Date: October 13, 2009

Place: Regular Meeting 6 p.m.: Board Room Victor Valley Community College
       18422 Bear Valley Road, Victorville, CA 92395

CALL TO ORDER 6:04 p.m.
The Board of Trustees of Victor Valley Community College District met in Open Session on October 13, 2009 in the Board Room of the Administration building. Mr. Range, Board President called the meeting to order at 6:04 p.m.

TRUSTEE ROLL CALL: Present: Joe Range, Board President; Angela Valles, Vice President;
                      Chris Mollenkamp, Clerk; Dennis Henderson, Trustee,
                      Absent: Don Nelson, Trustee

MANAGEMENT PRESENT: Dr. Robert Silverman, Superintendent/President, Dr. Christopher
                     O’Hearn, Deputy Superintendent/Executive Vice President, Instruction Fusako Yokotobi, Vice
                     President, Human Resources, GH Javaheripour, Vice President, Administrative Services and
                     Annette McComas (Recorder)

PLEDGE OF ALLEGIANCE
Mary Mazzola led the Pledge of Allegiance to the Flag.

ANNOUNCEMENT OF ITEMS DELETED OR CORRECTED FROM THE AGENDA: None

PUBLIC COMMENTS RELATED TO AGENDA ITEMS: Roderick Gray (5.5), Sheree Caldwell
                                                (10.4), James Leyba (10.4), Roderick Gray (10.4), Joseph Hourany (10.4), Sheree Caldwell
                                                (11.3), Rosalie Olguin (11.3), Margaret Kagy (11.3), Susana Jimenez (11.3), Roderick Gray
                                                (11.3), Sharon Wright (11.3), and Debra Blanchard (11.3)

4. SUPERINTENDENT/PRESIDENT’S REPORT
   - Faculty Senate
     Debra Blanchard provided information on the Jack Kent transfer scholarship valued at
      $30,000 where two students can be nominated. Additionally, she reported that the
      Faculty Senate recently passed an academic senate resolution addressing academic
      freedom and censorship. She asked that the Board of Trustees direct the
      administration to stop the censorship and restore academic freedom by keeping the
      Information Technology Department out of instruction.

BOARD OF TRUSTEES: Dennis Henderson, Chris Mollenkamp, Donald Nelson, Joe Range, Angela Valles, ASB Member
• **Overview of Budget**
  Dr. Silverman said that the majority of his report will be dedicated to the budget. There are several groups to thank for their involvement in establishing a balanced budget. He especially wanted to thank the budget team GH Javaheripour, Mary Pringle and Deedee Orta for their hard work. Dr. Silverman reported that we have a balanced budget which must be passed to remain in business with a 5% reserve as a requirement. Property values are going down and as a result of that we receive less and less money. The general fund was cut by $1.6M with categorical funds being cut by 30%. Alternative revenues sources are being explored with a possible community education program offered during the winter term. It is important that we are more self reliant, reduce dependency on the state, be proactive and entrepreneurial.

Dr. Javaheripour, Vice President, Administrative Services, provided an update on the budget assumptions that were presented to the board in February and June assisted in the development of the 2009/10 budget. The presentation will focus primarily on the general fund. As the state's financial constraints have been identified, the assumptions that were presented in February and June have been adjusted to fit the criteria that was delegated from the Chancellor's Office. A balanced budget was developed with a minimum of 5% reserves. As a result of meeting over 10,000 FTES in 2008/09 the college received an additional $1.1M in base funding. This base funding will continue through the year 2012 however, during that year the college must remain at 10,000 FTES for the year 2013 to be able to receive the same funding in 2013. The salaries and operational expenses of Title V Independent grant was incorporated into the budget based on the requirements of the grant. OPEB liability will be funded as well as the cost of SERP I & II.

Ms. Tashima spoke on behalf of the management team and announced that the management group has unanimously agreed to make a voluntary contribution to the library which will begin November 2009 and continue until June 2010. These funds will backfill approximately 1/3 to 1/2 of the state budget cuts to the library. By giving in this manner, we feel we can directly impact our students and continue to enhance student learning.

