

# Victor Valley Community College District REGULAR MEETING OF THE BOARD OF TRUSTEES Minutes

Date: April 12, 2011

Place: Closed Session: 5:30-6 p.m. West Wing Conference Room, Victor Valley Community College 18422 Bear Valley Road, Victorville, CA 92395

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

## AGENDA ~ Board Room

*Board Room Victor Valley Community College*

### CALL TO ORDER

The Board of trustees of Victor Valley Community College District met in Open Session on April 12, 2011 in the Board Room of the Administration Building. Mr. Henderson, Board President called the meeting to order at 5:30 p.m.

**TRUSTEE ROLL CALL:** Dennis Henderson, Board President; Joe Range, Vice President; Lorrie Denson Clerk; Michael Krause, Trustee, Joseph Brady, Trustee, Judy Schmoll, Student Trustee

### PLEDGE OF ALLEGIANCE

Fusako Yokotobi led the Pledge of Allegiance to the Flag.

**ANNOUNCEMENT OF ITEMS DELETED OR CORRECTED FROM THE AGENDA:** Agenda item 5.18 was pulled

**ANNOUNCEMENT OF ITEMS TO BE CONSIDERED IN CLOSED SESSION - None**

## CLOSED SESSION ~ West Wing Conference Room

### 2. CLOSED SESSION

5:30-6 p.m.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – Government Code Section 54957(b)  
Employee # 1813041211

### PUBLIC COMMENTS RELATED TO CLOSED SESSION ITEMS:

At 5:37 p.m. Board President Henderson recessed to closed session.

## REGULAR MEETING AGENDA

*Board Room Victor Valley Community College  
This meeting will be electronically recorded*

### 3. OPEN SESSION REGULAR MEETING

6 p.m.

#### 3.1 Closed Session Report

At 6 p.m. Board President Henderson reconvened to open session and announced that it was MSC (Krause/Denson, 5-0) to adopt the findings of facts and conclusions of law and recommended decision of the Hearing Officer regarding employee # 18139041211.

**PUBLIC COMMENTS RELATED TO AGENDA ITEMS:** Margaret Kagy (11.2)

### 4. SUPERINTENDENT/PRESIDENT'S REPORT

Dr. O'Hearn announced that two special meetings of the Board of Trustee will be held April 20, 2011 with the first one beginning at 7:30 a.m. and the second beginning at 5:30 p.m. The college campus will be closed Friday, April 22<sup>nd</sup> in observance of Good Friday.

Regina Weatherspoon-Bell, Benn Johnston, Theresa Polley-Schellcroft, Michael Kernan provided a preview of the Women Over 50 documentary that they have working on since 2009. Ms. Weatherspoon-Bell pointed out that they appreciated the opportunity to partner with the college to bring this to the community and that it reflects the talent, beauty, and wisdom of individuals in the community.

Steve Garcia introduced Mike Page, Director of the Mojave Water Agency who presented the Board of Trustees with a rebate check in the amount of \$8,360.25 for the Cash for Grass partnership for the zeroscaping landscaping recently completed at the college. This landscaping project removed of 16,720 1/2 sq. ft of grass and as a result could save more than one million gallons of water in the next year alone.

- **Academic Senate**  
Absent

### 5. CONSENT AGENDA

It was MSC (Krause/Denson, 5-0) to approve the consent items with agenda items 5.18 pulled from the agenda.

#### 5.1 Approval of the minutes of the March 8, 2011 regular Board meeting.

#### 5.2 Agreement Extension – Simon Silva

Approval of the agreement between Victor Valley Community College District and Simon Silva originally approved on December 14, 2010. This contract extension will extend the service period until June 30, 2011 and increase the budget an additional \$6,000.00 to provide workshops to GEAR UP Program schools. Fiscal Impact: Not to exceed \$6,000.00 – Grant Funded.

5.3 Agreements – Contract Education Services

Ratification of the Contract Education Services' agreement listed below to obtain a food handler's certification. Fiscal Impact: \$1,800.00 income to the District.

Vendor:	Income to the District
ACE High School - Helendale	\$ 300.00
Golden A Inc. Restaurant – Victorville	\$ 300.00
Fresh Wok - Fontana	\$ 300.00
Archibalds Restaurant – Victorville	\$ 300.00
Yum Yum Donuts – Victorville	\$ 300.00
Thornys Place – Victorville	\$ 300.00
Total:	\$ 1,800.00

5.4 Agreement Renewal (Fourth Amendment) – Catholic Heathcare West

Approval of the renewal of the fourth amendment to the Education Affiliation Agreement between Victor Valley Community College District and Catholic Healthcare West that was originally approved on March 1, 2007 to provide clinical learning facilities for health sciences programs. Fiscal Impact: None

5.5 Agreement Renewal (Fourth Amendment) – Community Hospital of San Bernardino

Approval of the renewal of the fourth amendment to the Education Affiliation Agreement between Victor Valley Community College District and Community Hospital of San Bernardino that was originally approved on March 1, 2007 to provide clinical learning facilities for health sciences programs. Fiscal Impact: None

5.6 Independent Contractor Agreement – Marketing Solutions

Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Marketing Solutions to assist the Public Information Office in producing public relations and promotional media, websites and social media outlets for the 50<sup>th</sup> Anniversary and coordinated activities. The period of this agreement is from February 28, 2011 through May 30, 2011. Fiscal Impact: Not to exceed \$3,000.00, budgeted item.

