



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

Date: August 5, 2008

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

CALL TO ORDER

5 p.m.

The Board of Trustees of Victor Valley Community College District met in Open Session on June 10, 2008 in the Board Room of the Administration building. Mr. Nelson, Board President called the meeting to order at 5:00 p.m.

TRUSTEE ROLL CALL: Present: Donald Nelson, Board President; Angela Valles, Vice President; Joe Range, Trustee, Dennis Henderson, Clerk, Bettye Underhill, Trustee

Absent: Christina Zambrano

MANAGEMENT PRESENT: Dr. Robert Silverman, Superintendent/President. Dr. Christopher O'Hearn, Interim, Deputy Superintendent/Executive Vice President, Instruction and Annette McComas (Recorder)

PLEDGE OF ALLEGIANCE

Ginger Ontiveros led the Pledge of Allegiance to the Flag.

ANNOUNCEMENT OF ITEMS TO BE CONSIDERED IN CLOSED SESSION

1. CLOSED SESSION

a) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Government

Code Section 54956(a)

(1) Boenheim v. VVCCD, EEOC Charge No. 480-2008-02688

(2) Tortorici v. VVCCD, EEOC Charge No. 480-2008-02989

b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION- Government Code Section 54957

Superintendent/President (Board Policy #2435)

c) PUBLIC EMPLOYEE APPOINTMENT- Government Code Section 54957

Vice President, Human Resources

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: The following individual made a comment with respect to a closed session agenda item: Margaret Kagy

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

At 5:07 p.m. Board President, Mr. Nelson recessed to Closed Session.

The following individual made a comment with respect to a closed session agenda item:
Margaret Kagy

Christina Zambrano arrived at 5:30 p.m.

2. RECONVENE TO OPEN SESSION (Business Meeting)

6 p.m.

At 6:21 p.m., Board President, Mr. Nelson reconvened the meeting in open session.

Board President, Mr. Nelson asked the board members to consider suspension of the 3 minute time limit and total 15 minutes for agenda item 7.2 only.

It was MSC (Underhill/Nelson, 5-0) to allow the suspension of the 3 minute time limit and total 15 minutes for agenda item 7.2 only.

3. Closed Session Report

None

4. SUPERINTENDENT/PRESIDENT'S REPORT

Brief report, introduced Dr. Christopher O'Hearn, Interim, Deputy Superintendent/Executive Vice President, Instruction.

For the Superintendent/President's report, Dr. Silverman introduced Dr. Christopher O'Hearn, Deputy Superintendent/Executive Vice President, Instruction.

Dr. O'Hearn announced that he was pleased to be at VVC and thanked the board for appointing him. He presented a recent article that was featured in the *Daily Press* highlighting the status of VVC's accreditation. The second page of the document consisted of a rubric distributed by the Accrediting Commission suggesting the progress that VVC should be making. We are in the area of development which is precisely where we should be. It is important to note that the commission, at its last meeting, reaffirmed its original stance that getting to the proficiency stage could take up until 2012. Colleges by 2012 need to be in that category and we are well on our own in achieving this.

PUBLIC COMMENTS RELATED TO AGENDA ITEMS: The following individual made a comment with respect to noted agenda items: Margaret Kagy (5.2-5.32)

5. CONSENT AGENDA

It was MSC (Underhill/Valles, 5-0) to approve the consent items in one motion.

5.1 Approval of the minutes of the June 25, 2008 and July 8, 2008 regular Board meeting

5.2 Agreement – Independent Contractor – Quick Caption, Inc.

Ratification of the agreement between Victor Valley Community College District and Quick Caption, Inc. to provide real-time academic captioning for DSPS students. The period of the agreement is July 1, 2008 through June 30, 2009. Fiscal Impact: Not to exceed \$10,000