Ms. Yokotobi, Vice President Human Resources, provided an update as the result of the direction from the Board of Trustees in August 2009 authorizing the elimination of the 14 categorically funded positions. The intent was to minimize that number. The process that took place was the positions were identified (due to the statewide budget cuts in the categorically funded programs), there was a review of the individual programs and services to the students. The Early Retirement Incentive will provide a savings of approximately $4M over the next 4-5 years with 17 applications submitted.

Dr. O'Hearn, Deputy Superintendent, Executive Vice President addressed what affect the loss has on how we do business which will require some sort of reorganization.

5. **CONSENT AGENDA**
   It was MSC (Mollenkamp/Henderson, 4-0, Nelson absent) to approve the consent items in one motion with items 5.3, 5.5, and 5.6 pulled for separate discussion by Trustee Valles.

5.1 **Approval of the minutes of the September 8, 2009 regular Board meeting.**

5.2 **Agreement – Transition Management Solutions by Outplacing.com**
   Approval of the agreement between Victor Valley Community College District and Outplacing.com to provide career transition assistance to employees who have been impacted by layoffs. Fiscal Impact: Not to exceed $3,750.00
5.3 Agreement – Mike Brown Grandstands, Inc.
Ratification of the agreement between Victor Valley Community College District and Mike Brown Grandstands, Inc. to provide temporary rental equipment for athletics from September 01, 2009 through November 17, 2009. Fiscal Impact: Budgeted, $12,638.00.

5.4 Overnight Student Travel
Approval for the Alpha Phi Gamma Chapter of Phi Theta Kappa to travel to San Diego, CA to attend the Nevada/California 2009 Regional Honors’ Leadership Conference from November 20, 2009 through November 22, 2009. Fiscal Impact: $1,110.00, funded by the Associated Student Body.

5.5 Out of State – Student Travel
Approval for Associated Student Body representatives to travel to Washington, D.C. to attend the National Student Advocacy and Leadership Fall Conference from October 23, 2009 through October 27, 2009. Fiscal Impact: Budgeted, $10,000.00 – funded by the Associated Student Body.

5.6 Agreements – Independent Contractor – Ebmeyer Charter and Tour
Ratification of the Independent Contractor Agreements between Victor Valley Community College District and Ebmeyer Charter and Tour to provide transportation services to registered students at Victor Valley Community College, Group Leader, and Director of Athletics for various sports. Fiscal Impact: Budgeted, $22,046.50 Associated Student Body Funds.

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5.7 Agreements – Contract Education Services
Approval of the Contract Education Services’ agreements listed below to obtain a food handlers certification card by attending a two-hour class. Fiscal Impact: $900.00 to the District.

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<th>Vendor:</th>
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<tr>
<td>Sultana High School</td>
<td>$300.00</td>
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<tr>
<td>Valentini Pizza</td>
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<tr>
<td>Woodgrill Buffet</td>
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5.8 Agreement – Contract Education Services
Approval of the Contract Education Services’ agreements listed below. Fiscal Impact: $2,000.00 Income to the District.

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<td>Marshall Reddick Seminars</td>
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5.9 Renewal Agreement – Independent Contractor – John Tonyan
Ratification of the Independent Contractor renewal Agreement between Victor Valley Community College District and John Tonyan to provide tuning, services and repair of department pianos including the Performing Arts Center. The period of this agreement is from July 1, 2009 through June 1, 2010. Fiscal Impact: Budgeted, $3,400.00, Music Department.

5.10 Renewal Agreement – Apple Valley Fire Protection District
Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Apple Valley Fire Protection District to establish terms and conditions for the District’s students’ participation in Emergency Medical Technician and Emergency Medical Technician Paramedic Programs. This agreement is effective September 1, 2009. Fiscal Impact: None

5.11 Affiliation Agreement – Loma Linda University Medical Center
Approval of an affiliation agreement between Victor Valley Community College District and Loma Linda University Medical Center to provide clinical learning facilities for health sciences programs. The period of this agreement is November 1, 2009 through November 1, 2010. Fiscal Impact: None

5.12 Ratification of Renewal Agreements – Off Campus Locations
Renewal lease agreement with the schools listed to provide classroom space for the fall 2009 semester. Fiscal Impact: Not to exceed $11,000.00.

5.13 Agreement – Frick, Frick & Jette Architects, Inc.
Ratification of the agreement between Victor Valley Community College District and Frick, Frick & Jette Architects, Inc. to provide architectural and project management services necessary to certify the Child Development Center modular buildings and the lower portables. Fiscal Impact: Not to exceed $28,800.00, Fund 71 expenditure.

