



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

Date: December 9, 2008

Place: Workshop 5-6 p.m.: Board Room Victor Valley Community College
18422 Bear Valley Road, Victorville, CA 92395

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

AGENDA

Bond Workshop ~ Design Build/Traditional Comparison 5-6 p.m.
Board Room Victor Valley Community College
18422 Bear Valley Road, Victorville, CA 92395

1. OPEN SESSION OF REGULAR MEETING 6 p.m.
This meeting will be electronically recorded

CALL TO ORDER 6 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ELECTION OF OFFICERS

A. Election of board officers	
President	YES ___ NO ___
Vice President	YES ___ NO ___
Clerk	YES ___ NO ___
Representative to the County Committee on School District Organization	YES ___ NO ___

ANNOUNCEMENT OF ITEMS DELETED OR CORRECTED FROM THE AGENDA

ANNOUNCEMENT OF ITEMS TO BE CONSIDERED IN CLOSED SESSION

2. CLOSED SESSION

PUBLIC EMPLOYEE APPOINTMENT, Government Code Section 54957

Vice President, Administrative Services
Executive Dean of Technology and Information Resources

BOARD OF TRUSTEES: Dennis Henderson, Donald Nelson, Joe Range, Bettye Underhill, Angela Valles, ASB Member

PUBLIC COMMENTS RELATED TO CLOSED SESSION ITEMS

This is the opportunity for the public to address the Board on any of these Closed Session items. Public comments are limited to three minutes per individual and a total of 15 minutes per topic. Speakers will be timed electronically, and all speakers will be required to address the Board from the lectern. Only those who have been recognized by the Board President will be permitted to speak. (Board Policy #2350)

RECESS TO CLOSED SESSION

3. RECONVENE TO OPEN SESSION

6:20 p.m.

3.1 Closed Session Report

PUBLIC COMMENTS RELATED TO AGENDA ITEMS

This is the opportunity for the public to address the Board on any agenda items. Public comments are limited to three minutes per individual and a total of 15 minutes per topic. Speakers will be timed electronically, and all speakers will be required to address the Board from the lectern. Only those who have been recognized by the Board President will be permitted to speak. (Board Policy #2350)

4. SUPERINTENDENT/PRESIDENT'S REPORT

- Faculty Senate

5. CONSENT AGENDA

There will be no separate discussion on these items prior to the time the Board votes on them unless a Board member requests a specific item be removed from the Consent Agenda for discussion and a separate vote.

Approval of consent items.

YES ___ NO ___

5.1 Approval of the minutes of the November 11, 2008 regular Board meeting

5.2 2009 Board Calendar

Approval of the proposed 2009 calendar of board meetings.

5.3 Resolution – Change in Trustee and Custodian for Governmental 457(b) Deferred Compensation Plan

Adoption of the resolution for change of Trustee, Custodian, and record keeper from Union Bank of California to Benefit Trust Company, effective January 1, 2009. Fiscal Impact: None

5.4 Agreement – JSC General Contractors, Inc.

Ratification of the agreement with JSC General Contractors, Inc. to remodel four of the lower portable classrooms. Fiscal Impact: \$14,602.00 – Fund 71 expenditure.

5.5 Agreement Renewal – Sysix Financial

Ratification of the lease agreement with Sysix Financial for the Hewlett Packard server equipment which runs the Datatel Colleague Student Information System. Fiscal Impact: \$24,710.00, budgeted item.

- 5.6 Agreement Renewal – Chancellor’s Office of the California Community Colleges
Ratification of the agreement with the Chancellor’s Office of the California Community Colleges for the Student-Right-To-Know-Reporting subscription. Fiscal Impact: \$3,900.00, budgeted item.
- 5.7 Board of Trustees Budget Transfers Request Report
Approval of the budget transfers as submitted. Fiscal Impact: None
- 5.8 Board of Trustees Payments Report
Approval of the Board of Trustees Payments Report. Fiscal Impact: None
- 5.9 Donations
Acceptance of donations as college property from the Victor Valley District Foundation for the period ending October 31, 2008. Fiscal Impact: 42,574.48 to the District.
- 5.10 Ratification of Academic Equivalency Requests – Katherine Page, Dance
Ratification of the equivalency for Katherine Page, Dance. Fiscal Impact: None
- 5.11 Renewal – Library Online Database Subscription
Approval of the renewal of an online database subscription purchased through the Community College Library Consortium for spring 2009. Fiscal Impact: Not to exceed \$10,457.00, budgeted item.
- 5.12 Agreement – Independent Contractor – Adele McClain
Ratification of the agreement between Victor Valley Community College District and Adele McClain to provide high school site coordination for the Title V CoOp-Bridge Program. The period of this agreement is from December 15, 2008 through May 1, 2009. Fiscal Impact: Not to exceed \$1,200.00 – Title V CoOp Bridge Program.
- 5.13 Agreement – Boston Reed College
Approval of an agreement between Victor Valley Community College District and Boston Reed College to provide a Pharmacy Technician course. Fiscal Impact: \$1,690.00 per student enrolled in Boston Reed College’s Pharmacy Technician Program and \$300.00 per student income to the District.
- 5.14 Contract Education Services – Food Handlers Certification Card
Acceptance of income to the District for services rendered for Food Handlers Certification Cards as listed below. Fiscal Impact: \$4,200.00 to the District.

Vendor:	Income to the District
Archibald’s Restaurant	\$ 300.00
El Paisano Mexican Restaurant	\$ 300.00
El Pollo Loco	\$ 300.00
Gus Jr.	\$ 300.00
King Ranch Market	\$ 300.00
Los Alazanes Mexican Food	\$ 300.00
Ricos Tacos and Burritos	\$ 300.00
Wood Stove Restaurant	\$2,100.00
Total:	\$4,200.00

- 5.15 Contract Education Services – Coast Traffic School
Approval of an agreement between Victor Valley Community College District and Coast Traffic School to conduct a course on concepts of traffic safety to court referral students. The period of this agreement is January 1, 2009 through June 30, 2009. Fiscal Impact: \$4,000.00 to the District.
- 5.16 Agreement – Independent Contractor – Quick Caption, Inc
Approval of the purchase of additional services from Quick Caption, Inc. to provide real time captioning services in the classroom for deaf and hard of hearing students. Fiscal Impact: Not to exceed \$49,500.00 – DSPS funding.
- 5.17 Increase Contract Amount – CHJ Incorporated
Ratification of the increase to the original contract amount with CHJ Incorporated for testing services needed to complete the project for the Adapted PE Center. Fiscal Impact: \$15,000.00 – Fund 71 expenditure. (This project is partially State funded and a portion of this may be reimbursable through the State. Any portion that is not reimbursable has been previously budgeted.)
- 5.18 Agreement Independent Contractor – Patrick Nuse
Approval of an Independent Contractor Agreement between Victor Valley Community College District and Patrick Nuse to produce an online new student orientation video . Fiscal Impact: Not to exceed \$12,630.00 – Matriculation and Title V Funding
- 5.19 Agreement – L.A. Records Management, Incorporated
Ratification of the agreement between L.A. Records Management, Incorporated and Victor Valley Community College District to store academic records. Fiscal Impact: Not to exceed \$3,000.00
- 5.20 Application Hosting Agreement – Comevo LLC
Approval of the agreement between Comevo LLC and Victor Valley Community College district to provide an online loan workshop. Fiscal Impact: \$6,100.00 – funded by Board Financial Assistance Program (BFAP).
- 5.21 Agreement – NG Web Solutions, LLC
Approval of an agreement between NG Web Solutions and Victor Valley Community College to access and use in its own business operations certain proprietary software of G Web Solutions. Fiscal Impact: \$4,000.00 – funded by Board Financial Assistance program (BFAP).
- 5.22 Agreement – Financial Aid TV
Approval of a license agreement between Financial aid TV and Victor Valley Community College District to access and use an online educational resource published by College Media Solutions. Fiscal Impact: \$5,000.00 - funded by Board Financial Assistance program (BFAP).
- 5.23 Agreement – Cubit Engineering Incorporated
Ratification of the agreement with Cubit Engineering Incorporated for surveying services to assist the district in negotiating a fair price for the Westside land purchase. Fiscal Impact: \$2,800.00 – locally bond funded.
- 5.24 Agreement - Kunzman Associates
Ratification of the agreement with Kunzman Associates for engineering services to complete a traffic impact analysis study for the college. Fiscal Impact: \$19,000.00 - locally bond funded.

- 5.25 Agreement – Thompson Appraisals, Inc.
Ratification of the agreement with Thompson Appraisals, Inc. to complete an appraisal on the 60 acres of land the college is considering purchasing for the Workforce Development Center, a voter approved local bond project. Fiscal Impact: \$3,500.00 – locally bond funded.

ACTION AGENDA

6. BOARD OF TRUSTEES

- 6.1 Separate approval of items pulled from consent agenda

7. SUPERINTENDENT/PRESIDENT

- 7.1 Second Reading – Board Policy #8000 – Police Department YES ___ NO ___
Approval of the Board Policy #8000 – Police Department.
- 7.2 Second Reading – Board Policy #8010 – Weapons on Campus YES ___ NO ___
Approval of the Board Policy #8010 – Weapons on Campus.
- 7.3 Second Reading – Board Policy #8020 – Campus Disaster Preparedness & Safety/Emergency Plan YES ___ NO ___
Approval of the Board Policy #8020 – Campus Disaster Preparedness & Safety/Emergency Plan
- 7.4 Resolution 08-01 – Certification of all Proceedings to the Board of Supervisors of Los Angeles County and San Bernardino County for the November 4, 2008 General Obligation Bond Election YES ___ NO ___
Adoption of the resolution certifying to the Board of Supervisors of Los Angeles County and San Bernardino County all proceedings for the November 4, 2008 General Obligation Bond Election
- 7.5 Resolution 08-02 – Intention to Issue Tax-Exempt General Obligation bonds YES ___ NO ___
Adoption of the resolution regarding the intention to issue tax-exempt general obligation bonds.
- 7.6 Resolution 08-03 – for Design to Build YES ___ NO ___
Adoption of the resolution authorizing the request for design-build of the Victor Valley College Public Safety Training Center Project.
- 7.7 Resolution 08-04 – appointing membership of Bond Oversight Committee YES ___ NO ___
Adoption of the resolution appointing membership of the Bond Oversight Committee.
- 7.8 Resolution 08-05 – Reimbursement of College Expenses from Bond Revenues YES ___ NO ___
Adoption of the resolution authorizing reimbursement of college expenses from bond revenues.
- 7.9 Resolution 08-06 – Site Ground Lease Agreement YES ___ NO ___
Adoption of the resolution authorizing the District to execute the 40 year Site Ground Lease Agreement by and between the District and Victor Valley Union High School District/Excelsior Education Center for school purposes as authorized by the Charter Agreement between Victor Valley Union High School District/Excelsior Education Center and in accordance with California Education Code Sections 81430 to 81432. Fiscal Impact: \$68,423.36 yearly to the district with an annual 3% increase.

11. HUMAN RESOURCES

11.1 Classified Updated Job Description, Reclassification, Lead Network Manager YES ___ NO ___
Approval of the updated job description and revised salary placement for the position of Lead Network Manager, effective December 10, 2008. Fiscal Impact: \$447 per month.

11.2 Classified Updated Job Description, Reclassification, Lead, Applications Service Desk YES ___ NO ___
Approval of the updated job description and revised salary placement for the position of Lead, Applications Service Desk, effective December 10, 2008. Fiscal Impact: \$506 per month.

11.3 Management Appointment, Executive Dean of Technology and Information Resources YES ___ NO ___
Approval of the appointment of Frank Smith, Executive Dean of Technology and Information Resources beginning on or after December 10, 2008. Fiscal Impact: Range 20 on the Management Salary Schedule, \$11,272/month plus benefits.

12. INFORMATION/DISCUSSION

12.1 Monthly Financial Reports
Submitted as an informational item.

12.2 Distinguished Service – Robert H. Richey, Jr.
Submitted as an informational item.

12.3 Student Services Plan – Matriculation, Student Equity and Student Services Categorical Programs Self-Study
Submitted as an informational item.

12.4 RFP for Design Build
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

13.2 Employee Groups

- a) CTA
- b) CSEA
- a) AFT Part-Time Faculty United

14. TRUSTEE COMMENTS

- ASB

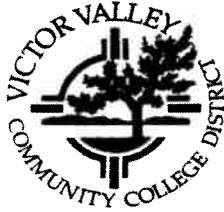
15. Public Comments Related to Non-Agenda Items

PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS
At this time, the Board of Trustees will listen to communication from the public on non-agendized items pertaining to college business. Each speaker is limited to one presentation per meeting on non-agendized matters. Public comments are limited to three minutes per individual and a total of 15 minutes per topic. Speakers will be timed electronically, and all speakers will be required to address the Board from the lectern. Only those who have been recognized by the Board President will be permitted to speak. State law prohibits the Board from addressing any issues not included on the agenda. (Board Policy #2350)

16. ADJOURNMENT

YES ___ NO ___

It is the intention of Victor Valley Community College District to comply with the Americans with Disabilities Act in all respects. Any person with a disability may request that this agenda be made available in an appropriate alternative format. A request for a disability-related modification or accommodation may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting to Jeffrey Holmes, Victor Valley College, 18422 Bear Valley Road, Victorville, California 92395-5849, (760) 245-4271, Ext. 2596, from 8:30 a.m. to 5:00 p.m., Monday through Friday, at least 48 hours prior to the meeting to make reasonable arrangements. Government Code Section 54954.2.



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

Date: November 11, 2008

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

CALL TO ORDER

6 p.m.

The Board of Trustees of Victor Valley Community College District met in Open Session on November 11, 2008 in the Board Room of the Administration building. Mr. Nelson, Board President called the meeting to order at 6 p.m.

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

Absent: Joe Range, Trustee

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

PLEDGE OF ALLEGIANCE

Bruce Fay led the Pledge of Allegiance to the Flag.

PUBLIC COMMENTS RELATED TO AGENDA ITEMS: The following individual made a comment with respect to noted agenda items: Margaret Kagy (11.4, 11.5, 12.3, and 12.4)

4. SUPERINTENDENT/PRESIDENT'S REPORT

Dr. Silverman reported on the district's budget which includes a healthy reserve. The Governor's budget and anticipated mid-year cuts were discussed. The Great American Shakeout drill will take place next week with the anticipation of making everyone aware what a 7.8 magnitude earthquake could produce. Two visitors from the Accreditation team were on campus and met with several staff. They complimented us on the interim report that was submitted October 15th. The objective is to get off the list and this could possibly happen in January. Significant progress has been made in every area. A magnificent effort was made by many individuals to garner over 60% of the vote for the Bond Measure JJ. This is a testament to all individuals that were involved and everyone that contributed to this effort.

On behalf of the college, Mr. Nelson and Ms. Valles presented Bruce Fay, Ginger Ontiveros, Chief Art Bishop, Christina Zambrano, Ken Walsh, Wendy Rosales and the VVCC Board of Trustees with awards acknowledging their help with the bond.

Dr. Silverman conveyed his appreciation and thanked everyone with their help with the bond. The next steps will consist of two resolutions one in December one in February with plans to sell the bonds, retire the COP and move forward. At the December meeting, the Board will be asked to appointment the bond oversight committee.

- **Faculty Senate**

Ms. Blanchard:

Acknowledged the veterans

Accreditation visitors –100% of courses have been updated or deactivated.

Provided an update on the preliminary session that she recently attended

Jim Corner was acknowledged for his good job in teaching

Dino Bozonelos and the Model United Nations team received distinguished delegation award

5. CONSENT AGENDA

It was MSC (Underhill, Henderson, 4-0, Range absent to approve the consent items in one motion)

5.1 Approval of the minutes of the October 14, 2008 regular Board meeting.

5.2 Contract Education Services – Food Handlers Certification Card

Acceptance of income to the District for services rendered for Food Handlers Certification Cards as listed below. Fiscal Impact: \$7,860.00 to the District.

VENDOR	Income to the District
Golden Chopstix	\$ 600.00
7 Eleven	\$ 300.00
Mayra Meat Market	\$ 300.00
Rock & Roll Taco	\$ 300.00
Green Tree Coffee Shop	\$ 300.00
Miranchito Restaurant	\$ 300.00
Johnny D's	\$ 300.00
County of San Bernardino TAD-ESP	\$ 960.00
Super Target	\$2,100.00
Hermann's Restaurant	\$ 300.00
Jensens	\$ 900.00
NUBI	\$ 600.00
Farmer Boys	\$ 300.00
Tacos Huerta	\$ 300.00
	\$7,860.00

5.3 Agreement – Independent Contractor – Ken Robison

Approval of an Independent Contractor Agreement between Victor Valley Community College District and Ken Robison to repair DSPS scooters. The period of this agreement is from November 12, 2008 through June 30, 2009. Fiscal Impact: Not to exceed \$800.00

5.4 Child Development Training Consortium 2008-2009 Instruction Agreement 08-09-4536

Approval of the grant agreement between Victor Valley Community College District and Yosemite Community College District. The period of this agreement is from November 15, 2008 through June 30, 2009. Fiscal Impact: \$11,250.00 to the District.

- 5.5 Renew Library Online Database Subscriptions
Renewal of the online database subscriptions purchased through the Community College Library Consortium for the period of January 1, 2009 through December 31, 2009. Fiscal Impact: Budgeted item, not to exceed \$18,190.18.
- 5.6 Curriculum Changes
Approval of the curriculum changes that were recommended by the College Curriculum Committee September 25, 2008 and October 9, 2008. Fiscal Impact: None
- 5.7 Out of State Travel – Student Travel
Approval of the students to travel to Reno, Nevada to attend the National Student Nurse's Midyear Career Planning Conference from November 13, 2008 through November 16, 2008. Fiscal Impact: None
- 5.8 Agreement – Independent Contractor – Gerald Bryant
Approval of an Independent Contractor Agreement between Victor Valley Community College District and Gerald Bryant to prepare for and present a talk for the First Year Experience Workshop on November 12, 2008. The period of this agreement is from November 14, 2008 through May 31, 2009. Fiscal Impact: Not to exceed \$1,500.00 Title V Independent Grant.
- 5.9 Agreement – Independent Contractor – Lena Baker
Approval of an Independent Contractor Agreement between Victor Valley Community College District and Lena Baker facilitate a one-day training workshops. The period of this agreement is November 13, 2008. Fiscal Impact: Not to exceed \$1,000.00 Title V Independent Grant.
- 5.10 Agreement – Independent Contractor – Doug Treadway
Approval of an Independent Contractor Agreement between Victor Valley Community College District and Doug Treadway to develop and present workshops on sustainability. The period of this agreement is November 13, 2008 through May 31, 2009. Fiscal Impact: Not to exceed \$2,600.00 GEAR UP Grant, budgeted item.
- 5.11 Contract Education Services – Such a Voice
Approval of an agreement between Victor Valley Community College District and Such a Voice to teach students how to turn voice-overs into a business. The period of this agreement is April 25, 2009. Fiscal Impact: \$350.00 to the District.
- 5.12 Contract Education Services – Standing Room Only Productions, Inc.
Approval of an agreement between Victor Valley Community College District and Standing Room Only Productions, Inc to conduct a summer performance art mini camp. The period of this agreement is November 15, 2008 through November 17, 2008. Fiscal Impact: \$1,600.00 to the District.
- 5.13 Contract Education Services – Rounds, Miller, and Associates
Approval of an agreement between Victor Valley Community College District and Rounds, Miller, and Associates to conduct workshops on building your own business website and how to eliminate clutter in your life and get organized. The period of this agreement is January 21, 2009. Fiscal Impact: \$1,200.00 to the District.

- 5.14 Agreement – Herff Jones, Inc.
Approval of an agreement between Victor Valley Community College District and Herff Jones for the printing of the associate degree diplomas. Prices will be effective for 2009-2011. Fiscal Impact: \$10,250 over three years.
- 5.15 Increase Contract Amount – Norman A. Traub Associates Investigation Services
Approval to increase the independent contract agreement amount with Norman A. Traub Associates Investigation Services for the investigations of EEOC complaints. This contract was originally approved on July 8, 2008 for up to \$8,000.00 Fiscal Impact: \$130.00 per hour plus expenses, increasing additional \$7,000.00 to contract amount, budgeted item.
- 5.16 Agreement – The Counseling Team International
Ratification of the agreement with TCTI to provide psychological testing for pre-hire and/or school police officers. Dates of service are in effect for a one year period beginning October 1, 2008. Fiscal Impact: \$250.00 per applicant, not to exceed \$6,000.00, budgeted item.
- 5.17 Board of Trustees Budget Transfer Request Report
Approval of the Board of Trustees Budget Transfer Request Report. Fiscal Impact: None
- 5.18 Board of Trustees Payments Report
Approval of the Board of Trustees Payments Report. Fiscal Impact: None

6. BOARD OF TRUSTEES

- 6.1 Separate approval of items pulled from consent agenda.
- 6.2 Agreement, The California Collegiate Brain Trust
It was MSC (Valles/Underhill, 4-0, Range absent) to ratify the agreement with The California Brain Trust for professional consulting services and retreat facilitation for the Board of Trustees Workshop that was held September 22, 2008. Fiscal Impact: \$7,500.00 plus travel expenses.

8. INSTRUCTION

- 8.1 Agreement – California Early Childhood Mentor Program
It was MSC (Henderson/Underhill, 4-0, Range absent) to accept the agreement with the San Francisco Community College District on behalf of its California Early Childhood Mentor Program from November 15, 2008 through June 30, 2010. Fiscal Impact: \$78,000.00 to the District.

10. ADMINISTRATIVE SERVICES

- 10.1 Foundation Donations
It was MSC (Henderson/Underhill, 4-0, Range absent) to accept the donations as college property from the Victor Valley District Foundation for a total of \$93,463.51. These donations are for the period ending September 20, 2008. Fiscal Impact: N/A
- 10.2 Recalculation of Gann Appropriation Limit
It was MSC (Henderson/Underhill, 4-0, Range absent) to approve the Gann appropriation limit for 2008-2009 in the amount of \$90,883,024 Fiscal Impact: None

10.3 Cooperative Agreement No. 08-Puente-CCC-05
It was MSC (Henderson/Valles, 4-0, Range absent) to approve the agreement with the Regents of the University of California Puente Project. The period of this agreement is from November 15, 2008 through June 30, 2014. Fiscal Impact: \$105,000.00 to the District over 3 years.

10.4 Purchase of Power through Community College League of California
It was MSC (Henderson/Underhill, 4-0, Range absent) to approve the continued consortium membership and direction for the Superintendent/President or Director of Fiscal Services to sign the agreement when it is delivered to the college. Fiscal Impact: None

11. HUMAN RESOURCES

11.1 New Confidential Position and Job Description – Human Resources Compliance Coordinator

It was MSC (Henderson/Underhill, 4-0, Range absent) to approve the new job description and placement on the administrative, management, and confidential salary schedule. Fiscal Impact: \$5,629-\$7,193 per month, plus benefits.

11.2 New Confidential Position and Job Description – Human Resources Specialist

It was MSC (Underhill/Henderson, 4-0, Range absent) to approve the new job description and placement on the administrative, management, and confidential salary schedule. Fiscal Impact: \$5,230-\$6,679 per month, plus benefits.

11.3 Updated Management Job Description – Director of the Associate Degree Nursing Program and Allied Health

It was MSC (Henderson/Underhill, 4-0, Range absent) to approve the new job description and placement on the administrative, management, and confidential salary schedule. Fiscal Impact: \$7,186-\$9,203 per month, plus benefits.

11.4 **TABLED** - Classified – Updated Job Description, Reclassification – Lead, Applications Services Desk

It was MSC (Henderson/Valles, 4-0, Range absent) to **table** the approval of the updated job description and revised salary placement for the Lead, Applications Service Desk until the December meeting. Fiscal Impact: \$506 per month.

11.5 **TABLED** - Classified – Updated Job Description, Reclassification – Lead, Network Manager

It was MSC (Valles/Henderson, 4-0, Range absent) to **table** the approval of the updated job description and revised salary placement for the Lead, Network Manager until the December meeting. Fiscal Impact: \$447 per month.

11.6 New Management Position and Job Description – Facilities Project Manager

It was MSC (Underhill/Valles, 4-0, Range absent) to approve the new management position and job description. Fiscal Impact: to be determined

11.7 AFT-PTFU Agreement

It was MSC (Henderson/Underhill, 4-0, Range absent) to approve the change to article 13, Faculty Association. Fiscal Impact: None

12. INFORMATON

12.1 Monthly Financial Reports

Submitted as an informational item.

12.2 Annual Financial and Budget Report (CCFS-311)

Submitted as an informational item.

12.3 First Reading – Board Policy 8000 - Police Department

Submitted as an informational item.

12.4 First Reading – Board Policy 8010 – Weapons on Campus

Submitted as an informational item.

12.5 First Reading – Board Policy 8020 – Campus Disaster Preparedness & Safety/Emergency Plan

Submitted as an informational item.

12.6 AFT-PTFU Initial Negotiations Proposal to District

Submitted as an informational item.

12.7 CTA Initial Negotiations Proposal to District

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 reported on:

Affinity magazine

JJ campaign and recognized those that helped with the campaign

13.2 Employee Groups

a) CTA

Jim Wilson

b) CSEA

Margaret Kagy

c) AFT Part-Time Faculty United

Carol Scissel

14. TRUSTEE COMMENTS – Bettye Underhill, Dennis Henderson, Angela Valles, Don Nelson

- **ASB**

Christina Zambrano

15. Public Comments Related to Non-Agenda Items

The following individuals made a comment with respect to non-agendized items: Margaret Kagy, Sue Trapp, and Dewey Kelleygray

16. ADJOURNMENT

It was MSC Underhill/Henderson, 4-0 Range absent) to adjourn the meeting at 7:05 p.m. The motioned carried unanimously.

