr. Corbett.

Peter Sezzi, Ventura College Academic Senate President, invited the Board to the Ventura College graduation. He acknowledged Robert Chaparro, Sumita Lall, Jennifer Garcia, Gigi Fiumerodo, Bill Budke, and Ned Mircetic.

- **Classified Senates.**

Rachael Uffer, Ventura College Classified Representative, reported on *Earth Day* and scholarships for classified staff dependents.

- **Trustees**

Chair Huber reminded the Board Emergency Preparedness Training was mandatory to qualify for federal funds. The Board members will notify the chancellor's office by May 15 the dates they are available to meet.

- **Committees**

- **Capital Planning and Facilities – April 22, 2009**

- Committee Chair Arturo D. Hernández recommended approval of the Capital Planning and Facilities items on the agenda.

- **Audit, Budget & Foundation Relations – April 20, 2009**

- Committee Chair Cheryl Heitmann reported on the 2009-2010 budget assumptions and GASB 45 Actuarial Study of Retiree Health Liabilities. Trustee Heitmann mentioned Trustee Miller would be attending the June 3 meeting in her place.

- **Policy – April 16, 2009**

- Committee Chair Stephen Blum commented on the Board Procedure Information Items on page 178.

- **Reports/Announcements/Correspondence**

- Trustee Blum reported on the Community College League of California Annual Trustees Conference and acknowledged Dr. Corbett and Dr. Tennant for their capable service as academic senate presidents.
- Trustee Heitmann thanked Ventura College for hosting the Ventura Music Festival, commented on an article regarding Leo Orange, and acknowledged the academic senate presidents.
- Trustee Hernández acknowledged the academic senate presidents.

CHANGES TO THE AGENDA

Student Learning

- C-19 Spring 2009 Candidates for Graduation and Certificates at Moorpark, Oxnard, and Ventura Colleges [Page 83]** was revised to add Raelene Nigma, Associate in Arts: General Liberal Arts and Sciences, who was inadvertently omitted from the Ventura College graduate list.

Trustee Miller was injured and unable to attend the Board meeting. Dr. Miller asked that the entire Board be present during the discussion of the following items, and the contracts be approved until August 31, 2009, to place these items on the July 14, 2009, Board meeting agenda.

Business Services

- A-2 Approval to Extend the Contract with HE Consulting, Inc., for Capital Construction Management [Page 145]** for the services of J. Handel Evans to provide oversight of the Measure S Capital Construction Program and general facilities work for the District, for the period July 1, 2009 through August 31, 2009.
- A-4 Approval of Contract with Strata Information Group to Provide Project Management Services for Banner and Luminis Administrative Services [Page 151]** for ongoing project management services and specialized technical support for the Banner administrative software system, the Luminis web portal system, and related database applications, for the period July 1, 2009 through August 31, 2009.
- A-5 Approval of Contract with Walter Johnson & Associates, Inc., for Investigative Services [Page 154],** for the period July 1, 2009 through August 31, 2009.
- A-6 Approval of Extension of Professional Services Contract for General Legal Services with Fagen, Friedman & Fulfroost [Page 155],** for the period July 1, 2009 through August 31, 2009.
- A-7 Approval of Extension of Professional Services Contract for Legal Services with Atkinson, Andelson, Loya, Ruud and Romo [Page 157]** for the period July 1, 2009 through August 31, 2009.
- A-8 Approval of Extension of Professional Services Contract for Legal Services with Orbach, Huff & Suarez, LLP [Page 159]** for period July 1, 2009 through August 31, 2009.
- A-9 Approval of Renewal of a Professional Services Contract with Fickewirth and Associates for Insurance Broker Services [Page 161]** for period July 1, 2009 through August 31, 2009.

OPEN STUDY SESSION

- **GASB 45 Actuarial Study of Retiree Health Benefits Presentation.** Geoff Kischuk from Total Compensation Systems, Inc. presented the District's GASB 45 Actuarial Study – valuation date December 31, 2008. The following documents were distributed:
 - Presentation Ventura County Community College District Presentation GASB 43/45 and Retiree Health Benefits
 - Ventura County Community College District Actuarial Study of Retiree Health Liabilities – April 8, 2009

Mr. Kischuk pointed out the actuarial study served the following purposes

- Provide information to management costs and liabilities associated with retiree health benefits.
- Provide information to communicate the financial implications of retiree health benefits to internal financial staff, the Board, employee groups, and other affected parties.
- Provide information needed to comply with Governmental Accounting Standards Board Accounting Standard 12 (GASB12) and accounting standards GASB 43 and 45 related to “other postemployment benefits” (OPEB's)

Sue Johnson provided a brief history of this item and explained the fiscal implications of the GASB plan and indicated it would be placed on the Audit/Budget/Foundation Relations Committee agenda in late fall. There was discussion regarding liability and funding.