5.14 Agreement – CHJ, Inc.
Ratification of the agreement between Victor Valley Community College District and CHJ, Inc. Inc. to provide materials testing and inspection services necessary to certify the Child Development Center modular buildings and the lower portables Fiscal Impact: Not to exceed $10,000.00, Fund 71 expenditure.

5.15 Agreement for Additional Services – Spencer/Hoskins Associates
Ratification of the agreement between Victor Valley Community College District and Spencer/Hoskins Associates to increase the amount of the existing purchase order to include the balance of the cost for services for the Seismic Replacement Auxiliary Gymnasium. Fiscal Impact: $4,620.00, Fund 71 expenditure.
5.16 Agreement Tri-Valley Inspections, Inc.
Ratification of the agreement between Victor Valley Community College District and Tri-Valley Inspections to provide Department of State Architect (DSA) inspection services necessary to certify the Child Development Center modular buildings and the lower portables. Fiscal Impact: $20,000.00. Fund 71 expenditure.

5.17 Renewal Lease Agreement – Class Leasing, Inc.
Ratification of the renewal agreement between Victor Valley Community College District and Class Leasing, Inc. for one (1) 24x40 relocatable classroom for anticipated classroom usage. This lease agreement is for the period of one year, commencing July 2, 2009 and ending July 1, 2010. Fiscal Impact: $5,496.00, Administrative Services budget expenditure.

5.18 Board of Trustees Payments Report
Approval of the Board of Trustees Payments Report. Fiscal Impact: None

5.19 Agreement – Identix, Inc.
Ratification of the agreement between Victor Valley Community College District and Identix, Inc. to provide maintenance services for the Live Scan fingerprinting machine. Maintenance for the period of September 1, 2009 through August 31, 2010. Fiscal Impact: Budgeted item, $2,740.00.

5.20 Renewal Agreement – Sybase iAnywhere Solutions, Inc.
Ratification of the renewal agreement between Victor Valley Community College District and iAnywhere Solutions, Inc. to provide support for the SQL Anywhere software program. Renewal is for the period of October 19, 2009 through October 18, 2010. Fiscal Impact: Budgeted, $519.00.

5.21 Correction to the June 9, 2009 Minutes
Approval of the corrected June 9, 2009 minutes that were approved by a unanimous vote at the July 14, 2009 board meeting. Showing agenda item 11.4 did receive a unanimous vote of 4-0. Fiscal Impact: None

5.22 Approval of Academic Equivalency Request – Michael E. Ray - English
Approval of the equivalency request for Michael E. Ray. Fiscal Impact: None

5.23 Agreement – Independent Contractor Agreement – Dr. Chester Tolson
Ratification of the agreement between Victor Valley Community College District and Dr. Chester Tolson to conduct a fundraising campaign feasibility study. The period of this agreement is October 1, 2009 through January 31, 2010. Fiscal Impact: $5,000.00 from the District General Fund ($2,500.00 to be reimbursed to the District by VVC Foundation).

ACTION AGENDA

6. BOARD OF TRUSTEES
6.1 Separate approval of items pulled from consent agenda

5.3 Agreement – Mike Brown Grandstands, Inc.
It was MSC (Valles/Henderson, 3-1 Valles, No, Nelson, absent) to ratify the agreement between Victor Valley Community College District and Mike Brown Grandstands, Inc to provide temporary rental equipment for athletics from September 01, 2009 through November 17, 2009. Fiscal Impact: Budgeted, $12,638.00. Angela had a concern where the money comes from
5.5 Out of State – Student Travel
It was MSC (Valles/Henderson, 4-0, Nelson absent) to approve the student travel of Associated Student Body representatives to travel to Washington, D.C. to attend the National Student Advocacy and Leadership Fall Conference from October 23, 2009 through October 27, 2009. Fiscal Impact: Budgeted, $10,000.00 – funded by the Associated Student Body.

5.6 Agreements – Independent Contractor – Ebmeyer Charter and Tour
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8. INSTRUCTION
8.1 Boston Reed College – Memorandum of Understanding
It was MSC (Henderson/Mollenkamp, 4-0, Nelson absent) to ratify the Memorandum of Understanding between Victor Valley Community College District and Boston Reed College. The Memorandum of Understanding is effective September 9, 2009. Fiscal Impact: $500.00 per student to the District.