Dennis Henderson, Clerk

Date Approved

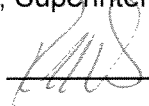
**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** ___ **BOARD INFORMATION (no action required)** ___

TOPIC: 2009 Board Calendar

SUBMITTED BY: Robert Silverman, Superintendent/President

RECOMMENDED BY: Robert Silverman, Superintendent/President

APPROVED BY: Robert Silverman  _____

Description/Background:

The Board of Trustees annually establishes a calendar of its regular meeting dates which is published and made available to the press and interested parties.

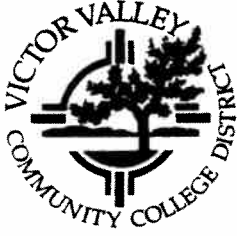
Need:

Fiscal Impact: None

Recommended Action: Approval of the proposed 2009 calendar of board meetings.

Legal Review: YES ___ NOT APPLICABLE X ___

Reference for Agenda: YES X NO ___



Victor Valley Community College District Calendar of Board Meetings 2009

Second Tuesday of Each Month, 6 p.m.

January 13, 2009

February 10, 2009

March 10, 2009

April 14, 2009

May 12, 2009

June 9, 2009

July 14, 2009

August 11, 2009

September 8, 2009

October 13, 2009

November 10, 2009

December 8, 2009

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: RESOLUTION – CHANGE IN TRUSTEE AND CUSTODIAN FOR GOVERNMENTAL 457(b) DEFERRED COMPENSATION PLAN

SUBMITTED BY: Sheri Nolan Foster, Director, Payroll & Benefits

RECOMMENDED BY: Sheri Nolan Foster *Sheri Nolan Foster*

APPROVED BY: Robert Silverman *RS*

Description/Background:

The district desires approval of the Change of Trustee/Custodian/record keeper for the previously board-approved Elite Choice 457(b) Governmental Deferred Compensation Plan. The 457(b) plan includes Envoy Plan Services third party administration and Elite Choice 457(b), 403(b) investment platform (Elite Choice). Union Bank of California will be replaced by Benefit Trust Company, an independent trust company.

Need:

Union Bank of California has determined they will no longer handle recordkeeping for 403(b) tax shelter annuity accounts nor 457(b) deferred compensation accounts.

Fiscal Impact: None

Recommended Action:

It is recommended that the Board of Trustees adopt the resolution attached for change of Trustee, Custodian, and record keeper from Union Bank of California to Benefit Trust Company, effective 1/1/09.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: AGREEMENT – JSC GENERAL CONTRACTORS, INC.

SUBMITTED BY: Steve Garcia, Facilities Construction

RECOMMENDED BY: Steve Garcia *Stephen R Garcia*

APPROVED BY: Robert Silverman *RS*

Description/Background:

The district wishes to enter into an agreement with JSC General Contractors, Inc. to remodel four of the lower portable classrooms, creating two larger classrooms from the four to facilitate for larger capacity courses.

A copy of the original agreement is available for review in the Superintendent/President's office.

Need: Remodeling the lower portables is needed to open up classroom space for larger capacity courses.

Recommended Action/Fiscal Impact: This item has been approved by the Superintendent/President, and it is recommended that the Board of Trustees ratify the agreement with JSC General Contractors, Inc. in the amount of \$14,602.00 – Fund 71 expenditure.

Legal Review: YES NOT APPLICABLE

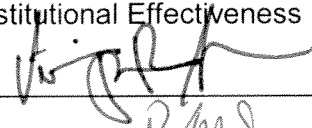
Reference for Agenda: YES NO


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT X BOARD ACTION ___ BOARD INFORMATION (no action required) ___

TOPIC: AGREEMENT RENEWAL – SYSIX FINANCIAL

SUBMITTED BY: Virginia Moran, Institutional Effectiveness

RECOMMENDED BY: Virginia Moran 

APPROVED BY: Robert Silverman 

Description/Background:

The district wishes to renew it's current month to month lease agreement with Sysix Financial for the period of December 1,2008 through June 30, 2009. This lease agreement is for the Hewlett Packard Server equipment which runs the Datatel Colleague Student Information System.

A copy of the original agreement is available for review in the Superintendent/President's office.

Need:

It is necessary to renew this lease agreement to continue support of the Datatel Colleague Student Information System.

Fiscal Impact: Budgeted Item - \$24,710.00

Recommended Action:

This item has been approved by the Superintendent/President; it is recommended that the Board of Trustees ratify the agreement with Sysix Financial in the amount of \$24,710.00.

Legal Review: YES ___ NOT APPLICABLE X ___

Reference for Agenda: YES ___ NO X ___


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: AGREEMENT RENEWAL- CHANCELLOR'S OFFICE OF THE CALIFORNIA COMMUNITY COLLEGES

SUBMITTED BY: Virginia Moran, Institutional Effectiveness

RECOMMENDED BY: Virginia Moran 

APPROVED BY: Robert Silverman 

Description/Background:

The district wishes to renew it's agreement with the Chancellor's Office of the California Community Colleges for the Student-Right-To-Know-Reporting Subscription. The purpose of this agreement is to facilitate compliance by community college districts with the information reporting requirement of the Student-Right-To-Know Act (SRTK).

A copy of the original agreement is available for review in the Superintendent/President's office.

Need:

Participation in the Student-Right-To-Know-Reporting Subscription is mandatory for all community college districts, per the Chancellor's Office of the California Community Colleges.

Fiscal Impact: \$3,900.00 – Budgeted Item

Recommended Action:

This item has been approved by the Superintendent/President, and it is recommended that the Board of Trustees ratify the agreement with the Chancellor's Office of the California Community Colleges in the amount of \$3,900.00.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: BOARD OF TRUSTEES BUDGET TRANSFER REQUEST REPORT

SUBMITTED BY: Deedee Orta, Administrative Services

RECOMMENDED BY: Mary Pringle Mary Pringle

APPROVED BY: Robert Silverman RS

Description/Background:

The adopted budget represents our best estimates of both income and expenditures. As the year progresses, however, the college operations require that funds be transferred between expenditure types (i.e., full-time to hourly or supplies to equipment) to carry out the needs of the District. As provided in Title 5, Section 58307, the Board of Trustees may approve transfers between major expenditure classifications to allow for needed purchases. Unless otherwise noted, the transfers are within the unrestricted General Fund (Fund 01).

A copy of the original budget transfer report is available for review in the Superintendent/President's office.

Need: N/A

Fiscal Impact: None

Recommended Action:

It is recommended that the Board of Trustees approve the budget transfers as submitted.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

VICTOR VALLEY COLLEGE
BUDGET TRANSFER REQUEST REPORT
From 10/17/08 to 11/14/08

Batch No.	Fund	Program		Account	Amount	
		From:	To:		Increase	Decrease
113	F01	0000-District Wide Holding Program		8170-Federal Revenue		112,970
		6350-Student Support Svcs.-Title IV		Salaries & Benefits		33,000
		6350-Student Support Svcs.-Title IV		4500-Other Supplies		15,000
		6350-Student Support Svcs.-Title IV		5200-Travel/Conference Instructional		15,000
		6350-Student Support Svcs.-Title IV		5300-Dues & Memberships		1,000
		6350-Student Support Svcs.-Title IV		5650-Contracts-Maint Agreements		2,000
		6350-Student Support Svcs.-Title IV		6405-Computers		4,000
		6350-Student Support Svcs.-Title IV		6400-New Equipment		41,970
		(Prior Year Budget Setup)				
113	F01	0000-District Wide Holding Program		8170-Federal Revenue		100,796
		6350-Student Support Svcs.-Title IV		Salaries & Benefits		50,796
		6350-Student Support Svcs.-Title IV		4300-Instructional Supplies		30,000
		6350-Student Support Svcs.-Title IV		6400-New Equipmnet		20,000
		0000-District Wide Holding Program		8120-Higher Education Act		172,733
		6455-Dean of Student Services		Salaries & Benefits		156,646
		6787-Institutional Research		Salaries & Benefits		9,278
		6455-Dean of Student Services		4300-Instructional Supplies		6,809
		(Prior Year Budget Setups)				
113	F01	0000-District Wide Holding Program		8120-Higher Education Act		349,215
		6455-Dean of Student Services		Salaries & Benefits		18,457
		6787-Institutional Research		Salaries & Benefits		9,277
		6455-Dean of Student Services		5900-Other Expense		324,469
		0000-District Wide Holding Program		5900-Other Expense		2,988
		(Prior Year Budget Setups)				
113	F01	0000-District Wide Holding Program		8120-Higher Education Act		204,452
		6040-Dean Academic Programs		Salaries & Benefits		66,350
		0400-Biological Sciences		Salaries & Benefits		32,350
		1905-Chemistry		Salaries & Benefits		15,000
		1900-Physical Sciences		4300-Instructional Supplies		50,000
		0400-Biological Sciences		6400-New Equipment		20,000
		6040-Dean Academic Programs		5691-Prior Year Rollover		19,740
		6040-Dean Academic Programs		4300-Instructional Supplies		1,012
		(Prior Year Budget Setups)				
113	F01	0000-District Wide Holding Program		8699-State Income-Misc.		221,724
		6040-Dean Academic Programs		5691-Prior Year Rollover		221,724
		(Prior Year Budget Setup)				
116	F01	6780-Management Info Systems		5840-Contracted Services		19,200
		6780-Management Info Systems		4500-Other Supplies		4,000
		6780-Management Info Systems		5202-Travel/Conference-Admin		2,000
		6780-Management Info Systems		5805-License Fees		11,000
		6780-Management Info Systems		5532-Bottled Water		200
		6780-Management Info Systems		4510-Non Instructional Software		2,000
		(Transfer to Approp Budget Lines)				
119	F01	0000-District Wide Holding Program		8899-Miscellaneous Income		35,000
		6455-Dean of Student Services		5200-Travel/Conference Instructional		35,000
		(Puente Budget Setup)				
122	F01	6060-Dean Vocational Programs		5900-Other Expense		9,000
		3002-Restaurant/Food Svc Mgmt		4300-Instructional Supplies		9,000
		(Correct Site No.)				
123	F01	0000-District Wide Holding Program		8622-EOPS		130,821
		6430-EOPS		6405-Computers		3,988
		6430-EOPS		7620-Other Services-Students		46,400
		6430-EOPS		Salaries & Benefits		149,179
		6430-EOPS		5810-Advertising Public Relations		20,000
		6430-EOPS		7610-Student Book Service		12,030
		(Budget Update)				

VICTOR VALLEY COLLEGE
BUDGET TRANSFER REQUEST REPORT
From 10/17/08 to 11/14/08

Batch No.	Fund	Program		Account	Amount		
		From:	To:		Increase	Decrease	
123	F01	0000-District Wide Holding Program		8140-Temp Assist for Needy Families	17,129		
			6470-Temp Assist for Needy Families	6470-Temp Assist for Needy Families	Salaries & Benefits	12,931	
			6470-Temp Assist for Needy Families		4300-Instructional Supplies		7,311
			6470-Temp Assist for Needy Families		4500-Other Supplies		13,000
			6470-Temp Assist for Needy Families	6470-Temp Assist for Needy Families	4500-Other Supplies	6,860	
			6470-Temp Assist for Needy Families	6470-Temp Assist for Needy Families	5200-Travel/Conference Instructional	8,000	
			6470-Temp Assist for Needy Families		Contracts-Maint Agreements		3,500
			6470-Temp Assist for Needy Families		5805-License Fees		4,000
			6470-Temp Assist for Needy Families	6470-Temp Assist for Needy Families	5900-Other Expense	6,280	
			6470-Temp Assist for Needy Families		7500-Grants		1,000
			6470-Temp Assist for Needy Families		7620-Other Services-Students		4,984
			6470-Temp Assist for Needy Families	6470-Temp Assist for Needy Families	7620-Other Services-Students	17,326	
			(TANF Budget Update)				
123	F01	0000-District Wide Holding Program		8626-Calworks	185,729		
			6412-Calworks Coordination	6412-Calworks Coordination	Salaries & Benefits	15,000	
			6412-Calworks Coordination		4500-Other Supplies		6,000
			6412-Calworks Coordination	6412-Calworks Coordination	4500-Other Supplies	8,000	
			6412-Calworks Coordination	6412-Calworks Coordination	5200-Travel/Conference Instructional		6,000
			6412-Calworks Coordination	6412-Calworks Coordination	5200-Travel/Conference Instructional	14,000	
			6412-Calworks Coordination		5202-Travel/Conference-Admin		7,000
			6412-Calworks Coordination		5810-Advertising-Public Relations		3,000
			6412-Calworks Coordination	6412-Calworks Coordination	5810-Advertising-Public Relations	500	
			6412-Calworks Coordination	6412-Calworks Coordination	5840-Contracted Services		78,221
6412-Calworks Coordination	6412-Calworks Coordination	5840-Contracted Services	248,150				
6412-Calworks Coordination	6412-Calworks Coordination	5210-Mileage/Instructional		300			
6412-Calworks Coordination	6412-Calworks Coordination	5210-Mileage/Instructional	600				
(Calworks Budget Update)							
123	F01	0000-District Wide Holding Program		8621-Handicapped Student Allowance		37,795	
			6420-Disabled Students Prg/Svcs.		Salaries & Benefits		79,407
			6420-Disabled Students Prg/Svcs.		4310-Instructional Software		166
			6420-Disabled Students Prg/Svcs.	6420-Disabled Students Prg/Svcs.	5805-License Fees	1,553	
6420-Disabled Students Prg/Svcs.	6420-Disabled Students Prg/Svcs.	5840-Contracted Services	40,225				
(DSPS Budget Update)							
123	F01	0000-District Wide Holding Program		8622-EOPS	76,890		
			6411-CARE		5900-Other Expense	150	
			6411-CARE		7620-Other Services-Students	76,740	
(CARE Budget Update)							
123	F01	0000-District Wide Holding Program		8699-State Income Misc.		93,431	
			6040-Dean Academic Programs		Salaries & Benefits		92,127
			6455-Dean of Student Services		4500-Other Supplies		4,603
			6455-Dean of Student Services		5200-Travel/Conference Instructional		2,000
			6455-Dean of Student Services		5690-Indirect Cost		7,650
			6040-Dean Academic Programs	6040-Dean Academic Programs	4500-Other Supplies	3,367	
			6040-Dean Academic Programs	6040-Dean Academic Programs	5200-Travel/Conference Instructional	1,000	
			6040-Dean Academic Programs	6040-Dean Academic Programs	5690-Indirect Cost	4,182	
6040-Dean Academic Programs	6040-Dean Academic Programs	Salaries & Benefits	4,400				
(CAHSEE 1 Budget Update)							
123	F01	0000-District Wide Holding Program		8623-Matriculation	22,026		
			6212-Non Credit Matriculation		4500-Other Supplies	20,872	
			6212-Non Credit Matriculation		4510-Non Instructional Software	426	
			6212-Non Credit Matriculation		5805-License Fees	728	
(Non Credit Matriculation Budget Update)							
123	F01	0000-District Wide Holding Program		8623-Matriculation	48,823		
			6210-Credit Matriculation		Salaries & Benefits	36,395	
			6210-Credit Matriculation		4500-Other Supplies	12,428	
(Matriculation Budget Update)							

VICTOR VALLEY COLLEGE
BUDGET TRANSFER REQUEST REPORT
From 10/17/08 to 11/14/08

Batch No.	Fund	Program		Account	Amount	
		From:	To:		Increase	Decrease
123	F01	0000-District Wide Holding Program		8659-Physical Plant-Instruc Support		25,338
			6510	6200-Buildings New & Remodel		25,338
		(Def Maint Budget Update)				
123	F01	0000-District Wide Holding Program		8659-Physical Plant-Instruc Support		98,076
		6130-Media		4420-Media Supplies		3,336
		6120-Library		4430-Subscriptions		27,744
		6510-Maintenance/Operations		4500-Other Supplies		95,620
		6510-Maintenance/Operations		5840-Contracted Services		90,000
		6120-Library		6310-Library Books		34,200
		6130-Media		6430-Replacement Equipment		23,100
		6120-Library		4300-Instructional Supplies		1,000
			6120-Library	4430-Subscriptions	27,700	
			6120-Library	6310-Library Books	34,200	
			5990-Undistributed Accounts	6400-New Equipment	91,024	
			6130-Media	6430-Replacement Equipment	23,000	
			6120-Library	4300-Instructional Supplies	1,000	
		(Budget Update)				
124	F01	6040-Dean Academic Programs		5691-Prior Year Rollover		108
			0400-Biological Sciences	4300-Instructional Supplies		108
		(Purchase Body Bags)				
125	F01	0000-District Wide Holding Program		8629-Block Grant		10,377
		6460-Financial Aid Admin		Salaries & Benefits		103,769
			6460-Financial Aid Admin	Salaries & Benefits	93,392	
		(Budget Update)				
126	F01	1905-Chemistry		4300-Instructional Supplies		100
			1905-Chemistry	5200-Travel/Conference Instructional	100	
		(Increase Travel Budget)				
127	F01	6040-Dean Academic Programs		1350-Salaries		250
			6040-Dean Academic Programs	5200-Travel/Conference Instructional	250	
		(Increase Travel Budget)				
127	F01	6212-Non-Credit Matriculation		4500-Other Supplies		1,200
			6212-Non-Credit Matriculation	5805-License Fees	750	
			6212-Non-Credit Matriculation	4510-Non Instructional Software	450	
		(To cover License and Software budgets)				
128	F01	0000-District Wide Holding Program		8620-Child Development Apport		6,166
		6920-Child Development Center		Salaries & Benefits		55,587
		1305-Child Development		4300-Instructional Supplies		30,270
		6920-Child Development Center		5200-Travel/Conference Instructional		6,178
		6920-Child Development Center		5350-Postage Expense		311
			6920-Child Development Center	Salaries & Benefits	67,546	
			6920-Child Development Center	4300-Instructional Supplies	9,808	
			6920-Child Development Center	5690-Indirect Cost	65	
			6920-Child Development Center	Salaries & Benefits	8,760	
		(Budget Update)				
132	F01	6780-Management Info Systems		5840-Contracted Services		178
			6780-Management Info Systems	4510-Non Instructional Software	178	
		(Comp Lab Plug-in Adv Mod)				
128	F01	0000-District Wide Holding Program		8620-Child Development Apport	1,000	
		6920-Child Development Center		4300-Instructional Supplies	1,556	
		6920-Child Development Center		Salaries & Benefits		140
		6920-Child Development Center		5690-Indirect Cost		86
		6920-Child Development Center		7620-Other Services-Students		330
		(ILP Budget Update)				

VICTOR VALLEY COLLEGE
BUDGET TRANSFER REQUEST REPORT
From 10/17/08 to 11/14/08

Batch No.	Fund	Program		Account	Amount	
		From:	To:		Increase	Decrease
148	F01	0952-Construction Craft Tech		4300-Instructional Supplies		6,075
		0952-Construction Craft Tech		4310-Instructional Software		1,575
			0952-Construction Craft Tech	6405-Computers	6,075	
			0952-Construction Craft Tech	5650-Contracts-Maint Agreements	1,575	
(Transfer per Nord to adjust Budgets)						
149	F01	6060-Dean Vocational Programs		5900-Undistributed Accounts		6,000
			3002-Restaurant/Food Svcs. Mgmt	4300-Instructional Supplies	6,000	
(Increase Rest Mgmt Budget)						
150	F01	6455-Dean of Student Services		6405-Computers		2,500
			6455-Dean of Student Services	5840-Contracted Services	2,500	
(Adjust Contracts Svcs. Budget)						
151	F78	6745-Risk Management		5840-Contracted Services		3,717
			6745-Risk Management	6410-Software	3,717	
(Mirra Chairs)						

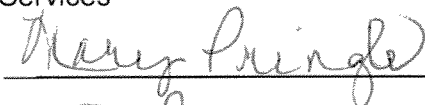
**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: BOARD OF TRUSTEES PAYMENTS REPORT

SUBMITTED BY: Renee Garcia, Fiscal Services

RECOMMENDED BY: Mary Pringle



APPROVED BY: Robert Silverman



Description/Background:

Each month the District expends funds to conduct its operations and makes this information available to the Board of Trustees. This report reflects grouped expenditures (batches) for each fund. The details for these expenditures are available for review by the Board members in the Fiscal Services Department.

A copy of the original payment report is available for review in the Superintendent/President's office.

Need: N/A

Fiscal Impact: None

Recommended Action:

It is recommended that the Board of Trustees approve the Board of Trustees Payments Report.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**BOARD PAYMENT REPORT
BOARD OF TRUSTEES MEETING, DEC. 09, 2008**

	General Fund	Insurance Trust	Cap Projects Fund	Child Dev Ctr Fund	Dept Service	Student Cntr Fee
BATCH 290	\$ 9,935.81					
BATCH 291	\$ 18,565.58					
BATCH 291A	\$ 1,720.65					
BATCH 292			\$ 13,440.00			
BATCH 293				\$103.50		
BATCH 294	\$ 63,888.88					
BACH 295	\$ 3,020.66					
BATCH 296	\$ 1,430.60					
BATCH 297	\$ 3,093.01					
BATCH 298	\$ 4,030.17					
BATCH 298A	\$ 1,560.00					
BATCH 299	\$ 3,730.66					
BATCH 300	\$ 6,510.43					
BATCH 301 VOIDED						
BATCH 301A	\$ 1,728.29					
BATCH 302	\$ 7,939.75					
BATCH 303	\$ 8,354.95					
BATCH 304	\$ 20,701.82					
BATCH 304A	\$ 31,146.03					
BATCH 305	\$ 794.00					
BATCH 306			\$ 51,606.90			
BACH 306A			\$ 278,505.35			
BATCH 307			\$ 33,123.45			
BATCH 308 VOID						
BATCH 309 VOID						
BATCH 309A	\$ 11,823.42					
BATCH 310	\$ 7,568.42					
BATCH 310A	\$ 6,645.06					
BATCH 311						
BATCH 312	\$ 8,900.96		\$ 33,390.00			
BATCH 313	\$ 3,081.70					
BATCH 313A	\$ 6,461.93					
BATCH 314		\$5,061.96				
BATCH 315 VOID						

**BOARD PAYMENT REPORT
BOARD OF TRUSTEES MEETING, DEC. 09, 2008**

	General Fund	Insurance Trust	Cap Projects Fund	Child Dev Ctr Fund	Dept Service	Student Cntr Fee
BATCH 315A	\$ 3,021.28					
BATCH 316	\$ 84,032.75					
BATCH 317			\$ 3,007.50			
BATCH 317A			\$ 27,067.50			
BATCH 318 VOID						
BATCH 318A	\$ 23,674.55					
BATCH 319	\$ 11,364.93					
BATCH 319A	\$ 48,266.75					
BATCH 320			\$ 6,356.68			
BATCH 321	\$ 1,511.10					
BATCH 322	\$ 27,053.42					
BATCH 322A	\$ 9,603.00					
BATCH 323	\$ 168.82					
BATCH 324	\$ 14.54					
BATCH 325	\$ 928.51					
BATCH 326 VOID						
BATCH 326A	\$ 2,710.55					
BATCH 327	\$ 4,563.74					
BATCH 328	\$ 1,408.48					
BATCH 329	\$ 875.00					
BATCH 330	\$ 20.00					
BATCH 331	\$ 3,219.73					
BATCH 332			\$ 4,409.03			
BATCH 333	\$ 2,457.56					
BATCH 333A	\$ 7,375.89					
BATCH 334	\$ 1,038.00					
BATCH 335	\$ 15,867.79					
BATCH 336	\$ 30,900.30					
BATCH 337	\$ 8,391.57					
BATCH 338	\$ 2,941.19					
BATCH 339	\$ 7,039.07					
BATCH 339A	\$ 3,500.00					
BATCH 340 VOID						
BATCH 340A			\$ 113,400.00			
BATCH 341			\$ 448.24			
BATCH 342						17.87
BATCH 343	\$ 11,847.30					

**BOARD PAYMENT REPORT
BOARD OF TRUSTEES MEETING, DEC. 09, 2008**

	General Fund	Insurance Trust	Cap Projects Fund	Child Dev Ctr Fund	Dept Service	Student Cntr Fee
BATCH 343A	\$ 53,056.00					
BATCH 344			\$ 211.73			
BATCH 345	\$ 36.98					
BATCH 346	\$ 441.12					
BATCH 347	\$ 643.73					
BATCH 348 VOID						
BATCH 348A	\$ 2,242.19					
BATCH 349	\$ 189.00					
BATCH 350 VOID						
BATCH 350A			\$ 284,332.50			
BATCH 351	\$ 8,354.08					
BATCH 352	\$ 1,534.77					
BATCH 353 VOIDED						
BATCH 353A						
BATCH 354			\$ 1,425.45	\$866.01		
BATCH 355	\$ 4,293.00					
BATCH 356	\$ 427.98					
BATCH 357	\$ 3,692.59					
BATCH 358	\$ 5,831.88					
BATCH 358A	\$ 109,305.14					
BATCH 359 VOID						
BATCH 359A	\$ 10,065.99					
BATCH 360	\$ 4,221.18					
BATCH 360A	\$ 7,816.00					
BATCH 361	\$ 5,177.51					
BATCH 362	\$ 6,184.99					
BATCH 363	\$ 13,505.14					
BATCH 364 VOID						
BATCH 364A	\$ 4,879.88					
BATCH 365	\$ 5,659.21					
BATCH 365A	\$ 3,529.00					
BATCH 366	\$ 1,319.52					
BATCH 367	\$ 4,554.98					
BATCH 368	\$ 40.00					
BATCH 369	\$ 5,300.20					

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: FOUNDATION DONATIONS

SUBMITTED BY: Victor Valley College Foundation

RECOMMENDED BY: Mary Pringle Mary Pringle

APPROVED BY: Robert Silverman RS

Description/Background:

The Victor Valley College Foundation has made expenditures from cash donations to specific funds and scholarships as listed for Victor Valley College \$9,000.00 in-kind cash donations, \$33,574.48 in scholarships) for a total amount of \$42,574.48. In addition the Foundation has also received property donations as listed. These donations are for the period ending October 31, 2008.

