



Victor Valley Community College District Board of Trustees Regular Meeting Minutes

Date: August 8, 2006

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

CALL TO ORDER/ROLL CALL:

2 p.m.

The Board of Trustees of Victor Valley Community College District met in Open Session on August 8, 2006 in the Board Room of the Administration building. Mr. Range, Board President, called the meeting to order at 2:04 p.m.

TRUSTEE ROLL CALL: Present: Joe Range, Board President; Dennis Henderson, Vice President; Donald Nelson, Clerk; Thomas M. Elder II, Trustee.

Bettye Underhill arrived at 2:07 p.m.

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

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

DELECTIONS/CORRECTIONS TO AGENDA:

Mr. Range announced that regarding Agenda Item 10.1, the District's General Counsel has reviewed and revised the agreement, and that the revised agreement was made available to the public.

Section 1.c.4 of the Closed Session agenda and agenda item 12. were deleted.

PUBLIC COMMENTS ON AGENDA ITEM 11.1: None

11. HUMAN RESOURCES

11.1 New Short-Term Employee Position

It was MSC (Elder/Nelson, 4-1, Underhill absent) to approve the short-term employee position of Van Driver, effective August 8, 2006.

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

PUBLIC COMMENTS ON CLOSED SESSION AGENDA ITEMS:

The following individual made comments with respect to the noted agenda items: Mitch Greene (1.a.9, 1.a.10)

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

1. CLOSED SESSION

- (a) CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION under Government Code Section 54956.9(a): 12 cases
- (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) CTA vs. Victor Valley Community College District, Public Employment Relations Board Case No. LA-CE-4910-E (case name corrected)
 - (6) CSEA vs. Victor Valley Community College District, Public Employment Relations Board Case No. LA-CE-4852-E
 - (7) G. Olin vs. Spencer, San Bernardino County Superior Court Case No. VCVVS 040360
 - (8) Allstate Insurance Co. vs. Spencer, San Bernardino County Superior Court Case No. VCIVS 041201
 - (9) CSEA and Greene vs. Victor Valley Community College District, Public Employment Relations Board Case No. LA-CE-4835
 - (10) CSEA and Greene vs. Victor Valley Community College District, Public Employment Relations Board Case No. LA-CE-4869.
 - (11) CSEA v. Victor Valley Community College District, CSMCS Case No. ARB-06-0032
 - (12) CSEA v. Victor Valley Community College District, CSMCS Case No. ARB-05-0035
- (b) CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION under Government Code Section 54956.9(b): One case.

(c) CONFERENCE WITH LABOR NEGOTIATORS

(1) Employee organization CSEA

District's representatives: Marion Boenheim, Bruce Baron, and Willie Davis Pringle

(2) Employee organization CTA

District's representatives: Marion Boenheim, Willard Lewallen, Marianne Tortorici, and John Rude

(3) Employee organization PTFU

District's representatives: Marion Boenheim, Willard Lewallen, Marianne Tortorici, and John Rude

(4) ~~Employee organization~~ Management

District's representative: Dr. Patricia Spencer

(d) PUBLIC EMPLOYEE APPOINTMENT

Administrative Secretary II

Administrator on Special Assignment

Budget Analyst

Campus Police Officer

Custodian

Executive Dean, Institutional Effectiveness

Grounds Maintenance Worker

Instructional Assistant III, ESL

Instructor

Interim Project Activity Director, Title V Grants

Lead Grounds Maintenance Worker

Maintenance Locksmith

Maintenance Technician

Office Assistant

Professional Expert

Short Term Employee:

Accompanist

Assistant Coach

Bookstore Cashier

Bookstore Stocker

Community Fee Base

Equipment Manager

Events Worker

Life Drawing Model

Office Worker

Operations Worker

PAC House Manager

PAC Worker

Sign Language Services Interpreter

Student Worker, including work study/work experience, CaWORKS, and tutor

Substitute Employee:

Administrative Secretary II
Associate Teacher (CDC)
Bookstore Operations Assistant
Campus Police Officer
Custodian
Instructional Assistant I
Instructional Network Computer Maintenance Technician
Office Assistant
Research Analytical Technician
Reserve Police Officer
Sign Language Services Interpreter
SwitchBoard Operator
Temporary Academic
Volunteer

(e) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

At 2:15 p.m. Board President, Joe Range recessed to closed session.