10. ADMINISTRATIVE SERVICES
10.1 Foundation Donations
It was MSC (Mollenkamp/Henderson, 4-0, Nelson absent) to accept the donations as college property from the Victor Valley College District Foundation. The Foundation has made expenditures from cash donations to specific funds and scholarships as listed for Victor Valley College $10,973.79 in-kind cash donations, $238,370.43 in scholarships, for a total amount of $249,344.22. In addition the Foundation has also received property donations as listed. These donations are for the period ending August 2009. Fiscal Impact: None

10.2 Public Hearing - Canceled
It was MSC (Mollenkamp/Henderson, 4-0, Nelson absent) to cancel the Public Hearing on the award of an Alternative Energy Services Contract with Cate Street Capital, its partner Sol Focus, Inc. and Victor Valley Community College District. The Board of Trustees no longer intends to award an alternative energy services contract at this time. Fiscal Impact: None
10.3 **Draw Down of Funds from the Guaranteed Investment Contract (GIC)**  
It was MSC (Henderson/Mollenkamp, 4-0, Nelson absent) to approve to draw down funds from the Guaranteed Investment Contract for the General Fund in an amount not to exceed $5,900,000.00 during fiscal year 2009-10. Fiscal Impact: $5,900,000.00

10.4 **Public Hearing and Adoption of the 2009-2010 Budget**  
The Board president declared the hearing open. Public comments on the initial 2009-2010 budget proposal were made by Margaret Kagy, Sharon Wright, Sheree Caldwell, and James Leyba. Following the public comments the Board president declared the public hearing closed.

It was MSC (Henderson/Mollenkamp, 3-1, Valles, No, Nelson absent) to adopt the 2009-2010 budget.

11. **HUMAN RESOURCES**

11.1 **Public Hearing for District Initial Negotiations Proposal to AFT-PTFU**  
The Board president declared the hearing open, hearing no comments on the initial negotiations proposal; the Board president declared the hearing closed. Fiscal Impact: None

11.2 **New Classified Job Description and Position – Office Assistant**  
It was MSC (Valles/Henderson, 4-0, Nelson absent) to approve the new classified position, job description and placement on the Classified Salary Schedule effective October 14, 2009. Fiscal Impact: Level 10 on the Classified Salary Schedule, $2,919 per month plus benefits, categorical funding anticipated through December 2010.

11.3 **Further Notification Regarding Resolution #09-08**  
It was MSC (Mollenkamp/Range, 3-1, Valles, No, Nelson absent) to approve the notice given to employees affected by layoff; one employee submitted updated qualifications that allowed that individual to maintain seniority in the current classification. Due to displacement rights another employee must be notified. Therefore, notice of lay-off due to lack of work, effective November 30, 2009 shall be given.

12. **INFORMATION/DISCUSSION**

12.1 **Board Policies - First Reading**  
Chapter 4 – Instruction  
Chapter 5 – Student Services  
Submitted as informational item

13. **REPORTS (3 minute limit per report)**  
The purpose of these reports is to inform the Board of Trustees regarding issues pertaining to those constituency groups.

13.1 Foundation  
Ginger Ontiveros
13.2 Employee Groups
a) CTA
   Michael Butros asked statement officially in the minutes. Regarding no discussion of any layoffs they were involved in.

b) CSEA
   Margaret Kagy

c) AFT Part-Time Faculty United
   Valerie Frangelica

14. TRUSTEE COMMENTS

- ASB
  Mary Mazzola reported on student activities. Trustee Valles thanked the individuals that have been laid off for their hard work and apologized to them in losing their jobs. As a good gesture she announced that she would forfeit her monthly salary of $240 and invited the other board members to join her in giving back. Mr. Range said that the board members have a fiduciary responsibility to approve a balanced budget.

Break: 9:01 p.m.
Reconvene: 9:06 p.m.

15. PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS: Margaret Kagy, Jacqulin Harrington,

16. ADJOURNMENT
   It was MSC (Mollenkamp/Henderson, 4-0 Nelson absent) to adjourn the meeting at 9:13 p.m.