Need: N/A

Fiscal Impact: N/A

Recommended Action:

It is recommended the Board of Trustees accept the donations as college property.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**VVC FOUNDATION SUPPORT TO VVC
Expenditures Made From Cash Donations
October, 2008**

Project Description	Post date	Trans. Amount	Account Description	Reference
Agriculture (Mojave Sustainability Project)	10/29/08	\$ 12.92	Equipment / Supplies	Reimbursement for AGNR
Agriculture Total:		\$ 12.92		
Athletics-General	10/29/08	\$ 2,250.00	Outside Labor	Equipment and Field Care
Athletics-General	10/1/08	\$ 2,250.00	Outside Labor	Equipment and field care
Athletics-General	10/7/08	\$ 50.00	Licenses and Fees	Reimbursement for Sports Physical
Athletics-General	10/13/08	\$ 1,000.00	Outside Labor	Specialized training of athletes
Athletics-General	10/21/08	\$ 275.00	Outside Labor	Plyometric Training
Baseball Fund	10/21/08	\$ 50.00	Professional Services	Reimbursement for DMV Physical
Men's Basketball	10/2/08	\$ 1,180.94	Equipment / Supplies	Shirts, Sweatshirts and Pants for Men's Basketball
Softball Fund	10/21/08	\$ 413.62	Equipment / Supplies	Reimbursement for Softball T-Shirts
Women's Basketball	10/29/08	\$ 112.00	Equipment / Supplies	Sweats for Women's Basketball
Women's Basketball	10/28/08	\$ 732.00	Equipment / Supplies	Women's Basketball Fundraiser
Women's Basketball	10/1/08	\$ 84.00	Equipment / Supplies	Shooting Shirt
Women's Soccer	10/21/08	\$ 50.00	Professional Services	Reimbursement for DMV Physical
Women's Soccer	10/21/08	\$ 161.57	Equipment / Supplies	Reimbursement for Coaching Equipment
Women's Soccer	10/21/08	\$ 184.25	Office Expense	Window Envelopes
Women's Soccer	10/7/08	\$ 125.00	Scholarships	Scholarships Received thru 10/07/08
Women's Soccer	10/7/08	\$ 175.00	Scholarships	Scholarship for Cody vogel #0211266
Women's Soccer	10/1/08	\$ 50.00	Admission / Entry Fees	Reimbursement for Medical Exam
Women's Soccer	10/1/08	\$ 300.00	Awards & Recognition	Appreciation Gift for Kaela Kelly
Women's Soccer	10/1/08	\$ 33.73	Equipment / Supplies	Reimbursement for Training Video
Wrestling Team	10/29/08	\$ 1,077.50	Equipment / Supplies	Credit Card Charges
Athletics Total:		\$ 10,554.61		
Dr. Prem Reddy Fund	10/21/08	\$ 15,310.43	Grants Awarded	Prem Reddy Grant Final Billing
Grant Total:		\$ 15,310.43		
Fire Technology Program	10/28/08	\$ 66.76	Hospitality	Coffee Service for Fire Tech
Fire Technology Program Total:		\$ 66.76		
Friends of Botanical Gardens	10/21/08	\$ 150.79	Equipment / Supplies	6 Trees
Friends of Botanical Gardens Total:		\$ 150.79		
General Scholarship Clearing Fund	10/28/08	\$ 4,550.00	Scholarships	Scholarships Received thru 10/28/08
General Scholarship Clearing Fund	10/7/08	\$ 4,450.00	Scholarships	Scholarships Received thru 10/07/08
Scholarships Total:		\$ 9,000.00		
CNSA of VVC	10/21/08	\$ 170.00	Equipment / Supplies	CNSA Club T-Shirts

VVC FOUNDATION SUPPORT TO VVC
Expenditures Made From Cash Donations
October, 2008

Project Description	Post date	Trans. Amount	Account Description	Reference
Fall - Even Nursing Class	10/21/08	\$ 3,499.20	Awards & Recognition	Nursing Graduation Pins
Fall - Even Nursing Class	10/28/08	\$ 72.01	Hospitality	Reimbursement for Nursing Job Fair
Fall - Even Nursing Class	10/29/08	\$ 1,166.32	Equipment / Supplies	Nursing Caps
Nursing General	10/29/08	\$ 70.04	Awards & Recognition	Reimbursement for Nursing Plaque
Nursing Total:		\$ 4,977.57		
PAC	10/29/08	\$ 75.00	Administrative Fee	PAC Tickets
PAC Total:		\$ 75.00		
The California Wellness Foundation	10/13/08	\$ 2,426.40	Grants Awarded	Grant Admin. 9/8/08-10/13/08
TCWF Total:		\$ 2,426.40		
GRAND TOTAL:		\$ 42,574.48		

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: RATIFICATION OF ACADEMIC EQUIVALENCY REQUESTS

SUBMITTED BY: Equivalency Committee—Debra Blanchard, Chairperson

RECOMMENDED BY: Fusako Yokotobi *Fusako Yokotobi*

APPROVED BY: Robert Silverman *RS*

Description/Background:

The equivalency listed below has been approved by the appropriate department, division dean, and Academic Senate for the disciplines indicated.

KATHERINE PAGE—Dance

EQUIVALENCY: Meets requirements under work experience, Victor Valley equivalency policy. A minimum of fifteen (15) years of work experience in the field is required.

Henceforth, the equivalency will apply to each candidate for the discipline listed.

Need: The district wishes to employ the individual listed above who has been determined to have the equivalency for the position listed.

Fiscal Impact: None

Recommended Action:

It is recommended that the board ratify the equivalency as listed.

Legal Review: YES NOT APPLICABLE

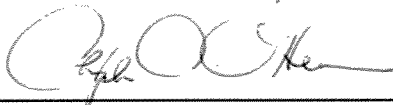
Reference for Agenda: YES NO

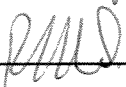
**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: RENEW LIBRARY ONLINE DATABASE SUBSCRIPTION

SUBMITTED BY: Leslie Huiner, Library

RECOMMENDED BY: Christopher O'Hearn 

APPROVED BY: Robert Silverman 

Description/Background:

The district desires to approve the renewal of an online database subscription purchased through the Community College Library Consortium for spring 2009. The online database is titled "Expanded Academic ASAP."

Need:

The library provides access to online database subscriptions to support academic research and student learning.

Fiscal Impact: Budgeted item, not to exceed \$10,457.00

Recommended Action:

It is recommended by the Superintendent/President that Board of Trustees approve the renewal of an online database subscription purchased through the Community College Library Consortium for spring 2009.

Legal Review: YES NOT APPLICABLE


Reference for Agenda: YES NO

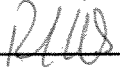
**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT X BOARD ACTION ___ BOARD INFORMATION (no action required) ___

TOPIC: AGREEMENT - INDEPENDENT CONTRACTOR

SUBMITTED BY: Victoria Hindes, Student Services

RECOMMENDED BY: Christopher O'Hearn 

APPROVED BY: Robert Silverman 

Description/Background:

The district desires to approve an Independent Contractor Agreement between Victor Valley Community College District and Adele McClain. The period of this agreement is from December 15, 2008, through May 1, 2009.

A copy of this agreement is available in the President's office for your review.

Need:

Services to be rendered are to provide high school site coordination for the Title V Coop-Bridge Program.

Fiscal Impact: Not to exceed \$1,200.00 – Title V Coop-Bridge Program

Recommended Action:

It is recommended by the Superintendent/President that the Board of Trustees approve an Independent Contractor Agreement between Victor Valley Community College and Adele McClain. The period of this agreement is from December 15, 2008, through May 1, 2009.

Legal Review: YES ___ NOT APPLICABLE X ___


Reference for Agenda: YES ___ NO X ___


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: Agreement – Boston Reed College

SUBMITTED BY: Debbie Potts, Contract Education

RECOMMENDED BY: Christopher O'Hearn 

APPROVED BY: Robert Silverman 

Description/Background:

The district desires to approve an agreement between Boston Reed College and Victor Valley Community College District through March 7, 2009.

A copy of this agreement is available in the President's office for your review.

Need:

The agreement is to provide a Pharmacy Technician course.

Fiscal Impact: \$1,690.00 per student enrolled in Boston Reed College's Pharmacy Technician Program
\$ 300.00 per student to the District

Recommended Action:

It is recommended by the Superintendent/President that Board of Trustees approve an agreement between Boston Reed College and Victor Valley Community College District through March 7, 2009.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: AGREEMENTS - CONTRACT EDUCATION SERVICES

SUBMITTED BY: Debbie Potts, Contract Education

RECOMMENDED BY: Christopher O'Hearn

APPROVED BY: Robert Silverman

Description/Background:

The district desires to approve the Contract Education Services' agreements listed below for the courses offered in the Contract Education department.

Vendor:	Income to the District
Archibald's Restaurant	\$ 300.00
El Paisano Mexican Restaurant	\$ 300.00
El Pollo Loco	\$ 300.00
Gus Jr.	\$ 300.00
King Ranch Market	\$ 300.00
Los Alazanes Mexican Food	\$ 300.00
Ricos Tacos and Burritos	\$ 300.00
Wood Stove Restaurant	\$2,100.00
Total:	\$4,200.00

A copy of the agreements is available in the President's office for your review.

Need:

Anyone handling food in San Bernardino County is required to obtain a food handlers certification card by attending a two-hour class.

Fiscal Impact: \$4,200.00 to the District

Recommended Action:

It is recommended by the Superintendent/President that Board of Trustees approve the Contract Education Services' agreements listed above for the courses offered in the Contract Education department.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: CONTRACT EDUCATION SERVICES – COAST TRAFFIC SCHOOL

SUBMITTED BY: Debbie Potts, Contract Education

RECOMMENDED BY: Christopher O'Hearn

APPROVED BY: Robert Silverman



Description/Background:

The district desires to approve an agreement between Coast Traffic School and Victor Valley Community College District. The period of this agreement is from January 1, 2008, through June 30, 2009.

A copy of this agreement is available in the President's office for your review.

Need:

This is a course on concepts of traffic safety to court referral students.

Fiscal Impact: \$4,000.00 to the District

Recommended Action:

It is recommended by the Superintendent/President that the Board of Trustees approve an agreement between Coast Traffic School and Victor Valley Community College District. The period of this agreement is from January 1, 2008, through June 30, 2009.

Legal Review: YES NOT APPLICABLE


Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: AGREEMENT – INDEPENDENT CONTRACTOR

SUBMITTED BY: Victoria Hindes, Student Services

RECOMMENDED BY: Christopher O'Hearn 

APPROVED BY: Robert Silverman 

Description/Background:

As a result of the need for additional services for deaf students, the District desires to purchase additional services from Quick Caption, Incorporated through the agreement originally approved August 5, 2008.

A copy of this agreement is available in the President's office for your review.

Need:

To provide real time captioning services in the classroom for deaf and hard of hearing students.

Fiscal Impact: Not to exceed \$49,500.00 – DSPS Funding

Recommended Action:

It is recommended by the Superintendent/President that the Board of Trustees approve the purchase of additional services for deaf students from Quick Caption, Incorporated.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT X BOARD ACTION ___ BOARD INFORMATION (no action required) ___

TOPIC: INCREASE CONTRACT AMOUNT – CHJ INCORPORATED

SUBMITTED BY: Steve Garcia, Facilities Construction

RECOMMENDED BY: Steve Garcia *Stephen R Garcia*

APPROVED BY: Robert Silverman *RS*

Description/Background:

The district wishes to increase the contract amount with CHJ Incorporated for laboratory and on-site testing services during the construction of the Adapted PE Center (aka: Seismic Replacement Auxiliary Gymnasium), originally approved by the Board on September 11, 2007, for an amount of \$44,765.00. The fiscal impact is based on actual number of tests necessary as determined by the inspector to complete the project. The number of tests necessary for this project has exceeded the amount originally requested.

A copy of the original agreement is available for review in the Superintendent/President's office.

Need:

The above services are required for all construction of State facilities.

Recommended Action/Fiscal Impact: This item has been approved by the Superintendent/President, and it is recommended that the Board of Trustees ratify the increase to the original contract amount with CHJ, Incorporated by an amount of \$15,000.00 as projected for testing services needed to complete the project. – Fund 71 expenditure. (This project is partially State funded and a portion of this may be reimbursable through the State. Any portion that is not reimbursable has been previously budgeted.)

Legal Review: YES X NOT APPLICABLE ___


Reference for Agenda: YES ___ NO X


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** ___ **BOARD INFORMATION (no action required)** ___

TOPIC: AGREEMENT - INDEPENDENT CONTRACTOR

SUBMITTED BY: Victoria Hindes, Student Services

RECOMMENDED BY: Christopher O'Hearn 

APPROVED BY: Robert Silverman 

Description/Background:

The district desires to approve an Independent Contractor Agreement between Victor Valley Community College District and Patrick Nuse. The period of this agreement is from December 15, 2008, through February 28, 2009.

A copy of this agreement is available in the President's office for your review.

Need:

Services to produce online new student orientation video.

Fiscal Impact: Not to exceed \$12,630.00 – Matriculation Funding

Recommended Action:

It is recommended by the Superintendent/President that the Board of Trustees approve an Independent Contractor Agreement between Victor Valley Community College District and Patrick Nuse. The period of this agreement is from December 15, 2008, through February 28, 2009.

Legal Review: YES ___ NOT APPLICABLE X___


Reference for Agenda: YES ___ NO X___

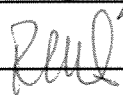
**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** ___ **BOARD INFORMATION (no action required)** ___

TOPIC: AGREEMENT – L.A. RECORDS MANAGEMENT, INCORPORATED

SUBMITTED BY: Greta Moon, Admissions and Records

RECOMMENDED BY: Christopher O'Hearn 

APPROVED BY: Robert Silverman 

Description/Background:

The district desires to ratify an agreement between L.A. Records Management, Incorporated and Victor Valley Community College District. The period of this agreement is through September 16, 2009.

A copy of this agreement is available in the President's office for your review.

Need:

This agreement is to store academic records.

Fiscal Impact: Not to exceed \$3,000.00

Recommended Action:

It is recommended by the Superintendent/President that Board of Trustees ratify an agreement between L.A. Records Management, Incorporated and Victor Valley Community College District. The period of this agreement is through September 16, 2009.

Legal Review: YES _X_ NOT APPLICABLE ___

Reference for Agenda: YES ___ NO _X_

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** ___ **BOARD INFORMATION (no action required)** ___

TOPIC: APPLICATION HOSTING AGREEMENT – COMEVO LLC.

SUBMITTED BY: Greg Ryan, Financial Aid

RECOMMENDED BY: Christopher O'Hearn



APPROVED BY: Robert Silverman



Description/Background:

The district desires to approve an agreement between Comevo LLC. and Victor Valley Community College District. The period of this agreement is effective from December 10, 2008 through December 10, 2009.

A copy of this agreement is available in the President's office for your review.

Need:

To provide an online loan workshop.

Fiscal Impact: \$6,100.00 – Funded by Board Financial Assistance Program (BFAP)

Recommended Action:

It is recommended by the Superintendent/President that Board of Trustees approve an agreement between Comevo LLC. and Victor Valley Community College District. The period of this agreement is effective from December 10, 2008 through December 10, 2009.

Legal Review: YES NOT APPLICABLE ___


Reference for Agenda: YES ___ NO


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: AGREEMENT – NG WEB SOLUTIONS, LLC.

SUBMITTED BY: Greg Ryan, Financial Aid

RECOMMENDED BY: Christopher O'Hearn 

APPROVED BY: Robert Silverman 

Description/Background:

The district desires to approve an agreement between NG Web Solutions LLC. and Victor Valley Community College District. The period of this agreement is effective from December 10, 2008 through December 10, 2009.

A copy of this agreement is available in the President's office for your review.

Need:

To access and use in its own business operations certain proprietary software of NG Web Solutions.

Fiscal Impact: \$4,000.00 – Funded by Board Financial Assistance Program (BFAP)

Recommended Action:

It is recommended by the Superintendent/President that Board of Trustees approve an agreement between NG Web Solutions LLC. and Victor Valley Community College District. The period of this agreement is effective from December 10, 2008 through December 10, 2009.

Legal Review: YES NOT APPLICABLE


Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: AGREEMENT – FINANCIAL AID TV

SUBMITTED BY: Greg Ryan, Financial Aid

RECOMMENDED BY: Christopher O'Hearn 

APPROVED BY: Robert Silverman 

Description/Background:

The district desires to approve a license agreement between Financial Aid TV and Victor Valley Community College District. The period of this agreement is effective from December 10, 2008 through December 10, 2009.

A copy of this agreement is available in the President's office for your review.

Need:

To access and use an online educational resource published by College Media Solutions.

Fiscal Impact: \$5,000.00 – Funded by Board Financial Assistance Program (BFAP)

Recommended Action:

It is recommended by the Superintendent/President that Board of Trustees approve a license agreement between Financial Aid TV and Victor Valley Community College District. The period of this agreement is effective from December 10, 2008 through December 10, 2009.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: AGREEMENT – CUBIT ENGINEERING INCORPORATED

SUBMITTED BY: Steve Garcia, Facilities Construction

RECOMMENDED BY: Steve Garcia Stephen R Garcia

APPROVED BY: Robert Silverman RS

Description/Background:

The district wishes to enter into an agreement with Cubit Engineering Incorporated to complete a survey on the 60 acres of land the college is considering purchasing for the Workforce Development Center, a voter approved local bond project. The survey is necessary to obtain an appraisal enabling the district to assess the value of the property. The district will use this assessed value as a tool in negotiating a price.

A copy of the original agreement is available for review in the Superintendent/President's office.

Need:

The above services are required to assist the district in negotiating a fair price for the land.

Recommended Action/Fiscal Impact: This item has been approved by the Superintendent/President, and it is recommended that the Board of Trustees ratify the agreement with Cubit Engineering Incorporated for surveying services in the amount of \$2,800.00 – Locally Bond Funded.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT X BOARD ACTION ___ BOARD INFORMATION (no action required) ___

TOPIC: AGREEMENT – KUNZMAN ASSOCIATES
SUBMITTED BY: Steve Garcia, Facilities Construction
RECOMMENDED BY: Steve Garcia Steve R Garcia
APPROVED BY: Robert Silverman [Signature]

Description/Background:

The district wishes to enter into an agreement with Kunzman Associates to provide professional engineering services for a traffic impact analysis for the college.

A copy of the original agreement is available for review in the Superintendent/President's office.

Need:

The above services are needed to work effectively with the City of Victorville to ensure the Spring Valley / Peach realignment is completed in the districts best interest. This study is consistent with the Five Year and Long Range Facilities Master Plans and it will address traffic circulation and parking needs as called for under campus improvements of the voter approved local bond.

Recommended Action/Fiscal Impact: This item has been approved by the Superintendent/President, and it is recommended that the Board of Trustees ratify the agreement with Kunzman Associates in the amount of \$19,000.00 as projected for engineering services to complete a traffic impact analysis study for the college. – Locally Bond Funded.

Legal Review: YES X NOT APPLICABLE ___

Reference for Agenda: YES ___ NO X

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** ___ **BOARD INFORMATION (no action required)** ___

TOPIC: AGREEMENT – THOMPSON APPRAISALS, INC.
SUBMITTED BY: Steve Garcia, Facilities Construction
RECOMMENDED BY: Steve Garcia *Steve Garcia*
APPROVED BY: Robert Silverman *RS*

Description/Background:

The district wishes to enter into an agreement with Thompson Appraisals, Inc. to complete an appraisal on the 60 acres of land the college is considering purchasing for the Workforce Development Center, a voter approved local bond project. The district has chosen Option I - Self Contained Narrative Report as this is the most complete appraisal option and includes the highest degree of reliability. The appraisal is necessary for the district to assess the value of the property. The district will use the appraised value as a tool in negotiating a price.

A copy of the original agreement is available for review in the Superintendent/President's office.

Need:

The above services are required to assist the district in negotiating a fair price for the land.

Recommended Action/Fiscal Impact: This item has been approved by the Superintendent/President, and it is recommended that the Board of Trustees ratify the agreement with Thompson Appraisals, Inc. for a completed appraisal report in the amount of \$3,500.00 – Locally Bond Funded.

Legal Review: YES X NOT APPLICABLE ___

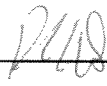
Reference for Agenda: YES ___ NO X

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** X **BOARD INFORMATION (no action required)** ___

TOPIC: Second Reading – Board Policy 8000 – Police Department

SUBMITTED BY: Robert Silverman, Superintendent/ President

APPROVED BY: Robert Silverman 

Description/Background:

This policy creates a legal guideline for the Victor Valley Community College District Police Department. It has been reviewed by experts in the field.

Need:

Current Board Policy has been reviewed and the proposed policy updates the original. The proposed policy will ensure legal direction for the Victor Valley Community College District Police Department.

Fiscal Impact: None

Recommended Action: Approval of the Board Policy 8000 – Police Department

Legal Review: YES X NOT APPLICABLE ___

Reference for Agenda: YES X NO ___

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
BOARD POLICY

POLICE DEPARTMENT SAFETY & SECURITY

Chapter 8

Police Department

BP 8000

Within the requirements of state and federal laws, the Board of Trustees of the Victor Valley Community College District has established the Victor Valley College Police Department in order to ensure a safe and secure environment for students, staff and campus visitors. The department shall have jurisdiction to enforce the law on or near the Bear Valley Campus and other grounds or properties owned, controlled, operated, controlled or administered by the District.

The police department shall be supervised by one Chief of Police, who shall report to the Superintendent/President or his/her designee. The Superintendent/President shall establish minimum qualifications of employment for the Chief of Police including, but not limited to, prior employment as a peace officer and certified by California Peace Officer Standards and Training (POST) commission.

The District is authorized to employ state-certified peace officers to protect the persons, property, and facilities of the Victor Valley Community College District in accordance with state and federal laws. College police officers shall comply with all applicable state of California peace officer certification and training requirements as established per the POST and have successfully completed an accredited academy training program. The district is further authorized to employ public safety officers who meet the requirements set out in Education Code Section 72330.5. District police officers and safety officers shall be employed as members of the classified service but shall when duly sworn be peace officers as defined by law. Prior to employment, police officers shall satisfy the POST training requirements set forth in Penal Code Section 830, et seq.

The Superintendent/President or her/his designee shall ensure that every peace officer of the Police Department first employed by the district before July 1, 1999, satisfies the requirements of state law regarding qualifications for continued employment.

Every member of the Police Department shall be issued a suitable identification card and badge bearing the words "Victor Valley College Police..."

The Victor Valley Community College Police Chief in coordination with the Victor Valley Community College Vice President for Human Resources will provide appropriate staff training to carry out the emergency disaster plan. An overview of the plan shall be available to district employees upon request.

The chief of police shall be responsible for maintaining compliance with all federal and state mandated crime statistics reporting procedures. He/she shall also ensure that, as required by Education Code, police department staff prepare and update annual reports of all criminal and crime-related incidents reported to campus police and security personnel.

The Superintendent/President shall issue such other regulations as may be necessary for the administration of the Police Department.

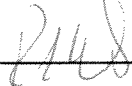
References: California Penal Code 830.32, 11160
Education Codes 72330, 72330.5, 67380, 67381

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ BOARD ACTION X BOARD INFORMATION (no action required) ___

TOPIC: Second Reading – Board Policy 8010 – Weapons on Campus

SUBMITTED BY: Robert Silverman, Superintendent/ President

APPROVED BY: Robert Silverman 

Description/Background:

This new Board Policy clearly defines the presences of firearms on campus. There was no policy at this time.

Need:

Firearms on campus pose a serious liability to the District. Board direction is required to ensure firearm safety.

Fiscal Impact: None

Recommended Action: Approval of the Board Policy 8010 – Weapons on Campus

Legal Review: YES X NOT APPLICABLE X

Reference for Agenda: YES X NO ___

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
BOARD POLICY

POLICE DEPARTMENT SAFETY & SECURITY

Chapter 8

Weapons on Campus

BP 8010

Firearms or other weapons shall be prohibited on any college or District center or in any facility of the District except for activities conducted under the direction of District officials or as authorized by an official law enforcement agency.

Persons employed by the District as sworn peace officers shall be authorized to carry weapons, if qualified, as directed by the Chief of Police and/or the Superintendent/President.

Persons other than the above employees shall not bring weapons onto District property. Members of an official public law enforcement agency who are required to carry weapons shall notify the Campus Police Chief of this resource on campus. **Persons authorized under Penal Code Section 12050 to carry a concealed firearm (CCW) are required to notify the campus Chief of Police of their presence on campus and their class schedule.**

Firearms or other weapons shall be prohibited on any college or District center or in any facility of the District except for activities conducted under the direction of District officials or as authorized by an official law enforcement agency.

References:

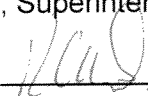
Penal Code Sections 626.7, 832(b) (c), 12002, 12403
Education Codes sections: 72330, 72330.2, 72330.5

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: Second Reading – Board Policy 8020 – Campus Disaster Preparedness & Safety/Emergency Plan

SUBMITTED BY: Robert Silverman, Superintendent/ President

APPROVED BY: Robert Silverman 

Description/Background:

To ensure the safety of all on campus, it is necessary to plan for the possible eventuality of a major disaster in our region. The College Board of Trustees must establish and maintain an emergency plan.

Need:

To meet requirements of National Incident Management system (NIMS), the state Standardized Emergency Management System (SEMS), and the State of California.

Fiscal Impact: None

Recommended Action: Approval of the Board Policy 8020 – Campus Disaster Preparedness & Safety/Emergency Plan

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
BOARD POLICY

POLICE DEPARTMENT SAFETY & SECURITY

Chapter 8

**CAMPUS DISASTER PREPAREDNESS & SAFETY/
EMERGENCY PLAN**

BP 8020

The Board is committed to a safe and secure work and learning environment. The first concern of the College in establishing disaster preparedness plans and operating under emergency procedures shall be the welfare of the College students and personnel under its jurisdiction.

