Date: July 11, 2006

Place: Board Room, Victor Valley College
18422 Bear Valley Road, Victorville, CA 92395

CALL TO ORDER/ROLL CALL: 3 p.m.
The Board of Trustees of Victor Valley Community College District met in Open Session on July 11, 2006 in the Board Room of the Administration building. Mr. Range, Board President, called the meeting to order at 3 p.m.

TRUSTEE ROLL CALL: Present: Joe Range, Board President; Donald Nelson, Clerk; Bettye Underhill, Trustee; Thomas M. Elder II, Trustee; and Michael Koenig, Student Trustee. Dennis Henderson, Vice President, arrived 3:08 p.m.

MANAGEMENT PRESENT: Dr. Spencer, Superintendent/President; Mr. Baron, Vice President, Administrative Services; Dr. Tortorici, Student Services, Deputy Superintendent/Executive Vice President, Instruction; Dr. Lewallen, Vice President, Student Services; Dr. Jack Lipton, General Counsel; and Annette McComas (Recorder)

PLEDGE OF ALLEGIANCE: Mr. Range led the Pledge of Allegiance to the Flag.

AGENDA ITEMS CORRECTED:

5.3 Department Chairpersons for 2006-07
Correction to the back-up material: The name of the Department Chairperson of Psychology was changed from Jim Previte to John Rude.

AGENDA ITEMS DELETED:

5.23 Administrative/Management/Confidential New Position

5.24 Omni Update Campus

PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS: None

At 3:09 p.m., Board President Joe Range adjourned the meeting and recessed to closed session to consider the following items:

1. CLOSED SESSION

(a) Government Code Section 54956.9(a): CONFERENCE WITH LEGAL COUNSEL –

BOARD OF TRUSTEES: Tom Elder, Dennis Henderson, Donald Nelson, Joe Range, Bettye Underhill, ASB Member
EXISTING LITIGATION:
(1) G. Henderson vs. Victor Valley Community College, San Bernardino County
Superior Court case No. VCVVS 030263

(2) N. Halisky and C. Halisky vs. Victor Valley Community College District, San
Bernardino County Superior Court case No. VCVVS 026112

(3) Warren vs. Victor Valley Community College District, San Bernardino
County Superior Court case No. VCVVS 037382

(4) Victor Valley Community College District vs. Puckett, San Bernardino County
Superior Court case No. VCVVS 036483

(5) CSEA vs. Victor Valley Community College District, Public Employment
Relations Board Case No. LA-CE-4910-E

(6) G. Olin vs. Spencer, San Bernardino County Superior Court case No. VCVVS
040360

(7) Allstate Insurance Co. vs. Spencer, San Bernardino County Superior
Court case No. VCVVS 041201

(8) California School Employees Association vs. Victor Valley Community College
District, San Bernardino Superior case No. VCVVS 018073

(b) CONFERENCE WITH LEGAL COUNSEL —ANTICIPATED LITIGATION:
Significant exposure to litigation pursuant to subdivision (b) of Government Code
Section 54956.9: 4 cases

(c) CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives:
Bruce Baron
Willard Lewallen
Willie Davis Pringle
John Rude
Marianne Tortorici

Employee organizations:
CSEA
CTA
AFT-PTFU
Management

(d) PUBLIC EMPLOYEE APPOINTMENT
Administrative Secretary II
Administrator on Special Assignment
Custodian
Grounds Maintenance Worker
Instructional Assistant III, ESL
Instructor
Lead Grounds Maintenance Worker
Short-Term Employee:
  Accompanist
  Assistant Coach
  Bookstore Cashier
  Bookstore Stocker
  Community Fee Base
  Events Worker
  Life Drawing Model
  Office Worker
  Operations Worker
  PAC House Manager
  PAC Worker
  Maintenance Locksmith
  Maintenance Technician
  Office Assistant
  Professional Expert
  Sign Language Services Interpreter
  Student Worker, including work study/work experience, CalWORKS, and tutor:
Substitute employee:
  Administrative Secretary II
  Associate Teacher (CDC)
  Bookstore Operations Assistant
  Custodian
  Office Assistant
  Reserve Police Officer
  Sign Language Services Interpreter
  Temporary Academic
  Volunteer

(e) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
  Superintendent/President

2. RECONVENE TO OPEN SESSION
At 6:47 p.m., Board President Joe Range reconvened the meeting in open session and made the following closed session report:

The Board voted unanimously to approve the employment appointments as noted on the handout distributed to the public. These appointments are as follows, with corrections. Positions without names were excluded from the motion, “Professional Expert” should be in its own, limited-term was restated as “short-term employees.”

