

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

Date: September 10, 2013

Place: **Workshop:** 4-5:30 p.m. Staff Lounge, Victor Valley Community College, 18422 Bear Valley Road, Victorville, CA 92395

**Closed Session:** 5:30-6 p.m. Board Room, Victor Valley Community College, 18422 Bear Valley Road, Victorville, CA 92395

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

## AGENDA ~ Board Room

### *Board Room Victor Valley Community College*

1. **CALL TO ORDER** **4 p.m.**

The Board of Trustees of Victor Valley Community College District met in Open Session on September 10, 2013 in the Board Room of the Administration Building. Board President Denson called the meeting to order at 4:02 p.m.

**TRUSTEE ROLL CALL:** Lorrie Denson, President, Joseph W. Brady, Clerk, and John Pinkerton, Trustee; Evelyn Blanco, Student Trustee

**Absent:** Dennis Henderson and Brandon Wood

**PLEDGE OF ALLEGIANCE**

John Pinkerton led the Pledge of Allegiance to the Flag.

**ANNOUNCEMENT OF ITEMS DELETED OR CORRECTED FROM THE AGENDA:** None

**PUBLIC COMMENTS RELATED TO CLOSED SESSION AGENDA ITEMS:** None

*Brandon Wood and Dennis Henderson arrived at 4:10 p.m.*

## WORKSHOP ~ Staff Lounge

**Budget Workshop**

**4-5:30 p.m.**

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**BOARD OF TRUSTEES:** Lorrie Denson, Dennis Henderson, Joseph W. Brady, John Pinkerton ASB Member

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**REGULAR MEETING AGENDA**  
Board Room

At 5:49 p.m. Board President Denson resumed the regular meeting agenda and announced that all members of the Board were present.

**ANNOUNCEMENT OF ITEMS TO BE CONSIDERED IN CLOSED SESSION:**

**CLOSED SESSION ~ West Wing Conference Room**

**2. CLOSED SESSION**

**5:30-6 p.m.**

**PUBLIC APPOINTMENT – Government Code Sections 54954.5  
Interim, Superintendent/President**

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9  
Claimant: One Matter

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9  
Claimant: One Matter (Government Code section 54961)

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9  
One Matter

**2.1 PUBLIC COMMENTS RELATED TO CLOSED SESSION ITEMS: None**

At 5:55 p.m. Board President Denson recessed to Closed Session

**3. OPEN SESSION**

**3.1 Closed Session Report:** At 7:17 p.m. Board President Denson convened the meeting. Jeff Morris, Legal Counsel announced that it was motioned by Trustee Denson and second by Trustee Henderson (3-0), with Trustee Wood abstaining and Trustee Brady recusing himself to object the claim.

It was motioned by Trustee Brady and seconded by Trustee Woods (5-0) to reject the claim submitted by Mary Martin on behalf of her child.

Regarding the third claim, counsel received direction regarding anticipated litigation.

It was motioned by Trustee Woods and seconded by Trustee Henderson (5-0) to appoint Peter Allan as interim Superintendent/President.

- 3.2 **PUBLIC COMMENTS RELATED TO AGENDA ITEMS:** Lynn Glickstein (10.2), DeAnn Hudgens (10.2), Fred Board (11.1), Steve Garcia (11.2), Robert Sewell (11.2), Fred Board (11.2), Lisa Ellis, (11.1),

It was MSC (Brady/Wood, 5-0) to extend the public comment time allowing all speakers present the opportunity to provide public comments on agenda item 12.0.

**PUBLIC COMMENTS RELATED TO AGENDA ITEMS** Julie Tremblay (11.2), Pearl Bandringa (11.2)

4. **Superintendent/President's Report:**

Superintendent/President Allan asked Dr. Maphumulo to provide an update on the accreditation. Dr. Maphumulo reported on the status of Recommendations 2 & 3 and recognized the faculty and staff on the work they have been doing. A calendar of deliverables has been created that will address tasks to accomplish between now and Oct 15<sup>th</sup>.

**Academic Senate:** Claude Oliver apologized for not attending summer special and regular board meetings. His courses met during the summer and he was not able to attend the voluntary in-service day on August 30<sup>th</sup> was a resounding success. He acknowledged and thanked the faculty that facilitated various workshops and staff that contributed to its success. A comprehensive report is being created by Tracy Davis on the in-service and will be presented at the October meeting. In addressing recommendation #6 he provided a handout that explained how the District, under the guidance of the CFO, has been performing over the past 6 years. He pointed out that these figures were taken from past three years of budget workshops. He provided a definition of "structural deficit" as defined on *Wikipedia*. The handout consisted of an 8 year budget study and showed an \$11M miscalculation.