To that end, the district Superintendent/President shall establish a campus disaster preparedness and safety/emergency plan and ensure that it is posted or otherwise made available to faculty, staff and students. The campus plan shall include information and procedures in compliance with the tenets of the National Incident Management System (NIMS) and the state Standardized Emergency Management System (SEMS).

During an emergency situation all employees are declared civil defense workers subject to activities assigned to them in accordance with Government Code Sections 3100-3101 of the State of California.

An operational plan to implement these policies shall be prepared at the discretion of the Superintendent/President. This plan shall be reviewed annually and revised as necessary.

Reference:

Education Code 67380(a)(4); Government Code 3100-3101

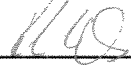
**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** X **BOARD INFORMATION (no action required)** ___

TOPIC: Resolution 08-01 – Certification of all Proceedings to the Board of Supervisors of Los Angeles County and San Bernardino County for the November 4, 2008 General Obligation Bond Election

SUBMITTED BY: Robert Silverman, Superintendent/President

RECOMMENDED BY: Robert Silverman, Superintendent/President

APPROVED BY: Robert Silverman 

Description/Background:

The November 4, 2008 election results have been certified by the Los Angeles and San Bernardino counties. This certification delineates the vote percentage total and by precinct. The Victor Valley Community College District Board of Trustees must now certify the results of the election to the community and Board of Supervisors.

Need:

This action is needed to officially declare the election results final.

Fiscal Impact: None

Recommended Action: Adoption of the resolution certifying to the Board of Supervisors of Los Angeles County and San Bernardino County all proceedings for the November 4, 2008 General Obligation Bond Election

Legal Review: YES X NOT APPLICABLE ___

Reference for Agenda: YES X NO ___

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 08-01

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VICTOR VALLEY COMMUNITY COLLEGE DISTRICT CERTIFYING TO THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY AND SAN BERNARDINO COUNTY ALL PROCEEDINGS IN THE NOVEMBER 4, 2008 GENERAL OBLIGATION BOND ELECTION

WHEREAS, the Board of Trustees of the Victor Valley Community College District (the "District") previously adopted a resolution requesting Los Angeles County and San Bernardino County (the "Counties") to call an election for general obligation bonds (the "Bond Election") to be held on November 4, 2008; and

WHEREAS, such resolution was duly delivered to the Registrars of Voters of the Counties; and

WHEREAS, notice of the Bond Election was duly given; and

WHEREAS, on November 4, 2008, the Bond Election was duly held and conducted for the purpose of voting a measure for the issuance of bonds of the District in the amount of \$297,500,000 ("Measure JJ"); and

WHEREAS, the Board of Trustees of the District has received from the Counties' Registrar of Voters the Canvass Certificate and Official Statement of Results (the "Canvass") of the Bond Election; and

WHEREAS, it appears from the Canvass, a copy of which is attached hereto as Exhibit "A," that more than fifty-five percent of the votes cast on Measure JJ were in favor of issuing the aforementioned bonds.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VICTOR VALLEY COMMUNITY COLLEGE DISTRICT DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

Section 1. That entry be made upon the minutes of the meeting that Measure JJ has been approved by more than fifty-five percent of the votes cast at the Bond Election.

Section 2. That all proceedings of the District in connection with the Bond Election have been accomplished according to law.

Section 3. That the Secretary of the Board is hereby requested to deliver a copy of this Resolution with the Canvass to the County Superintendent of Schools and the Clerk of the Board of Supervisors for each of the Counties.

ADOPTED, SIGNED AND APPROVED this 9th day of December, 2008.

BOARD OF TRUSTEES OF THE VICTOR
VALLEY COMMUNITY COLLEGE DISTRICT

President

ATTEST:

Secretary

STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY)

I, _____, do hereby certify that the foregoing Resolution No. _____ was duly adopted by the Board of Trustees of the Victor Valley Community College District at a meeting thereof held on the 9th day of December, 2008 and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By: _____
Secretary

EXHIBIT A

Canvass and Statement of Results



CERTIFICATE OF REGISTRAR OF VOTERS

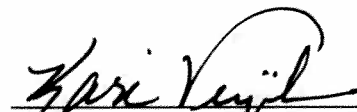
STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } **ss**

I, **KARI VERJIL**, Registrar of Voters of the County of San Bernardino, State of California, do hereby certify that pursuant to the provisions of Election Code Section 15300 et seq., I did canvass the returns of the votes cast on November 4, 2008, as part of the General Presidential Election for each measure in the

**Victor Valley Community College District
Measure JJ**

and I further certify that the Statements of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in each of the respective precincts therein, and that the totals of the respective columns and totals as shown are full, true and correct.

WITNESS my hand and Official Seal this 25th day of November, 2008.



Kari Verjil
Registrar of Voters

MARK UFFER
County Administrative Officer

NORMAN A. KANOLD
Assistant County Administrator
Public and Support
Services Group

Board of Supervisors
BRAD MITZELFELT.....First District DENNIS HANSBERGER.....Third District
PAUL BIANE, Chair.....Second District GARY C. OVITT, Vice Chair..... Fourth District
JOSIE GONZALES.....Fifth District

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140139	MEASURE JJ (VICTOR VALLEY CC)													
	Registration	Ballots Cast	Turnout (%)		BONDS YES	BONDS NO								
APPLE VALLEY 18 - VOTE BY MAIL	1317	513	38.95		256	217								
APPLE VALLEY 19 24290	1373	589	42.90		384	152								
APPLE VALLEY 19 - VOTE BY MAIL	1373	313	22.80		196	104								
APPLE VALLEY 20 24291	1110	928	83.60		545	326								
APPLE VALLEY 20 - VOTE BY MAIL	1110	258	23.24		140	95								
APPLE VALLEY 21 24292	1520	636	41.84		360	222								
APPLE VALLEY 21 - VOTE BY MAIL	1520	586	38.55		278	253								
APPLE VALLEY 22 24293	1177	566	48.09		360	163								
APPLE VALLEY 22 - VOTE BY MAIL	1177	303	25.74		170	111								
APPLE VALLEY 23 24294	1286	193	15.01		132	45								
APPLE VALLEY 23 - VOTE BY MAIL	1286	335	26.05		189	124								
APPLE VALLEY 24 24295	1981	688	34.73		379	237								
APPLE VALLEY 24 - VOTE BY MAIL	1981	1050	53.00		488	468								
APPLE VALLEY 25 24296	508	236	46.46		136	77								
APPLE VALLEY 25 - VOTE BY MAIL	508	145	28.54		80	57								
APPLE VALLEY 26 24297	962	424	44.07		265	130								
APPLE VALLEY 26 - VOTE BY MAIL	962	275	28.59		146	108								
APPLE VALLEY 27 24298	1182	529	44.75		327	163								
APPLE VALLEY 27 - VOTE BY MAIL	1182	317	26.82		173	121								
APPLE VALLEY 28 24299	567	235	41.45		142	81								
APPLE VALLEY 28 - VOTE BY MAIL	567	177	31.22		75	90								
APPLE VALLEY 29 24300	794	198	24.94		109	69								
APPLE VALLEY 29 - VOTE BY MAIL	794	474	59.70		231	181								
APPLE VALLEY 30 24301	604	241	39.90		157	63								
APPLE VALLEY 30 - VOTE BY MAIL	604	162	26.82		71	76								
APPLE VALLEY 31 24302	602	254	42.19		166	72								
APPLE VALLEY 31 - VOTE BY MAIL	602	179	29.73		87	80								
APPLE VALLEY 32 24303	0	0	0.00		0	0								
APPLE VALLEY 32 - VOTE BY MAIL	0	0	0.00		0	0								
APPLE VALLEY 33 24304	0	0	0.00		0	0								
APPLE VALLEY 33 - VOTE BY MAIL	0	0	0.00		0	0								
APPLE VALLEY 34 24305	4	0	0.00		0	0								
APPLE VALLEY 34 - VOTE BY MAIL	4	0	0.00		0	0								
APPLE VALLEY 35 24306	3	1	33.33											
APPLE VALLEY 35 - VOTE BY MAIL	3	0	0.00		0	0								
APPLE VALLEY 36 24307	0	0	0.00		0	0								
APPLE VALLEY 36 - VOTE BY MAIL	0	0	0.00		0	0								
APPLE VALLEY 37 24308	0	0	0.00		0	0								
APPLE VALLEY 37 - VOTE BY MAIL	0	0	0.00		0	0								
APPLE VALLEY EAST 1 24314	752	195	25.93		115	65								
APPLE VALLEY EAST 1 - VOTE BY MAIL	752	275	36.57		144	108								
APPLE VALLEY EAST 2 24315	758	397	52.37		222	141								
APPLE VALLEY EAST 2 - VOTE BY MAIL	758	202	26.65		89	94								
APPLE VALLEY EAST 3 24316	820	375	45.73		181	169								
APPLE VALLEY EAST 3 - VOTE BY MAIL	820	246	30.00		101	126								
APPLE VALLEY EAST 4 24323	0	0	0.00		0	0								
APPLE VALLEY EAST 4 - VOTE BY MAIL	0	0	0.00		0	0								
APPLE VALLEY SOUTH 1 24317	464	228	49.14		119	97								
APPLE VALLEY SOUTH 1 - VOTE BY MAIL	464	136	29.31		63	67								
APPLE VALLEY SOUTH 2 24321	768	402	52.34		208	167								
APPLE VALLEY SOUTH 2 - VOTE BY MAIL	768	212	27.60		93	100								
APPLE VALLEY SOUTH 3 24322	98	65	66.33		35	28								
APPLE VALLEY SOUTH 3 - VOTE BY MAIL	98	0	0.00		0	0								
BALDWIN LAKE 24406	260	215	82.69		0	0								
BALDWIN LAKE - VOTE BY MAIL	260	0	0.00		0	0								
BALDY MESA 24815	1119	536	47.90		277	216								
BALDY MESA - VOTE BY MAIL	1119	298	26.63		166	113								
BELL MOUNTAIN 1 24309	50	40	80.00		16	17								
BELL MOUNTAIN 1 - VOTE BY MAIL	50	0	0.00		0	0								
BELL MOUNTAIN 2 24310	30	25	83.33		7	12								
BELL MOUNTAIN 2 - VOTE BY MAIL	30	0	0.00		0	0								

***** Insufficient Turnout to Protect Voter Privacy *****

140139	MEASURE JJ (VICTOR VALLEY CC)													
	Registration	Ballots Cast	Turnout (%)		BONDS YES	BONDS NO								
HESPERIA 13 - VOTE BY MAIL	1015	336	33.10		143	170								
HESPERIA 14 24781	868	305	35.14		166	101								
HESPERIA 14 - VOTE BY MAIL	868	238	27.42		136	71								
HESPERIA 15 24782	938	359	38.27		197	144								
HESPERIA 15 - VOTE BY MAIL	938	327	34.86		150	151								
HESPERIA 16 24783	1122	582	51.87		320	221								
HESPERIA 16 - VOTE BY MAIL	1122	303	27.01		143	130								
HESPERIA 17 24784	787	390	49.56		215	129								
HESPERIA 17 - VOTE BY MAIL	787	229	29.10		122	94								
HESPERIA 18 24785	1266	572	45.18		314	211								
HESPERIA 18 - VOTE BY MAIL	1266	381	30.09		187	158								
HESPERIA 19 24786	899	433	48.16		254	140								
HESPERIA 19 - VOTE BY MAIL	899	276	30.70		150	98								
HESPERIA 20 24787	950	392	41.26		192	176								
HESPERIA 20 - VOTE BY MAIL	950	299	31.47		146	130								
HESPERIA 21 24788	956	564	59.00		275	240								
HESPERIA 21 - VOTE BY MAIL	956	225	23.54		115	90								
HESPERIA 22 24789	1162	524	45.09		244	236								
HESPERIA 22 - VOTE BY MAIL	1162	354	30.46		161	165								
HESPERIA 23 24790	1082	533	49.26		319	165								
HESPERIA 23 - VOTE BY MAIL	1082	306	28.28		159	130								
HESPERIA 24 24791	1187	457	38.50		235	188								
HESPERIA 24 - VOTE BY MAIL	1187	440	37.07		199	207								
HESPERIA 25 24792	9	4	44.44											
HESPERIA 25 - VOTE BY MAIL	9	0	0.00		0	0								
HESPERIA 26 24793	994	429	43.16		228	165								
HESPERIA 26 - VOTE BY MAIL	994	287	28.87		129	136								
HESPERIA 27 24794	1114	495	44.43		321	142								
HESPERIA 27 - VOTE BY MAIL	1114	268	24.06		137	115								
HESPERIA 28 24795	939	427	45.47		223	163								
HESPERIA 28 - VOTE BY MAIL	939	279	29.71		144	116								
HESPERIA 29 24796	798	387	48.50		209	151								
HESPERIA 29 - VOTE BY MAIL	798	199	24.94		103	88								
HESPERIA 30 24797	485	256	52.78		131	99								
HESPERIA 30 - VOTE BY MAIL	485	185	38.14		87	89								
HESPERIA 31 24798	474	178	37.55		90	78								
HESPERIA 31 - VOTE BY MAIL	474	142	29.96		64	70								
HESPERIA 32 24799	146	105	71.92		48	44								
HESPERIA 32 - VOTE BY MAIL	146	0	0.00		0	0								
HESPERIA 33 24800	11	6	54.55		4	2								
HESPERIA 33 - VOTE BY MAIL	11	0	0.00		0	0								
HESPERIA 34 24801	43	41	95.35		16	23								
HESPERIA 34 - VOTE BY MAIL	43	0	0.00		0	0								
HESPERIA 35 24802	1306	635	48.62		397	180								
HESPERIA 35 - VOTE BY MAIL	1306	324	24.81		189	110								
HESPERIA 36 24803	705	290	41.13		169	94								
HESPERIA 36 - VOTE BY MAIL	705	145	20.57		85	43								
HESPERIA 37 24804	5	1	20.00											
HESPERIA 37 - VOTE BY MAIL	5	0	0.00		0	0								
HESPERIA 38 24805	406	107	26.35		63	37								
HESPERIA 38 - VOTE BY MAIL	406	132	32.51		72	50								
HESPERIA 39 24806	0	0	0.00		0	0								
HESPERIA 39 - VOTE BY MAIL	0	0	0.00		0	0								
HESPERIA 40 24807	0	0	0.00		0	0								
HESPERIA 40 - VOTE BY MAIL	0	0	0.00		0	0								
JOHNSON VALLEY 25626	240	188	78.33		66	96								
JOHNSON VALLEY - VOTE BY M	240	0	0.00		0	0								
LAKE ARROWHEAD 1 24461	0	0	0.00		0	0								
LAKE ARROWHEAD 1 - VOTE B	0	0	0.00		0	0								
LUCERNE VALLEY 1 24311	955	357	37.38		192	136								
LUCERNE VALLEY 1 - VOTE BY	955	380	39.79		187	160								

***** Insufficient Turnout to Protect Voter Privacy *****

***** Insufficient Turnout to Protect Voter Privacy *****

140139	MEASURE JJ (VICTOR VALLEY CC)													
	Registration	Ballots Cast	Turnout (%)		BONDS YES	BONDS NO								
LUCERNE VALLEY 2 24312	868	367	42.28		196	130								
LUCERNE VALLEY 2 - VOTE BY	868	240	27.65		114	110								
LUCERNE VALLEY 3 24313	1296	570	43.98		336	180								
LUCERNE VALLEY 3 - VOTE BY	1296	398	30.71		197	174								
MOJAVE RIVER 1 24318	0	0	0.00		0	0								
MOJAVE RIVER 1 - VOTE BY MA	0	0	0.00		0	0								
MOJAVE RIVER 2 24319	7	7	100.00		3	3								
MOJAVE RIVER 2 - VOTE BY MA	7	0	0.00		0	0								
MOJAVE RIVER 3 24321	0	0	0.00		0	0								
MOJAVE RIVER 3 - VOTE BY MA	0	0	0.00		0	0								
MOUNTAIN VIEW ACRES 1 255	944	468	49.58		301	144								
MOUNTAIN VIEW ACRES 1 - VO	944	221	23.41		132	85								
MOUNTAIN VIEW ACRES 2 255	677	280	41.36		178	75								
MOUNTAIN VIEW ACRES 2 - VO	677	159	23.49		84	65								
NATIONAL FOREST EAST 6 24	0	0	0.00		0	0								
NATIONAL FOREST EAST 6 - V	0	0	0.00		0	0								
NATIONAL FOREST EAST 7 24	0	0	0.00		0	0								
NATIONAL FOREST EAST 7 - V	0	0	0.00		0	0								
NATIONAL FOREST EAST 9 24	0	0	0.00		0	0								
NATIONAL FOREST EAST 9 - V	0	0	0.00		0	0								
NATIONAL FOREST NORTH 4	2	2	100.00											
NATIONAL FOREST NORTH 4 -	2	0	0.00		0	0								
NATIONAL FOREST NORTH 5	0	0	0.00		0	0								
NATIONAL FOREST NORTH 5 -	0	0	0.00		0	0								
NATIONAL FOREST NORTH 6	0	0	0.00		0	0								
NATIONAL FOREST NORTH 6 -	0	0	0.00		0	0								
OAK HILLS 1 24816	438	213	48.63		122	68								
OAK HILLS 1 - VOTE BY MAIL	438	136	31.05		77	47								
OAK HILLS 2 24817	594	280	47.14		155	99								
OAK HILLS 2 - VOTE BY MAIL	594	197	33.16		104	74								
OAK HILLS 3 24818	875	459	52.46		251	167								
OAK HILLS 3 - VOTE BY MAIL	875	244	27.89		135	89								
OAK HILLS 4 24820	835	387	46.35		190	164								
OAK HILLS 4 - VOTE BY MAIL	835	277	33.17		147	102								
OAK HILLS 5 24821	761	345	45.34		178	137								
OAK HILLS 5 - VOTE BY MAIL	761	257	33.77		129	113								
OAK HILLS 6 24831	142	100	70.42		59	38								
OAK HILLS 6 - VOTE BY MAIL	142	0	0.00		0	0								
OAK HILLS 7 24832	792	378	47.73		181	162								
OAK HILLS 7 - VOTE BY MAIL	792	280	35.35		140	125								
OAK HILLS 8 24833	127	93	73.23		50	35								
OAK HILLS 8 - VOTE BY MAIL	127	0	0.00		0	0								
OAK HILLS 9 24834	18	13	72.22		8	2								
OAK HILLS 9 - VOTE BY MAIL	18	0	0.00		0	0								
OAK HILLS 10 24835	0	0	0.00		0	0								
OAK HILLS 10 - VOTE BY MAIL	0	0	0.00		0	0								
ORO GRANDE 1 25541	196	148	75.51		68	38								
ORO GRANDE 1 - VOTE BY MAI	196	0	0.00		0	0								
ORO GRANDE 2 25542	193	142	73.58		73	66								
ORO GRANDE 2 - VOTE BY MAI	193	0	0.00		0	0								
ORO GRANDE 3 25543	24	10	41.67		5	5								
ORO GRANDE 3 - VOTE BY MAI	24	0	0.00		0	0								
PHELAN 8 24825	471	210	44.59		103	91								
PHELAN 8 - VOTE BY MAIL	471	156	33.12		96	45								
PHELAN 1 24810	787	343	43.58		200	111								
PHELAN 1 - VOTE BY MAIL	787	247	31.39		119	112								
PHELAN 10 24827	124	81	65.32		56	29								
PHELAN 10 - VOTE BY MAIL	124	1	0.81											
PHELAN 11 24828	157	88	56.05		46	51								
PHELAN 11 - VOTE BY MAIL	157	2	1.27											
PHELAN 12 24836	42	37	88.10		19	19								

***** Insufficient Turnout to Protect Voter Privacy *****

***** Insufficient Turnout to Protect Voter Privacy *****

***** Insufficient Turnout to Protect Voter Privacy *****

140139		MEASURE JJ (VICTOR VALLEY CC)										
	Registration	Ballots Cast	Turnout (%)	BONDS YES	BONDS NO							
PHELAN 12 - VOTE BY MAIL	42	0	0.00	0	0							
PHELAN 13 24837	1	1	100.00									
PHELAN 13 - VOTE BY MAIL	1	0	0.00	0	0							
PHELAN 2 24811	652	313	48.01	181	98							
PHELAN 2 - VOTE BY MAIL	652	194	29.75	100	78							
PHELAN 3 24812	1131	513	45.36	275	194							
PHELAN 3 - VOTE BY MAIL	1131	384	33.95	198	154							
PHELAN 4 24813	846	386	45.63	184	172							
PHELAN 4 - VOTE BY MAIL	846	274	32.39	114	142							
PHELAN 5 24814	924	389	42.10	193	159							
PHELAN 5 - VOTE BY MAIL	924	288	31.17	130	129							
PHELAN 6 24822	732	375	51.23	192	148							
PHELAN 6 - VOTE BY MAIL	732	213	29.10	87	106							
PHELAN 7 24824	895	434	48.49	252	143							
PHELAN 7 - VOTE BY MAIL	895	252	28.16	132	109							
PHELAN 9 24826	157	120	76.43	66	71							
PHELAN 9 - VOTE BY MAIL	157	4	2.55									
PINON HILLS 1 24808	1157	650	56.18	360	234							
PINON HILLS 1 - VOTE BY MAIL	1157	312	26.97	157	141							
PINON HILLS 2 24809	1325	538	40.60	238	248							
PINON HILLS 2 - VOTE BY MAIL	1325	520	39.25	207	268							
PINON HILLS 3 24823	643	269	41.84	133	115							
PINON HILLS 3 - VOTE BY MAIL	643	213	33.13	102	100							
PINON HILLS 4 24829	32	14	43.75	10	4							
PINON HILLS 4 - VOTE BY MAIL	32	0	0.00	0	0							
PINON HILLS 5 24830	0	0	0.00	0	0							
PINON HILLS 5 - VOTE BY MAIL	0	0	0.00	0	0							
PIONEERTOWN 3 25637	0	0	0.00	0	0							
PIONEERTOWN 3 - VOTE BY MAIL	0	0	0.00	0	0							
RIMROCK 25630	81	73	90.12	21	23							
RIMROCK - VOTE BY MAIL	81	0	0.00	0	0							
SPRING VALLEY LAKE 1 25531	1126	494	43.87	277	185							
SPRING VALLEY LAKE 1 - VOTE	1126	445	39.52	195	233							
SPRING VALLEY LAKE 2 25532	1376	603	43.82	355	204							
SPRING VALLEY LAKE 2 - VOTE	1376	522	37.94	237	246							
SPRING VALLEY LAKE 3 25533	1144	574	50.17	365	154							
SPRING VALLEY LAKE 3 - VOTE	1144	519	45.37	243	242							
SPRING VALLEY LAKE 4 25534	855	465	54.39	253	177							
SPRING VALLEY LAKE 4 - VOTE	855	264	30.88	126	124							
SUMMIT VALLEY 24819	226	180	79.65	84	91							
SUMMIT VALLEY - VOTE BY MAIL	226	0	0.00	0	0							
VICTORVILLE 1 25480	1016	435	42.81	282	130							
VICTORVILLE 1 - VOTE BY MAIL	1016	257	25.30	152	95							
VICTORVILLE 2 25481	0	0	0.00	0	0							
VICTORVILLE 2 - VOTE BY MAIL	0	0	0.00	0	0							
VICTORVILLE 3 25482	2	1	50.00									
VICTORVILLE 3 - VOTE BY MAIL	2	0	0.00	0	0							
VICTORVILLE 4 25483	852	289	33.92	212	61							
VICTORVILLE 4 - VOTE BY MAIL	852	242	28.40	129	101							
VICTORVILLE 5 25484	480	257	53.54	169	61							
VICTORVILLE 5 - VOTE BY MAIL	480	134	27.92	94	29							
VICTORVILLE 6 25485	1372	647	47.16	428	182							
VICTORVILLE 6 - VOTE BY MAIL	1372	413	30.10	247	150							
VICTORVILLE 7 25486	1102	385	34.94	273	82							
VICTORVILLE 7 - VOTE BY MAIL	1102	286	25.95	177	90							
VICTORVILLE 8 25487	1476	696	47.15	491	157							
VICTORVILLE 8 - VOTE BY MAIL	1476	317	21.48	199	102							
VICTORVILLE 9 25488	1038	430	41.43	294	105							
VICTORVILLE 9 - VOTE BY MAIL	1038	264	25.43	142	109							
VICTORVILLE 10 25489	1059	376	35.51	253	89							
VICTORVILLE 10 - VOTE BY MAIL	1059	264	24.93	143	100							


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** X **BOARD INFORMATION (no action required)** ___

TOPIC: Resolution 08-02 – Intention to Issue Tax-Exempt General Obligation Bonds

SUBMITTED BY: Robert Silverman, Superintendent/President

RECOMMENDED BY: Robert Silverman, Superintendent/President

APPROVED BY: Robert Silverman 

Description/Background:

At the August 5, 2008 Victor Valley Community College Board of Trustees meeting a resolution was passed which directed the college to place on the ballot a proposal to the community to issue general obligation bonds in the amount of \$297,500,000. The campaign as directed was successful

Need:

To issue the general obligation bonds it is necessary that the Victor Valley Community College Board of Trustees direct the college administration to work with bond counsel and bond underwriter to issue the bonds and collect the revenues generated by the sale.

Fiscal Impact: None

Recommended Action: Adoption of the resolution regarding the intention to issue tax-exempt general obligation bonds.