5.7 Agreement – Journal Communications

Ratification of the agreement between Victor Valley Community College District and Journal Communications to provide advertising in the Victorville Chamber Image Magazine. Fiscal Impact: \$655.00, budgeted item.

5.8 Out of State Travel - Student

Approval of the out-of-state travel to Las Vegas, Nevada to tour the University of Nevada's campus on April 29, 2011 to acquaint transfer students with the campus. Students participating are registered at Victor Valley Community College and will be accompanied by staff member, Kevin Barda and faculty member, Christine Cole. Fiscal Impact: Not to exceed \$212.00, budgeted item.

5.9 Agreement – Alertus Technologies, LLC

Ratification of the agreement between Victor Valley Community College District and Alertus Technologies, LLC for a grant funded campus-wide emergency notification system. Fiscal Impact: None.

5.10 Agreement - Namescape

Ratification of the agreement between Victor Valley Community College District and Namescape to purchase a password management system for campus faculty and staff. This application is needed as part of the Microsoft migration. Fiscal Impact: \$9,096.00, Fund 71, budgeted item.

- 5.11 Agreement – Alliance Integrated Technology  
Ratification of the agreement between Victor Valley Community College District and Alliance Integrated Technology to obtain solutions architecture for the Novell to Microsoft migration and implementation plan for Victor Valley College. Advanced level technology support is needed for the campus Microsoft migration. The system's infrastructure currently uses Novell and is no longer considered to be the best solution for the needs of the campus. Fiscal Impact: Not to exceed \$60,000.00, Fund 71, budgeted item.
- 5.12 Independent Contractor Agreement – Mary L. Neeper  
Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Mary L. Neeper to perform detailed analysis of and assist in the rebuilding of security class definitions to determine levels of confidential and staff access in Datatel. The period of this agreement is from March 21, 2011 through June 30, 2011. Fiscal Impact: Not to exceed \$20,000.00, budgeted item.
- 5.13 Agreement – Siteimprove, Inc.  
Ratification of the agreement between Victor Valley Community College District and Siteimprove, Inc. to purchase a five year SiteCheck subscription to scan the VVC website and identify any broken links, misspellings, and accessibility issues on the website. The period of this agreement is from March 1, 2011 through February 28, 2016. Fiscal Impact: \$4,200.00, budgeted item.
- 5.14 Increase Contract Amount – Vavrinek, Trine, Day & Co.  
Ratification of the agreement between Victor Valley Community College District and Vavrinek, Trine, Day & Co. to assist the District in the preparation of an indirect cost rate for federal and state grants through the Department of Health & Human Services. The new contract amount increases by \$9,700.00 for a total contract amount of \$15,000.00. Fiscal Impact: \$9,700.00, Budgeted item.
- 5.15 Notice of Completion – Air-Ex Air Conditioning, Inc.  
Approval of the Notice of Completion for Air-Ex Air Conditioning, Inc. for the main Gymnasium HVAC maintenance upgrade project. This project was originally board approved on September 14, 2010. Fiscal Impact: None.
- 5.16 Notice of Completion – Micon Construction  
Approval of the Notice of Completion for Micon Construction for the landscape sustainability upgrade project. This project was originally board approved on October 12, 2010. Fiscal Impact: None.
- 5.17 Agreement – Total Compensation Systems, Inc.  
Approval of the agreement between Victor Valley Community College District and Total Compensation Systems, Inc. for the completion of a bi-annual actuarial study to provide the information necessary for the District's compliance with GASB 43 and 45 regarding Other Post Employment Benefits (OPEB). TCS performed the District's last actuarial study in March 2009. Fiscal Impact: Not to exceed \$7,900.00, budgeted item.
- 5.18 **PULLED** Agreement – Medrano's Asphalt Paving Co.  
Ratification of the agreement between Victor Valley Community College District and Medrano's Asphalt Paving Co. to repair asphalt material on Jacaranda Road, from the bus stop at the ATC to Fish Hatchery Road. Fiscal Impact: \$10,500.00, budgeted item.