5. **CONSENT AGENDA**

It was MSC (Henderson/Brady, 5-0) to approve the consent items in one action.

- 5.1 Approval of the minutes of the August 8, 14, 22, 28, 29 special Board meetings and August 13, 2013 regular Board meeting.
- 5.2 Independent Contractor Agreement – Southern California Bone & Joint Clinic, Inc.  
Ratification of the renewal agreement between Victor Valley Community College District and Southern California Bone & Joint Clinic, Inc. to provide pre-participation medical screenings for Athletics as well as sideline medical care for home football games. The service period for this agreement is from August 1, 2013 through June 30, 2014. Fiscal Impact: Not to exceed \$9,500.00, budgeted item.
- 5.3 Agreement Renewal – Victor Valley Unified School District  
Ratification of the renewal agreement between Victor Valley Community College District and Victor Valley Unified School District to lease 10 classroom spaces to hold college courses. Fiscal Impact: \$22,950.00, budgeted item.
- 5.4 Agreement Renewal – Hesperia Unified School District  
Ratification of the renewal agreement between Victor Valley Community College District and Hesperia Unified School District to lease 7 classroom spaces at Hesperia High School to hold college courses. Fiscal Impact: \$17,300.00, budgeted item.

- 5.5 Amend and Renew Agreement – Higher One  
Ratification of the renewal agreement between Victor Valley Community College District and Higher One to provide a debit card service for student's financial aid grant payments originally approved by the Board of Trustees at their June 2011 meeting. This amendment will amend the initial term of their agreement through June 30, 2018 with a lower rate. Fiscal Impact: \$5,000.00, budgeted item.
- 5.6 Board of Trustees Payments Report  
Approval of the Board of Trustees Payments Report. Fiscal Impact: None
- 5.7 Agreement Renewal – Bomgar Corporation  
Ratification of the renewal agreement between Victor Valley Community College District and Bomgar Corporation to enable the help desk and other technical personnel to view and control any workstation on or off campus. This software will be used to assist with troubleshooting when students or staff calls with technical computer problems. Term: 10/1/13-9/30/14. Fiscal Impact: \$2,753.60, budgeted item.
- 5.8 Agreement– Chancellor's Office Tax Offset Program  
Ratification of the agreement between Victor Valley Community College District and the Chancellor's Office to participate in the Tax Offset Program. This agreement will be effective for the 2013-2014 fiscal year. Fiscal Impact: **Variable amount of revenue to the District. The cost for the District to participate in this program is only 25% of the amount collected from former and existing students.**
- 5.9 Agreement – Datalink Networks  
Ratification of the agreement between Victor Valley Community College District and Datalink Networks to provide maintenance support and troubleshooting of the Lync/Emergency Notification Pilot/Installation. (Item #IN-54A, on the Campus Technology Project list). Fiscal Impact: \$3,520.00, budgeted item.
- 5.10 Agreement – Datalink Networks  
Ratification of the agreement between Victor Valley Community College District and Datalink Networks to provide engineering support, consulting for Snom Phones and training/support for the Pilot (Phase 1) system for VVCC Microsoft Lync Project 2013. (Item #IN-54, on the Campus Technology Project list). Fiscal Impact: \$2,400.00, budgeted item.
- 5.11 Agreement Renewal – Global Knowledge  
Ratification of the renewal agreement between Victor Valley Community College District and Global Knowledge to train Network Managers on how to set-up and configure hardware and software associated with the ongoing implementation of Microsoft Lync Technology. (Item #IN-59, on the Campus Technology Project list). Fiscal Impact: \$4,990.00, budgeted item.
- 5.12 Agreement Renewal – Nuventive, LLC  
Ratification of the renewal agreement between Victor Valley Community College District and Nuventive, LLC to add five (5) years of maintenance for TracDat Share Point Option (TSO), in support of instructional and operational needs. Term: 7/27/13-7/26/18. Fiscal Impact: \$2,021.25, budgeted item, to be billed annually for five years.
- 5.13 Agreement– Perceptive Software  
Ratification of the agreement between Victor Valley Community College District and Perceptive Software to purchase additional ImageNow concurrent client licenses for multiple departments on campus at a discounted rate. (Item #S-9D, on Campus Technology Project list.) Fiscal Impact: \$64,000.00, Fund 71.

