



**Victor Valley Community College District
REGULAR MEETING
OF THE BOARD OF TRUSTEES
MINUTES**

Date: May 8, 2007

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 May 8, 2007 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; Dennis Henderson, Vice President; Thomas M. Elder II, Trustee, Donald Nelson, Clerk, Dr. Betty Underhill, Trustee

Clyde Williams substituted for Michael Koenig and arrived at 6 p.m.

MANAGEMENT PRESENT: Dr. Louis E. Zellers, Interim, Superintendent/President; Dr. Lewallen, Vice President, Student Services; Mr. Bruce Baron, Vice President Administrative Services; Dr. Marion Boenheim, Vice President, Human Resources, Dr. Marianne Tortorici, Deputy Superintendent/Executive Vice President, Instruction; Mary Dowell, General Counsel; and Annette McComas (Recorder)

PLEDGE OF ALLEGIANCE: Suzie Selby led the Pledge of Allegiance to the Flag.

DELETIONS/CORRECTIONS TO AGENDA:

None

Mr. Range, Board President, announced the agenda items that the Board would consider in Closed Session.

1. CLOSED SESSION

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(a) CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION under Government Code Section 54956.9(a):

- (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

BOARD OF TRUSTEES: Tom Elder, Dennis Henderson, Donald Nelson, Joe Range, Betty Underhill, ASB Member

- (3) F. Freeman vs. Victor Valley Community College District, San Bernardino County Superior Court Case No. VCVVS 042951
- (4) S. English vs. Victor Valley Community College, EEOC Charge No. 480-2007-00768
- (5) S. English vs. Victor Valley Community College District, Appeal under Section 59338 of Title 5 of the *California Code of Regulations*
- (6) CSEA vs. Victor Valley Community College, PERB Case No. LA-CE-5041-E
- (7) McNack vs. Victor Valley Community College, EEOC Charge No. 480-2007-01155
- (8) Wilkett vs. VVCC, EEOCC Charge No. 550-2007-00976
- (b) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION under Government Code Section 54956.9 (b): 3 cases (3 discrimination cases)
- (c) CONFERENCE WITH LABOR NEGOTIATORS
 - (1) Employee organization CSEA

District's representatives: Dr. Jean Malone, Dr. Marion Boenheim and Willie Davis Pringle
 - (2) Employee organization CTA

District's representatives: Drs. Marion Boenheim, Willard Lewallen, Marianne Tortorici, and John Rude
 - (3) Employee organization: AFT/PTFU
District's representative: Drs. Lori Kildal, Marianne Tortorici, Marion Boenheim
 - (4) Employee organization: Management
District's representative: Dr. Jean Malone, Dr. Marianne Tortorici, Jeffrey Holmes, Robert Sewell, Sheri Nolan-Foster, Jaye Tashima.
- (d) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
- (e) PUBLIC EMPLOYEE APPOINTMENT
Superintendent/President
- (f) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Interim, Superintendent/President

PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS: None

At 3:05 p.m., Board President, Joe Range recessed to closed session.

2. RECONVENE TO OPEN SESSION

At 6:01 p.m., Board President, Joe Range reconvened the meeting in open session and announced there was no Closed Session Report.

PUBLIC COMMENTS RELATED TO AGENDA ITEMS ONLY: Margaret Kagy 5.2, 7.1, 11.1 and Arlene Greene (11.2)

3. GOVERNING BOARD

4. SUPERINTENDENT/PRESIDENT'S REPORT

- 4.1 Dr. Zellers congratulated Dr. Lewallen on his new appointment as the President at West Hills Community College and deferred his report to Dr. Lewallen.
- 4.2 Deputy Superintendent/Executive Vice President/Instruction
Marianne Tortorici
- 4.3 Vice President, Student Services
Willard Lewallen
- 4.4 Vice President, Administrative Services
No report
- 4.5 Vice President, Human Resources
Marion Boenheim
Chief Jack Thomas reported on the safety of the campus.

5. CONSENT AGENDA

It was MSC (Elder/Nelson, 4-1 Henderson, No) to approve the consent items in one motion and item 5.2 pulled by Mr. Henderson for separate discussion.

5.1 Approval of the minutes of the April 10, 2007 regular Board meeting

5.2 **PULLED FOR SEPARATE DISCUSSION** Ratification of the following contracts that were approved by Dr. Zellers, Interim Superintendent/President or his designee per Board Policy 2430. These contracts are available to the public in the Superintendent/President's office

VENDOR	DESCRIPTION	Amount	Approved by Legal Counsel
Contract Education Services	Contract Education Service courses	\$15,600.00	Legal review not necessary
Ron Gordon	Present workshops on College Board computerized placements tests	\$3,000.00	N/A
SixTen & Associates	Renewal – Mandate Reimbursement claim preparation services	\$24,000.00	YES
Profiles International	Psychometric instrument to investigate several areas to evaluate how an individual fits into a particular job. This process will be used to assist in the search of the Superintendent/President	\$2,000.00	N/A
Jean Malone	Labor consultant not to exceed an additional 100 hours	\$10,000.00	N/A

