



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

Date: April 14, 2009

Place: Workshop 5-6 p.m.: Board Room Victor Valley Community College
18422 Bear Valley Road, Victorville, CA 92395

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

CALL TO ORDER

4:30 p.m.

The Board of Trustees of Victor Valley Community College District met in Open Session on April 14, 2009 in the Board Room of the Administration building. Mr. Range, Board President called the meeting to order at 4:31 p.m.

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

Absent: Bettye Underhill, Clerk and Christina Zambrano, Student Trustee

MANAGEMENT PRESENT: Dr. Robert Silverman, Superintendent/President. Dr. Christopher O'Hearn, Interim, 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

Bill Greulich led the Pledge of Allegiance to the Flag.

ANNOUNCEMENT OF ITEMS DELETED OR CORRECTED FROM THE AGENDA:

Board President, Mr. Range announced that on agenda item #10.3 the APN No. should read 0463-23159-0000 instead of 0463-2315940 and item # 8.1 the income to the district should read \$640,776.00 instead of \$555,000.00.

A Special Board meeting may be called on Tuesday, April 28, 2009 beginning at 6 p.m.

ANNOUNCEMENT OF ITEMS TO BE CONSIDERED IN CLOSED SESSION: Board President, Mr. Range, announced the items that the Board would consider in closed session.

2. CLOSED SESSION

- (a) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Government Code Section 54956.9 (b)(3)(A)
(1 case)

- (b) CONFERENCE WITH LABOR NEGOTIATORS – Government Code Section 54957.6 District Representative: Dr. Robert Silverman, Christopher O’Hearn, Fusako Yokotobi, Lori Kildal, Victoria Hindes

Employee Organizations: CTA

- (c) CONFERENCE WITH LEGAL COUNSEL--POTENTIAL LITIGATION
Government Code Section 54956.9 (b)(3)(A)
(1 case)

PUBLIC COMMENTS RELATED TO CLOSED SESSION ITEMS: None

At 4:31 p.m. Board President, Mr. Range recessed to closed session.

Christina Zambrano, Student Trustee arrived at 5:36 p.m.

- 3. RECONVENE TO OPEN SESSION** **5 p.m.**
At 5:05 Board President reconvened to open session.

- 3.1 Closed Session Report
No report

WORKSHOP

Board Room Victor Valley Community College

Eastside Center
Apple Valley Fire District **5 - 6 p.m.**

Dr. Silverman welcomed everyone and provided the introductions and an overview of the workshop.

Mr. Jim Lents, VVC consultant provided a progress update which included the program, due diligence, scoping documents, Design Build Entity, recommendation and MOU.

Dr. Patricia Luther spoke on the program and business plan.

Mr. David Hunt, Vice President, Architecture at gkkworks spoke on the concept and timeline plan for the Eastside Center which included a summary of building space and a view of the site were presented.

Mr. Al Mcquilkin, Senior Program Manager for gkkworks walked through timelines of the project.

Mr. Jeff Morris, with Stutz, Artiano, Shinoff & Holtz general counsel for the district provided information on the due diligence process. His firm and gkkworks have recommended to move forward with the signing of the Memorandum of Understanding with the Apple Valley Fire District.

Mr. Charlie Merrick, Vice President Construction Services for gkkworks, provided a technical aspect of the project. He said that he has found no reason to not move forward with the project.

Dr. Silverman provided update on the bond sale. The problem is our accessed values have gone down in this area which creates a problem with the interest rate. He is hoping to wait as long as possible to obtain a better interest rate.

Mr. Ken Henderson Apple Valley Assistant Town Manager reported that he was here to formally announce the town council’s enthusiastic support of the project.

REGULAR MEETING AGENDA

Board Room Victor Valley Community College

This meeting will be electronically recorded

At 6 p.m. Board President reconvened to open session and announced that there was no report out of closed session. In addition, Mr. Range announced that on agenda item #10.3 the APN No. should read 0463-23159-0000 instead of 0463-2315940 and item # 8.1 the income to the district should read \$640,776.00 instead of \$555,000.00. A Special Board meeting may be called on Tuesday, April 28, 2009 beginning at 6 p.m.