- 5.14 Agreement – Tricade Technologies  
Ratification of the agreement between Victor Valley Community College District and Tricade Technologies to purchase consultant services for onsite/remote support coverage that includes, VMware, Cisco Network and Microsoft Technologies. (Item #IN-60, on Campus Technology Project list.) Fiscal Impact: \$4,500.00, budgeted item.
- 5.15 Agreement– Vector Resources, Inc.  
Ratification of the agreement between Victor Valley Community College District and Vector Resources, Inc. to purchase equipment and installation services to update the VVCCD Board Room with an additional screen and projector. (Item #A-3, on Campus Technology Project list.) Fiscal Impact: \$5,747.61, Fund 71.
- 5.16 Agreement Renewal – ROC Software System, Inc.  
Ratification of the renewal agreement between Victor Valley Community College District and ROC Software System, Inc. to continue using EasySpooler software. Easyspooler is an advanced print spooler that will help spend less time managing printer and output issues. Term: 9/1/13-8/31/18. Fiscal Impact: \$1,310.00, budgeted item, to be billed annually for five years.
- 5.17 Agreement– GiantPowerComm  
Ratification of the agreement between Victor Valley Community College District and GiantPowerComm for specialized maintenance and cleaning of the 1 Megawatt CPV system located on the lower campus to include annual incidental and emergency maintenance for work not covered under the original scope. Fiscal Impact: Not to exceed \$14,500.00, Fund 71.
- 5.18 Agreement – BWC Custom Painting  
Ratification of the renewal agreement between Victor Valley Community College District and BWC Custom Painting to prep and paint classrooms and parking lots at Cobalt Middle School to prepare for VVC classes to be held in this location. Fiscal Impact: \$4,750.00, Fund 71.
- 5.19 Agreement– Cloud 9 Carpet and Upholstery Care  
Ratification of the renewal agreement between Victor Valley Community College District and Cloud 9 Carpet and Upholstery Care to clean the carpet and the classrooms at Cobalt Middle School to prepare for VVC classes to be held in this location. Fiscal Impact: \$1,945.40, Fund 71.
- 5.20 Agreement Renewal – MorphoTrust USA  
Ratification of the renewal agreement between Victor Valley Community College District and MorphoTrust USA to provide maintenance services for the Live Scan fingerprinting machines. Fiscal Impact: \$5,434.00, budgeted item.
- 5.21 Student Affiliation Agreement – Hospital of Barstow DBA Barstow Community Hospital  
Ratification of the renewal agreement between Victor Valley Community College District and Hospital of Barstow DBA Barstow Community Hospital to provide clinical facilities training to students for Emergency Medical Technician and Emergency Medical Technician-Paramedic programs. Fiscal Impact: None

**5.22 Amended Independent Contractor Agreement – MariaElena Huizar**

Ratification of the amended Independent Contractor Agreement between Victor Valley Community College District and MariaElena Huizar originally approved on June 11, 2013 for \$5,827.00, increasing the fiscal impact by an additional \$1,865.84. This increase includes travel expenses incurred while performing a variety of specialized duties to coordinate grant-related activities focusing on early college awareness and readiness for GEAR UP students at partner schools. Fiscal Impact: Not to exceed \$1,865.84, grant funded.

**5.23 Amended Independent Contractor Agreement – MariaElena Huizar**

Ratification of the amended Independent Contractor Agreement between Victor Valley Community College District and MariaElena Huizar originally approved on May 14, 2013 for \$8,741.00, increasing the fiscal impact by an additional \$850.00 This increase includes travel expenses incurred while performing a variety of specialized duties to coordinate grant-related activities focusing on early college awareness and readiness for GEAR UP students at partner schools. Fiscal Impact: Not to exceed \$850.00, grant funded.

**5.24 Independent Contractor Agreement – Johnny Ramirez**

Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Johnny Ramirez to provide academic workshops/training to GEAR UP students and parents. Term: 9/11/13-1/31/13. Fiscal Impact: \$20,000.00, GEAR UP.

**5.25 Agreement – Mike Brown Grandstands, Inc.**

Ratification of the agreement between Victor Valley Community College District and Mike Brown Grandstands, Inc. for the temporary rental of grandstand equipment for football games. Term: 9/4/13-11/26/13. Fiscal Impact: \$13,150.00, budgeted item.