5.19 Agreement – A & E Inspection Services

Approval of the agreement between Victor Valley Community College District and A & E Inspection Services to provide Inspector of Record services as required by the Division of State Architect for District projects as they arise. The benefit of a three (3) year agreement is to lock in the hourly rates for required inspection services with no escalation fees. This company was selected by the District through the Request for Proposal (RFP). Fiscal Impact: Fiscal Impact and funding source will be determined and brought to the Board on a project by project basis as determined by the fee schedule.

5.20 Board of Trustees Payments Report

Approval of the Board of Trustees Payments Report. Fiscal Impact: None

5.21 Board of Trustees Budget Transfer Request Report

Approval of the budget transfers as submitted. Fiscal Impact: None

5.22 Appointment – Citizens' Bond Oversight Committee

Approval to appoint an initial (2-year) term, Richard C. Greenwood representing a senior citizen group, to serve on the Citizen's Bond Oversight Committee for the period of April 13, 2011 through March 31, 2013. Fiscal Impact: None

5.23 Agreement – Alpha Omega Wireless

Ratification of the agreement between Victor Valley Community College District and Alpha Omega Wireless to supply and install end-to-end wireless networking technology for connectivity to the Eastside Public Safety Training Center project, a voter approved local bond funded project. Fiscal Impact: \$56,870.46- Local Bond Funded.

5.24 Agreement – Merrell-Johnson Engineering, Inc.

Approval of the agreement between Victor Valley Community College District and Merrell-Johnson Engineering, Inc. for laboratory and on-site testing services during the construction of the Cell Tower as required by the Division of State Architect's office (DSA). Fiscal Impact: Estimated at \$21,475.00 – to be reimbursed to the District.

**ACTION AGENDA**

**6. BOARD OF TRUSTEES**

6.1 Separate approval of items pulled from consent agenda

6.2 Spring Valley Lake Association Election

It was MSC (Krause/Brady, 5-0) to select Derek Couse, Ilene Bandringa, and James Bell for the election of the Spring Valley Lake Association's Board of Directors.

## **10. ADMINISTRATIVE SERVICES**

### **10.1 Public Hearing and Approve an Agreement with Compass Energy Solutions**

The Board President declared the hearing open. Public comments were made by Roderick Gray, Joe Range, Michael Krause and Joe Brady on the various energy efficiency projects anticipated on the Main Campus. Following the public comments, the Board President declared the public hearing closed.

#### **FAILED Agreement – Compass Energy Solutions**

It was motioned by Trustee Brady to table to item for the May board meeting. Hearing no second the motioned died.

It was MSF (Krause/Range, 0-5) to approve the agreement between Victor Valley Community College District and Compass Energy Solutions to perform various energy efficiency projects on the Main Campus pursuant to California Government Code 4217.12-4217.13

These projects include upgrading the Energy Management System, replacing campus exterior lighting, including parking lot lighting, and retrofitting the Allied Health mechanical systems to be supported by the Central Plant. Fiscal Impact: \$1,868,547.00, Local Bond Funded.

### **10.2 Adopt a Resolution for Center Status for the Victor Valley Community College Eastside Public Safety Training Center and Westside Workforce Development Center**

It was MSC (Range/Brady, 5-0) to approve the resolution to approve the Center Status applications of the Victor Valley Community College Eastside Public Safety Training Center and Westside Workforce Development Center. Fiscal Impact: None

### **10.3 Foundation Donations**

It was MSC (Range/Brady, 5-0) to accept the donations as college property from the Victor Valley College District Foundation. The Foundation has made expenditures from cash contributions to specific college programs in the amount of \$39,373.45 and transferred \$105,033.90 in student scholarships for a total cash contribution of \$144,407.35. Total contributions from the Foundation for December 2010-February 2011 are \$144,407.35 Fiscal Impact: \$144,407.35 to the District.

### **10.4 Renewal Agreement – Beinschroth Family Trust**

It was MSC (Brady/Krause, 5-0) to approve the renewal agreement between Victor Valley Community College District and Beinschroth Family Trust for the purchase of the right to consume supplemental 281 acre feet of water to complete the college's annual water consumption. Fiscal Impact: \$78,680.00, budgeted item.

### **10.5 Agreement – Apple Valley Ranchos Water Co.**

It was MSC (Range/Brady, 5-0) to approve the agreement between Victor Valley Community College District and Apple Valley Ranchos Water Co. for the installation of a water main extension, including materials, labor and necessary permit fees. Fiscal Impact: This funding is within the original budget of \$31,536,982.00 for the Eastside Public Safety Training Center. Fiscal Impact: \$519,327.70, Local Bond Funded.

### **10.6 Second Reading – Revised Board Policy #3250 – Institutional Planning**

It was MSC (Brady/Krause, 5-0) to approve the updated Board Policy #3250 – Institutional Planning inclusive of change(s) in verbiage.