Legal Review: YES X NOT APPLICABLE ___

Reference for Agenda: YES X NO ___

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 08-02

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VICTOR VALLEY
COMMUNITY COLLEGE DISTRICT REGARDING ITS INTENTION TO ISSUE
TAX-EXEMPT GENERAL OBLIGATION BONDS**

WHEREAS the Victor Valley Community College District (the "District") passed a \$297,500,000 general obligation bond election on November 4, 2008 ("Measure JJ"); and

WHEREAS, the Board of Trustees of the District desires to finance the costs of acquiring, constructing, reconstruction and/or equipping of college facilities as provided in Exhibit B to the Resolution of the District adopted on August 5, 2008 (the "Resolution") calling for the Measure JJ election,, and incorporated herein (the "Project"); and

WHEREAS, the District intends to finance the acquisition, construction, reconstruction and/or equipping of the Project or portions of the Project with the proceeds of the sale of general obligation bonds or other forms of debt, the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"); and

WHEREAS, prior to the issuance of the Obligations the District desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the District; and

WHEREAS, the Board of Trustees has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the District for the Expenditures from the proceeds of the Obligations; and

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VICTOR VALLEY
COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, ORDER, AND DETERMINE AS
FOLLOWS:

SECTION 1. The District hereby states its intention and reasonably expects to reimburse Project costs incurred prior to the issuance of the Obligations with proceeds of the Obligations. Exhibit B to the Resolution describes either the general character, type, purpose, and function of the Project, or the fund or account from which Project costs are to be paid and the general functional purpose of the fund or account.

SECTION 2. The reasonably expected maximum principal amount of the Obligations is \$297,000,000.

SECTION 3. This resolution is being adopted not later than 60 days after the payment of the original Expenditures (the "Expenditures Dates or Dates").

SECTION 4. The District will make a reimbursement allocation, which is a written allocation that evidences the District's use of proceeds of the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. If both the District and a licensed architect or engineer certify that at least 5 years is necessary to complete construction of the Project, the maximum reimbursement period is changed from 3 years to 5 years.

SECTION 5. Each Expenditure will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the District so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the District.

SECTION 6. This resolution is consistent with the budgetary and financial circumstances of the District, as of the date hereof. No moneys from sources other than the Obligations are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the District (or any related party) pursuant to their budget or financial policies with respect to the Project costs. To the best of our knowledge, this Board is not aware of the previous adoption of official intents by the District that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 7. This resolution is adopted as official action of the District in order to comply with Treasury Regulation §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of District expenditures incurred prior to the date of issue of the Obligations.

SECTION 8. The limitations described in Section 3 and Section 4 do not apply to (a) costs of issuance of the Obligations, (b) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the Obligations, or (c) any preliminary expenditures, such as architectural, engineering, surveying, soil testing, and similar costs other than land acquisition, site preparation, and similar costs incident to commencement of construction, not in excess of twenty percent (20% of the aggregate issue price of the Obligations that finances the Project for which the preliminary expenditures were incurred.

SECTION 9. All the recitals in this resolution are true and correct and this Board of Trustees so finds, determines and represents.

ADOPTED, SIGNED AND APPROVED this 9th day of December, 2008

VICTOR VALLEY COMMUNITY COLLEGE
DISTRICT BOARD OF TRUSTEES

By _____
Board President

Attest:

Secretary

STATE OF CALIFORNIA)
)ss
SAN BERNARDINO COUNTY)

I, _____, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, which was duly adopted by the Board of Trustees of the Victor Valley Community College District at meeting thereof held on the 9th day of December, 2008, and that it was so adopted by the following vote:

AYES:

NOES:


ABSENT:

ABSTENTIONS:

By _____
Secretary

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM

BOARD CONSENT BOARD ACTION BOARD INFORMATION (no action required)

TOPIC: Resolution 08-03 – Design to Build
SUBMITTED BY: Robert Silverman, Superintendent/President
RECOMMENDED BY: Robert Silverman, Superintendent/President
APPROVED BY: Robert Silverman 

Description/Background:

It is the intent of the Legislature to enable community college districts to utilize safe and cost-effective options for building and modernizing community college facilities. The Legislature has recognized the merits of the design-build procurement process in the past by authorizing its use for projects.

Need:

To provide a cost effective and timely manner project.

Fiscal Impact: None

Recommended Action: Adoption of the resolution authorizing the request for design-build of the Victor Valley College Public Safety Training Center Project.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 08-03

RESOLUTION AUTHORIZING REQUEST FOR DESIGN-BUILD OF THE VICTOR VALLEY COLLEGE PUBLIC SAFETY TRAINING CENTER PROJECT

WHEREAS, Education Code § 81700, et seq., authorizes community college district, including Victor Valley Community College District (the "District"), to use the Design-Build construction method on projects costing in excess of \$2.5 million; and

WHEREAS, the District conducted an evaluation of the traditional Design-Bid-Build delivery method for the Victor Valley College Public Safety Training Center (the "Project"); and

WHEREAS, the Governing Board of the Victor Valley Community College District finds that use of the Design-Build delivery method for the facilities described above for the Project will either (1) reduce comparable costs of the projects, or (2) expedite completion of the projects, or (3) provide features unavailable through the traditional Design-Bid-Build process; and

WHEREAS, the Governing Board approves the Request for Proposal ("RFP") package attached hereto as Exhibit "A" as the minimum performance criteria and design standards for the Project; and

WHEREAS, the RFP identifies the basic scope and needs of the Project, the expected cost range, and other information deemed necessary to inform interested parties of the contracting opportunity; and

WHEREAS, the RFP defines the factors and subfactors that the District reasonably expects to consider in evaluating proposals, including cost or price and all nonprice related factors and subfactors., the methodology and rating or weighting scheme that will be used in evaluating competitive proposals; and

WHEREAS, the District wishes to reserve the right to hold discussions or negotiations with responsive bidders, the RFP defines the applicable rules and procedures to ensure that any discussions or negotiations are conducted in a fair and impartial manner.

NOW, THEREFORE, BE IT RESOLVED, that the Victor Valley Community College District Board of Trustees hereby declares its intention to commence the process calling for Design-Build proposals for the Project as further defined in the RFP attached hereto as Exhibit "A" in accordance with applicable law on terms and conditions which are set forth therein; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board directs the Superintendent/President to select the successful Design-Builder firm to begin negotiations as soon as possible and authorizing additional support services; and

BE IT FURTHER RESOLVED, that Notice is hereby given that all sealed, written proposals for the Project must be delivered to Steve Garcia, Director Facilities/Construction at 18422 Bear Valley Rd, Victorville, CA 92395 on or before December 23, 2008. No sealed proposals will be accepted after 12 p.m.; and

BE IT FURTHER RESOLVED, that the RFP selection shall be under the terms and conditions contained in Exhibit "A" to this Resolution; and

BE IT FURTHER RESOLVED, the Superintendent/President is hereby authorized and directed to publish notice of this Resolution at least once a week for two weeks in a newspaper of regular circulation in the District and to make available the RFP for any interested party.

ADOPTED, SIGNED AND APPROVED this 9th day of December, 2008

VICTOR VALLEY COMMUNITY COLLEGE
DISTRICT BOARD OF TRUSTEES

By _____
Board President

Attest:

Secretary

STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY)

I, _____, do hereby certify that the foregoing Resolution No. _____ was duly adopted by the Board of Trustees of the Victor Valley Community College District at a meeting thereof held on the 9th day of December, 2008 and that it was so adopted by the following vote:

AYES:

NOES:

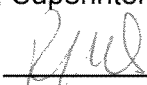
ABSENT:

ABSTENTIONS:

By: _____
Secretary

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** X **BOARD INFORMATION (no action required)** ___

TOPIC: Resolution 08-04 – Bond Oversight Committee
SUBMITTED BY: Robert Silverman, Superintendent/President
RECOMMENDED BY: Robert Silverman, Superintendent/President
APPROVED BY: Robert Silverman 

Description/Background:

The Victor Valley Community College District conducted an election on November 4, 2008 to obtain authorization from the District's voters to issue up to \$297,500,000 aggregate principal amount of the District's general obligation bonds (Measure JJ). The election was conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 *et seq.* of the Education Code of the State (Prop 39).

It is the intent of the Legislature to enable community college districts to utilize safe and cost-effective options for building and modernizing community college facilities. The Legislature has recognized the merits of the design-build procurement process in the past by authorizing its use for projects.

Need:

After a bond authorized under Proposition 39 is passed, state law requires that the Victor Valley Community College District Board of Trustees appoint a Citizen's Oversight Committee to work with the District.

A list of the Bond Oversight Committee members will be available at the December 9, 2008 Board of Trustees meeting.

Fiscal Impact: None

Recommended Action: Adoption of the resolution appointing membership of the Bond Oversight Committee.

Legal Review: YES X NOT APPLICABLE ___

Reference for Agenda: YES X NO ___

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 08-04

RESOLUTION AUTHORIZING CITIZENS OVERSIGHT COMMITTEE FOR BOND MEASURE JJ

WHEREAS, the Victor Valley Community College District (“District”) passed a \$297,500,000 General Obligation Bond election on November 4, 2008 (“Measure JJ”); and

WHEREAS, chaptered within Education Code § 15264, *et seq.*, the Strict Accountability in Local School Construction Bonds Act of 2000 is commonly referred to as “Prop 39.” In order to satisfy the accountability requirements of Prop 39, the Victor Valley Community College District must establish a Citizens’ Oversight Committee (“COC”) (Ed. Code § 15278.); and

WHEREAS, the COC’s primary duty will be to provide oversight and inform the public concerning the District’s expenditure of bond funds. The COC will be charged with oversight responsibility to ensure funds are expended only for the purposes set forth in Bond Measure JJ; and

NOW, THEREFORE, BE IT RESOLVED, the Victor Valley Community College Board of Trustees declares its intent to authorize the Superintendent/President to initiate processes necessary to select and establish a Citizens Oversight Committee as described above for recommendation and approval by action of the Board of Trustees.

ADOPTED, SIGNED, AND REGULARLY PASSED AND APPROVED this 9th day of December, 2008.

VICTOR VALLEY COMMUNITY COLLEGE
DISTRICT BOARD OF TRUSTEES

By _____
Board President

Attest:

Secretary

STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY)

I, _____, do hereby certify that the foregoing Resolution No. _____ was duly adopted by the Board of Trustees of the Victor Valley Community College District at a meeting thereof held on the 9th day of December, 2008 and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By: _____
Secretary

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** X **BOARD INFORMATION (no action required)** ___

TOPIC: Resolution 08-05 – Reimbursement of College Expenses from Bond Revenues

SUBMITTED BY: Robert Silverman, Superintendent/President

RECOMMENDED BY: Robert Silverman, Superintendent/President

APPROVED BY: Robert Silverman 

Description/Background:

The Board and the staff plan to sell the first series of Measure JJ bonds in March. Knowing that such bond sale is in process, the District may elect to advance certain of its own funds toward the start of the Measure JJ projects. The District would advance funds only on the knowledge that it could be reimbursed for amounts expended on such improvements from the subsequent sale of any Bonds. The Internal Revenue Code has certain requirements that need to be satisfied in order for a community college district to reimburse itself for costs incurred for capital projects in advance of the sale of tax-exempt Bonds. In order to qualify for reimbursement of such costs from the proceeds of a Bond issue, the Board must adopt a resolution which satisfies all the requirements of the Internal Revenue Code within 60 days of the date on which the expenditures had been made.

Need:

The District's bond counsel has prepared the attached resolution which complies with applicable requirements of the Internal Revenue Code and would allow the District to reimburse itself for such advanced Project costs from the proceeds of a prospectively sold Measure JJ Bond. The adoption of this resolution does not obligate the District to ever sell the Bonds. Nor does the adoption of this resolution obligate the District to spend any money on a Measure JJ project or any portion of a Bond issue to reimburse the District for these expenditures. The adoption of this resolution preserves the option for the Board to decide at a subsequent date whether or not it would be in the best interests of the District to allocate a portion of any Bond proceeds towards the reimbursement of the monies the District has expended in planning such Measure JJ project.

There is a reference in this resolution to a \$297,500,000 Bond issue. The Internal Revenue Code obligates this resolution to include an estimated size of the borrowing from which the reimbursement will occur. The District is not required to issue this amount. It is included to satisfy a legal requirement and constitutes only a rough estimate of the largest possible size of a Bond issue that the Board could consider. If the Board were to sell a smaller Bond, such decision would not have adversely effect its ability to use a portion of the proceeds of such Bond to reimburse the District for these costs.

Fiscal Impact: None

Recommended Action: Adoption of the resolution authorizing reimbursement of college expenses from bond revenues.

Legal Review: YES X NOT APPLICABLE ___

Reference for Agenda: YES X NO ___

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

REIMBURSEMENT RESOLUTION

RESOLUTION NO. 08-05

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VICTOR VALLEY
COMMUNITY COLLEGE DISTRICT REGARDING REIMBURSEMENT OF ELIGIBLE
COLLEGE EXPENSES FROM BOND PROCEEDS**

WHEREAS the Victor Valley Community College District (the "District") passed a \$297,500,000 general obligation bond election on November 4, 2008 ("Measure JJ"); and

WHEREAS, the Board of Trustees of the District desires to finance the costs of acquiring, constructing, reconstruction and/or equipping of college facilities as provided in Exhibit B to the Resolution of the District adopted on August 5, 2008 (the "Resolution") calling for the Measure JJ election, and incorporated herein (the "Project"); and

WHEREAS, the District intends to finance the acquisition, construction, reconstruction and/or equipping of the Project or portions of the Project with the proceeds of the sale of general obligation bonds or other forms of debt, the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"); and

WHEREAS, prior to the issuance of the Obligations the District desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the District; and

WHEREAS, the Board of Trustees has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the District for the Expenditures from the proceeds of the Obligations; and

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VICTOR VALLEY COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, ORDER, AND DETERMINE AS FOLLOWS:

SECTION 1. The District hereby states its intention and reasonably expects to reimburse Project costs incurred prior to the issuance of the Obligations with proceeds of the Obligations. Exhibit B to the Resolution describes either the general character, type, purpose, and function of the Project, or the fund or account from which Project costs are to be paid and the general functional purpose of the fund or account.

SECTION 2. The reasonably expected maximum principal amount of the Obligations is \$297,000,000.

SECTION 3. This resolution is being adopted not later than 60 days after the payment of the original Expenditures (the "Expenditures Dates or Dates").

SECTION 4. The District will make a reimbursement allocation, which is a written allocation that evidences the District's use of proceeds of the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. If both

the District and a licensed architect or engineer certify that at least 5 years is necessary to complete construction of the Project, the maximum reimbursement period is changed from 3 years to 5 years.

SECTION 5. Each Expenditure will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the District so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the District.

SECTION 6. This resolution is consistent with the budgetary and financial circumstances of the District, as of the date hereof. No moneys from sources other than the Obligations are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the District (or any related party) pursuant to their budget or financial policies with respect to the Project costs. To the best of our knowledge, this Board is not aware of the previous adoption of official intents by the District that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 7. This resolution is adopted as official action of the District in order to comply with Treasury Regulation §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of District expenditures incurred prior to the date of issue of the Obligations.

SECTION 8. The limitations described in Section 3 and Section 4 do not apply to (a) costs of issuance of the Obligations, (b) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the Obligations, or (c) any preliminary expenditures, such as architectural, engineering, surveying, soil testing, and similar costs other than land acquisition, site preparation, and similar costs incident to commencement of construction, not in excess of twenty percent (20% of the aggregate issue price of the Obligations that finances the Project for which the preliminary expenditures were incurred.

SECTION 9. All the recitals in this resolution are true and correct and this Board of Trustees so finds, determines and represents.

ADOPTED, SIGNED AND APPROVED this 9th day of December, 2008

VICTOR VALLEY COMMUNITY COLLEGE
DISTRICT BOARD OF TRUSTEES

By _____
Board President

Attest:

Secretary

STATE OF CALIFORNIA)
)ss
SAN BERNARDINO COUNTY)

I, _____, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, which was duly adopted by the Board of Trustees of the Victor Valley Community College District at meeting thereof held on the 9th day of December, 2008, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

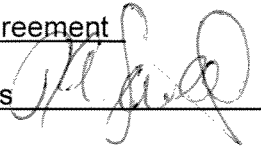
ABSTENTIONS:

By _____
Secretary


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** **X** **BOARD INFORMATION (no action required)** ___

TOPIC: Resolution - Site Ground Lease Agreement

SUBMITTED BY: Robert A. Sewell, Auxiliary Services 

RECOMMENDED BY: Robert M. Silverman

APPROVED BY: Robert Silverman 

Description/Background:

Approval is requested for a resolution authorizing the District to execute the 40 year Site Ground Lease Agreement by and between the District and Victor Valley Union High School District/Excelsior Education Center for school purposes as authorized by the Charter Agreement between Victor Valley Union High School District and Excelsior Education Center and in accordance with California Education Code Sections 81430 to 81432.

Excelsior currently leases 3.64 acres from the District and would like to continue this relationship, using the same amount of District property.

Need:

Excelsior Education Center has a need to upgrade their facilities which can be done with a state grant approved by the State Allocation Board. It is required they have a 40 year lease to guarantee such funding.

Excelsior Education Center and the District have a mutual need for additional parking lots; which pursuant to receiving state grant #50/67934-00-015, Excelsior Education Center has agreed to develop 3.3 acres of joint use parking lot(s).

Fiscal Impact: \$63,423.36 yearly to the district with an annual 3% increase.

Recommended Action: It is recommended that the Board of Trustees adopt this resolution authorizing the District to execute the 40 year Site Ground Lease Agreement by and between the District and Victor Valley Union High School District/Excelsior Education Center for school purposes as authorized by the Charter Agreement between Victor Valley Union High School District and Excelsior Education Center and in accordance with California Education Code Sections 81430 to 81432.

Legal Review: YES **X** NOT APPLICABLE ___

Reference for Agenda: YES **X** NO ___

SITE GROUND LEASE AGREEMENT

This SITE GROUND LEASE AGREEMENT (“Lease”) is entered into between Victor Valley Union High School District/Excelsior Education Center (“Lessee”) and the Victor Valley Community College District, a California community college district (“Lessor”).

The parties hereto agree as follows:

1. Property.

- a. Lessor owns certain real property described in Attachment I commonly known as Victor Valley College (“College Site”). Subject to the following terms and conditions, Lessor leases to Lessee and Lessee leases from Lessor that portion of the College Site, depicted in Attachment 2, and any applicable easements for access to the Property and related utilities (the “Property”).
- b. Lessee agrees to take the Property “as is” and to make any necessary improvements, repairs and/or maintenance, at Lessee’s sole cost, subject to the provisions set forth in this Lease. Prior to taking any action physically alter the Property except those actions authorized herein, Lessee shall obtain the written consent of Lessor.

2. Use.

- a. Subject to the terms of this Lease, Lessee shall have the right to use the Property for school purposes as authorized by the Charter Agreement between Lessee and the Victor Valley Union High School District (“Charter”). Such use includes Lessee’s right to install, construct, and maintain any facilities for school purposes. Lessee shall have the right of access between properties and joint use of parking lots in 3a and 3b.
- b. Lessee shall at all times comply with all applicable laws, codes, rules and regulations, including without limitation any rules and regulations of Lessor or Spring Valley Homeowners Association (“HOA”), relating to (1) installation and construction of Lessee’s Facility’ (2) Lessee’s use of the Property; and (3) the conduct of business on the Property; including without limitation. Public Resources Code Sections 21000 et seq. (the California Environmental Quality Act.); and any land use approval required by any governmental entity.

3. Joint Use of Parking Lots.

- a. Lessor and Lessee will jointly use 3.84 acres of existing parking lots as depicted in Attachment 2. Lessor will be responsible to maintain said parking lots.
- b. Lessee agrees to develop 3.3 acres for joint use parking as depicted in Attachment 2 pursuant to receiving state grant# 50/67934-00-015. Lessee will be responsible to maintain said parking lots.

4. Joint Use of Athletic Areas.

- a. Lessor will allow Lessee the use of their athletic fields and other athletic areas upon availability. Requests for usage will be made 30 days in advance and Lessor retains the right to refuse any requests.
- b. The cost to Lessee will be at the normal and customary rate of the Lessor.

5. Term.

- a. The original term of this Lease (“Original Term”) shall commence on the first day of January, 2009 and terminate on June 30, 2049.
- b. As provided herein, Lessee may extend the Original Term for one additional period of two years (“Renewal Term”). As provided for in Section 4 herein, the Renewal Term shall be on the same terms and conditions as set forth in this Lease. This Lease shall be extended for the Renewal Term for the Annual Report, as set forth in Section 4 herein, if Lessee gives Lessor other written notice of Lessee’s intent to renew at least one hundred eighty (180) days prior to expiration of the Original Term.
- c. If Lessee remains in possession of the Property at the expiration of this Lease, except as otherwise provided herein, this Lease shall continue in force upon the same terms and conditions on a month to month basis until and unless terminated by either party by giving the other party, at least thirty (30) days before the end of such additional period, written notice that no further extensions shall occur under this provision.

6. Rent.

- a. Original Term and Renewal Term. The annual rent for the Property (“Annual Rent”) initially shall be \$63,423.36. The Annual Rent shall increase on July 1 of each year throughout the Original Term and the Renewal Term by three percent (3%) of the current Annual Rent in effect immediately preceding the increase.
- b. Payment of Annual Rent. Annual Rent shall be payable in equal monthly installments, in advance on the first day of each month beginning on the Commencement Date. If the Commencement Date occurs on a day other than the first day of the month, and/or if the Original Term or final Renewal Term ends on a date other than the last day of a month, the monthly installment of Annual Rent shall be prorated for each such partial month. Annual Rent shall be payable to Lessor at its address specified at the end of this Lease, or as Lessor may otherwise direct from time to time, in writing, at least 30 days prior to any rent payment date. Any payment of Annual Rent received ten (10) or more calendar days after the due date shall accrue interest at the rate of percent (10%) per annum from the due date until payment in full is received by Lessor.

7. Improvement: Access.

- a. Lessee shall have the right (but not the obligation) with prior notification, at any time following the full execution of this Lease to enter the College Site for the purpose of making inspections and engineering surveys (and soil tests where applicable) and other tests relative to installing and constructing Lessee's Facility and to prepare for the construction of Lessee's Facility.
- b. Lessee shall do all work necessary to prepare, add, maintain and alter the Property for Lessee's Facility and to install any required utility lines and transmission lines. All of Lessee's construction and installation work shall be performed at Lessee's sole cost and expense by licensed and bondable contractors in a good and workmanlike manner.
- c. In constructing Lessee's Facility, Lessee shall install utilities (including emergency or backup battery or transportable generator power), at Lessee's expense, and improve the present utilities on or near the Property.
- d. Lessee shall obtain any and all approvals which are required by the State of California, any public agency, any utility and the HOA.

8. Taxes, Utilities and Maintenance.

- a. If for any reason Lessee's Facility is assessed for tax purposes as part of College Site, Lessee shall reimburse Lessor any increase in Lessor's real property taxes attributable to the value or cost of Lessee's Facility. Reimbursement shall be due thirty (30) days following Lessee's receipt of a written request and reasonable evidence of the increase.
- b. Lessee shall fully and promptly pay for all utilities furnished to the Property for the use, operation and maintenance of the communications portion of Lessee's Facility. If practicable, Lessee shall install, at Lessee's expense, a separate electric meter and pay for electricity directly. If electricity is provided by Lessor, Lessee shall install a sub-meter for determining the cost for utility service as used by Lessee.
- c. Lessee shall maintain the Property throughout the Term and Renewal Terms in good condition, ordinary wear and tear excepted. Lessee shall not be required to make any repairs to the College Site, except as stated in Section 9 below and except for damage to the College Site caused by Lessee, its employees, agents, contractors, subcontractors, subtenants or invitees.

9. Termination.

- a. This Lease may be terminated by Lessee on thirty (30) days prior written notice to Lessor (or any shorter notice expressly set forth below) if:

- i. Lessee delivers to Lessor such 30-day written notice at any time prior to the Commencement Date, for any reason or no reason; or
 - ii. Lessor commits a default under this Lease (other than under Section 5) and fails to cure such default within the 30-day notice period, provided that if the period to diligently cure takes longer than 30 days and Lessor commences to cure the default within the 30-day notice period, then Lessor shall have such additional time as shall be reasonably necessary to diligently effect a complete cure; or Lessor commits a default under Section 5 or Section 6 and fails to cure such default within five (5) (rather than 30) days after receiving written notice of such default.
- b. This Lease may be terminated by Lessor if:
- i. Lessee commits a default under this Lease and fails to cure such default within ten (10) business days after Lessee receives written notice of the default, where the default is a failure to pay rent when due; or
 - ii. Thirty (30) days after Lessee receives written notice of any other default and fails to cure such default, provided that if the period to cure takes longer than 30 days and Lessee commences to cure the default within the 30-day notice period, then Lessee shall have such additional time as shall be reasonably necessary to diligently effect a complete cure.
- c. Upon termination, neither party shall have any further rights, obligations or liabilities to the other except:
- i. with respect to provisions of this Lease which by their sense and context survive termination; and/or
 - ii. where termination is by reason of breach or default of the other party; and/or
 - iii. with respect to the rights and remedies of the parties relating to the period prior to termination.
 - iv. with respect to the provisions of Section 9 of this Agreement.

10. Destruction or Condemnation.

- a. If the Property or College Site is damaged or destroyed so as, in Lessee's judgement, to hinder Lessee's normal operations, Annual Rent shall abate in full from the date such damage or destruction occurs until Lessee is able to commence normal operations.
- b. If the whole of the Property, or any portion thereof which, in Lessee's judgement, renders the balance of the Property unsuitable for Lessee's normal operations, is taken by any public or quasi-public authority by condemnation, or sold under threat or in

lieu of any such taking, whether separately or as part of College Site, this Lease shall terminate as of the date possession is delivered to the condemning authority. Lessee shall have the right to participate in all condemnation proceedings and/or negotiations regarding the Property and shall have the right to any award specifically designed as compensation for Lessee's interest under this Lease, the cost of removal of Lessee's Facility or any other amounts recoverable under condemnation Law.