**5.26 Agreement – H&E Equipment Services**

Ratification of the agreement between Victor Valley Community College District and H&E Equipment Services for the rental of two 35 foot scissor lifts, plus the cost of fuel, to be used at home football games. Term: 9/7/13-11/16/13. Fiscal Impact: Not to exceed \$2,700.00, budgeted item.

**5.27 Agreement – American Medical Response**

Ratification of the agreement between Victor Valley Community College District and American Medical Response to provide medical standby services for athletic events. Term: 9/7/13-11/16/13. Fiscal Impact: \$1,500.00, budgeted item.

**5.28 Agreement – Apple Valley Fire Protection**

Ratification of the agreement between Victor Valley Community College District and Apple Valley Fire Protection to provide general maintenance on various fire apparatus vehicle. Term: 7/1/13-6/30/14. Fiscal Impact: Not to exceed \$15,000.00.

**5.29 Independent Contractor Agreement – Christopher Martin**

Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Christopher Martin to provide “Modern Retirement Planning” classes offered through the Contract/Community Education Department. Term: 9/24/13-6/30/14. Fiscal Impact: **\$1,000.00 projected revenue to the District for the fiscal year.**

5.30 Agreement – 911 Safety Equipment

Ratification of the renewal agreement between Victor Valley Community College District and 911 Safety Equipment for the rental of firefighter gear to be used by students enrolled in the fall 2013 Fire Academy. Term: 8/23/13-11/1/13. Fiscal Impact: No direct fiscal impact: Students pay the \$375 materials fee upon registration. It is more cost effective for the student to rent the firefighter gear as it would cost the District \$1,800 per outfit if purchased.

5.31 Independent Contractor Agreement – Luis Pena

Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Luis Pena to provide maintenance and repair of all weight room equipment. Term: 7/1/13-6/30/14. Fiscal Impact: Not to exceed \$15,000.00, budgeted item.

5.32 Agreement – Grad Images

Ratification of the renewal agreement between Victor Valley Community College District and Grad Images for photography services in connection with commencement ceremonies. This agreement will be in effect through 2016. Students are professionally photographed during the ceremony, but there is no obligation for students to purchase any photographs. Fiscal Impact: None.

5.33 Agreement – Marken Enterprises/Marken PPE Restoration

Ratification of the agreement between Victor Valley Community College District and Marken Enterprises/Marken PPE Restoration to provide compliant care and maintenance of protective ensembles for structural firefighting (NPA 1851-2014 Edition). Term: 9/1/13-6/30/14. Fiscal Impact: Not to exceed \$8,000.00, budgeted item.

5.34 Agreement – Ebmeyer Charter & Tour

Ratification of the renewal agreement between Victor Valley Community College District and Ebmeyer Charter & Tour to provide charter bus transportation for various athletic programs. Term: 8/28/13-3/31/14. Fiscal Impact: Not to exceed \$32,000.00, budgeted item.

5.35 Agreement – Excelsior Charter School

Ratification of the agreement between Victor Valley Community College District and Excelsior Charter School to provide police and security services. Fiscal Impact: **Additional revenue to the District \$1,267.00/month**

5.36 Agreement Amendment – Public Economics, Inc.

Ratification of the amended agreement between Victor Valley Community College District and Public Economics, Inc. to refine and implement the finds of a recent Redevelopment Activity Report. Fiscal Impact: Not to exceed \$33,500.00 Fund 71.

5.37 Rescind – Board Delegated Authorized Signatory – Fusako Yokotobi

Ratification to rescind all signature authority for Fusako Yokotobi. Fiscal Impact: None.

## **ACTION AGENDA**

### **6. BOARD OF TRUSTEES**

#### **6.1 Separate approval of items pulled from consent agenda**

### **8. INSTRUCTION**

#### **8.1 Material Fee Increase – Fire Technology**

It was MSC (Henderson/Wood, 5-0) to approve to increase material fees for Fire11, Low Angle Rope Rescue Operational Class, from \$100 to \$150. This increase will be effective with the fall 2013 semester. Fiscal Impact: None.

#### **8.2 Agreement – The Princeton Review**

It was MSC (Woods, Brady, 5-0) to approve the agreement between Victor Valley Community College District and The Princeton Review to provide multiple ACT test preparation and College Essay Writing workshops to GEAR UP Program students. Term: 9/11/13-11/30/13. Fiscal Impact: Not to exceed \$103,690.00, budgeted item, GEAR UP grant funds.