PUBLIC COMMENTS RELATED TO AGENDA ITEMS: The following individuals made a comment with respect to noted agenda items: None

4. SUPERINTENDENT/PRESIDENT'S REPORT

Dr. Silverman recognized Jon Schorle and Noreen Jacquez who were present to demonstrate the T3 motion electric vehicles recently donated by the AQMD.

Dr. Silverman reported that in order to access some of the economic stimulus money available, the college has submitted two projects. The first project involves the 55 acres (Hesperia property) where we will be proposing a 2 mega watt solar array which is expected to be around \$10M. The second project involves the 160 acres (Phelan property) to create a wind farm. These two ideas should bring money to the college and will need to be in construction this year and completed by next year.

- **Faculty Senate**

Debra Blanchard provided update on senate activities.

5. CONSENT AGENDA

It was MSC (Nelson/Valles, 4-0, Underhill absent) to approve the consent items in one motion.

5.1 Approval of the minutes of the March 10, 2009 regular Board meeting.

5.2 Agreement – Chino Valley Independent Fire District

Approval of the agreement between Victor Valley Community College District and Chino Valley Independent Fire District. The agreement commences on June 1, 2009 and will remain in effect unless terminated by either party. Fiscal Impact: None

5.3 Agreement – Independent Contractor – Ken Robison

Approval of an Independent Contractor Agreement between Victor Valley Community College District and Ken Robison to maintain/repair DSPS scooters. The period of this agreement is from April 16, 2009 through June 30, 2009. Fiscal Impact: Budgeted item, not to exceed \$300.00.

5.4 Curriculum Changes

Approval of the curriculum changes that have been recommended by the College Curriculum Committee. Fiscal Impact: None

5.5 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: \$2,900.00 to the District.

Vendor:	Income to the District
Jali-Mex Taco	\$ 300.00
Los Robertos Restaurant	\$ 300.00
Idle Spurs Steak House	\$ 300.00
Trigo Bakery	\$ 300.00
Casa Colina Restaurant	\$ 300.00
Kids Planet	\$ 300.00
Victorville Head Start	\$ 300.00
Lupitas Café	\$ 300.00
Hesperia Leisure League	\$ 500.00
Total:	\$2,900.00

5.6 Full-Time Faculty Overload Pay for 2008-09

Approval of the payment for full-time faculty overload pay for academic year 2008-2009. Fiscal Impact: \$44,684.00, budgeted General Fund
\$8,652.00 to be reimbursed by Victor Valley Community College District Foundation.

5.7 Agreement – Independent Contractor – First Student

Approval of an Independent Contractor Agreement between Victor Valley Community College District and First Student to provide transportation for program participants. The period of this agreement is April 15, 2009 through June 30, 2009. Fiscal Impact: Budgeted item, not to exceed \$19,500.00 – Upward Bound Math & Science Program.

5.8 Agreement – Independent Contractor – First Student

Approval of an Independent Contractor Agreement between Victor Valley Community College District and First Student to provide transportation for program participants. The period of this agreement is April 15, 2009 through June 30, 2009. Fiscal Impact: Budgeted item, not to exceed \$19,500.00 – Upward Bound Program.

5.9 Agreement – Independent Contractor – Doug Treadway

Approval of an Independent Contractor Agreement between Victor Valley Community College District and Doug Treadway to facilitate a planning meeting/workshop focusing on environmental natural resource pathway for faculty and staff. The period of this agreement is April 15, 2009 through June 15, 2009. Fiscal Impact: Budgeted item, not to exceed \$550.00, funded by Title V grant.

5.10 Quarterly Financial Status Report (CCFS-311Q)

Acceptance of the Quarterly Financial Status Report. Fiscal Impact: None

5.11 Agreement – Besam US Inc.

Ratification of the agreement with Besam US Inc. to modernize the existing power assisted door openers. Fiscal Impact: \$7,989.00 previously budgeted Fund 71 expenditure.

