

MINUTES
VICTOR VALLEY COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

Regular Meeting
Board Room, Victor Valley College
18422 Bear Valley Road, Victorville, California

May 10, 2005

4:00 p.m.

CALL TO ORDER: The Board of Trustees of Victor Valley Community College District met in Open Session on May 10, 2005, in the Board Room of the Administration Building. Mr. Joe Range, Board President, called the meeting to order at 4:04 p.m.

PLEDGE OF ALLEGIANCE: Mr. Joe Range led the audience in the Pledge of Allegiance to the flag.

MEMBERS PRESENT: Mr. Joe Range, Board President; Dennis Henderson, Vice President; Dr. Bettye Underhill, Clerk Thomas M. Elder II, Trustee; and Dr. Dorothy Franke, Trustee. (ASB President and Student Trustee Eddie Miro arrived for Open Session at 5:40 p.m.)

MEMBERS ABSENT: None.

STAFF/GUESTS PRESENT: Dr. Patricia A. Spencer, Mr. Jeff Cooper, Mr. Bruce Baron, Dr. Willard Lewallen, Dr. William Schmidt, Mr. Bill Greulich, Dr. Tom O'Neil, Mr. Richard Porter, Mr. Nick Parisi, Mrs. Penelope Majeske, other staff, and members of the public.

CLOSED SESSION Mr. Range recessed the Open Session at 4:05 p.m., and the Board met in Closed Session from 4:05 p.m. to 6:14 p.m. to discuss the following:

1. CLOSED SESSION

(a) Government Code Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL —

EXISTING LITIGATION: eight (8) cases

Gloria Henderson vs. Victor Valley Community College,

Bettye Underhill, Nick Halisky, VCVVS 030263;

Nicholas Halisky and Cathleen Halisky vs. Victor Valley

Community College District, Dennis Henderson, et. al, VCVVS 026112;

Laymon Jordan vs. Victor Valley Community College District, VCVVS 034629;

Chris Wagenseller vs. Victor Valley Community College District, VCVVS 035285

Carissa M. Warren, Gaye L. Giarmo, and Karen E. Salazar v. Victor Valley

Community College District, Larry Butcher and Does 1 through 100,

VCVVS 027382

Lynn Puckett vs. Victor Valley Community College District, Ron Krimper,

Nick Halisky, Bettye Underhill, Dennis Henderson, Maxine Moore,

and Does 1-1000; VCVVS 037295

Lynn Puckett vs. Victor Valley Community College District, Ron Krimper,

Nick Halisky, Bettye Underhill, Dennis Henderson, Maxine Moore, and Does 1-1000;
VCVVS 036483

Victor Valley Community College District vs. Nicholas Louis Halisky, Lynn Puckett,
and Ronald Leslie Krimper, and Does 1 through 100, VCVVS 036483

- (b) Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Bill Schmidt,
Willard Lewallen, Jeff Cooper, Thomas O'Neil;
Employee organizations: CSEA, CTA
- (c) Government Code Section 54957:
DISCIPLINE/DISMISSAL/RELEASE OF A PUBLIC EMPLOYEE:
Three (3) positions
- (d) Government Code Section 54957: PUBLIC EMPLOYEE EVALUATION:
Superintendent/President
- (e) Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT:
Student Worker

Break: 6 p.m. – 6:14 p.m.

2. RECONVENE TO OPEN SESSION

The Board reconvened to Open Session at 6:14 p.m.

2.1 Action as a result of Closed Session

Mr. Range reported that Dr. Spencer's evaluation received a 5-0 vote and that the Superintendent/President's evaluation is confidential. Mr. Range said that the board is pleased with Dr. Spencer's work and read a document that detailed the Board's approval.

3. GOVERNING BOARD

3.1 MSC (Underhill/Elder, 5-0) Consider approval of the minutes of the April 12, 2005, regular Board meeting.

3.2 Announcement that persons may speak to agenda items and/or a no agenda item if the Agenda Discussion Form has been completed.

One discussion item form was received for Item 11.

3.3 Agenda Additions/Revisions

Dr. Spencer reported that there was a revision to item 5p and 511.

3.4 Presentation of Proclamation, designating May 15-21, 2005, as Classified College Employees Week

Dr. Spencer and Mr. Range presented Arlene Greene with a proclamation that recognizes the classified staff.