### **10. ADMINISTRATIVE SERVICES**

#### **10.1 Agreement Renewal – Ellucian, Inc.**

It was MSC (Brady/ Henderson, 4-1, Pinkerton, No) to ratify the renewal agreement between Victor Valley Community College District and Ellucian, Inc. to report the name change from Datatel, Inc. to Eullucian, Inc. and to include Resource 25 Interface licenses as well as remove the ODS (Data Orchestrator) and finance module licenses. Fiscal Impact: \$260,165.00, budgeted item.

#### **10.2 Public Hearing and Adoption of the 2013-2014 Budget**

Approval to hold a public hearing regarding the 2013-2014 budget.

- a) The Board president declared the hearing open to accept comments regarding the budget
- b) Comments were received by Joseph Brady and Claude Oliver
- c) The Board president declared the hearing closed

It was MSC (Henderson/Brady, 5-0) to adopt the 2013-2014 budget as presented.

Fiscal Impact: None-formally establishes the budget.

### **11. HUMAN RESOURCES**

#### **11.1 Independent Contractor Agreement – J-Tyler Group**

It was MSC (Henderson/Brady, 4-1, Woods, No) to approve the Independent Contractor Agreement between Victor Valley Community College District and J-Tyler Group to provide advice and consultation related to the functions of the Director of Human Resources position while it is in recruitment. Consultant is specially trained, experienced and competent to perform the special services required. Fiscal Impact: \$725.00 per day plus expenses, budgeted item.



**11.2 FAILED Supplemental Employee Retirement Plan (SERP)**

It was MSC (Brady/Henderson, 1-4, Henderson, Yes, Wood, No, Brady, No, Pinkerton, No, Denson, No) to approve the Supplemental Employee Retirement Plan (SERP) to provide a cost savings and a solution to assist in the projected deficit at Victor Valley College. It is both advantageous to our employees as well as being cognizant of the value of the tax payer dollar. Fiscal Impact: projected net savings for five (5) years is \$1,201,492.00 for full-time faculty.

**11.3 Management Appointment, Academic Administrator, Dean of Student Services – Arthur Lopez**

It was MSC (Henderson/Denson, 5-0) to approve the Management Appointment, Academic Administrator, Dean of Student Services – Arthur Lopez beginning September 11, 2013 through June 30, 2014. Fiscal Impact: Range 20 Step G on the Management Salary Schedule, \$10,772/month plus benefits, budgeted item.

*Trustees Henderson and Trustee Brady left at 9:26 p.m.*

**12. 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.

**12.1 Foundation – Don Brown**

*Trustee Henderson and Trustee Brady arrived at 9:29 p.m.*

**12.2 Employee Groups**

a) CTA – David Gibbs

b) CSEA – Fred Board

c) AFT Part-Time Faculty United – Lynn Glickstein

**13. PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS:** Charlie LaChance, Margaret Kagy, Justin Gatewood, Norm Hurst

**14. BOARD COMMUNICATION**

Trustee Brady: asked all groups to work together.

Trustee Denson: thanked everyone for attending. She pointed out that the some Board members have received training at a state and national level. She thanked everyone that provided cost savings ideas.

Trustee Pinkerton: in remembering 9-11 he spoke on the 3,000 flags that were put up on campus and thanked Robert Sewell for his spirit.

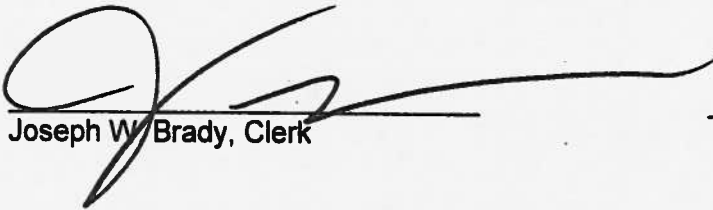
Trustee Henderson: good marathon meeting.

Trustee Wood: spoke on the classes he has signed up for Board training. Need to set the example of a Board working together. He asked that the groups stop pointing fingers at each other.

Student Trustee Blanco: reported on recent ASB activities.

**15. ADJOURNMENT**

It was MSC (Brady/Denson, 5-0) to adjourn the meeting at 10:12 p.m.



Joseph W. Brady, Clerk

10-8-13

Date Approved