11. Title to and Removal of Lessee's Facility.

Title to Lessee's Facility and any equipment placed on the Property by Lessee shall be held solely by Lessee. All of the Lessee's Facility shall remain the personal property of Lessee and shall not be treated as real property or become a part of the College Site even though affixed thereto. On or before the expiration of this Lease, or within thirty (30) days after any earlier termination of this Lease, Lessee shall remove, at its sole expense, any of Lessee's Facility; except that Lessee is not obligated to remove underground installations or below grade support footings or pads unless such removal is required by law. Prior to removal of Lessee's Facility, Lessee shall submit to Lessor, for Lessor's approval, the items proposed to be removed from Lessee's Facility. Lessee shall repair any damage to the College Site caused by removal of Lessee's Facility and restore the Property to good condition, less ordinary wear and tear.

12. Insurance.

During the Term and any Renewal Term, and thereafter until the removals required under Section 9 are complete, and prior to the Commencement Date if Lessee enters the College Site under Section 5(a), Lessee shall maintain, at its expense, commercial general liability insurance, naming Lessor as an additional insured, providing coverage of \$2,000,000 per occurrence for bodily injury and property damage in addition to statutory workers' compensation insurance.

13. Indemnification.

- a. Except for Lessor's negligence or willful misconduct: Lessee shall indemnify, defend, protect and hold harmless Lessor, its affiliates, and each of its directors, officers, partners, shareholders, agents, students, invitees, and employees, from and against any claim, cause of action, demand, injury, damage, liability, loss, cost or expense (including but not limited to reasonable attorney's fees) arising out of or resulting from:
 - i. the use or occupancy of the Property by Lessee or its employees, agents, contractors, subcontractors, students or invitees or the condition or operation of Lessee's Facility; and
 - ii. any mechanics or material man's liens or stop notices filed in connection with any work done on the Property or the College Site and at the request or direction of

Lessor, cause any such mechanic's or material man's liens and any such stop notices to be released by posting an appropriate release bond therefore.

- b. Except for Lessee's negligence or willful misconduct: Lessor shall indemnify, defend, protect and hold harmless Lessee, and its affiliates, and each of their directors, officers, partners, shareholders, agents and employees from and against any claim, cause of action, demand, injury, damage, liability, loss, cost or expense (including but not limited to reasonable attorneys' fees) arising out of or resulting from use and operation of the College Site by Lessor or its employees, agents, contractors, tenants (other than Lessee) or invitees or the condition of the College Site; provided that Lessor, its affiliates and each of their directors, officers, partners, shareholders, agents, students, volunteers and employees shall have no liability for any injury, damage, liability, loss, cost or expense occasioned by theft, fire, act of God, civil disturbance, strike, order of governmental authority interruption of utility service or other cause of beyond their reasonable control.

14. Title: Quiet Enjoyment: Subordination.

- a. Lessor warrants that:
 - i. it owns good and sufficient title to and interest in the Property or the College Site; and
 - ii. there are no liens, encumbrances, covenants, restrictions or judgments affecting the Property or the College Site which impede or adversely affect Lessee's intended use of the Property; and
 - iii. Lessor has full right, power and authority to execute, deliver and perform this Lease; and
 - iv. so long as Lessee is not in material default under this Lease, Lessee shall have undisturbed, quiet and peaceful use and enjoyment of the Property throughout the Term and any Renewal Term. Notwithstanding the foregoing: Lessee acknowledges that Lessee agrees that Lessor or its employees, agents, contractors, tenants (other than Lessee) or invitees shall have no liability for any damage to Lessee's Facility resulting from the intended use of the College Site adjacent to Lessee's Facility.
- b. Lessor shall use its best efforts to obtain from each holder of any underlying lease, mortgage, land contract, deed of trust or other existing lien rights affecting the Property with priority over this Lease, a recordable agreement, in form reasonably acceptable to Lessee, to recognize and not disturb this Lease and Lessee's right to possession, use and enjoyment hereunder so long as Lessee is not in default. At the option of Lessor, this Lease may be subordinated to any future underlying lease, mortgage, deed of trust or lien affecting the Property, and to any renewal, modification or replacement thereof, provided that the holder thereof executes and

delivers a recordable non-disturbance agreement in form reasonably acceptable to Lessee.

15. Environmental.

Lessor represents that to the best of its knowledge the Property and College Site have not been used for the generation, storage, treatment or disposal of Hazardous Materials. In addition, Lessor represents that to the best of its knowledge no Hazardous Materials or underground storage tanks are located on or near the Property of College Site. Notwithstanding any other provision of this Lease, Lessee relies upon the representations stated herein as a material inducement of entering into this Lease. During the Term and Renewal Term, Lessor shall handle, store and dispose of all Hazardous Materials it brings onto College Site in accordance with all federal, state and local laws and regulations and shall impose on any lessee, licensee or other party using any portion of College Site the same obligation. Lessee shall not bring any Hazardous Materials onto the Property except for those contained in its backup power batteries (e.g., lead-acid batteries) and properly stored, reasonable quantities of common materials used in telecommunications operations (e.g., cleaning solvents). Lessee shall handle, store and dispose of all Hazardous Materials it brings onto the Property in accordance with all federal, state and local laws and regulations. "Hazardous Materials" means any substance, chemical, pollutant or waste that is presently identified as hazardous, toxic or dangerous under any applicable federal, state or local law or regulations and specifically includes but is not limited to asbestos and asbestos containing materials, polychlorinated biphenyl's (PCBs) and petroleum or other fuels (including crude oil or any fraction or derivative thereof).

16. Resolution of Disputes.

- a. Except as set forth in subsection (c) below, all controversies arising out of or relating to this lease or any related instruments shall be resolved by submission to final and binding arbitration at the offices of JAMS/Endispute ("JAMS") in the county in which College Site is located. Such arbitration shall be conducted in accordance with the then most recent version of the JAMS Rules of Practice and Procedure for the Arbitration of Commercial Disputes ("JAMS Rules") before a single arbitrator selected according to the JAMS Rules. The final decision of the arbitrator shall be binding on the parties and shall not be subject to appellate review.
- b. The aggrieved party shall initiate arbitration by sending written notice of its intention to arbitrate to the other party to this Lease and to JAMS. Such notice shall contain a description of the dispute, the amount in controversy, and the remedy sought. The parties shall execute any and all documents and statements required by JAMS for the arbitration settlement of the dispute, the amount in controversy, and the remedy sought. The parties shall execute any and all documents and statements required by JAMS for the arbitration settlement of the dispute in accordance with the JAMS Rules. In no event shall any demand for arbitration be made after the date when institution of a legal or equitable proceeding based on such claim would be barred by the applicable statute of limitations.

- c. Lessor and Lessee shall be entitled to obtain immediate equitable relief, such as by temporary restraining order and injunction, in state or federal court to prevent any violation of any of the covenants, conditions or provisions contained in this Lease.
- d. The arbitrator shall have no right or power to award punitive damages, or to award any relief that could not be awarded by a court or other tribunal of competent jurisdiction, but shall have the right and power to award costs and expenses, including but not limited to attorneys' fees, pursuant to Section 17f.
- e. Once a written request for arbitration has been made, each party shall have the right to conduct discovery pursuant to the procedures set forth in the Civil Discovery Act of 1986, as amended, even if an action has not been filed.

17. Miscellaneous.

- a. If any provision of this Lease, the deletion or modification of which would not adversely affect the receipt of any material benefit by either party, is declared by a court of competent jurisdiction (or by an arbitrator) to be invalid or unenforceable, then the remainder of this Lease shall not be affected thereby and shall continue to be valid and enforceable to the fullest extent permitted by law. In lieu of each provision of this Lease that is valid or unenforceable, there shall be added as part of this Lease an enforceable provision as similar in terms to such invalid or unenforceable provision as possible.
- b. This Lease shall be binding on and inure to the benefit of the successors and permitted assignees of the respective parties. Notwithstanding the foregoing: Lessee shall not assign all or any portion in this Lease, whether voluntarily, by operation of law or otherwise, including without limitation, subleasing any portion of the Property without the prior written consent of Lessor which Lessor may withhold for any reason whatsoever in its sole discretion.
- c. Any notice or demand required herein shall be given personally, by certified or registered mail, postage prepaid, return receipt requested, by confirmed fax, or by reliable overnight courier to the address of the respective parties set forth on the signature page. Any notice served personally shall be deemed delivered upon receipt, served by facsimile transmission shall be deemed delivered on the date of receipt or on the date receipt is refused as shown on the records or manifest of the U.S. Postal Service or such courier. Lessor or Lessee may from time to time designate any other address for this purpose by written notice to the other party.
- d. Except for consent or approval in which a party has sole discretion, where the consent or approval of either Lessor or Lessee is required, such consent or approval shall not be unreasonably withheld or delayed.

- e. This Lease shall be governed, construed and interpreted under the laws of the State of California. This Lease shall be construed simply, as a whole and in accordance with its fair meaning and not strictly for or against either party. This Lease shall not be interpreted or construed against the party preparing it.
- f. In the event of any dispute or legal proceeding (including arbitration under Section 14 between the parties arising out of or relating to this Lease or its breach, the prevailing party shall be entitled to recover from the non-prevailing party all fees, costs, and expenses, including but not limited to attorneys' and expert witness fees, incurred in connection with such dispute or legal proceeding, any counterclaims or cross-complaints, any action to confirm, correct or vacate an arbitration award, any appeals and any proceedings to establish and recover such costs and expenses, in such amount as the court or arbitrator determines reasonable. Any party entering a voluntary dismissal of any legal proceeding without the consent of the opposing party in such proceeding shall be deemed the non-prevailing party.
- g. Terms and conditions of this Lease which by their sense and context survive the termination, cancellation or expiration of this Lease will so survive.
- h. Each person executing this Lease for either Lessee or Lessor represents, for himself or herself and for the party for which the person purports to act, that such person is authorized to execute the Lease on behalf of such party, that such person is acting within the scope of such person's authority, and the party has the authority, to enter into this Lease and to be bound by the terms of this Lease.
- i. Time is of the essence of this Lease.
- j. This Lease including all attachments and riders constitutes the entire agreement and understanding between the parties, and supersedes all offers, negotiations and other leases and agreements, written or oral, concerning the subject matter contained herein. There are no representations or understandings of any kind not set forth herein. Any amendments to this Lease shall be effective only if in writing and executed by both parties.

IN WITNESS WHEREOF, the parties have executed this Lease as of _____,
2008.

LESSOR:

LESSEE:

VICTOR VALLEY COMMUNITY
COLLEGE DISTRICT, a community college district

EXCELSIOR EDUCATION CENTER

By: _____
President/Superintendent

By: _____
Director or Designee

Victor Valley College
18422 Bear Valley Road
Victorville, CA 92395

Excelsior Education Center
12217 Spring Valley Parkway
Victorville, CA 92395

VICTOR VALLEY UNION HIGH SCHOOL DISTRICT

By: _____
Asst. Supt. or Designee

Victor Valley Union High School District
16350 Mojave Drive
Victorville, CA. 92395

Attachment 1
DEPICTION OF THE COLLEGE SITE

VVC - Main Campus

APN: 482.022.06

216.04 acres

1962±

portions of
Sec 35/36

TSN R4W

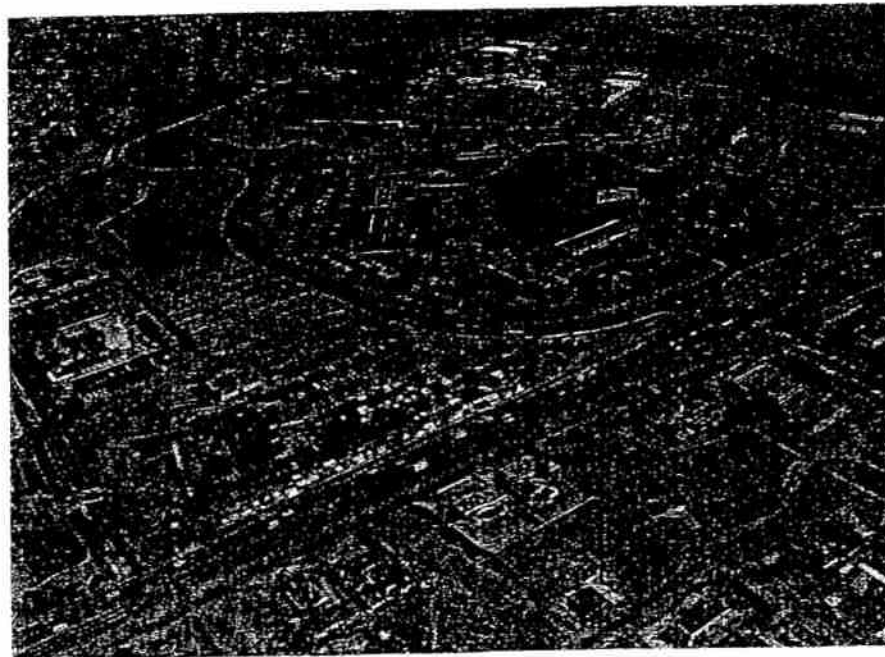
Total = 5 plots
252.65

over



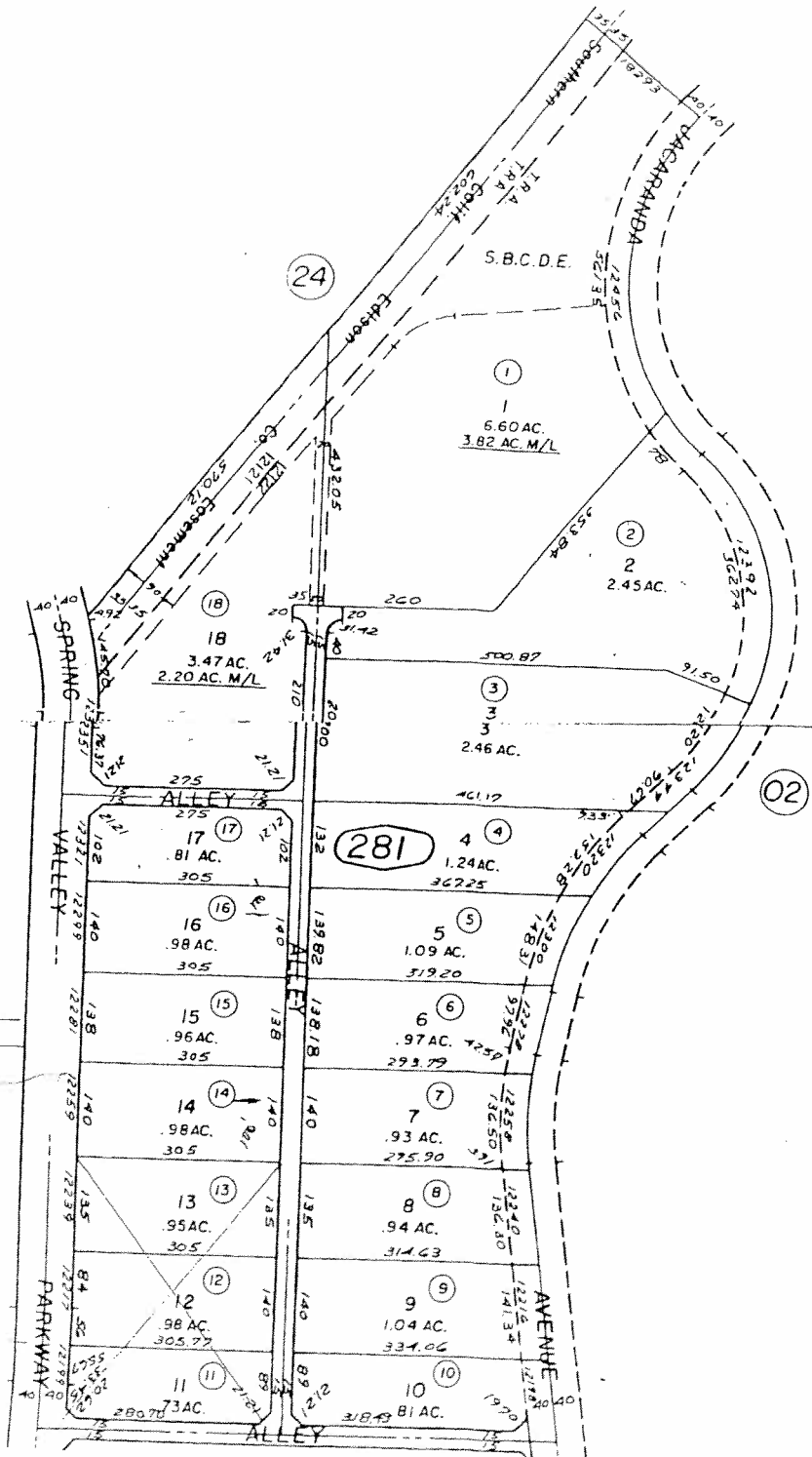
VVC Main Campus

- APN: 482.022.06 = 216 acres, 1962
- APN 482.262.06 = 3.78 acres, 1974
- APN 482.262.07 = 2.87 acres, 1977
- APN 482.262.08 = 1.57 acres, 1974
- APN 482.281.01-18 = 28.39 acres, 1993



744N 26W 1600a
 403.015.01
 1988

Attachment 2
 DEPICTION OF THE PROPERTY



32. 281.01-18
 1993

482.022.0
 216.040
 1962±

City of Victorville
 Tax Rate Area
 12121, 12122

Assessor's Map
 Book 482, Page 28
 San Bernardino County

REVISED
 1/3/72
 4/8/92
 1/31/96

482.262.06 5/74 3.78a
 482.262.07 9/77 2.87a
 482.262.08 5/74 1.57a

482-28

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 08-06

APPROVING A SITE GROUND LEASE AGREEMENT WITH VICTOR VALLEY UNION HIGH SCHOOL DISTRICT/EXCELSIOR EDUCATION CENTER

The Victor Valley Community College District (“District”) Board of Trustees (“Board”) adopts this Resolution, approving a 40 year Site Ground Lease Agreement with Victor Valley Union High School District/Excelsior Education Center, for school purposes as authorized by the Charter Agreement between Victor Valley Union High School District and Excelsior Education Center and in accordance with California Education Code Sections 81430 to 81432.

WHEREAS, California Education Code Sections 81430 to 81432, authorizes the Board to enter into an agreement with another school district any real property belonging to the district for a term not exceeding 99 years; and

WHEREAS, Excelsior Education Center has a need for installing, constructing and maintaining facilities for school purposes as authorized by the Charter Agreement between Victor Valley Union High School District and Excelsior Education Center; and

WHEREAS, Excelsior Education Center has a need for joint use of parking lots and has agreed to develop 3.3 acres for joint use parking pursuant to receiving state grant #50/6793400-015;

WHEREAS, Excelsior Education Center is currently leasing 3.64 acres and has a need of a 40 year site Ground Lease Agreement for the same 3.64 acres ;

THEREFORE, the Board resolves as follows:

The Board finds that it is in the best interest of the Victor Valley Community College District to enter into a Site Ground Lease Agreement with Victor Valley Union High School District/Excelsior Education Center, for school purposes as authorized by the Charter Agreement between Victor Valley Union High School District and Excelsior Education Center and in accordance with California Education Code Sections 81430 to 81432. Therefore, the Board hereby authorizes the District to execute the 40 year Site Ground Lease Agreement for 3.84 acres currently in use by Excelsior Education Center, for annual initial rent of \$63,423.36 with a 3% annual rent increase by and between the District and Victor Valley Union High School District/Excelsior Education Center for school purposes as authorized by the Charter Agreement between Victor Valley Union High School District and Excelsior Education Center in accordance with California Education Code Sections 81430 to 81432.

ADOPTED, SIGNED AND APPROVED this 9th day of December, 2008.

BOARD OF TRUSTEES OF THE VICTOR
VALLEY COMMUNITY COLLEGE DISTRICT

President

ATTEST:

Secretary

STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY)

I, _____, do hereby certify that the foregoing Resolution No. _____ was duly adopted by the Board of Trustees of the Victor Valley Community College District at a meeting thereof held on the 9th day of December, 2008 and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:


By: _____
Secretary


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: CLASSIFIED UPDATED JOB DESCRIPTION, RECLASSIFICATION, LEAD NETWORK MANAGER

SUBMITTED BY: Virginia Moran

RECOMMENDED BY: Fusako Yokotobi 

APPROVED BY: Robert Silverman 

Description/Background:

The Classification and Salary Committee reviewed the updated job description for the position listed below and recommended to the Vice President of Human Resources the following salary placement.

Employee	Position Title	Current Grade Level	Recommended Grade Level
Brian Hatchell	Lead Network Manager (currently Network Manager)	15	16

Need:

Based on the recent changes in the organizational structure, an updated job description containing duties and areas of responsibility is needed.

Fiscal Impact: \$447 per month.

Recommended Action:

It is recommended that the Board of Trustees approve the updated job description and revised salary placement for the positions listed above, effective December 10, 2008.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

CLASS TITLE: LEAD NETWORK MANAGER

FLSA STATUS: NONEXEMPT

BASIC FUNCTION: Function under an area administrator to provide guidance to other technical personnel, as needed on campus. Assist network managers with new technologies and techniques in Information Technologies. Provide technical training to and serve as technical resource to network managers, network technicians and help desk personnel as needed. Provide work direction to Information Technology staff.

DISTINGUISHING CHARACTERISTICS: The Lead Network Manager classification is distinguished from the Network Manager classification by its responsibility for directing of daily operations pursuant to established District priorities, report preparation and dissemination, and coordination of major technology initiatives.

REPRESENTATIVE DUTIES:

Lead information technology staff by assigning work orders to personnel with the proper skill sets. Provide work order, productivity, and other reports to area administrator as requested. *E*

Assist district management with selection of vendors and products pertaining to the district computer network. Research new technologies and make recommendations for implementation. *E*

Serve as project manager for major technology initiatives, coordinating implementation per specification and training appropriate staff on utilization and maintenance of new technologies. *E*

Function as lead technology resource for long-range planning, research, and purchase of equipment for the network environments. *E*

Coordinate the design, installation, maintenance and repair of LAN/WAN/SAN systems for instructional and administrative purposes. *E*

Manage, install, maintain and repair a variety of network operating systems, which may include Netware, Linux and Windows, on a variety of server platforms and SANs. *E*

Design, manage, and maintain all network security resources, including but not limited to firewalls, access lists, VPN concentrator, and Access Control Servers (ACSs). *E*

Manage, install, maintain, and troubleshoot the daily operation and administration of account/licenses and their access, and network printing, servers and printer creations. *E*

Research and stay current with Networking Technologies, especially as applied to the environment at the District. Test new technologies and educate/assist Information Technology Staff with deployment and troubleshooting of new technologies. *E*

Install, configure, maintain and troubleshoot all District web and application servers. *E*

Install and maintain networking transports and topologies; troubleshoot and repair networking components, including but not limited to switches, routers, network interface cards, cabling systems and transceivers. *E*

Manage and monitor all network traffic using a variety of protocol analyzers and intrusion detection systems. Prepare and disseminate regular reports of network traffic, as well as campus-wide notifications as directed by area administrator. *E*

Perform advanced/in-depth technical computer and network troubleshooting and diagnosing; coordinate the repair and maintenance of all instructional and administrative computers and network hardware and related equipment. *E*

Serve as technical resource and support for instructional lab staff; serve as technical resource to the faculty and staff on the hardware and software used by the network; demonstrate and train the faculty and staff with the use of network equipment, related equipment and materials; provide work direction to student and other temporary workers. *E*

Coordinate technology upgrades and implementations with internal and external personnel, department chairs and other users of the technology at the District. *E*

Prepare and maintain a variety of documentation related to LAN/WAN/SAN network activities, file server configurations, and IP addresses, network layout and connectivity maps. *E*

Work closely with vendors and consultants who may be hired by the District to ensure maximum value and efficiency. Assist Management in selecting appropriate vendors. *E*

Perform related duties as assigned.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

- Operation and proper use of a variety of equipment, hardware and software used in the LAN/WAN/SAN system environment.
- Advanced knowledge of a networked computer system, CPU/LAN/WAN diagnostics and repair.
- Installation and configuration of CD-ROM devices and other related hardware.
- System backup methods.
- Networking components such as hubs, routers, network interface cards, SCSI controller cards and other adapter cards, patch panels, transceivers and repeaters.
- Configuration, management and maintenance of Linux systems in a LAN/WAN environment.

Configuration, management and maintenance of firewalls.
TCP/IP in a LAN/WAN multi-platform internet environment.
District's World Wide Web servers in a multi-platform environment.
Operation, adjustment and maintenance of microcomputers and peripheral equipment, including file servers, interface boards and computer drives
Hardware and software configuration and trouble shooting. Requirements of maintaining computers, CPUs tools, equipment in proper operating condition.
Determining system requirements and cost estimates for new network equipment.
Interpersonal skills using tact, patience and courtesy.
Proper methods of inventorying and storing equipment, materials and supplies.
Proper lifting techniques.

ABILITY TO:

Install, operate and properly use a variety of equipment, hardware and software used in the LAN/WAN system environment.
Install, coordinate and maintain a networked computer environment to support instructional and administrative objectives.
Install, troubleshoot, and assist in the maintenance of hardware for the LAN/WAN systems environments.
Operate a variety of technical equipment and tools related to computers and auxiliary equipment (printers and peripheral equipment), file servers, various software applications, and software/hardware diagnostics programs and/or equipment. Install, configure and maintain numerous CD-ROM devices.
Perform proper network directory backups. Install, configure, manage, maintain and repair of all network components.
Configure, manage and maintain Linux systems in a LAN/WAN environment.
Manage and maintain District's firewall.
Work with TCP/IP in a LAN/WAN, multi platform environment.
Manage and maintain the District's Internet servers in a multi-platform environment.
Respond to user requests for assistance and malfunction corrections and provide technical support.
Read, interpret and apply detailed and technical written and oral instructions.
Establish and maintain cooperative and effective working relationships with others including those from diverse academic, socioeconomic, cultural, ethnic and disability backgrounds.
Follow oral and written directions.
Provide technical assistance and training to computer systems users.
Work independently with little direction.
Communicate effectively both orally and in writing.