- 5.3 Agreement – Independent Contractor – Joseph Tate, P.A.
Ratification of the agreement between Victor Valley Community College District and Joseph Tate, P.A. to provide pre-participation medical screenings for Victor Valley College Athletics @ \$15 each and medical coverage for five home football games @\$75 each. The period of the agreement is August 11, 2008 through May 1, 2009. Fiscal Impact: Budgeted item, \$4,875.00.
- 5.4 Agreement – Independent Contractor – Luis Pena
Approval of the agreement between Victor Valley Community College District and Luis Pena for maintenance and repair of all weight room equipment as required by the district. The period of the agreement is August 25, 2008 through June 30, 2009. Fiscal Impact: Not to exceed \$7,400.00
- 5.5 Contract Education Services – Nathaniel Wyman
Ratification of the agreement between Victor Valley Community College District and Nathaniel Wyman to provide traffic school classes. The period of the agreement is June 14, 2008 through June 14, 2009. Fiscal Impact: \$140.00 to the District.
- 5.6 Contract Education Services – Gabriela McDonald
Ratification of the agreement between Victor Valley Community College District and Gabriela McDonald to provide traffic school classes. The period of the agreement is June 14, 2008 through June 14, 2009. Fiscal Impact: \$140.00 to the District.
- 5.7 Contract Education Services – Johnny Fingers
Ratification of the agreement between Victor Valley Community College District and Johnny Fingers to obtain a food handlers certification card. The period of the agreement is June 23, 2008 through June 23, 2009. Fiscal Impact: \$600.00 to the District.
- 5.8 Contract Education Services – Applebee's
Ratification of the agreement between Victor Valley Community College District and Applebee's to obtain a food handlers certification card. The period of the agreement is June 8, 2008 through June 8, 2009. Fiscal Impact: \$300.00 to the District.
- 5.9 Contract Education Services – YMCA of Metropolitan Los Angeles
Approval of the agreement between Victor Valley Community College District and YMCA of Metropolitan Los Angeles to obtain a food handlers certification card. The period of this agreement is for June 18, 2008 through June 18, 2009. Fiscal Impact: \$1,440.00 to the District.
- 5.10 Agreement – Independent Contractor – Heiberg Consulting, Inc.
Approval of the agreement between Victor Valley Community College District and Heiberg Consulting, Inc. to provide training to effectively use the database for the collection of data required by all U.S. Department of Education TRIO programs. The period of the agreement is August 11, 2008 through August 12, 2008. Fiscal Impact: TRIO Student Support Services grant budgeted item, not to exceed \$3,500.00.
- 5.11 Agreement – Independent Contractor – Matthew Huffine
Ratification of the agreement between Victor Valley Community College District Matthew Huffine to provide guest lecturer services to Upward Bound Math & Science participants during the 2008 Summer Academy, consistent with grant objectives. The period of the agreement is June 16, 2008 through July 25, 2008. Fiscal Impact: Upward Bound Math & Science grant, budgeted item not to exceed \$500.00.

- 5.12 Agreement – Brickley Environmental
Ratification of an Independent Contract Agreement between Brickley Environmental and between Victor Valley Community College District to remove and dispose of approximately 150 small PCBs (polychlorinated biphenyls) containing light ballasts from the fixtures located in the Auxiliary Gymnasium. Fiscal Impact: \$3,972.97 – Fund 71 expenditure. (This project is partially State funded and a portion of this may be reimbursable through the State.)
- 5.13 Agreement – Campus Planning Group
Ratification of the agreement with Campus Planning Group to prepare and submit to the State Chancellor's office the district's 5-year plan, space inventory report, enrollment projects and project proposals for the 2008-09 fiscal year. Fiscal Impact: \$15,000.00 plus reimbursable expenses – Fund 71 expenditure.
- 5.14 Agreement – El Dorado Broadcasters, LLC
Ratification of the agreement with El Dorado Broadcasters, LLC to advertise registration information for the fall term. Fiscal Impact: \$1,716.00 – from the Public Information department's advertising funds.
- 5.15 Agreement – Digital Networks Group, Inc.
Ratification of the agreement with Digital Networks Group, Inc. for the implementation of a smart classroom in the Nursing Lab room #3 to provide audio/video enhancements to the classroom. Fiscal Impact: \$6,461.93, budgeted item.
- 5.16 Agreement Renewal – Pacific Floor Company
Approval of the agreement with Pacific Floor Company to resurface the mezzanine floor in the gym. Fiscal Impact: \$12,720.00 – budgeted through Fund 71.
- 5.17 Agreement – Ontario Refrigeration
Ratification of the agreement with Ontario Refrigeration to replace the air conditioning unit in the Allied Health building. Fiscal Impact: \$15,790.00 from Fund 71.
- 5.18 Agreement – A&F Engineering Group, Inc.
Ratification of the agreement with A&F Engineering Group, Inc. to complete electrical engineering services. Fiscal Impact: \$10,000.00 – funded from Fund 71.
- 5.19 Renewal Agreement – Dewey Pest Control
Ratification of the agreement with Dewey Pest Control to provide pest control services as needed for the 2008-09 fiscal year. Fiscal Impact: \$5,160.00, budgeted item.
- 5.20 Renewal Agreement – Automatic Boiler Company
Ratification of the agreement with Automatic Boiler Company to provide service on a semi-annual basis for the two existing Bryan Boilers for the 2008-09 fiscal year. Fiscal Impact: \$2,600.00, budgeted item.
- 5.21 Renewal Agreement – North State Environmental
Ratification of the agreement North State Environmental to provide hazardous waste management services for the 2008-09 fiscal year. Fiscal Impact: \$24,000.00 – budgeted item.