2. RECONVENE TO OPEN SESSION

6 p.m.

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 employee appointments as follows:

Administrative Secretary II
Audrey Vaughn
Budget Analyst
Orta, Josanna
Custodian
Garrett, Steven
Executive Dean, Institutional Effectiveness
Virginia Moran
Grounds Maintenance Worker
Lowe, Duane
Zamora, Francisco
Instructor
Jones, Greg
Longoria, Renate
Ngobi, Said
Oleson, David
Speakman, Jeanine
Lead Grounds Maintenance Worker
Rickards, Alex
Maintenance Locksmith
Schneider, David
Maintenance Technician
Sandoval, Mark

Professional Expert

Andrade, Jared M.
Atwell, Michael
Blomker, Terri L.
Brigham, Christopher
Castagnola, Steve
Caudle, Brian
Chisnell, Joshua
Crouse, Jeffrey
Davis, Christopher
Davis, Richard
Dowland, Matthew
Ebers, David
Foskett, Robb
Gallardo, Jorge
Gongol, Brendan
Hammer, Brian
Hanify, Ryan
Herington, Darrell
Higuchi, Lisa
Hulbert, James
Johnson, Devin
Knott, Jeffrey
Kuhn, Kelli
Kunkel, Greg
Lyons, Richard
Madrid, Chris
Malloy, Craig
Malloy, Craig
Mendoza, Joshua
Murad, Leslie
Newman, David
Wright, Mark
Wymore, John C.

Short Term Employee:

Assistant Coach

Barnes, James
Boomyadit, Surapong
Bunn, Dale
Casarez, Paul
Koester, Nicole
Labrosse, Michael
Lange, Joshua
Young, Henry

Bookstore Cashier

Caruso, Sarah Marie
Mata, Lindsay
Popejoy, Jeremy
Wright IV, Clarence

Community Fee Base

Gee, Arthur
Starks, Paul
Williams, Bridgette
Office Worker
Vigil, Donna
Sign Language Services Interpreter
Gabriela McDonald
Student Worker, including work study/work experience, CalWORKS, and tutor
Abdul-Khabir, Laylaa
Abdul-Khabir, Laylaa
Abukamleh, Hisham
Alvarez, Jenny
Amerson, Michael
Brown, Jennifer
Brown, Jennifer
Cantafio, Ana Virginia
Cheung, Kwan Yiu
Christy, Joanie
Clothier, Danielle
Cobb, Jenny
Cobb, Jenny
Cosgrove, Cathy
Dominguez, Martha
Dunkerley, Erika
Finlay-Alvarez, Raymond
Frazier, Linda
Gutierrez, Michael
Gutierrez-Bucio, Laura
Hagen, Thomas
Hoskins, John
Johnston, Melinda
Kagy, William
Kamel, Abdelrahman
Kelleygray, Steven
Latiolais, Carisha
Laveaux, Chelemar
Leicht, Dustin
Leicht, Kendra
Lim, Yee Siang
Lopez, Jami
Mays, Lana
Meadows, David
Medina, Israel Jaime
Micetich, Kristen
Morales, Gisel
Moyer, Vyonda
Murphy, Shannon
Nassif, Mohamad
Nylander, Susan
Pane, Jr., David