CLOSE STUDY SESSION

At 8:50 p.m., the Study Session was closed.

Action Items

- A-1 Acceptance of the Actuarial Study of Retiree Health Benefits [Page 1]** was moved by Trustee Hernández, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Trustee Miller absent. (Valle – yes)

Consent Calendar Items

It was moved by Trustee Hernández, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Trustee Miller absent, to approve the Consent Calendar Items. (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 April 14, 2009 [Page 3] was approved.**

Human Resources

C-2 Employment and Position Control

- A. Approval of Establishment of Positions [Page 18] was granted.**

C-3 Changes in Personnel/Employment Status

- A. Approval of Changes in Positions and Assignments [Page 19] was granted.**
- B. Approval/Ratification of Separation from Employment [Page 20] was granted.**

Business Services

C-4 Ratification of Accounts Payable and Payroll for the Period of March 24, 2009 to April 17, 2009 [Page 21] was approved.

C-5 Approval/Ratification of Board Purchase Order Report #12 for FY 2008-09 from March 23, 2009 to April 20, 2009 [Page 22] was granted.

C-6 Acceptance of Gifts [Page 46] was approved as follows:

Cash Donation of \$1,000 to be used by Oxnard College Student Services for the Youth Conference.

Donated by: Clinicas del Camino Real, Inc.

Cash Donation of \$500 to be used by Oxnard College Student Services for the Youth Conference.

Donated by: Oxnard Peace Officers Association

Cash Donation of \$1,000 to be used by Oxnard College Student Services for the Youth Conference.

Donated by: Eduardo and Roxanne Miranda

Cash Donation of \$27,695 to be used by the Ventura College Aquatic Center, Baseball Program, Chemistry Department, Educational Assist Fund, Faith George Textbook

Lending Library, Fitness Center, Golf Program, Foreign Language Lab, Men's Tennis, Music Department, Re-entry Center, Opera and Musical Theater, Women's Basketball, and the Library.

Donated by: Various businesses and individuals through the Ventura College Foundation

- C-7 Surplus/Disposal of Equipment [Page 48]** was approved.
- A. Items less than a \$5,000 value to be disposed per Ed Code 81452.
The following items are outdated and too costly to be repaired:
- Baby grand piano
 - Epson printer
- C-8 Award of RFP 344, Copy Center for Moorpark, Oxnard, and Ventura Colleges to the lowest responsible bidder, Canon Business Solutions [Page 49]** was approved.
- C-9 Award of Bid 349, Ventura College Math & Science Building HVAC Project [Page 51]** was approved.
- C-10 Award of Bid 350, Campus Parking Lot and Roadway Maintenance to the lowest responsible bidder, Berry Engineering, in the amount of \$314,212 [Page 52]** was approved.
- C-11 Approval of Bid 353, Accessible Sidewalks for Moorpark College to install ADA compliant accessible curb and sidewalks from Campus Road to the Moorpark College campus [Page 54]** was granted.
- C-12 Approval of Bid 355, Cepheid Equipment for Oxnard and Ventura Colleges [Page 55]** was granted.
- C-13 Monthly Budget Transfer summary for the month of March 2009 for the General Fund-Unrestricted and General Fund-Restricted [Page 56]** was approved.
- C-14 Approval of Contract with Oracle Corporation for Software Maintenance to renew the Agreement with Oracle Corporation for technical support and new releases for the Oracle database on which Banner operates [Page 58]** was granted.
- C-15 Approval of New Contracts and Grants for Fiscal Year 2008-09 and authorize the amendment of the general Fund Restricted Budgets [Page 59]** was granted.
- C-16 Quarterly Financial Status Report, General Fund – Unrestricted (CCFS-311Q) [Page 63]** was approved.
- C-17 Approval of Amendment to the Oxnard and Ventura Colleges Technology Refresh & Equipment Replacement Fund Budgets for Fiscal Year 2008-09 [Page 67]** was granted.