4. REPORTS

4.1 Superintendent/President

Dr. Spencer congratulated Debra Blanchard on receiving the WHO award and reported on the retiree recognition and service year award ceremony as well as Administrative Professional's Day luncheon.

4.2 Instruction

Mr. Cooper reported on the successful Administrative Professional's day that was coordinated by the Staff Development Committee. A department chairperson's retreat was held April 21 and 22 at Northwoods Resort in Big Bear.

He also reported on the paramedics accreditation and automotive certification site visits.

4.3 Student Services

Dr. Lewallen reported on the commencement speaker Peggy Conlon and that she will have a separate presentation June 10th at 11 a.m. in the Performing Arts Center.

4.4 Administrative Services

Mr. Baron reported on the facilities process and the integrated budget process. He distributed a handout showing the new request to state for capital funding for the next five year period.

4.5 Human Resources

Dr. Schmidt reported on the status of the classification salary and the status of unfair labor charges that were filed with the Public Employee Relations Board.

4.6 Governmental Relations

Mr. Greulich reported on the legislative activities.

4.7 Foundation

Diana O'Malley thanked the City of Hesperia on the \$10,000 community development block grant award. She also thanked Dr. Prem Preddy for submitting his third installment of \$200,000 towards his one million dollar pledge.

4.8 Board of Trustees

Mr. Range reported on Cico De Mayo and TECH X. Mr. Range said that he attended the Victorville city council and inquired on the status of the park and ride project. Mr. Range said the project will begin as soon as they get approval from Sacramento. Mr. Range presented Eddie Miro with an appreciation award for his services as ASB representative to the board of trustees.

4.9 Constituency Representatives

ASB

Eddie Miro expressed his thanks and appreciation for the plaque. He reported that ASB elections begin on May 25 and 26.

CCA

No report

CSEA

Arlene Greene reported on the morale on some classified employees.

Faculty Senate

No report

AFT Part-Time Faculty United

No report

Management

Robert Sewell reported on the summer class schedule and acknowledged those individuals that were involved in its production.

4.10 Public Comments

Mitchell Greene requested a listing of all available positions that he feels he is eligible to bump into and spoke on the reassignment of the network manager position.

5. **CONSENT AGENDA**

MSC (Franke/Elder, 5-0) to approve Consent Items 5.a through 5.p as amended

- a. Out-of-State Travel, Classified Employee, Las Vegas, Nevada
Consider approval of out-of-state travel for classified employee David Steinback to travel to Las Vegas, Nevada on June 12-15, 2005, for the American Safety Training Conference. Fiscal Impact: \$800 to be paid by VTEA funds.
- b. Agreement (Amended), Child Development Services #GPRE-4299
Consider approval of the amended agreement (Amendment 02) with the California Department of Education for Child Development Services Contract #GPRE-4299 for the fiscal year 2004-2005. Fiscal Impact: None.

- c. Student Support Services Program-Grant Award Notification
Consider approval to accept/approve a grant award from the U.S. Department of Education for the Student Support Services (SSS) Program for the period of September 1, 2005, through August 31, 2009. The Student Support Services Program provides services to low-income, first generation and disabled students who show an academic need in the areas of Mathematics and English. Fiscal Impact: Revenue to the District: \$267,986 annually for four years.
- d. Out-of-State Travel – DSPS, Kansas City, Kansas
Consider approval of out-of-state travel and payment of expenses for Jeffrey Holmes, Director of DSPS/ADA Coordinator, to participate in the 2005 National ADA Symposium and Expo in Kansas City, Kansas, May 16-19, 2005. Fiscal Impact: Budgeted travel item, \$1,445.
- e. Out-of-State Travel – Financial Aid, Reston, Virginia
Consider approval for the out-of-state travel and payment of expenses for Sharon Groom, Director of Financial Aid, to participate in the 2006-2007 Origination and Disbursement Process Focus Group in Reston, Virginia, April 26-27, 2005. Fiscal Impact: None, all expenses to be reimbursed by the Department of Education.
- f. Out-of-State Travel – ASACC Conference, Rochester, New York
Consider approval of out-of-state travel and payment of expenses for Robert A. Sewell, Director, Auxiliary Services, and Blanca Gomez, ASB ASACC Senator, to attend the 6th Annual Summer Institute New Student Leaders and Advisor Certification (ASACC) Conference, June 15-18, 2005, in Rochester, New York. Fiscal Impact: Not to exceed \$3,000 (ASB budgeted item).
- g. Board of Trustees Transfers and Payments Report
Consider approval of the transfers and payments as listed.
- h. Quarterly Fiscal Status Report
Consider approval of the March 31, 2005, quarterly report to be submitted to the Chancellor's Office and county schools.
- i. Agreement, Foundation for California Community Colleges
Consider approval of the agreement with the Foundation for California Community Colleges (FCCC) for the use of college facilities in support of the Bar Smog Referee and student training program for 2004-2005 with options to renew annually for up to three years. Fiscal Impact: Income to the district \$12,000.
- j. Classified Bargaining Unit Appointments, Promotions, and/or Transfers
Consider approval of the following classified appointment: Justin Lyman, Bookstore Assistant (classified special), effective on or after May 11, 2005. Fiscal Impact: Budgeted Item.