### **10.7 Second Reading – Revised Board Policy #6200 – Budget Preparation**

It was MSC (Denson/Brady, 5-0) to approve the updated Board Policy #6200 – Budget Preparation inclusive of change(s) in verbiage.

10.8 Second Reading – Revised Board Policy #6320 – Investments

It was MSC (Brady/Krause, 5-0) to approve the updated Board Policy #6320 – Investments inclusive of change(s) in verbiage.

10.9 Second Reading – Revised Board Policy #6340 – Contracts

It was MSC (Brady/Denson, 4-1, Krause, No) to approve the updated Board Policy #6340 – Contracts inclusive of change(s) in verbiage.

10.10 Second Reading – Revised Board Policy #6620 – Naming of Buildings

It was MSC (Range/Brady, 5-0) to approve the updated Board Policy #6620 – Naming of Buildings inclusive of change(s) in verbiage.

10.11 Second Reading – Revised Board Policy #6700 – Civic Center and Other Facility Use

It was MSC (Range/Brady, 5-0) to approve the updated Board Policy #6700 – Civic Center and Other Facility Use inclusive of change(s) in verbiage.

**11. HUMAN RESOURCES**

11.1 Classified Request for Leave of Absence – Babette Dershem

It was MSC (Brady/Range, 5-0) to approve the unpaid leave of absence for Babette Dershem, effective May 16, 2011 through August 12, 2011. Fiscal Impact: None

11.2 Layoff Resolution #11-02 - Classified

It was MSC (Range/Brady, 3-2, Krause, No, Denson, No) to approve the resolution to layoff for lack of funds and authorize and direct the vice president, Human Resources to give notice of layoff to employees in the classifications listed due to the lack of funds in the EDD WIB program.

**12. INFORMATION**

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 - absent
- b) CSEA – Fredrick Board
- c) AFT Part-Time Faculty United – absent

**14. ITEMS FOR FUTURE BOARD MEETINGS**

Board members may request items to be placed on future Board meetings for a report or information.

Trustee Brady would like to ask Jim Pell, a past administrator at the college who helped develop the GIC (Guaranteed Investment Contract) to make a presentation at the May meeting. Trustee Brady requested that the board meetings be televised. Discussion and clarification on Board Policy 2015.

Trustee Range requested a project priority list regarding facilities for the May meeting.

Trustee Henderson would like to upgrade the safety of the students with the additional lighting.

Trustee Krause would like to see a report on the amount of seats being filled off campus.

**15. PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS: Margaret Kagy**

**16. TRUSTEE COMMENTS**

Judy Schmolli reported on student activities and events which included the trip to Washington D.C. to attend the ASACC conference. In addition, Judy read aloud a correspondence received from Buck McKeon regarding the protection of Pell Grant funding. The Hands Across California event is scheduled for April 17<sup>th</sup> at 2 p.m. and encouraged everyone to stand up and be counted. She expressed concern regarding the classes being cut, the raised unit fees and the unsteady economy. She pointed out that the classes cut affect the students which will result in a slow rate of transfer to a university.

Trustee Brady thanked Robert Sewell for his help for the Economic Summit. Last week he met with local individuals to discuss various topics one being education. He thanked Steve Garcia for the tour and the time spent with him and recommend that the two new trustees take a tour as well.

Trustee Range reported that the news from Sacramento is bleak at the moment. Critical decisions will need to be made. We need to ensure that the he students that need to transfer have the opportunity to transfer. It is difficult to have to choose between what makes us feel good and things that are important for us to do. The college has been fortunate in the number of people that have actually left the district for various reasons.

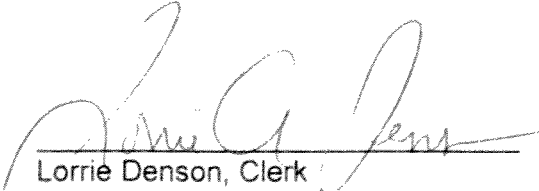
Trustee Denson announced that she recently spoke at the Puente Program. This program assists students to transfer to four-year universities. In addition, she attended the annual nurse's luncheon. Bill Greulich provided her with a campus tour which provided her with an opportunity to meet many staff members and students. It is important to make sound decisions on behalf of the college.

Trustee Krause invited everyone to the Presidential Candidate's Forums next Wednesday. He thanked Bill Greulich for the various alumni ads featured in the *Daily Press*. In addition, he also thanked Dr. Luther for the tour of the Vocational Education Department. A health clinic on campus has been suggested. He pointed out the recent change of the email format. He thanked Robert Sewell for his time and information.

Trustee Henderson is very impressed with a lot of people especially Dr. Luther for continually doing an excellent job over the years.

**17. ADJOURNMENT**

It was MSC (Krause/Brady, 5-0) to adjourn the meeting at 7:55 p.m.

  
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Lorrie Denson, Clerk

  
\_\_\_\_\_  
Date Approved