- 5.22 Renewal Agreement – M&D Fire Equipment, Co.
Ratification of the agreement with M&D Fire Equipment, Co. to provide monthly service to campus fire extinguishers and to stock First Aid kits on campus for the 2008-09 fiscal year. Fiscal Impact: \$11,000.00 – budgeted item.
- 5.23 Renewal Agreement – American Fire Safety, Inc.
Ratification of the agreement with American Fire Safety, Inc. to provide service to campus fire sprinklers for the 2008-09 fiscal year. Fiscal Impact: \$3,929.94 – budgeted item.
- 5.24 Renewal Agreement – The Liquidation Company
Ratification of the agreement with The Liquidation Company to provide supply auctioneer services for the disposal of surplus equipment no longer of use or value to the college under Education Code 81450 for the 2008-09 fiscal year. Fiscal Impact: Revenue to the district. Auctioneer is paid a percentage of the sale price.
- 5.25 Renewal Agreement – Hi Desert Alarm
Ratification of the agreement with Hi Desert Alarm to maintain the fire alarm systems on campus for the 2008-09 fiscal year. Fiscal Impact: \$5,000.00 – budgeted item.
- 5.26 Renewal Agreement – B3 Backflow, Inc.
Ratification of the agreement with B3 Backflow, Inc. to provide annual testing and possible repairs of approximately 21 backflow preventers located throughout the campus for the 2008-09 fiscal year. Fiscal Impact: \$5,000.00 – budgeted item.
- 5.27 Board of Trustees Budget Transfer Request Report
Approval of the budget transfers. Fiscal Impact: None
- 5.28 Board of Trustees Payments Report
Approval of the Board of Trustees Payments Report. Fiscal Impact: None
- 5.29 Foundations Donations
Acceptance of donations as college property from the Victor Valley District Foundation for a total of \$44,962.34. Fiscal Impact: N/A
- 5.30 Agreement – Waterfall Mobile
Approval of the agreement to provide technology solutions to address emergency messaging needs across students, employees, parents, alumni and extended community, effective August 6, 2008 through June 30, 2013. Fiscal Impact: None
- 5.31 Renewal Agreement– XAP Corporation
Approval of the renewal agreement with XAP Corporation for the CCCApply online application system for the period of July 1, 2008 – June 30, 2009. Fiscal Impact: \$10,822.00, budgeted item
- 5.32 Authorized Signatory
Approval for Christopher O’Hearn, Deputy Superintendent/Executive Vice President to represent the board in the cases listed for the fiscal year 2008-2009 per Education Code 72282.

6. BOARD OF TRUSTEES

6.1 Separate approval of items pulled from consent agenda.

6.2 Board Member Compensation Resolution

It was MSC (Valles/Underhill, 4-1, Henderson abstaining) to adopt the resolution excusing Trustee Henderson's absence from the July 8, 2008 regular meeting and allowing him to be compensated for that meeting. Fiscal Impact: \$240.00

7. SUPERINTENDENT/PRESIDENT

7.1 Agreement, The Lew Edwards Group

It was MSC (Range/Underhill, 5-0) to ratify the agreement with The Lew Edwards Group to provide strategic bond feasibility and planning services related to a potential November 2008 Proposition 39 General Obligation Bond Measure. Fiscal Impact: Budgeted item, general funds, not to exceed \$21,000.00

7.2 Resolution - General Obligation Bond Election

It was MSC (Range/Underhill, 5-0) to adopt a Resolution Ordering a November 2008 General Obligation Bond Election. Fiscal Impact: The only financial obligation to the district will be the fees charged by the individual counties to hold this election. Estimated total cost is: The only financial obligation to the district will be the fees charged by the individual counties to hold this election.