  Custodian
  Fritz Rivera
  Grounds Maintenance Worker
  Christopher Foland
  Short-Term Worker:
  Assistant Coach
  Chavez, Adrienne
  Lopez, Michelle
  Mog, Paul

July 11, 2006
Minutes
Bookstore Cashier
Parmer, Mary
Rabadi, Natalie
Ramirez, Thomas
Rempfer, Alina
Salas, Kent
Community Fee Base
Bradley, Bridgette
Buckles, Duane
Cass, Reiji
Celle, Zenaida P.
Hauf, Bethany
Konstant, Gene
McGhee, Bruce
Prosper, Charles
Shaner, Keith
Life Drawing Model
Barcelos, Mariah
Gardner, Sydney
Keister, Lois
Tipples, Tammy
Office Worker
Hussing, Cathy
Martinez, Carlos F.
Morales, Gisel
Ropelato, Janet
Wenger, Amber
Wilson, Amber
Professional Expert
Churchill, Shane
Fenley, Michelle
Myers, Stephen J.
Ontiveros, Ginger
Orta, Josanna
Thomas, Timothy W.
Student Worker, including work study/work experience, CalWORKS, and tutor
Alvarez, Christina
Baldzhyan, Kristine
Burley, Tammy
Casady, Julie
Larriva, Jennifer
Morales, Maricela
Morales, Martha
Morales, Monica
Padilla, Monica
Rosas, Jacqueline
Russell-Roulet, Renee G.
Wenger, Amber
Substitute employee:
Custodian
Hughes, Steven B.
The Board voted unanimously to approve a settlement agreement with CSEA regarding the seniority date of Michelle Conrad. Copies of the agreement are available from the President’s Office.

The Board voted unanimously to approve a settlement agreement with CSEA regarding campus police officers. Copies of the agreement are available from the President’s Office.

The Board voted unanimously to approve a settlement agreement with CSEA regarding transfers and reassignments. Copies of the agreement are available from the President’s Office.

In the case of CSEA vs. VVCCD, Public Employment Relations Board case No. LA-CE-4910-E, the Board voted to approve a settlement agreement which resolves the unfair practice charge. Copies of the agreement are available from the President’s Office.
PUBLIC COMMENTS RELATED TO OPEN SESSION AGENDA ITEMS: The following individuals made comments with respect to the noted agenda items: Arlene Green (6.2), James Wilson (6.2), and Debby Blanchard (6.2)

3. GOVERNING BOARD

3.1 It was MSC (Underhill/Elder, 5-0) to approve the minutes of the June 27, 2006, regular Board meeting

It was MSC (Nelson/Henderson, 5-0) to approve minutes of the June 29, 2006 special Board meeting

4. SUPERINTENDENT/PRESIDENT'S REPORT

For the Superintendent's report, Dr. Spencer introduced Dr. Tortorici as the new Deputy Superintendent/Executive Vice President, Instruction and Dr. Lewallen, Vice President, Student Services who also provided a report.

4.1 Dr. Tortorici, Deputy Superintendent/Executive Vice President/Instruction
4.2 Dr. Lewallen, Vice President, Student Services
4.3 Vice President, Administrative Services

5. CONSENT AGENDA

It was MSC (Nelson/Elder, 5-0) to approve consent items in one motion with item 5.3 having been corrected and agenda items 5.23 and 5.24 having been deleted.

5.1 Agreement – Silverado Facility Usage
Approval of the facilities use agreement with Victor Valley Union High School District. Fiscal Impact: Estimated first year expenses not to exceed $7,500. Facilities to be rented at a flat rate of $5 per hour, excluding free performances, and the cost for weekend custodians where necessary

5.2 Agreements
Approval of the agreements as listed. Fiscal Impact: $9,440.94

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<thead>
<tr>
<th>Vendor/Consultant</th>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Fire Safety, Inc.</td>
<td>Service Agreement Renewal for College’s fire sprinkler systems</td>
<td>$3,029.94</td>
</tr>
<tr>
<td>Hi Desert Fire Alarm &amp; Fire Sprinklers</td>
<td>Service Agreement Renewal for College’s burglar alarm systems</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Basic BackFlow</td>
<td>Service Agreement Renewal for testing College’s backflow systems.</td>
<td>$595.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$9,440.94</td>
</tr>
</tbody>
</table>

5.3 CORRECTED Department Chairpersons for 2006-07
Approval of revised department chairperson recommendations as listed for the 2006- academic year. Fiscal Impact: Budgeted
5.4 Out-of-State Travel – Dr. John Rude
Approval of the out-of-state travel for Dr. John Rude to travel to Toronto, Ontario, Canada to attend the Nineteenth International Conference on the First-Year Experience held July 24-27, 2006. Fiscal Impact: SSPIRE grant budgeted item. Not to exceed $2,200.00

5.5 Out-of-State Travel – Jeffrey Holmes

5.6 Out-of-State Travel – Kelley Beach, Patrick Malone and Karen Tomlin
Approval of the out-of-state travel for Kelly Beach, Counselor, Patrick Malone, Assistant Professor, Mathematics and Karen Tomlin, Professor, English to travel to Toronto, Ontario, Canada to attend the Nineteenth International Conference on the First-Year Experience held July 24-27, 2006. Fiscal Impact: Title V Cooperative grant budgeted item. Not to exceed $6,600.00

5.7 Classified, New, Additional Positions
Approval of the additional and new positions as listed. Fiscal Impact: Budgeted Item.