- 5.12 Agreement – Biogin Consulting
Ratification of the agreement with Biogin Consulting to provide Mojave Ground Squirrel Surveys at the property in Hesperia the district is currently in escrow to purchase for the Workforce Development Center, a voter approved local bond project. Fiscal Impact: \$19,000.00 – Locally Bond Funded.
- 5.13 Agreement – CHJ Inc.
Ratification of the agreement with CHJ Inc. to provide a geotechnical investigation on the property in Apple Valley the district is currently planning to lease for the Public Safety Training Center, a voter approved local bond project. Fiscal Impact: \$25,380.00, Locally Bond Funded.
- 5.14 Agreement – Kunzman Associates
Ratification of the agreement with Kunzman Associates to provide professional engineering services for a revised focused traffic analysis for the college campus. Fiscal Impact: \$6,800.00, Locally Bond Funded.
- 5.15 Board of Trustees Budget Transfer Request Report
Approval of the budget transfers as submitted. Fiscal Impact: None
- 5.16 Board of Trustees Payments Report
Approval of the Board of Trustees Payments Report. Fiscal Impact: None
- 5.17 Foundation Donations
Acceptance of the donations as college property from the Victor Valley College District Foundation of \$32,293.62 in-kind cash donations, (\$8,823.02 in scholarships) for a total amount of \$41,116.64. In addition the Foundation has also received property donations as listed. Donations are for the period ending February 2009. Fiscal Impact: None.
- 5.18 Agreement Renewal – Harland Technology Services
Ratification of the agreements with Harland Technology Services to provide maintenance and licensing for the Scantron Scanner System. The period of the agreement is April 28, 2009 through April 27, 2010. Fiscal Impact: \$1,127.00, budgeted item.
- 5.19 Agreement – College Board
Ratification of the agreement with College Board to obtain fifty retired Accuplacer test questions. This license agreement will provide college access to this data for research purposes through August 21, 2010. Fiscal Impact: None, license fee for this data was waived by the College Board Research and Development Department.
- 5.20 Academic Equivalency Request – Henry Ochoa
Approval of Academic Equivalency Request for Henry Ochoa for the automotive discipline. Fiscal Impact: None
- 5.21 Academic Equivalency Request – Kelli Schiller
Approval of Academic Equivalency Request for Henry Ochoa for non-credit ESL discipline. Fiscal Impact: None

ACTION AGENDA

6. BOARD OF TRUSTEES

6.1 Separate approval of items pulled from consent agenda

6.2 CCCT Board Vote

It was MSC (Nelson/Valles, 4-0 Underhill absent) to vote for Cy Gulassa, Janet Chaniot, Marcia Zableckis, Manny Ontiveros, Christopher Stampolis, Jeanette Mann and Bernard Jones for the CCCT board.

6.3 Spring Valley Lake Election

It was MSC (Nelson/Valles, 4-0, Underhill absent) to vote for Derek Couse, Valerie Emick and Jeri Lawrence for the Spring Valley Lake Association Board of Directors candidates.

8. INSTRUCTION

8.1 Corrected Grant Agreement – California Community Colleges Chancellor's Office

It was MSC (Nelson/Henderson, 4-0, Underhill absent) to accept the Nursing Grant Agreement #08-116-62 between Victor Valley Community College District and the California Community Colleges Chancellor's Office which was approved by the Chancellor's Office on February 23, 2009. The period of the grant agreement is July 1, 2008 through June 30, 2010. Fiscal Impact: ~~\$555,000.00~~ \$640,776.00 to the District.

9. STUDENT SERVICES

9.1 MOU between Public/Private Ventures and Mojave

Basin Youth Corps in Partnership with Victor Valley Community College

It was MSC (Nelson/Henderson, 4-0, Underhill absent) to approve the Memorandum of Understanding with Private/Public Ventures and Mojave Basin Youth Corps for College & Career Connections Fund grant from the James Irvine Foundation. Fiscal Impact: \$16,474.50 to the District (plus \$1,839.50 to the Victor Valley College Foundation).