Pane, Jr., David
Plank, Cristi
Reyes, Daniel
Riazati Kesheh, Payam
Roberts, Jordan
Romberger, Jr., Robert
Shved, Lyudmila
Steiner, Rebecca
Stewart, Kathy
Tyson, John
Villa, Mandy
Wetiengel, Monica
White, Manda
Willingham, George
Yeung, Siu Chui
Yeung, Siu Chui
Zipp, Tanya

Substitute Employee:

Administrative Secretary II
Associate Teacher (CDC)
 Gutierrez, Michael
 Lewis, Lindsey
 Vaccari, Michelle
Bookstore Operations Assistant
Campus Police Officer
Custodian
Instructional Assistant I
 Wilson, Amber
Instructional Network Computer Maintenance Technician
 Romberger, Jr., Robert

The Board voted 4-1, with Dennis Henderson voting No, to ratify a settlement agreement with Mitchell Greene and CSEA. Copies of the settlement agreement are available through the President's office.

PUBLIC COMMENTS RELATED TO OPEN SESSION AGENDA ITEMS: The following individuals made comments with respect to the noted agenda items: Justin Gatewood (5.11), Stephen Toner (5.11), Christa White (5.11), Jon Booth (5.11), Margaret West (5.17, 5.19, and 10.1)

3. GOVERNING BOARD

Mr. Range presented Mr. Elder with an award from California Community College League recognizing his services as a trustee from 1987 to present.

4. SUPERINTENDENT/PRESIDENT'S REPORT

- 4.1 Deputy Superintendent/Executive Vice President/Instruction
 No Report
- 4.2 Vice President, Student Services
 Dr. Lewallen

- 4.3 Vice President, Administrative Services
Mr. Baron
- 4.4 Vice President, Human Resources
Dr. Boenheim

5. CONSENT AGENDA

It was MSC (Elder/Underhill, 5-0) to approve the consent items in one motion with agenda items 5.19 and 5.23 pulled for separate discussion.

- 5.1 Approval of the minutes of the July 11, 2006 regular Board meeting
- 5.2 Approval of the minutes of the June 13, 2006 special Board meeting
- 5.3 Amended Agreement – Jacquelyn Reza
Approval of the amendment of an agreement that was Board approved on June 27, 2006 to include the reimbursement of travel/hotel expenses that was inadvertently omitted from the personal services agreement but was included in the Board approved amount of \$1988.10.
- 5.4 Out-of -State Travel – Students and Staff
Approval of out-of-state travel for students and staff to travel to Washington, D.C. to attend the ASACC National Student Citizenship Conference held September 28, 2006 – October 3, 2006. Fiscal Impact: ASB Budgeted item, not to exceed \$9,000.
- 5.5 Out-of -State Travel – Janet Long
Approval of out-of-state travel for Janet Long to participate at the Council for Opportunity in Education 25th annual conference, September 6-9, 2006. Budgeted Item, not to exceed \$2,850.00
- 5.6 Out-of -State Travel – Brian Hendrickson and Scott Jones
Approval of the out-of-state travel for Brian Hendrickson and Scott Jones to attend the National Association of EMS Educators Symposium in Pittsburgh, PA from September 4-11, 2006. Fiscal Impact: \$3,457.00 from the Allied Health/Prem Reddy account.
- 5.7 2006-2007 Study Abroad Consortium Guidelines
Approval of the renewal of the 2006-2007 Southern California Consortium guidelines agreement. Fiscal Impact: None
- 5.8 Agreement – Contract Education Services
Approval of the agreements for Contract Education Service with the following contractors: Fiscal Impact: \$6,200.00 to the District.