- k. Non-Classified Employees
Consider approval of the non-classified employee appointments as listed.
Fiscal Impact: Budgeted Item.
- l. Temporary Academic
Consider approval of the temporary academic appointments as listed.
Fiscal Impact: Budgeted Item.
- m. Classified—New Job Description
Consider approval two new half-time classified positions and a new job description for the position of DSPS assistant/interpreter. Fiscal Impact: Budgeted.
- n. Academic Ratification of Eminence Requests
Consider ratification of eminence for Sam Thomas, Fire Technology, for a period of one semester (spring 2005), pending completion of required documentation. Fiscal Impact: None.
- o. Academic Extra Duty Days
Consider approval of the extra duty day assignments for the 2005-2006 academic year (July 1, 2005, through June 30, 2006) for the individuals listed. Fiscal Impact: Budgeted.
- p. Administrative/Management/Confidential Appointments
Consider approval of appointment of Victoria Hindes dean Student Services, effective on or after July 5, 2005.

Consider approval of appointment of Jon Booth, director Technical Services, effective on or after June 13, 2005.

Consider approval of appointment of Greg Ryan, associate director, Financial Aid, effective on or after June 1, 2005.

ACTION AGENDA

6. BOARD OF TRUSTEES

No Items

7. SUPERINTENDENT/PRESIDENT

No items.

8. INSTRUCTION

- 8.1 Agreement (Renewal), Community College Library Consortium
MSC (Franke/Underhill, 5-0) to approve the renewal of the agreement with the Community College League of California for the Community College Library Consortium, July 1, 2005, through June 30, 2006, for the online subscription databases. Fiscal Impact: Budgeted item, not to exceed \$14,260.08.
- 8.2 Department Chairpersons' Pay for 2004-05 Academic Year
MSC (Underhill/Elder, 5-0) to approve the payment for department chairpersons for the 2004-05 academic year. Fiscal Impact: Budgeted item.

9. STUDENT SERVICES

No items.

10. ADMINISTRATIVE SERVICES

- 10.1 Donations
MSC (Underhill/Franke, 5-0) to accept the donations totaling \$106,959.62 for the period March 1-31, 2005, as college property. The Victor Valley College Foundation has made expenditures from cash donations in the amount of \$69,444.87 to specific funds and \$37,514.75 in Scholarships as listed for Victor Valley College.
- 10.2 Agreement, Spencer/Hoskins Associates
MSC (Underhill/Elder, 5-0) to approve the agreement with Spencer/Hoskins Associates to prepare and submit a Final Project Proposal to the State of California for the Music Modernization project and for the preparation and submittal of the district's 2007-2011 Five-Year Construction Plan. Fiscal Impact: Not to exceed \$15,000.
- 10.3 Proposal, EB5C, LLC. Financial Plan Tracking and Forecasting
MSC (Underhill/Elder, 5-0) to approve the proposal from EB5C, LLC. for the development and of a financial plan tracking and forecasting system. Fiscal Impact: \$10,500, funded through the Title V Institutional Capacity Building Grant.
- 10.4 Agreement -Water Rights Purchases
MSC (Henderson/Franke, 5-0) to approve the agreements to purchase unused water rights as listed. Fiscal Impact: \$35,390 (These funds have not been budgeted in the past and will continue to be taken from the unfunded liability reserve.)