Public Comments: Rick Piercy, Scott, Nassif, Doug Qualls, Doug Schumway, Steve Lantsberger, James Hulbert, Wendy Rosales, Heena Mehra, Brian Pachman, Scott Kubick, Jason Nailson, and Art Bishop

7.3 Agreement – California Association of Realtors

It was MSC (Range/Underhill, 5-0) to approve the College Administration to enter into a no cost Buyer Representation Agreement. Fiscal Impact: None

7.4 Approval to Negotiate – Workforce Development Center Land

It was MSC (Range/Valles, 5-0) to approve the following negotiating team: President of the Board, President of the College, Chief Financial Officer, and General Counsel for the District (as needed), to begin negotiations for the acquisition of property suitable for a future campus within the District. The negotiating team is authorized to begin negotiations with Carl E. Ross, living trust, for approximately 50 acres more or less, located in parcel number APN 3064-571-01. The negotiating team is further authorized to negotiate with Jue Family Property, approximately 49 acres more or less, located Mariposa Road & South of Eucalyptus, parcel number APN 0405-042-48.

7.5 Approval to Negotiate – Old Town Center Victorville

It was MSC (Range/Underhill, 5-0) to approve the following negotiating team: President of the Board, President of the College, Chief Financial Officer, Director of Facilities and General Counsel for the District (as needed), to begin negotiations for the leasing of property to be used as an Education Center. The negotiating team is authorized to begin negotiations with Meronia Enterprises Inc. (owner/landlord) for leasing of property located at 16895 and 16897 B Street, Victorville, CA 92392.

9. STUDENT SERVICES

9.1 Grant Award – GEAR UP Program

It was MSC (Underhill/Range, 5-0) to accept the GEAR UP Program grant award. Fiscal Impact: Approximately \$6,917,398.00 to the district over six years.

10. ADMINISTRATIVE SERVICES

10.1 Maintenance Renewal – Nexus Integration Services

It was MSC (Henderson/Underhill, 5-0) to approve the agreement with Nexus Integration Services, Inc. to provide maintenance support on all campus Cisco Smartnet supported devices, to include network switches, routers, bridges, servers, phones and software. Fiscal Impact: \$63,393.11, budgeted item.

11. HUMAN RESOURCES

11.1 Management Appointment, Vice President, Human Resources

It was MSC (Henderson/Range, 5-0) to approve the appointment of Fusako Yokotobi, Vice President, Human Resources beginning on or after August 6, 2008. Fiscal Impact: Range 22 on the Management Salary Schedule, \$14,313/month plus benefits.

12. INFORMATION/DISCUSSION

None

13. REPORTS (3 minute limit per report)

13.1 Foundation

Ginger Ontiveros

13.2 Employee Groups

a) CTA

No report

b) CSEA

No report

c) AFT Part-Time Faculty United

No report

14. TRUSTEE COMMENTS

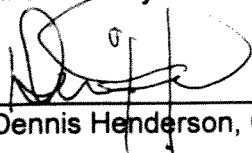
ASB – Christian Zambrano thanked everyone for their personal involvement at the past ASB retreat. The ASB is hoping for a successful bond and thanked the Board of Trustees for their support.

Ms. Valles thanked everyone who came out to support bond and the board members for coming together and putting this bond forward. She is really looking forward to making a difference to education.

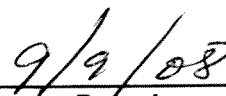
15. The following individuals made a comment with respect to non-agenized items: Margaret Kagy, Cathy Cosgrove, Jessica Vera, Phillip Davis, Francisco Ross, Patricia Riley, Ed Heaberlin, and Mecca Denson

16. Adjournment

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



Dennis Henderson, Clerk



Date Approved