5.8 Contract Education Services
Approval of the payment to Duane Buckles for conducting the Food Handlers workshops during the months of May and June 2006. Fiscal Impact: Budgeted Item, not to exceed $4,207.00

5.9 Bid Participation – Krueger International Inc.
Approval of the bid participation with Krueger International Inc. for furniture products and services under the terms and conditions of the San Mateo County Community College District through KI as the vendor. Fiscal Impact: Enables the district to purchase furniture products at competitive bid prices per the San Mateo County Community College District Agreement.

5.10 Donations – Victor Valley College Foundation
Acceptance of the donations as college property. Total donation amount: $75,351.41

5.11 Authorized Signatory
Approval of the signature of Dr. Marion Boenheim to represent the board in the named cases for fiscal year 2006-2007 per Education Code 72272. Fiscal Impact: None

5.12 Agreement – Nesdoor Automatic & Manual Door Service
Approval of the agreement with NESDOOR Automatic & Manual Door service to provide monthly service as needed to the automatic doors on campus. Fiscal Impact: budgeted, not to exceed $9,250.00
5.13 Bid Participation – G/M Business Interiors
Approval of the bid participation with G/M Business Interiors for furniture products and services under the terms and conditions of the San Bernardino County Contract through G/M Business Interiors as the vendor. Fiscal Impact: Enables the district to purchase furniture products at competitive bid prices per the San Bernardino County Agreement.

5.14 Agreement – North State Environmental
Approval of the agreement with North State to provide hazardous was removal as required by EPA for the college. Fiscal Impact: Budgeted, not to exceed $24,000.00

5.15 Agreement – America’s Express Rent-A-Car
Approval of the agreement with America’s Fiscal Impact: $46,271.00.

5.16 Agreement – San Manuel Fire Department
Approval of the clinical agreement with the San Manuel Fire Department as attached. Fiscal Impact: None

5.17 Agreement – San Bernardino City Fire Department
Approval of the clinical agreement with the San Bernardino City Fire Department as attached. Fiscal Impact: None

5.18 Agreement – Murrieta Fire Department
Approval of the clinical agreement with the Murrieta Fire Department as attached. Fiscal Impact: None

5.19 Agreement – Upland Fire Department
Approval of the clinical agreement with the Upland Fire Department as attached. Fiscal Impact: None

5.20 Agreement – Redlands Fire Department
Approval of the clinical agreement with the Redlands Fire Department as attached. Fiscal Impact: None

5.21 Agreement – Chino Valley Independent Fire Department
Approval of the clinical agreement with the Chino Valley Independent Fire Department as attached. Fiscal Impact: None

5.22 Revisions to Hay Classification Listing
Approval of the revisions to Hay classification listing.

5.23 Deleted Administrative/Management/Confidential New Position
Approval of the new management position of custodial supervisor and job description as listed. Fiscal Impact: Budgeted

5.24 Deleted Agreement – Omni Update Campus
Approval of the service agreement with Omni Update to provide a Content Management System for the Victor Valley College web site through June 30, 2009 per the terms listed. Fiscal Impact: $44,625.00
ACTION AGENDA

6. BOARD OF TRUSTEES
6.1 Separate approval of items pulled from consent agenda: None

6.2 Authorization of Legal Counsel for Dr. Patricia A. Spencer, Superintendent/President
(tabled and revised from 6-29-06 meeting)

It was MSC (Elder/Range, Henderson, No, Nelson, No, 3-2) to approve the authorization of legal counsel to conduct an investigation and to make a determination as to the appropriateness of obtaining an injunction on behalf of Dr. Spencer with respect to her working conditions, including but not limited to the protection of her from harassment, defamation, threats, intimidation, and emotional and/or physical harm. The Board delegates to the District's General Counsel the authority to execute an agreement with legal counsel. Fiscal Impact: not to exceed $10,000.

7. SUPERINTENDENT/PRESIDENT
None

8. INSTRUCTION
None

9. STUDENT SERVICES
None

10. ADMINISTRATIVE SERVICES
None

11. HUMAN RESOURCES
None

12. REPORTS

12.1 Governmental Relations
None

12.2 Foundation
Ginger Ontiveros

12.3 Constituency Representatives
a) ASB
   Michael Koenig
b) CCA
   Lisa Ellis
c) CSEA
   Arlene Greene
d) Faculty Senate
   Debra Blanchard
e) AFT Part-Time Faculty United
   None
f) Management
   None
13. TRUSTEE COMMENTS
Comments were given by: Dr. Underhill, Mr. Henderson, and Mr. Range

PUBLIC COMMENTS ON NON-AGENDIZED ITEMS: The following individuals made comments with respect to non-agenized items: Alexandro Medino, Alfonso Zaragoza, and Mitch Greene.

14. ADJOURNMENT
It was MSC (Elder/Nelson, 5-0) to adjourn the meeting at 7:41 p.m.

Donald Nelson, Clerk

8-8-06
Date Approved