- 5.3 Department Chairpersons Pay for 2006-07
Approval of the department chairpersons pay for the 2006-07 academic year. Fiscal Impact: \$144,300 Budgeted item.
- 5.4 Change Order – T.B. Penick & Sons, Inc.
Approval of the Change order No. 02-01 Advanced Technology building. Fiscal Impact: \$33,521.26. (This project is State funded and will be 100% reimbursable to the District through Fund 71 up to the approved contract amount.
- 5.5 Board of Trustees Payment Reports
Approval of the Board of Trustees Payments reports.
- 5.6 Board of Trustees Budget Transfers
Approval of the budget transfers.
- 5.7 Donations
Acceptance of donations as college property from the Victor Valley District Foundation for a total amount of \$42,764.72.
- 5.8 Revised – Child Development Center Parent Handbook
Approval of the revised Child Development Center Parent Handbook. The revisions are on pages 9, 26, 32, 39, and 41. Fiscal Impact: None
- 5.9 Child Development Center – Administrative Organization
Approval of the Administrative Organization Form LIC 309 from the State of California Department of Social Services Community Care Licensing Division with the new director of CDC, Kelley Johnson listed as the contact person. Fiscal Impact: None

ACTION AGENDA

6. BOARD OF TRUSTEES

- 6.1 Separate approval of items pulled from consent agenda
It was MSC (Underhill/Nelson, 4-1, Henderson, No) to ratify the contracts that were approved by Dr. Zellers, Interim Superintendent/President or his designee per Board Policy 2430. These contracts are available to the public in the Superintendent/President's office.
- 6.2 Student Member
It was MSC (Elder/Underhill, 5-0) to approve the student member any of the following privilege commencing on June 1, 2007:
- The privilege to make and second motions.
 - The privilege to attend closed sessions, other than closed sessions on personnel or collective bargaining matters.
 - The privilege to receive compensation for meeting attendance at a level of \$600 per semester. See Board Policy 2725.
 - The privilege to serve a term commencing on June 1

Following discussion, Mr. Elder, who made the original motion and Dr. Underhill who made the second motion, accepted the amendment to allow all privileges with the exception of the privilege to attend closed sessions.

7. SUPERINTENDENT/PRESIDENT

7.1 Election Questionnaire

It was MSC (Underhill/Elder, 4-1, Henderson, No) to notify the County of Los Angeles that candidates will pay the estimated cost of the election at the time of filing and the maximum word limitation is 400 words.

8. INSTRUCTION

8.1 Agreement – California Department of Forestry

It was MSC (Henderson/Nelson, 5-0) to approve the agreement between the California Department of Forestry and Victor Valley College's Fire Technology Program to train Fire Fighters from December 12, 2007 through June 30, 2009. Fiscal Impact: A maximum of \$261,000 (\$87,000 annually) paid to CDF with VVC keeping all FTES generated. For Year 1 ending June 30, 2007, the maximum fiscal impact will be \$50,000.

10. ADMINISTRATIVE SERVICES

10.1 Award of Contract – Gymnasium Floor Replacement

It was MSC (Underhill/Nelson, 4-1, Henderson, No) to approve the agreement to provide labor and materials to replace the gymnasium floor. Fiscal Impact: \$254,816.00. The District will recover \$244,816.00 through our insurance carrier for the floor replacement costs, and will pay \$10,000.00 from Fund 71 Redevelopment funds for the cleaning component.

10.2 Agreement – Vizual Symphony – Speech/Drama

It was MSC (Nelson/Underhill, 5-0) to approve the contract to supply and install audiovisual Smart Classroom technology for the Speech/Drama addition project. Fiscal Impact: \$95,015.92 (This project is State funded and will be 100% reimbursable to the District through Fund 71 up to the approved contract amount.)

10.3 Agreement – Vizual Symphony – Advanced Technology Center

It was MSC (Underhill/Elder, 5-0) to approve the contract to supply and install audiovisual Smart Classroom technology for the Advanced Technology Center addition project. Fiscal Impact: \$271,474.06 (This project is State funded and will be 100% reimbursable to the District through Fund 71 up to the approved contract amount.)

10.4 Amended Agreement – Koury Engineering

It was MSC (Underhill/Nelson, 5-0) to approve the amendment to the agreement with Koury Engineering for laboratory and on-site testing services during the construction of the Advanced Technology Building and the Speech/Drama addition. Fiscal Impact: \$150,000.00 (This project is State funded and will be 100% reimbursable to the District through Fund 71.)

10.5 Agreement – O'Neal Inspection Services

It was MSC (Underhill/Elder, 5-0) to approve the agreement with O'Neal Inspection Services to provide Class I Department of State Architects inspections services for the construction of the Advanced Technology building and the Speech/Drama addition project. Fiscal Impact: \$165,000.00 (This project is State funded and will be 100% reimbursable to the District through Fund 71 up to the approved amount.)

d) AFT Part-Time Faculty United
No report

e) Management
Robert Sewell

14. TRUSTEE COMMENTS
Don Nelson

PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS: The following individual made comments with respect to non-agendized items: Margaret Kagy

15. ADJOURNMENT

It was MSC (Elder/Underhill, 5-0) to adjourn the meeting at 7:09 p.m. The motion carried unanimously.



Donald Nelson, Clerk

6-11-07

Date Approved