VENDOR	COURSE	COURSE DATES	TENTATIVE AMOUNT RCVD
Q Factor	Straight Forward Accounting	8/28/06-10/16/06	\$ 1600.00
Q Factor	Communicating – It' s More Than the Spoken Word	8/29/06-11/07/06	\$ 1100.00
Lord & Payne, Inc.	Down & Dirty Anger Management and Ways to Cope	09/09/06	\$ 500.00

Michael Bryce Realty	Introduction to Appraisal	09/02/06 – 12/09/06	\$ 3,000.00
		TOTAL	\$ 6,200.00

- 5.9 Agreement – Pacific Floor Company
Approval of the agreement with Pacific Floor Company to resurface the gymnasium floor.
Fiscal Impact: Budgeted Item: \$5,487.00
- 5.10 Renewal Agreement – Child and Adult Care Food Program (CACFP) 1521-3A
Approval of the renewal agreement with the California Department of Education for Child and Adult Care Food Program (CACFP) Day Care Independent Centers. Fiscal Impact: None to the District.
- 5.11 Agreement – WebsiteASP, Inc.
Approval of the service agreement with WebsiteASP, Inc. for OmniUpdate Campus a Content Management System for the Victor Valley College website through June 30, 2009 as submitted.
Fiscal Impact: Budgeted Item, not to exceed \$42,625.00
- 5.12 Agreement – The Liquidation Company
Approval of the agreement with Liquidation Company as submitted. Fiscal Impact: None
- 5.13 Agreement – Campus Planning Group
Approval of the agreement with Campus Planning Group as submitted. Fiscal Impact: Budgeted item, not to exceed \$5,000.00.
- 5.14 Renewal Agreement – Third Party Vendors for ACCESSVVC (Datatel Colleague Software)
Approval of the renewal of the licenses/maintenance for the third party vendors for ACCESSVVC (Datatel Colleague Software). Fiscal Impact: Budgeted Item, not to exceed \$29,200.00 for fiscal year 2006-07.
- 5.15 Contract Education Services
Approval of the agreement with American Home Inspectors Training Institute as a vendor to conduct online courses in the community service fee/base department.
Fiscal Impact: Approximately \$50,000 to the District.
- 5.16 Board of Trustees Payments Report
Approval of the Board of Trustees transfers and payments reports.
- 5.17 Agreement – Ebmeyer Charter and Tour
Approval of the agreement with Ebmeyer charter and Tour to provide transportation for the intercollegiate football team during the fall 2006 term. Fiscal Impact: Budgeted Item, \$11,493.30.
- 5.18 Classified Reassignment
Approval of the reassignment for Ronald Tascione from the position of campus police officer (50%) to campus police officer (100%), effective August 1, 2006. Fiscal Impact: Budgeted Item.

- 5.19 **PULLED FOR SEPARATE DISCUSSION** Department of Justice
Approval of the encumbrance of \$16,000 to process fingerprint clearances through the Department of Justice for fiscal year 2006-07. Fiscal Impact: Budgeted Item.
- 5.20 Donations
Acceptance of donations as college property from the Victor Valley District Foundation for a total amount of \$95,899.59
- 5.21 Classified Resignation
This information is provided for Board information
- 5.22 Dr. Prem Reddy School of Health Sciences Allocation Plan
This information is provided for Board information
- 5.23 **PULLED FOR SEPARATE DISCUSSION** Agreement – Mike Brown Grandstands Inc.
Approval of the agreement with Mike Brown Grandstands to provide seating for 2006 football games. Budgeted Item: \$10,027.00.

ACTION AGENDA

6. BOARD OF TRUSTEES

- 6.1 Separate approval of items pulled from consent agenda.

5.19 Department of Justice

It was MSC (Nelson/Underhill, 5-0) to approve of the encumbrance of \$16,000 to process fingerprint clearances through the Department of Justice for fiscal year 2006-07. Fiscal Impact: Budgeted Item. Following discussion it was recommended to ask administration to update the names on the contracts. The motion approved unanimously with the recommended change.

5.23 Agreement – Mike Brown Grandstands Inc.

It was MSC (Elder/Underhill, 5-0) to approve the agreement with Mike Brown Grandstands to provide seating for 2006 football games. Budgeted Item: \$10,027.00.