EDUCATION AND EXPERIENCE: Any combination equivalent to: Bachelor's degree in computer information science or related field or any related certification (Novell CNA, RHCE, MCTS, MCA, CCSP, PMP, CCIE, CCNP, MCSE, SSCP, LPIC-2); and five (5) years related experience.

WORKING ENVIRONMENT AND PHYSICAL DEMANDS:

Disclosure:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Normal Office Environment:


While performing the duties of this job the employee is regularly required to walk, stand, and sit for extended periods of time; speak and hear to communicate with internal and external personnel; use hands and digits to type or handle materials; bend at the waist, kneel or crouch to work on computer equipment; and view a computer monitor for extended periods of time. The employee is occasionally required to lift 25 pounds, carry, push and pull equipment. While performing the duties of this job, the noise level in the work environment is usually quiet.


**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: CLASSIFIED UPDATED JOB DESCRIPTION, RECLASSIFICATION, LEAD, APPLICATIONS SERVICE DESK

SUBMITTED BY: Virginia Moran

RECOMMENDED BY: Fusako Yokotobi 

APPROVED BY: Robert Silverman 

Description/Background:

The Classification and Salary Committee reviewed the updated job description for the position listed below and recommended to the Vice President of Human Resources the following salary placement.

Employee	Position Title	Current Grade Level	Recommended Grade Level
J Kevin Crowley	Lead, Applications Service Desk (currently Course Management Administrator)	13	14

Need:

Based on the recent changes in the organizational structure, an updated job description containing duties and areas of responsibility is needed.

Fiscal Impact: \$506 per month.

Recommended Action:

It is recommended that the Board of Trustees approve the updated job description and revised salary placement for the position listed above, effective December 10, 2008.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT

CLASS TITLE: LEAD, APPLICATIONS SERVICE DESK

FLSA STATUS: NONEXEMPT

BASIC FUNCTION:

Under general supervision of an area administrator, design, install, maintain, manage, operate, and repair the MIS applications, including software systems, implementing security, and data warehousing; monitor database system operations and apply fixes and patches to address database system problems as required; and in coordination with technical personnel, coordinate, develop, operate and maintain appropriate web services; provide support for faculty, staff and students for instructional and/or administrative uses of web services; train faculty and staff in information posting technique, for the District's instructional and administrative purposes. This includes providing technical training to and serving as a technical resource for District staff and Faculty; work closely with users to provide highly complex technical expertise; provide work direction to staff as assigned. Provide work direction to service desk and support technicians. Coordinate service desk workflow and perform other related work, as assigned.

REPRESENTATIVE DUTIES:

Act as lead technician for District's student information systems, including but not limited to design, develop, operate, install, configure, manage, and maintain the District's Learning Management Systems (LMS) Blackboard, WebAdvisor, EPOS, Groupwise and other database systems; provide learning support, technical support, web applications, using the District's standard tools, methods, in consultation with technical personnel and other appropriate parties; on an ASP platform for instructional and administrative purposes. *E*

Support end users with both hardware and software support. Oversee support for programs like WebAdvisor, EPOS, Group Wise, Blackboard, Web CT, Safari, Moodle, Sakai, Student Email, desktop applications and hardware. *E*

Develop complex technical solutions that include the design, development, testing, and ongoing support of programs to serve a wide variety of customers including, students, faculty, staff, and management. *E*

Coordinate projects by organizing resources and monitoring progress to completion. *E*

Analyze and correct problems with programs written by vendors or other programmers; contacts vendors for support as needed; monitors patches. *E*

Maintain accuracy and integrity of data for meeting mandated reporting requirements, including but not limited to State Chancellor's Office; document applicable procedures and collaborate with others to ensure any problems are diagnosed and corrected. *E*

Research and evaluate information and procedures; perform feasibility studies and determine cost of applications. *E*

Design, modify, debug and document new or existing systems used by District users; define input/output data relationships and operations. *E*

Provide work direction and support in the development of computer operation procedures for new or revised computer applications, and assure proper implementation. *E*

Make recommendations to area administrator for assigning work to staff. *E*

Participate in planning for implementation of new and existing systems, including developing specifications for new programs, training staff, and guiding the development of such programs. *E*

Perform advanced/in-depth application troubleshooting and diagnostics as required; coordinate the repair and maintenance of all instructional and administrative applications and services. *E*

Coordinate the installation of upgrades to existing software and integrating new software when appropriate into the District's Applications. *E*

Coordinate technology upgrades and implementations with area administrators, department chairs and other technical personnel. *E*

Assist the area administrator with the long-range planning, research and purchase of related equipment and software. *E*

Work with department chairs and other faculty and staff to develop, maintain and update course management tools and to understand needs for the development of instructional tools that are developed. *E*

Provide technical assistance services for staff, faculty and students. *E*

Implement and maintain administrative software system, associated programs and procedures. *E*

Develop and maintain system specific documentation; including system management procedures. *E*

Implement the security of a client/server distributed environment; develop procedures for deploying user privileges and encryption keys, including role and class security, as required. *E*

Perform data extractions and prepare reports as required. *E*

Recommend improvements to District Applications as needed. *E*

Analyze and recommend hardware and software to meet requirements for new or modified applications. *E*

Conduct operational efficiency studies on hardware and software. *E*

Design, install, manage, maintain and repair course management systems for instructional and administrative purposes. *E*

Coordinate technology upgrades and implementations with area administrators, department chairs and other technical personnel. *E*

Coordinate with end-users' analysis, specifications, testing, training, and documentation associated with system enhancements and new system development efforts. *E*

Remain current on vendor changes affecting administrative information system and State Chancellor's Office regulations regarding data collection and reporting. *E*

Maintain security and confidentiality of data and application system. *E*

Evaluate, recommend, and install hardware, web servers and related software; maintain, operate and secure the LMS servers. *E*

Develop and/or write programs to deliver instructional, student support and administrative services, including but not limited to assisting with the implementation of online student learning and student support services applications. *E*

Develop database oriented information delivery mechanisms to support posting material on the web; develop style guidelines for graphics and logos, color schemes and backgrounds; develop templates for use by faculty, that can easily import their desired course content without compromising their content area expertise; assure that all accessibility standards for the disabled are met. *E*

Provide interfaces between web services and other computer-based information services. *E*

Maintain system Software and interface configurations associated with District applications and update system security and client access as required. *E*

Serve as technical resource and support for instructional lab staff, faculty and students on the software used by the District; demonstrate and train the faculty, staff, and students with their use and materials; provide work direction to service desk staff and other temporary workers. *E*

Operate a variety of computer and office equipment, including but not limited to microcomputers, peripherals, printers, communications equipment, and scanners. *E*

Prepare and present reports as necessary. Perform data extractions and prepare reports as required. Develop and maintain system specific documentation; including system management

procedures. Prepare and maintain a variety of other documentation related District Applications.
E

Stay abreast of advances in technology and keep current on relevant technology changes. *E*

Perform related duties as assigned.

EDUCATIONAL/EXPERIENCE:

Any combination equivalent to: bachelor's degree from an accredited institution in computer science or engineering, computer information systems, or equivalent and four (4) years progressively responsible experience in information technology support or systems administration. Customer Relational skills preferred.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

Support of structured skills, including program testing and troubles shooting techniques.
Analysis of business processes, as they relate to the use of software and hardware. Principles and practices of training.

Microsoft Office products, including Microsoft Office Suite and Windows operating systems.
Apple operating systems.

Internet browsers such as Internet Explorer, Mozilla, Firefox and Safari.

Provide technical direction and assistance to users for both hardware and software.

Guide a software implementation, including the design of the system and providing leadership and guidance to Students, Faculty and Staff.

Study, identify, and resolve complex operational problems.

Adapt to changing technologies and learn functionality of new equipment and systems.

Communicate clearly and concisely, both orally and in writing. Establish and maintain effective working relationships with students, faculty, staff, external agencies and the general public, including those from diverse academic, socioeconomic cultural, ethnic and disability backgrounds.

Serve effectively and in a collegial manner on various teams or committees.

Demonstrate the development and support of multiple projects that involve systems analysis, design, implementation, testing, documentation, and training.

Course Management Systems

Service desk support systems and software.

Software/environments including Blackboard, WebCT, and Moodle.

Sharable Content Object Reference Model (SCORM) a collection of standards and specifications for web-based e-learning. It defines communications between client side content and a host system called the run-time environment (commonly a function of a learning management system). SCORM also defines how content may be packaged into a transferable ZIP file.

Product technical trouble shooting for both software and hardware.

Internet Browsers including Microsoft Internet Explorer, Mozilla Firefox, Opera, and Safari.

Advanced knowledge of a networked computer system, PC/LAN/WAN/SAN.

Advanced knowledge of networked computer operating systems including, but not limited, to UNIX/LINUX, Windows, and Novell.
Operation and proper use of a variety of equipment, hardware and software and Web servers in a multi-platform environment.
Web server administration including Apache, Sendmail/Postfix.
UNIX shell scripts.
Determining system requirements and cost estimates for software and equipment.
System backup methods.
System requirements analysis and documentation.
Current knowledge of technological advances in the field.
Automated work flow models.
Data processing, report production and technical documentation.
Database implementation and technical support.
Database problem identification and problem solving.
Oracle RDBMS and Structured Query Language (SQL), as well as other database systems including Relational Database Management Systems (RDBMS).
Indexing and search methodologies, compression and encryption standards.
Relational database design, development and administration methods.
Proper methods of inventorying and storing equipment, materials and supplies.
District organization, operations, policies and procedures.
District's standard tools, methods and processes.
Proper lifting techniques.
Interpersonal skills using tact, patience and courtesy.

ABILITY TO:

Administer and document relational database operations and data processing systems, identify and isolate database system problems, and implement solutions.
Provide assistance in troubleshooting issues with all customers. Communicate clearly and concisely, both orally and in writing.
Configure, manage and maintain UNIX systems in a LAN/WAN environment.
Design, develop, operate and maintain the District's internet and intranet web sites. Develop and/or write programs to deliver instructional, student support and administrative services.
Develop database oriented information delivery mechanisms to support posting material on the web.
Develop style guidelines for graphics and logos, color schemes and backgrounds. Develop templates for use by faculty.
Establish and maintain cooperative and effective working relationships with others, including those from diverse academic, socioeconomic, cultural, ethnic and disability backgrounds.
Establish and maintain cooperative working relationships with professional contacts.
Establish, maintain and document internal database administration procedures in compliance with organization directives.
Evaluate, recommend, and install hardware, web server and related software.
Follow oral and written directions.
Handle multiple assignments simultaneously and set priorities based on internal customer needs.

Install, coordinate and maintain a networked computer environment to support instructional and administrative objectives.

Install, operate and properly use a variety of equipment, hardware and software used in the LAN/WAN/SAN system environment.

Maintain current knowledge of technological advances in the field.

Maintain documentation and records.

Meet schedules and timelines.

Operate a variety of technical equipment and tools related to computers and auxiliary equipment (printers and peripheral equipment), file servers, various software applications, and software/hardware diagnostics programs and/or equipment.

Perform proper network directory backups.

Plan and organize work.

Prepare and present reports as necessary.

Provide technical assistance and training to computer systems users and service desk staff.

Read, interpret and apply detailed and technical written and oral instructions.

Respond to user requests for assistance and malfunction corrections and provide technical support.

Troubleshoot problems with the District's Applications.

Work effectively as a team member.

Work independently with little direction.

WORKING ENVIRONMENT AND PHYSICAL DEMANDS:

Disclosure:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job the employee is regularly required to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination, including

use of a computer keyboard and to verbally communicate to exchange information; to see in the normal visual range with or without correction, sufficient to read computer screens and printed documents; to hear in the normal audio range with or without correction. Availability during weekends, evening and non-operational hours for maintenance, troubleshooting and repairs may be necessary.

DISTINGUISHING CHARACTERISTICS:

The District Applications Service Desk Lead classification is distinguished by its responsibility to provide workflow supervision to all Service Desk Staff; and it's responsibility to train Service Desk staff on all appropriate District Applications, including upgrades.

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM

BOARD CONSENT ___ BOARD ACTION X BOARD INFORMATION (no action required) ___

TOPIC: MANAGEMENT APPOINTMENT, EXECUTIVE DEAN OF TECHNOLOGY AND INFORMATION RESOURCES
SUBMITTED BY: Fusako Yokotobi [Signature]
RECOMMENDED BY: Fusako Yokotobi [Signature]
APPROVED BY: Robert Silverman [Signature]

Description/Background:

Recruitment for the position of Executive Dean of Technology and Information Resources has been completed, and it is recommended that Frank Smith be given a contract, beginning on or after December 10, 2008.

Fiscal Impact: Range 20 on the Management Salary Schedule, \$11,272/month plus benefits

Recommended Action: It is recommended that the Board of Trustees approve the appointment as listed. **Legal Review:** YES ___ NOT APPLICABLE X

Reference for Agenda: YES ___ NO X

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT **BOARD ACTION** **BOARD INFORMATION (no action required)**

TOPIC: MONTHLY FINANCIAL REPORTS

SUBMITTED BY: Mary Pringle, Fiscal Services

RECOMMENDED BY: Mary Pringle *Mary Pringle*

APPROVED BY: Robert Silverman *RS*

Description/Background:

Financial reports are being presented for the period ending October 31, 2008, for the General Fund (01), Debt Service Payment Fund (29), Capital Outlay Projects Fund (71), Child Development Center Fund (72), Student Center Fee Fund (73), Insurance Trust Fund (75), Health Trust Fund (78), ASB, Auxiliary Services, Bookstore, and Federal Grant Funds.

A copy of the original monthly financial reports is available in the Superintendent/President's office.

Need: N/A

Fiscal Impact: None

Recommended Action:

This is an information only item.

Legal Review: YES NOT APPLICABLE

Reference for Agenda: YES NO

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
GENERAL FUND - FUND 01
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 3,918,094			
Revenues				
Federal	\$ 4,908,868	\$ 209,417	\$ 4,699,451	95.73%
State	\$ 41,322,464	\$ 18,789,915	\$ 22,532,549	54.53%
Local	\$ 17,102,628	\$ 2,930,419	\$ 14,172,209	82.87%
Transfers In	\$ 5,000,000	\$ 2,000,000	\$ 3,000,000	0.00%
Total Revenues	<u>\$ 68,333,960</u>	<u>\$ 23,929,751</u>	<u>\$ 44,404,209</u>	64.98%
Expenditures				
Academic Salaries	\$ 26,087,943	\$ 5,017,398	\$ 21,070,545	80.77%
Classified Salaries	\$ 15,000,904	\$ 4,526,705	\$ 10,474,199	69.82%
Benefits	\$ 10,453,038	\$ 2,406,803	\$ 8,046,235	76.98%
Supplies	\$ 1,916,879	\$ 450,449	\$ 1,466,430	76.50%
Operating Expenses	\$ 9,702,589	\$ 2,821,215	\$ 6,881,374	70.92%
Capital Outlay	\$ 1,413,375	\$ 230,676	\$ 1,182,699	83.68%
Transfers, Grants, Contingency	\$ 1,466,675	\$ 200,148	\$ 1,266,527	86.35%
Debt Service Retirement/Interest	\$ 3,050,000	\$ 160,029	\$ 2,889,971	
Total Expenditures	<u>\$ 69,091,403</u>	<u>\$ 15,813,423</u>	<u>\$ 53,277,980</u>	77.11%
Excess Revenues/(Expenditures)	\$ (757,443)	\$ 8,116,328		
Month Ending Fund Balance 10/31/08		\$ 12,034,422		
Projected Ending Fund Balance	\$ 3,160,651			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
DEBT SERVICE PAYMENT - FUND 29
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 32,252,405			
<u>Revenues</u>				
Local Revenues	\$ 1,017,040	\$ 2,958	\$ 1,014,082	99.71%
Transfers In		\$ -	\$ -	
<u>Total Revenues</u>	<u>\$ 1,017,040</u>	<u>\$ 2,958</u>	<u>\$ 1,014,082</u>	99.71%
<u>Expenditures</u>				
Debt Service Payments	\$ 9,200,000	\$ -	\$ 9,200,000	100.00%
<u>Total Expenditures</u>	<u>\$ 9,200,000</u>	<u>\$ -</u>	<u>\$ 9,200,000</u>	
 Net Change in Fund Balance	 \$ (8,182,960)	 \$ 2,958		
Month Ending Fund Balance 10/31/08		\$ 32,255,363		
Projected Ending Fund Balance	\$ 24,069,445			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
CAPITAL OUTLAY PROJECTS - FUND 71
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 1,705,078			
<u>Revenues</u>				
State	\$ 8,926,718	\$ 1,010,676	\$ 7,916,042	88.68%
Interest Income	\$ 25,000	\$ 45,307	\$ (20,307)	-81.23%
Redevelopment	\$ 696,150	\$ 1,655,249	\$ (959,099)	-137.77%
Miscellaneous Income	\$ -	\$ -	\$ -	
Transfers In	\$ 4,700,000	\$ 1,500,000	\$ 3,200,000	68.09%
<u>Total Revenues</u>	\$ 14,347,868	\$ 4,211,232	\$ 10,136,636	70.65%
<u>Expenditures</u>				
Supplies	\$ -	\$ 2,885	\$ (2,885)	#DIV/0!
Contracts	\$ 50,000	\$ 6,357	\$ 43,643	87.29%
Sites	\$ -	\$ -	\$ -	
Buildings-New & Remodel	\$ 14,241,368	\$ 2,256,242	\$ 11,985,126	84.16%
Equipment	\$ 56,500	\$ -	\$ 56,500	100.00%
Transfers/Grants/Contingency	\$ -	\$ -	\$ -	#DIV/0!
<u>Total Expenditures</u>	\$ 14,347,868	\$ 2,262,599	\$ 12,085,269	
 Net Change in Fund Balance	 \$ -	 \$ 1,948,633		
Month Ending Fund Balance 10/31/08		\$ 3,653,711		
 Projected Ending Funding Balance	 \$ 1,705,078			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
CHILD DEVELOPMENT CENTER - FUND 72
As of 10/31/08

	Annual Budget	YTD Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 583,555			
<u>Revenues</u>				
Federal	\$ -	\$ -	\$ -	
State	\$ 241,262	\$ 83,275	\$ 157,987	65.48%
Local	\$ -	\$ 92,342	\$ (92,342)	
Transfers In	\$ -	\$ -	\$ -	
<u>Total Revenues</u>	\$ 241,262	\$ 175,617	\$ 65,645	27.21%
<u>Expenditures</u>				
Academic Salaries	\$ 224,849	\$ 46,517	\$ 178,332	79.31%
Classified Salaries	\$ 95,301	\$ 31,208	\$ 64,093	67.25%
Benefits	\$ 105,537	\$ 25,306	\$ 80,231	76.02%
Instructional Supplies	\$ 71,340	\$ 2,339	\$ 69,001	96.72%
Operating Expenses	\$ 4,400	\$ 324	\$ 4,076	
Equipment	\$ -	\$ -	\$ -	
Reserve/Contingencies	\$ -	\$ -	\$ -	0.00%
<u>Total Expenditures</u>	\$ 501,427	\$ 105,694	\$ 395,733	78.92%
 Net Change in Fund Balance	 \$ (260,165)	 \$ 69,923		
 Month Ending Fund Balance 10/31/08		 \$ 653,478		

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
STUDENT CENTER FEE - FUND 73
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 8,170			
<u>Revenues</u>	\$ 93,000	\$ 35,078	\$ 57,922	62.28%
<u>Expenditures</u>				
Transfers Out	\$ 93,000	\$ -	\$ 93,000	100.00%
Net Change in Fund Balance	\$ -	\$ 35,078		
Month Ending Fund Balance 10/31/08		\$ 43,248		

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
HEALTH TRUST FUND - FUND 75
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 62,819			
<u>Revenues</u>				
Interest Income	\$ 200	\$ 959	\$ (759)	-379.50%
Transfers In	\$ 15,800	\$ -	\$ 15,800	0.00%
<u>Total Revenues</u>	<u>\$ 16,000</u>	<u>\$ 959</u>	<u>\$ 15,041</u>	94.01%
<u>Expenditures</u>				
Reserve For Contingencies	\$ 16,000	\$ -	\$ 16,000	100.00%
<u>Total Expenditures</u>	<u>\$ 16,000</u>	<u>\$ -</u>	<u>\$ 16,000</u>	
 Net Change in Fund Balance	 \$ -	 \$ 959		
Month Ending Fund Balance 10/31/08		\$ 63,778		
 Projected Ending Fund Balance	 \$ 62,819			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
SELF INSURANCE TRUST - FUND 78
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 146,872			
<u>Revenues</u>				
Interest Income	\$ 12,900	\$ 3,024	\$ 9,876	76.56%
Miscellaneous Income	\$ -	\$ -	\$ -	
Transfers In	\$ 41,100		\$ 41,100	
<u>Total Revenues</u>	\$ 54,000	\$ 3,024	\$ 50,976	86.30%
<u>Expenditures</u>				
Supplies	\$ 4,000	\$ -	\$ 4,000	100.00%
Contracted Services	\$ 50,000	\$ 6,848	\$ 43,152	86.30%
New Equipment	\$ -	\$ -	\$ -	0.00%
Reserve for Contingencies	\$ -	\$ -	\$ -	
<u>Total Expenditures</u>	\$ 54,000	\$ 6,848	\$ 47,152	87.32%
Net Change in Fund Balance	\$ -	\$ (3,824)		
Month Ending Fund Balance 10/31/08		\$ 143,048		
Projected Ending Fund Balance	\$ 146,872			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
ASB FUND
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 139,336			
<u>Revenues</u>	\$160,000	\$63,579	\$96,421	60.26%
Estimated amount "Due From" District		\$12,274		
<u>Total Revenues</u>		<u>\$75,853</u>		
<u>Expenditures</u>	\$160,000	\$51,533	\$108,467	67.79%
<u>Total Expenditures</u>		\$0	\$24,320	
Revenues/(Expenditures)	\$ -	\$ 24,320		
Month Ending Fund Balance 10/31/08		\$ 163,656		
Projected Ending Fund Balance	\$ 139,336			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
AUXILIARY SERVICES
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 239,896			
<u>Revenues</u>	\$ 443,000	\$ 159,227	\$ 248,414	56.08%
Estimated "Due From" District		<u>\$ 35,359</u>		
<u>Total Revenues</u>		\$ 194,586		
<u>Expenditures</u>				
Estimated Labor to be invoiced "Due To" District	\$ 443,000	\$ 72,883	\$ 314,117	70.91%
<u>Total Expenditures</u>		<u>\$ 56,000</u>		
		\$ 128,883		
Revenues/(Expenditures)	\$ -	\$ 65,703		
Month Ending Fund Balance 10/31/08		\$ 305,599		
Projected Ending Fund Balance	\$ 239,896			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
RAMS BOOKSTORE
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 1,947,271			*
<u>Revenues</u>	\$ 4,683,000	\$ 1,898,609	\$ 2,784,391	59.46%
Less: Cost of Goods Sold	\$ 3,550,000	\$ 2,055,625	\$ 1,494,375	
Gross Margin from Local Revenues	\$ 1,133,000	\$ (157,016)	\$ 1,290,016	
Total Other Income		\$ 5,879		
<u>Total Revenues</u>	\$ 1,133,000	\$ (151,137)		
<u>Expenditures</u>	\$ 1,442,500	\$ 281,080		
Estimated labor to be invoiced		\$ -		
<u>Total Expenditures</u>	\$ 1,442,500	\$ 281,080	\$ 1,161,420	80.51%
Revenues/(Expenditures)	-\$309,500	\$ (432,217)		
Month Ending Fund Balance 10/31/08		\$ 1,515,054		
Projected Ending Fund Balance	\$ 1,637,771			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
2008-2009 Financial Statements
FEDERAL/STATE GRANT FUNDS
As of 10/31/08

	Budget	Actual	Budget Remaining	Percentage Remaining
Beginning Fund Balance 7/1/08	\$ 65,911			
<u>Revenues</u>				
PELL	\$ 10,035,212	\$ 5,236,602	\$ 4,798,610	0.00%
SEOG	310,138	123,400	186,738	7.40%
Direct Loan	423,417	2,616,885	-2,193,468	0.00%
Cal Grant	742,062	455,497	286,565	0.00%
CARE	103,595	80,000	23,595	0.00%
TRIO	30,000	30,000	0	87.21%
EOPS	8,800	0	8,800	0.00%
ACG	0	14,275	-14,275	
<u>Total Revenues</u>	\$ 11,653,224	\$ 8,556,659	\$ 3,096,565	0.20%
<u>Expenditures</u>				
PELL	\$ 10,035,212	\$ 5,238,812	\$ 4,796,400	0.00%
SEOG	310,138	122,600	187,538	8.11%
Direct Loan	423,417	2,614,047	-2,190,630	0.00%
Cal Grant	742,062	431,557	310,505	1.02%
CARE	103,595	50,500	53,095	21.76%
TRIO	30,000	0	30,000	100.00%
EOPS	8,800	14,275	-5,475	100.00%
ACG	0	0	0	
Bank Charges	0	0	0	
Origination Fee	0	0	0	
<u>Total Expenditures</u>	\$ 11,653,224	\$ 8,471,791	\$ 3,181,433	0.81%
 Net Change in Fund Balance	 \$ -	 \$ 84,868		
Month Ending Fund Balance 10/31/08		\$ 150,779		
 Projected Ending Fund Balance	 \$ 65,911			

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM

BOARD CONSENT ___ BOARD ACTION ___ BOARD INFORMATION (no action required) X

TOPIC: DISTINGUISHED SERVICE

SUBMITTED BY: Rocio Chavez *Rocio Chavez*

RECOMMENDED BY: Fusako Yokotobi *Fusako Yokotobi*

APPROVED BY: Robert Silverman *RS*

Description/Background:

Recognition of Distinguished Service has been requested and approved for the following classified retirees. The appropriate departments have been notified to take whatever actions are necessary to provide the benefits of distinguished service status.

