



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

Date: April 10, 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 April 10, 2007 in the Board Room of the Administration building. Mr. Range, Board President, called the meeting to order at 3:01 p.m.

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

Dr. Bettye Underhill, Trustee arrived at 3:02 p.m.

Michael Koenig arrived at 5:35 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; Linda Jenson, General Counsel; and Annette McComas (Recorder)

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

DELETIONS/CORRECTIONS TO AGENDA:

The Agenda was corrected with respect to item 5.10 Agenda item which did not include the CDC parent handbook in the general distribution of the agenda. A copy of the handbook was made available to the public.

Mr. Range, Board President, 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):

(1) G. Henderson vs. Victor Valley Community College, San Bernardino County Superior Court Case No. VCVVS 030263

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

- (2) N. Halisky and C. Halisky vs. Victor Valley Community College District, San Bernardino County Superior Court Case No. VCVVS 026112
- (3) Victor Valley Community College District vs. Puckett, San Bernardino County Superior Court Case No. VCVVS 036483
- (4) F. Freeman vs. Victor Valley Community College District, San Bernardino County Superior Court Case No. VCVVS 042951
- (5) S. English vs. Victor Valley Community College, EEOC Charge No. 480-2007-00768
- (6) S. English vs. Victor Valley Community College District, Appeal under Section 59338(a) of Title 5 of the *California Code of Regulations*
- (7) CSEA vs. Victor Valley Community College, PERB Case No. LA-CE-5041-E
- (8) McNack vs. Victor Valley Community College, EEOC Charge No. 480-2007-01155
- (b) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION under Government Code Section 54956.9 (b): 3 cases (2 discrimination cases, 1 tort claim)
- (c) CONFERENCE WITH LABOR NEGOTIATORS
 - (1) Employee organization CSEA

District's representatives: Dr. Marion Boenheim, Bruce Baron, 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
- (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: Margaret Kagy

At 3:10 p.m., Board President, Joe Range recessed to closed session.

2. RECONVENE TO OPEN SESSION

At 6:02 p.m., Board President, Joe Range reconvened the meeting in open session and announced that the Board considered the Tort claim injury to a person submitted by Jeffrey Cooper and was denied by unanimous vote.

PUBLIC COMMENTS RELATED TO AGENDA ITEMS ONLY: Sue Gonzales and Margaret Kagy

3. GOVERNING BOARD

4. SUPERINTENDENT/PRESIDENT'S REPORT

4.1 Dr. Zellers asked Mr. Range to read aloud a letter announcing his termination of employment as Interim, Superintendent/President at Victor Valley College. Dr. Zellers deferred his report to Dr. Tortorici, Deputy Superintendent/Executive Vice President/Instruction.

4.2 Deputy Superintendent/Executive Vice President/Instruction
Marianne Tortorici

4.3 Vice President, Student Services
Willard Lewallen

4.4 Vice President, Administrative Services
Bruce Baron

4.5 Vice President, Human Resources
Marion Tortorici

5. CONSENT AGENDA

It was MSC (Elder/Underhill, 5-0) to approve the consent items in one motion with agenda items as previously amended and item 5.2 pulled by Mr. Henderson for separate discussion.

5.1 Approval of the minutes of the March 13, 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	\$2,280.00	Legal review not necessary
SIRISI Corporation	Software and hardware maintenance for library automation system	\$12,357.00	N/A
3M Library Systems	Library detection system service	\$1,368.00	N/A
Gina Garcia	Workshop facilitator	\$ 650.00	N/A
SARS	Manages appointment scheduling for counseling center.	Revised to include \$162.50 which was omitted (original agreement of \$16,000 approved at March 14 board meeting)	YES
O'Neal Construction Inspections	Class I DSA Inspector for ATC and Speech & Drama Construction	\$50,000	YES
Eureka Site License	Career development software (April 1,2007 March 31, 2008)	\$3,62.73	YES

5.3 Change Order – KCB Towers, Inc.

Approval of the Change Order for KCB Towers to supply and install a card reader system to the Advanced Technology Center. Fiscal Impact: Total Fiscal Impact \$141,932.01 (This project is State funded and will be 100% reimbursable to the district through Fund 71 up to the approved contract amount.)