Following discussion Mr. Elder, who made the original motion and Dr. Underhill, who seconded motion, accepted the amendment to include the District's General Counsel's recommendation to tentatively approve the contract renewal, with paragraph 3 revised to limit the District's liability to situations involving the District's own negligence or wrongdoing, and with the last sentence of Paragraph 11 deleted, subject to approval and execution by the District's General Counsel. The motion approved unanimously

7. SUPERINTENDENT/PRESIDENT

None

8. INSTRUCTION

None

9. STUDENT SERVICES

None

10. ADMINISTRATIVE SERVICES

10.1 Renewal Agreement – MLS Technologies, Inc.

It was MSC (Underhill/Nelson, 3-2, Nelson, No, Henderson, No) to approve the renewal agreement with MLS Technologies to assist with database administration, data warehousing, and software application programming related to the implementation of AccessVVC (Datatel Colleague). Fiscal Impact: Budgeted Item, not to exceed \$192,096.00.

A new contract that was reviewed by the District General Counsel was provided to the public with the recommended changes. The agenda item should read that the agreement will be from July 1, 2006 through June 30, 2007

10.2 School Media Group

It was MSC (Koenig/Underhill, 5-0) to approve the Agreement with Camden Management Corporation (DBA School Media Group) to allow the placement of four advertising monitors. Fiscal Impact: Revenue in the amount of \$475,000.00 per year to Auxiliary Services.

10.3 Request to Hold a Public Hearing, Adopt a Resolution and Approve an Energy Service Contract

Fiscal Impact: Not to exceed \$10,319,577.00 over the next 20 years (95% from direct utility savings and 5% from redevelopment funds)

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

It was MSC (Elder/Nelson, 5-0) to adopt the Adoption of the resolution and approve the Energy Service Contract with Chevron Energy Solutions, L.P.

10.4 Request to Hold a Public Hearing, Adopt a Resolution and Approve an Agreement – Citimortgage, Inc.

Fiscal Impact: \$11,021,239.89 over the next 20 years. 93% of this cost will be paid from utility savings. The remaining 7% will come from redevelopment funds for facility improvements.

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

It was MSC (Underhill/Elder, 5-0) to adopt the resolution and approve the lease/purchase agreement with Citimortgage, Inc

10.5 Renewal Agreement – Datatel – Enhancement & Support Services

It was MSC (Underhill/Elder, 5-0) to approve the Datatel Enhancement and Support Services maintenance and license agreements.

11. HUMAN RESOURCES

11.1 New Short-Term Employee Position

This item was moved to the beginning of the agenda

11.2 Public Hearing for District Initial Negotiations Proposal for CSEA Contract 2006-2007 Reopeners

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

11.3 Public Hearing for CSEA Initial Negotiations Proposal for 2006-2007 Reopeners

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

12. INFORMATION/DISCUSSION

12.1 **DELETED** Bond Feasibility Report & Recommendation

Receive report and recommendation from Bond Feasibility Consultant, School Advisors

12.2 CCFS 320 Annual Report for 2006-07

This information was presented for Board information

12.3 Accreditation Progress Report

This information was presented for Board information

12.4 District Initial Negotiations Proposal for CTA Contract

This information was presented for Board information

12.5 CTA Initial Negotiations Proposal

This information was presented for Board information

13. REPORTS

13.1 Governmental Relations

No Report

13.2 Foundation

Ginger Ontiveros

13.3 Constituency Representatives

- a) ASB
Michael Koenig
- b) CCA
No Report
- c) CSEA
Arlene Greene
- d) Faculty Senate
No Report
- e) AFT Part-Time Faculty United
Neal Kelsey
- f) Management
Robert Sewell

14. TRUSTEE COMMENTS


None

PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS:

The following individual made a comment with respect to a non-agendized item:
Margaret West

15. ADJOURNMENT

It was MSC (Elder/Underhill) to adjourn the meeting at 8:30 p.m. The motion approved unanimously.



Donald Nelson, Clerk

8-22-06

Date Approved