Robert H. Richey Jr.

Need: The individual listed above has met the requirements to receive Recognition of Distinguished Service.

Fiscal Impact: None.

Recommended Action: Recognition of Distinguished Service is presented as an informational item; no board action is necessary.

Legal Review: YES ___ NOT APPLICABLE X

Reference for Agenda: YES ___ NO X

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** ___ **BOARD INFORMATION (no action required)** X

TOPIC: Student Services Plans

SUBMITTED BY: Victoria Hindes, Student Services

RECOMMENDED BY: Christopher O'Hearn



APPROVED BY: Robert Silverman



Description/Background:

The district has completed its Matriculation Plan, Student Equity Plan, and the Student Services Categorical Programs Self Study as required by the California Community Colleges System Office.

Copies of these documents are available at the President's Office for your review.

Need:

In spring 2009, the District will undergo a statewide Student Services Categorical Programs technical site visit. Student Services is required to complete the Student Services Categorical Programs Self Study, the Matriculation Plan, and the Student Equity Plan.

Fiscal Impact: None

Recommended Action:

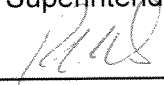
Submitted as an informational Item

Legal Review: YES ___ NOT APPLICABLE X

Reference for Agenda: YES ___ NO X

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT- BOARD OF TRUSTEES
AGENDA ITEM**

BOARD CONSENT ___ **BOARD ACTION** ___ **BOARD INFORMATION (no action required)** **X**

TOPIC: RFP – Design to Build
SUBMITTED BY: Robert Silverman, Superintendent/President
RECOMMENDED BY: Robert Silverman, Superintendent/President
APPROVED BY: Robert Silverman  _____

Description/Background:

The district is inviting Design-Build proposals from qualified firms to perform the planning, design, construction, and warranty maintenance for the Public Safety Eastside Center. Additionally, the District is looking for additional planning and mobilization support services associated with the program.

When completed, the district will develop and provide an educational complex known as the Fire, Paramedic, Police, & Public Safety Training Center. The Public Safety Training Center (Eastside Center) would be a main hub of Public Safety Programs that would provide students, employers and the community with training and educational programs that meet both current and future needs of public safety in this region. The build square footage is 32,500.

Need:

The objective of this solicitation is to select a firm that provides the best value to Victor Valley CCD based on a competition of the criteria set forth in the RFP. Proposals will be evaluated using only the criteria set forth in the RFP. The design-build of the Public Safety Eastside Center will be contracted as a lump sump price while the added services will be on an hourly basis. At the district’s discretion, it may use the results of this selection process to award additional projects.

Fiscal Impact: None

Recommended Action: Submitted as an information item.

Legal Review: YES **X** NOT APPLICABLE ___

Reference for Agenda: YES **X** NO ___

REQUEST FOR PROPOSALS
FOR
DESIGN-BUILD SERVICES
Prop JJ
VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
PUBLIC SAFETY EASTSIDE CENTER AND OTHER VARIOUS PROJECTS

VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
18422 Bear Valley Road, Victorville, CA 92395
Robert M. Silverman
Superintendent/President

**REQUEST FOR PROPOSALS
FOR
DESIGN-BUILD SERVICES**

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT'S
PUBLIC SAFETY EASTSIDE CENTER AND OTHER VARIOUS PROJECTS**

TABLE OF CONTENTS

1. Introduction and Overview
2. Scope of Services
3. RFP General Conditions
4. Format of Proposal
5. Evaluation Criteria

**REQUEST FOR PROPOSALS
FOR
DESIGN-BUILD SERVICES**

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
PUBLIC SAFETY EASTSIDE CENTER AND OTHER VARIOUS PROJECTS**

1. **INTRODUCTION AND OVERVIEW**

**THIS IS A QUALIFICATIONS BASED BEST VALUE SELECTION.
THIS IS NOT A LOW BID SOLICITATION.**

1.1 General:

The VICTOR VALLEY COMMUNITY COLLEGE DISTRICT is inviting Design-Build proposals from qualified firms to perform the planning, design, construction, and warranty maintenance for the Public Safety Training Center. Additionally, the District is looking for additional planning and mobilization support services associated with the program.

When completed, the VICTOR VALLEY COMMUNITY COLLEGE DISTRICT will develop and provide an educational complex known as the Fire, Paramedic, Police, & Public Safety Training Center. The Public Safety Training Center (Eastside Center) would be a main hub of Public Safety Programs that would provide students, employers and the community with training and educational programs that meet both current and future needs of public safety in this region. The build square footage is 32,500.

Programs offered in this location include Fire Technology, EMT, Paramedic, and Administration of Justice; utilizing training props like burn towers, flash over trailers, auto extrications and rail car (Hazardous Material Training). The goal of this educational center would be to become a certified regional training center for Fire, EMT and Post certification for law enforcement.

The objective of this solicitation is to select a firm that provides the best value to Victor Valley CCD based on a competition of the criteria set forth in the RFP. Proposals will be evaluated using only the criteria set forth in the RFP. The design-build of the Public Safety will be contracted as a lump sum price while the added services will be on an hourly basis. At the District's discretion, it may use the results of this selection process to

award additional projects.

1.2 Project Description:

Proposals must be for a complete Design-Build project and must include planning, design, engineering, construction, procurement and installation of equipment, obtaining all required permits and warranty maintenance costs. The proposal price must contain all costs and fees for such services.

The successful Design-Builder will be responsible for designing and building the Project in compliance with any and all applicable codes, rules/regulations, and laws. The successful Design-Builder will, at no additional cost to Victor Valley CCD, be responsible for correcting any identified deficiencies to bring the Project into compliance with any and all applicable codes, regulations, and laws.

Upon Project completion, the successful Design-Builder will be responsible for all warranty repairs and providing the necessary operational documentation and training of Victor Valley CCD maintenance staff.

1.3 Proposals:

Proposers are requested to submit proposals offering Design-Build services in accordance with Section 2, and in a format specified in Section 5 of this RFP.

Before submitting a Proposal, each Proposer must: a) examine the RFP and all attachments and exhibits thoroughly; b) visit the site to familiarize itself with field conditions that may in any manner affect cost, progress, or performance of the Work; c) and become familiar with federal, state, and local laws, ordinances, rules, and regulations that may in any manner affect cost, progress, or performance of the Work.

Proposers may be invited to the campus to present their proposal.

1.4 Design-Builder Selection:

Victor Valley CCD will select a successful Proposer based on the Proposer's ability to best meet the requirements as stated in the RFP. The terms, Proposer, Design Builder, and Contractor, are used interchangeably in this document.

1.5 The selection process is: the Proposal is open to all responding parties. Processing of this RFP will be handled in the following manner:

- 1.5.1 All proposals will be evaluated. Some proposers may be invited to the campus to present. The Evaluation Committee will recommend a Design-Builder to the Superintendent/President for approval. The recommendation for ranked selection will be made on the basis of Evaluation Criteria identified in Section 5.
- 1.5.2 In the event that additional services, elements, changes, or enhancements to existing elements contained in this RFP may be required, Victor Valley CCD reserves the right to negotiate with the Design-Builder to cause these changes to be incorporated in the work product.
- 1.5.3 If Victor Valley CCD is not successful in negotiating an agreement with the highest ranked Proposer, Victor Valley CCD may, at its sole discretion, begin to negotiate an agreement with the next highest rated Proposer.
- 1.5.4 Upon conclusion of negotiations, the Superintendent/President will recommend award of a Design-Build Agreement to the Board of Trustees.
- 1.5.5 Notwithstanding a recommendation of a department, agency, individual, or other, the Board of Trustees retains the right to exercise its judgment concerning the selection of a Proposer and the terms of any resultant agreement, and to determine which Proposer best serves the interests of Victor Valley CCD. The Board of Trustees is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

1.6 Schedule:

A tentative schedule is provided for information purposes only:

- 12/2 Electronic notice of RFP and pre-qualification package issued.
- 12/5 1st advertisement in paper of RFP and pre-qualification package issued.
- 12/12 2nd advertisement in paper of RFP and pre-qualification package issued.

12/23 Written proposals and response to pre-qualification due.

1/6-7 Contractor presentations.

1/9 Select contractor.

1/15 Board/Contractor Briefing at retreat.

Notice to proceed and award of contract to follow after contract is negotiated.

2. **SCOPE OF SERVICES**

2.1 Design-Builder's Project Responsibilities

The Proposer awarded the contract shall be responsible for the performance of, including but not limited to, the following:

- Compliance with the project Environmental Documents prepared under (CEQA/NEPA) guidelines.
- Any and all design, engineering and construction work.
- Any and all demolition, construction, and warranty maintenance work.
- Identifying and obtaining all required permits, inspections, and approvals for the project.
- Procuring and installing all equipment.
- Quality and performance testing.
- Verification and testing.
- Start-up and commissioning.
- Training employees in the use, operation, and maintenance of the system.
- Providing all operating manuals and documents.
- Warranty repair.

2.2 Additional Support Services

The following additional support service to be delivered on an hourly basis:

- Assist the District in achieving Community College Chancellor's Office approval of the site.
- Assist the District in the development and implementation of communication methods to provide the District staff/students and the general public with information concerning the Project.
- Assist the District in maintaining harmonious labor relations with the various consultants, vendors, and others providing services to the Project.
- Provide staff support, as required, to the District's Facility Department as needed and requested by the District.
- Review and revise as needed, procedures for the identification of professional services necessary for completing the Project.
- Review and revise as needed, the District's design guidelines, codes, and requirements affecting this project.
- Coordinate and manage the activities of the District's consultants including geotechnical, traffic, EIR, Site Survey and other related consultants needed to complete this project.
- Assist the District in developing and validating a Project Budget including, but not limited to all project costs such as usual and customary consultant/permit/fees/soft costs, building construction, onsite and offsite mitigation cost, other indirect costs, furniture and equipment costs, and other costs that can be anticipated to be incurred in a Community College project of this scope and function.
- Develop and maintain overall Project Master Schedule and manage the Project to ensure that agreed upon timelines for deliverables and processes prior to construction are met.
- Provide Design Management services through scheduling and managing the District's Project user groups in developing and then validating the Project Program.
- Coordinate and manage all aspects of on-site improvements, all

required off-site improvements and off-site utilities and any other applicable improvements.

2.3 Scope of Design-Build Project

The project consists of design, construction and the installation of new underground infrastructure. The various facilities will be approximately 32,500 square feet, structure incorporating sustainable features, as well as energy efficient systems. The surrounding landscape will incorporate drought resistant native plants and shrubs. The budget is \$31,000,000 million dollars and inclusive of design, construction, infrastructure, parking and landscape. The final Development must obtain a minimum Leadership in Energy and Environmental Design (LEED) certification rating of Silver.

The majority of the project scope is limited to the VVC nine acre portion of the property. Some site work (curb, gutter, street improvements, etc) may be required by the City of Apple Valley on the 3.2 acre portion to accommodate future build out by the Apple Valley Fire district at a later date.

The total ASF for the project is 32,500 with an estimated budget of \$31,000,000. There is an estimated budget of \$4,000,000 for the Cert City prop, Burn tower, and all remaining props / equipment as depicted to complete the site plan.

The building will include the following:

- General Classrooms
- Administrative Offices
- Labs & Science
- Information Center
- Food Service
- Public & Protective Services
- Fire Science Studies & Applied Techniques (training)
- Police & EMT Studies

3. RFP GENERAL CONDITIONS

3.1 General Conditions:

This RFP is a solicitation for proposals only, and is neither intended, nor to be construed as, an offer to enter into an agreement or engage in any formal competitive bidding or negotiation pursuant to any statute, ordinance, rule, or regulation. Thus, Victor Valley CCD reserves the unqualified right to reject any or all proposals for any reason.

3.2 Victor Valley CCD's Responsibilities:

Victor Valley CCD is responsible only for that which is expressly stated in this RFP. The District is not responsible for, and shall not be bound by, any representations otherwise made by any individual acting or purporting to act on its behalf.

3.3 Cost of RFP:

Victor Valley CCD shall not in any way be liable or responsible for any costs incurred in connection with the preparation, submittal, or presentation of any Proposal submitted in response to this request.

3.4 Compliance with RFP:

Responses to this RFP shall be made according to the specifications and instructions contained herein. Failure to adhere to RFP instructions may be cause for rejection of any proposal.

3.5 Truth and Accuracy of Representations:

Substantially false, misleading, incomplete, or unresponsive statements and/or failure to adhere to the format herein described may be sufficient cause for rejection. The evaluation and determination of the fulfillment of the above requirement shall be in Victor Valley CCD's sole judgment and shall be final.

3.6 Contract Execution:

The resultant negotiated contract terms of this RFP, once approved by Victor Valley CCD and sent to the selected firm, shall be executed and returned by the selected firm within ten calendar days from the time of receipt of the contract.

3.7 Victor Valley CCD Changes to RFP:

Victor Valley CCD reserves the right to interpret or change any provisions of this RFP at any time prior to the proposal submittal date. Such interpretations or changes shall be in the form of addenda to this RFP.

Such addenda will become part of this RFP and may become part of any resultant contract. Such addenda shall be made available to each person or organization which has received an RFP. Should such addenda require additional information not previously requested, a Proposer's failure to address the requirements of such addenda may result in the Proposer not being considered.

Victor Valley CCD, at its sole discretion, may determine that a time extension is required for submittal of proposals, in which case an addendum shall indicate the new proposal submittal date.

- 3.8 Proposer Changes to Proposal:
No changes to the proposals shall be allowed after submittal to Victor Valley CCD.
- 3.9 Consistency with Laws:
Any agreement entered into by the Proposer shall be consistent with applicable federal, state, and local laws.
- 3.10 Public Records Act:
Responses to this RFP become the exclusive property of Victor Valley CCD. At such time as Victor Valley CCD recommends to the Board of Trustees, all proposals submitted in response to this RFP become a matter of public records. Exceptions will be those elements in each proposal which are trade secrets as that term is defined in Government Code Section 6254.7 and which are so marked as "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY." Victor Valley CCD shall not in any way be liable or responsible for the disclosure of any such records including, without limitation, those so marked if disclosure is deemed to be required by law or by an order of the Court. Proposers which indiscriminately identify all or most of their proposal as exempt from disclosure without justification may be deemed unresponsive.
- 3.11 Proposer contact with Victor Valley CCD Employees:
As of the issue date of this RFP and continuing until the final date for submittal of proposals, all Proposers are specifically directed not to hold meetings, conferences, or technical discussions regarding the RFP with Victor Valley CCD employees. During the submittal period, questions regarding this RFP may be directed in writing to the person indicated as the contact person shown within this RFP

4. **Pre-Qualification**

Design-Build Entities wishing to be considered for pre-qualification must submit a Pre-Qualification Questionnaire and other information as required by the Questionnaire. The Pre-Qualification Questionnaire shall be available commencing December 10, 2008, Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m., to:

VICTOR VALLEY COLLEGE DISTRICT
Attn: Mr. Steve Garcia, Director of Facilities
18422 Bear Valley Road, Victorville, CA 92395

All Pre-Qualification Questionnaires shall be prepared using the forms provided. Pre-Qualification Submittals shall be hand delivered to, or be received by mail at the address above at any time Monday through Friday during regular working hours of 9:00 a.m. to 4:00 p.m., up to and including December 23, 2008 at 4:00 p.m.

The Applicant assumes full and sole responsibility for timely receipt of its completed Pre-Qualification submittal at the aforestated location designated for receipt thereof. Local, small and emerging businesses are encouraged to participate in this design-build competition.

5. **FORMAT OF PROPOSAL**

The response to this RFP must be made according to the requirements set forth in this Section, both for content and for sequence. Noncompliance with these requirements or the inclusion of conditions, limitations, or misrepresentations, may be cause for rejection of the proposal. Proposals submitted shall include six (6) complete copies (five bound copies and one unbound) of the proposal and (2) CD's with complete RFP submission documents. These shall be submitted to:

VICTOR VALLEY COLLEGE DISTRICT
Attn: Mr. Steve Garcia, Director of Facilities
18422 Bear Valley Road, Victorville, CA 92395

Proposals must be received by the date indicated in the cover letter. PROPOSALS RECEIVED BY VICTOR VALLEY CCD AFTER THE STATED DEADLINES WILL NOT BE CONSIDERED FOR EVALUATION.

5.1 Format of Proposal Summary:

Proposal submittals shall be organized as indicated below. Specific requirements for each of the Design-Builder's proposal sections are included hereinafter.

5.1.1 Mandatory Proposal Response Contents:

- Limit to 50 pages maximum
- Cover Letter
- Corporate Documentation
- Technical design and construction expertise
- Identify consultants/major sub-consultants
- LEED qualifications and experience
- Skilled labor force availability
- Acceptable safety record
- The proposed key individuals for the project
- The proposed work plan
- Community College experience coordinating with State Chancellor's office
- Shared Governance Experience
- Planning and Programming experience
- Agency Coordination – Significant DSA Experience
- Key References
- Basis of price

5.2 Specific Requirements for each Section of the Proposal

5.2.1 The cover letter shall include the name and address of the organization submitting the proposal; whether the proposing firm is an individual, partnership, corporation, or joint venture; and the name, address, and telephone number of the contact person who will be authorized to make representations for the organization.

5.2.2 Corporate documentation shall include relevant information regarding organizational stability and strength, including a description/statement of the organization (e.g.), sole proprietorship, partnership, corporation, joint venture, etc.

5.2.3 Technical Expertise shall include, but not be limited to, the following information as associated with both the design-build project and the additional services:

- 5.2.3.1 Designation of an experienced Principal of the Design Builder's staff who will be responsible for the delivery of services in accordance with the established Scope of Services in the Design-Builder Agreement with the Victor Valley College District.
 - 5.2.3.2 Identification of principal staff members including major subcontractors / subconsultants. Provide information on key individuals that offer services including relevant experience, professional certification/license/registration, education, and past experience. The successful Design-Builder shall not remove or replace major subcontractor / subconsultant team members without prior consent of Victor Valley CCD. The successful Design-Builder shall submit names and resumes for Victor Valley CCD' approval 30 calendar days prior to the effective date of a personnel change.
 - 5.2.3.3 Identify staff with LEED accreditation. Projects to obtain credits achieving LEED silver.
 - 5.2.3.4 A list of projects which indicate related experience in providing the required services. Include a list of references and respective phone numbers.
- 5.2.4 Work plan and standard services shall include the Proposer's approach to providing the service deliverables described in Section 2, Scope of Services, of this RFP. The work plan will outline how the Proposer intends to provide and manage the resources necessary to accomplish the design-build project and the additional services.
- 5.2.4.1 Provide a Work Plan for all services as outlined in Section 2 for the whole Project. The typical Work Plan shall indicate activities in support of the required services, including quality control reviews and participation of subcontractors /subconsultants.
 - 5.2.4.2 Provide a staffing and resources management plan for Design-Builder and each subcontractor /subconsultant which identifies specific tasks and the

level of effort required for the Project. Describe your current workload and capability/commitment to complete the Scope of Services in accordance with Project schedules.

5.2.4.3 Provide a detailed description of architectural and engineering resources to be used on the Project and overall Project control methodology.

5.2.4.4 Provide methodology for sourcing local materials and labor from the high desert community for the Project. Proposer is encouraged to obtain 85% of total materials and labor from within the high desert community as part of the evaluation criteria below.

5.2.4.5 Provide a list of relevant Community College and Public Sector experience over the past 10 years.

5.2.4.6 Project References (no less than five) specific to addressing Community College projects and Public Sector work. Preference to Community Colleges.

5.2.5 Price: the design-builder entity’s architectural design and builder fees for the Project will be identified as a percent of the final project construction cost:

- Percent Design-Builder’s percent fee
- Percent Architect / Engineer’s percent fee
- For the additional services the proposer will provide hourly rate used to perform the services outlined

6.0 EVALUATION CRITERIA

The determination of non-responsiveness shall be made solely at the discretion of Victor Valley CCD, if it is determined to be in Victor Valley CCD’s best interests. Victor Valley CCD reserves the right to waive minor deficiencies and irregularities. Ranking will determine the most advantageous proposal to the least.

Essential Requirements for Evaluation:

	Minimum Score	Max Score
Price- (Total Points Possible 10)	0	10
Technical Expertise - (Total Points Possible 30)	0	30

<ul style="list-style-type: none"> • Design-Builder as a single firm • Use of skilled local workforce • Prior Design-Build experience • Integrated Project Delivery experience 		
Work Plan and Relevant Experience - (Total Points Possible 30) <ul style="list-style-type: none"> • Relevant Community College and Public Sector experience 	0	30
Life Cycle Costs Over 15 yrs - (Total Points Possible 10)	0	10
Skilled Labor & Local Work Force - (Total Points Possible 10)	0	10
<ul style="list-style-type: none"> • Registered apprenticeship program approved by the California Apprenticeship Council • Use of skilled local outreach workforce • Use of materials and labor preferred in amount of 85% of total project to be sourced locally 		
Safety Record - (Total Points Possible 10)	0	10
<ul style="list-style-type: none"> • EMR at .7 or below, 10 points 		
<ul style="list-style-type: none"> • EMR between .7 and 1.0, 5 points 		
<ul style="list-style-type: none"> • Any trade over 1.0 gets a 0 for that trade 		
Total Score		100

“Skilled Labor” requirement shall be determined by the existence of an agreement with a registered apprenticeship program, approved the California apprenticeship Council, which has graduated apprentices in each of the preceding five years.

“Safety Record” shall be deemed “acceptable” if their Experience Modification Rate (EMR) for the most recent three-year period is the average total recordable injury/illness rate and average lost work rate from the most recent three-year period des not exceed the applicable statistical standards for its business category.

Once the evaluation panel makes a determination of the proposals ranked from most advantageous to the least advantageous, the Proposers will be informed. Good faith negotiations will begin with the most advantageous Design-Builder.

Terms and Conditions of the Contract:

All items noted negotiable in the Request for Proposal documents will be reviewed, evaluated, accepted or rejected, and the proposed terms and conditions will be adjusted accordingly.

Work Plan:

The Work Plan proposed by the design-builder will be adjusted as mutually agreed to incorporate the accepted Equals, Alternatives, and Terms and Conditions of the Contract.

Victor Valley CCD at conclusion of these Negotiations will file a recommendation with the Board of Trustees to Award the Design-Build contract to the most advantageous proposer.

EXHIBIT A

FIRE / PARAMEDIC / POLICE / PUBLIC SAFETY TRAINING CENTER BOND PROGRAM

Project Budget: \$35,000,000
GSF: 9 Acre parcel
ASF: 32,500
Project Start: July 2009
Project Completion: February 2013

Project Description

This project will provide an educational complex known as the Fire / Police Emergency Services Academy. The Fire / Police Emergency Services Academy would be a main hub of Public Safety Programs that would provide students, employers and the community with training and educational programs that meet both current and future needs of public safety in this region.

Programs offered in this location would include Fire Technology, EMT and Administration of Justice; utilizing training props like burn towers, flash over trailers, auto extrications and rail car (Haz Mat Training). The goal of this educational center would be to become a certified regional training center for Fire, EMT and Post certification for law enforcement.

The majority of the project scope is limited to the VVC nine acre portion. Some site work (curb, gutter, street improvements, etc) may be required by the City of Apple Valley on the 3.2 acre portion to accommodate future build out by the Apple Valley Fire district at a later date.

The total ASF for the project is 32,500 with an estimated budget of \$31,000,000. There is an estimated budget of \$4,000,000 for the Cert City prop, Burn tower, and all remaining props / equipment as depicted to complete the site plan.

EXHIBIT B

STATION 338 – TRAINING CENTER

ITEM	SIZE	USE / SCHOOL	
Fire Station	10,000 Sq. Ft.		AVFPD
EOC <i>Emergency Operations Center</i>	4,500 Sq. Ft.		AVFPD
Equipment Warehouse	1,200 Sq. Ft.		AVFPD
Fleet Maintenance Shop	10,000 Sq. Ft.		AVFPD
Private Air Ambulance <i>Quarters & Helipad</i>	1,000 Sq. Ft.		AVFPD
Classroom	1,000 Sq. Ft.	VVC	
Classroom	1,000 Sq. Ft.	VVC	
Classroom	1,000 Sq. Ft.	VVC	
Classroom	1,000 Sq. Ft.	VVC	
Classroom	1,000 Sq. Ft.	VVC	
Classroom	1,000 Sq. Ft.	VVC	
Classroom with Lab	2,000 Sq. Ft.	VVC	
Classroom with Lab	2,000 Sq. Ft.	VVC	
Classroom with Lab	2,000 Sq. Ft.	VVC	
Multi-Purpose Room	2,000 Sq. Ft.	VVC	
Administration Building <i>Offices/Conference Room/Bathrooms/Break Room/Copy Room/Reception Area/Video Room</i>	3,000 Sq. Ft.	VVC	
Fitness Building <i>Locker Room/Workout Room / Exercise Equipment Room/Bathrooms</i>	2,000 Sq. Ft.	VVC	
4-Bay Apparatus Building <i>4 Fire Engines</i>	4,000 Sq. Ft.	VVC	
2-Bay Apparatus Building <i>2 Ambulances</i>	2,000 Sq. Ft.	VVC	
12-Bay Firearms Training <i>(indoor)</i>	7,500 Sq. Ft.	VVC	
TOTALS	32,500 Sq. Ft.	VVC	
Estimated Budget:			\$31,000,000
Cert City Prop <i>Commercial / Residential Prop</i>	16,000 Sq. Ft.	VVC	
Burn Tower	7,500 Sq. Ft.	VVC	
All Remaining Props / Equipment	Per Site Plan	VVC	
Estimated Budget:			\$4,000,000

SCOPE OF WORK

EXHIBIT C