9.2 MOU with Mojave Basin Youth Corps, Inc. and VVC Foundation

It was MSC (Nelson/Henderson, 4-0, Underhill absent) to approve the Memorandum of Understanding with Mojave Basin Youth Corps and Victor Valley College Foundation for College & Career Connections Fund grant from the James Irvine Foundation. Fiscal Impact: \$16,474.50 to the District (plus \$1,830.50 to the Victor Valley College Foundation).

10. ADMINISTRATIVE SERVICES

10.1 Non-Resident Tuition Fee

It was MSC (Nelson/Range, 1-3, Valles, No, Henderson, No, Nelson, No, Range, Yes) motion failed) to approve of the non-resident tuition rate of \$190 (statewide basis.) This non-resident tuition fee will be effective for the 2009 fall semester. Fiscal Impact: The District collects approximately \$135,000 annually in non-resident tuition fees.

10.2 Request to Hold a Public Hearing and Adopt a Resolution and Approve the Victor Valley College Facilities Master Plan Draft Environmental Impact Report for the Victor Valley College Campus

The Board President declared the hearing open. Hearing no comments, the Board President declared the hearing closed.

It was MSC (Nelson/Henderson, 4-0 Underhill absent) to adopt the resolution and approve the Victor Valley College Facilities Master Plan Draft Environmental Impact Report..
Fiscal Impact: None

10.3 Corrected MOU Apple Valley Fire District

It was MSC (Henderson/Nelson, 4-0 Underhill absent) to approve the Memorandum of Understanding with the Apple Valley Fire Protection District in the amount of \$1.00 per year for ninety-nine years. Fiscal Impact: \$1.00 per year for the duration of ninety-nine (99) year lease.

The APN No. should read 0463-23159-0000 instead of 0463-2315940

10.4 Notice of Cessation

It was MSC (Nelson/Henderson, 4-0 Underhill absent) to approve the Notice of Cessation with Chevron Energy Solutions Company, a Division of Chevron, U.S.A. Inc. Fiscal Impact: None

10.5 Unilateral Change Order

It was MSC (Henderson/Nelson, 4-0 Underhill absent) to approve the change order with Chevron Energy Solutions Company, a Division of Chevron U.S.A. Inc. Fiscal Impact: None

11. HUMAN RESOURCES

11.1 Public Hearing for District Initial Negotiations Proposal to AFT-PTFU for 2008/09 Reopeners

The Board President declared the hearing open. Hearing no comments, the Board President declared the hearing closed.

11.2 Memorandum of Understanding – CTA Contract, Article 18

It was MSC (Nelson/Henderson, 4-0 Underhill absent) to approve the Memorandum of Understanding revising Article 18 – Voluntary Reassignment. Fiscal Impact: None

11.3 Memorandum of Understanding – CTA Department Chair Compensation

It was MSC (Nelson/Valles, 4-0 Underhill absent) to approve the Memorandum of Understanding – CTA Department Chair Compensation. Fiscal Impact: Budgeted

12. INFORMATION/DISCUSSION

12.1 Monthly Financial Reports

Submitted as an 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

No report

b) CSEA

No report

c) AFT Part-Time Faculty United

Carol Scissel

14. TRUSTEE COMMENTS

- ASB

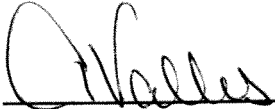
Christina Zambrano reported on ASB activities

Ms. Valles expressed her thoughts and prayers for Dr. Underhill. Mr. Range indicated that it was a sad moment and difficult to talk about.

15. Public Comments Related to Non-Agenda Items - None

16. ADJOURNMENT

It was MSC (Nelson/Henderson) to adjourn the meeting at 7:10 p.m.



Bettye Underhill, Clerk

5-12-09

Date Approved