5.4 Change Order – RDM Electric

Approval of the Change order No. 09-02 to provide electrical related items for the card reader system for the Advanced Technology Center. Fiscal Impact: \$19,103.37 (This project is State funded and will be 100% reimbursable to the district through Fund 71 up to the approved contract amount.)

5.5 Donations

Acceptance of donations as college property from the Victor Valley District Foundation for a total amount of \$95,577.78

5.6 Board of Trustees Payment Reports

Approval of the Board of Trustees Payments reports.

- 5.7 Board of Trustees Budget Transfers
Approval of the Board of Trustees transfers.
- 5.8 Academic Ratification of Equivalency Requests
Ratification of the equivalencies for Leonard Davis, Construction Technology and Michael Butros, Physics. Fiscal Impact: None
- 5.9 Curriculum Changes
Approval of curriculum changes that have been recommend by the College Curriculum Committee. Fiscal Impact: None
- 5.10 Child Development Center Parent Handbook
Approval of updated Child Development Center Parent Handbook. Fiscal Impact: None

ACTION AGENDA

6. BOARD OF TRUSTEES

- 6.1 Separate approval of items pulled from consent agenda
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.

It was MSC (Nelson/Underhill, 4-1, Henderson, No) to ratify the contracts that were approved by Dr. Zellers, Interim Superintendent/President or his designee per Board Policy 2430
- 6.2 Consider Nominations for the CCCT Board
Mr. Koenig motioned and Mr. Nelson seconded to enter into discussion to nominate 11 nominees to serve for the 2007 CCCT Board of Directors. Following discussion it was MSC (Underhill/Elder, 5-0) to nominate Luis Villegas, Maria Elena Serna, Donald Singer, Jeanette Mann, Bill McMillin, Donald Nelson, Rosanne Bader, Tom Clark, Nancy Chadwick, Bob Hughlett, Charles Hayden, to serve on the 2007 CCCT Board of Directors.
- 6.3 Amendment of Contract for Interim Superintendent/President
Mr. Henderson motioned to table this item, the motion died for lack of second. It was MSC (Underhill/Elder, 4-1, Henderson, No) to approve the adjustment to the annual salary indicated on the contract for the Interim Superintendent/President from \$160,800 to \$186,763 to reflect the rate of the former Superintendent/President. Fiscal Impact: \$25,963/year

11. HUMAN RESOURCES

- 11.1 Resolution, Accumulation Program for Part-Time and Limited-Service Employees
It was MSC (Underhill/Nelson, 5-0) to adopt the resolution to terminate the district's participation in the PARS Trust and designate participation in the Apple Plan. Fiscal Impact: None

12. INFORMATION/DISCUSSION

12.1 District Initial Negotiations Proposal for CSEA Contract

Submitted as an informational item. At the next board meeting, a public hearing of this initial proposal will be provided for public comments.

12.2 Monthly Financial Reports

Submitted as an informational item.

12.3 Academic First Year Contract Recipients

Submitted as an informational item.

12.4 Academic Tenure Recipients

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 Governmental Relations

No Report

13.2 Foundation

Kirk Riding

13.3 Shared Governance

a) ASB
Michael Koenig

b) Faculty Senate
No Report

13.4 Employee Groups

a) CCA
Michael Smith

c) CSEA
Arlene Greene

d) AFT Part-Time Faculty United
Neal Kelsey

e) Management
No report

14. TRUSTEE COMMENTS

Joe Range, Donald Nelson and Michael Koenig

PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS: The following individuals made comments with respect to non-agendized items: Dave Chip, Neal Kelsey, Margaret Kagy, and Mary Sypkens

It was MSC (Elder/Nelson, 5-0) to extend additional time to Dave Chip to complete his comments.

15. ADJOURNMENT

It was MSC (Elder/Underhill, 5-0) to adjourn the meeting at 7:58 p.m. The motion carried unanimously.


Donald Nelson, Clerk


Date Approved