- 10.5 Change Order #2 – Tri Span, Inc.
MSC (Franke/Underhill, 5-0) to approve the Change Order #2 to the agreement with Tri Span, Inc. for asbestos abatement in the Liberal Arts Building. Fiscal Impact: \$1,866 (Fund 71 Expenditure).
- 10.6 Change Order #3 –Tri Span, Inc.
MSC (Henderson/Underhill, 5-0) to approve Change Order #3 to the agreement with Tri Span, Inc. for asbestos abatement in the Liberal Arts building for a savings in the amount of \$5,316. Fiscal Impact: Cost reduction of \$5,316.
- 10.7 Notice of Completion – Tri Span, Inc.
MSC (Franke/Underhill, 5-0) to approve the Notice of Completion with Tri-Span, Inc. for asbestos abatement and reconstruction of the Liberal Arts Building. Fiscal Impact: There is no cost to file a notice of completion.
- 10.8 Bid Extension—G.W. Reed Printing
MSC (Elder/Underhill, 5-0) to approve the bid extension with G.W. Reed for the printing of class schedules for the 2005-2006 academic year. This will be the final extension allowed under the original bid. Fiscal Impact: \$96,652.
- 10.9 Subordination Request Relating To The Proposed Hesperia Community Redevelopment Agency 2005 Tax Allocation Bonds, Series A (Refinancing and Redevelopment Projects)
MSC (Underhill/Elder, 5-0) to adopt the resolution as requested by the City of Hesperia for subordination of Statutory Pass-through payments that the Agency is required to pay the District in connection with Redevelopment Project Area No. 1. Fiscal Impact: None.

11. HUMAN RESOURCES

- 11.1 Agreement (Revised), Norman A. Traub Associates
MSC (Underhill/ Franke, 5-0) to approve the revised agreement and increase of expenditures for Norman A. Traub Associates to provide an assessment of the campus Police Department and investigation of discrimination and/or harassment complaints and also to provide testimony at personnel hearings, executive sessions, depositions, or court proceedings in connection with these duties. The District is requesting approval of additional expenditures of \$18,000. Fiscal Impact: Fund 01 budgeted item, not to exceed \$39,000.
- 11.2 Agreement, Liebert Cassidy Whitmore
MSC (Elder/Underhill, 4-1) to approve the increase of expenditures for the law firm of Liebert Cassidy Whitmore to provide limited, specialized legal consultation. The District is requesting an additional \$30,000. Fiscal Impact: Fund 01 budgeted item, not to exceed \$180,000.

11.3 Agreement, Law Offices of Dennis J. Walsh

MSC (Franke/Underhill, 5-0) to approve the expenditure increase for the Law Offices of Dennis J. Walsh to provide limited, specialized legal consultation. The District is requesting approval of additional expenditures of \$15,000. Fiscal Impact: Fund 01 budgeted item, not to exceed \$70,000.

11.4 Classified Bargaining Unit Reassignment

MSC (Franke/Underhill 4-1) to approve the reassignment of Mitchell Greene to network manager from network engineer, effective on or after May 3, 2005. Mr. Greene will be “Y-rated” at Range 23, Step 6. Fiscal Impact: Budgeted Item.

12. FOR INFORMATION ONLY

12.1 Classified Resignations/Retirement

The following classified resignations have been received and accepted by the superintendent/president per Board Policy 7350 and are included for the Board’s information:

1. Lisa Stanley, custodian, effective April 15, 2005. (resignation)
2. Sharon Carpenter, Human Resources Technician, effective July 6, 2005. (resignation for retirement)

12.2 Classified Memorandums of Understanding

For the Board’s information, the District and the California School Employees Association, Chapter 584, have reached agreement on the attached Memorandums of Understanding:

1. Eileen Do: change of working hours as listed.
2. Eagle Scout Project: curb painting for community improvement project.

12.3 Monthly Financial Statements

Financial reports are being presented for the period ending March 31, 2005, for the General Fund (01); Debt Service Fund (29); Capital Outlay Projects Fund (71); Child Development Center Fund (72); Student Center Fee Fund (73); Health Trust Fund (75); Self-Insurance Trust Fund (78); Rams Bookstore, Auxiliary Services, and the ASB Fund; and Federal/State Grant Fund.

13. ADJOURNMENT

The meeting was adjourned at 7:58 p.m.

APPROVED:

Joe Range, President

Bettye Underhill, Ph.D., Clerk

Respectfully submitted,
Patricia A. Spencer, Ph.D.
Secretary

Date Approved