Capital Planning and Facilities

C-18 Capital Planning and Facilities

- A. **Approval to issue an Addendum to Lucci & Associates, Inc. for Additional Design Services for the Moorpark College Electrical Infrastructure, Project #19115 [Page 69]** was granted in the amount of \$26,000.
- B. **Approval to Accept Bid from KDC Inc. DBA Dynalectric for the Moorpark College Electrical Infrastructure, Phase 3, Project #19115 [Page 70]** was granted in the amount of \$3,277,080 for installation of new conductors, transformers, switchgear and panels.
- C. **Acceptance of Completion and Closeout of Contract with C.S. Legacy Construction, Inc. for the Moorpark College Concrete Sidewalk Renovation & Placement, Project #19212 [Page 71]** was approved.
- D. **Approval to Issue a Supplement to Paul Murdoch Architects for Increased Scope of Professional Services on the Oxnard College LRC Renovation, Project #29124 [Page 72]** was granted to approve a contract addendum for increased architectural services in the amount of \$35,610, for additional services electrical engineer, audio/visual systems, and coordination.
- E. **Acceptance of Change Order Summary Report for Capital Projects [Page 73]** was approved.

Student Learning

- C-19 Revised Spring 2009 Candidates for Graduation and Certificates at Moorpark, Oxnard, and Ventura Colleges [Page 83]** was approved.

Trustees/Chancellor

- C-20 Approval of Student Trustee Privileges [Page 144]** was granted as follows:
 - 1. Shall not be allowed to cast an advisory vote.
 - 2. Shall not attend Closed Sessions.
 - 3. Shall receive compensation similar to that of the Board, with no fringe benefits.
 - 4. The term of office will commence on June 1, 2009, and end May 31, 2010.

It was moved by Vice Chair Blum, seconded by Trustee Heitmann, and carried on a 4-0 vote, to extend the following contracts (A-2, A-4, A-5, A-7, A-8, and A-9) through August 31, 2009, for discussion of the full Board in July.

Business Services

- A-2 Approval to Extend the Contract with HE Consulting, Inc., for Capital Construction Management [Page 145]** for the services of J. Handel Evans to provide oversight of the Measure S Capital Construction Program and general facilities work for the District, for period July 1, 2009 through August 31, 2009.
- A-4 Approval of Contract with Strata Information Group to Provide Project Management Services for Banner and Luminis Administrative Services [Page 151]** for ongoing project management services and specialized technical support for the Banner administrative software system, the Luminis web portal system, and related database applications, for period July 1, 2009 through August 31, 2009.
- A-5 Approval of Contract with Walter Johnson & Associates, Inc., for Investigative Services [Page 154]** for period July 1, 2009 through August 31, 2009.
- A-6 Approval of Extension of Professional Services Contract for General Legal Services with Fagen, Friedman & Fulfroost [Page 155]** for period July 1, 2009 through August 31, 2009.
- A-7 Approval of Extension of Professional Services Contract for Legal Services with Atkinson, Andelson, Loya, Ruud and Romo [Page 157]** for the period July 1, 2009 through June 30, 2010.
- A-8 Approval of Extension of Professional Services Contract for Legal Services with Orbach, Huff & Suarez, LLP [Page 159]** for period July 1, 2009 through August 31, 2009.
- A-9 Approval of Renewal of a Professional Services Contract with Fickewirth and Associates for Insurance Broker Services [Page 161]** for period July 1, 2009 through August 31, 2009.
- A-3 Approval of Fiscal Year 2009-10 Budget Assumptions [Page 146]** was moved by Trustee Heitmann, seconded by Trustee Hernández, and carried on a 4-0 vote, with Trustee Miller absent. (Valle – yes)

Sue Johnson explained the assumptions reaffirm broad-based philosophies regarding the following items:

- Summer FTES Borrowing
- Balanced Budget
- State Funding
- Reserves

Student Learning

- A-10 Second Reading: Course Approvals: New Courses, Revised Programs and Degrees at Oxnard and Ventura Colleges [Page 162]** was moved by Vice Chair Blum, seconded by Trustee Heitmann, and carried on a 4-0 vote, with Trustee Miller absent. (Valle – yes)

Trustees/Chancellor

A-11 Action to Approve Governing Board Member Absence [Page 177] was moved by Trustee Hernández, seconded by Vice Chair Blum, and carried on a 4-0 vote, with Trustee Miller absent, to approve the absence of Trustee Miller. (Valle – yes)

INFORMATION ITEM [Page 178]

These items were provided to assure the Board the procedures are consistent with the intent of Board Policy.

- AP 2015: Student Member [Page 179]
- AP 4020: Program, Curriculum, and Course Development [Page 180]
- AP 4022: Course Approval [Page 182]
- AP 4050: Articulation [Page 183]
- AP 4070: Auditing and Auditing Fees [Page 185]
- AP 4101: Independent Study [Page 186]
- AP 4230: Grading and Academic Record Symbols [Page 187]

ADJOURNMENT

At 9:00 p.m., the meeting was adjourned.