



**Victor Valley Community College District
Board of Trustees Regular Meeting Minutes
Tuesday, October 10, 2017**

1. PUBLIC COMMENT ANNOUNCEMENT

2. OPEN SESSION: 5:00 p.m.

2.1 CALL TO ORDER

The Board of Trustees of the Victor Valley Community College District met in open session on October 10, 2017 in the Board Room. Board President Wood called the meeting to order at 5:04 p.m.

2.2 ROLL CALL

Board President Wood: Present
Board Vice President Tortorici: Present
Board Clerk, Henderson: Present
Board of Trustee Brady: Present
Board of Trustee Pinkerton: Absent
Student Trustee Perez: Absent
Superintendent/President Dr. Wagner: Present

Student Trustee Perez arrived at 5:40 p.m.

2.3 ANNOUNCEMENT OF ITEMS DELETED OR CORRECTED FROM THE AGENDA
None

3. CLOSED SESSION: 5:00-6:00PM

3.1 PUBLIC COMMENTS RELATED TO CLOSED SESSION ITEMS:

Margaret Kagy; Joseph Hernandez.

3.2 ANNOUNCEMENT OF CLOSED SESSION ITEMS

3.3 Public Employee Discipline/Dismissal/Release

3.4 Public Employee Performance Evaluation

3.5 Conference with Legal Counsel - Anticipated Litigation (one (1) case)

3.6 ADJOURN TO CLOSED SESSION

Board President Wood adjourned to closed session at 5:10 pm.

4. OPEN SESSION REGULAR MEETING: 6:00PM

4.1 CALL TO ORDER

Board President Wood called the open session of the meeting to order at 5:52 pm.



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Attorney Jeff Morris reported closed session out during the open session portion of the meeting. Jeff Morris introduced agenda item 3.3, Public Employee Discipline/Dismissal/Release, employee #1008101017, has requested to have the matter heard in public, and the employee has requested a continuance of this item, as a procedural matter, Jeff asked the board if they would take up the continuance issue first, then he would make a brief presentation to conclude whether or not there will be a follow up.

Jeff asked the board to bring up the continuance issue first. Trustee Wood made a motion to grant the extension of one month, no second, motion failed. Jeff Morris stated that the recommended action for the employee is termination based on job abandonment under the collective bargaining agreement section 24.3.3, sub-section N for job abandonment three or more days. The recommendation is for termination if the board would like to entertain comments from the employee they are more than welcome to do so, no questions for Jeff from the board, the board would like to hear from the employee, Trustee Wood called on Joseph Hernandez who addressed the board. During the course of discussion, Jeff Morris, Raymond Quan (Director of Human Resources), Margaret Kagy (CSEA President), and Stephen Garcia (Executive Director of Facilities and Operations) addressed and answered the board's questions regarding the termination of Joseph Hernandez based on job abandonment, the Districts processes, hearings, and evidence provided to the board.

Trustee Tortorici moved to accept the recommendation for termination, seconded by Trustee Brady, 4-0-0-1, Trustee Pinkerton absent.

4.2 CLOSED SESSION REPORT

Jeff Morris reported that the board met in closed session at 5:05p.m., all present with the exception of Trustee Pinkerton, under section 3.3, employee #0304101017 on a motion by Trustee Henderson, seconded by Trustee Wood, board voted 3-1-0-1 (YEA by Trustees Tortorici, Henderson, & Wood, NAY by Trustee Brady, Trustee Pinkerton absent) on the recommended discipline, the employee will be notified, motion adopted.

Under item 3.5 a Tort Claim was submitted and considered by the board, on a motion by Trustee Brady, seconded by Trustee Henderson the board voted 4-0-0-1 (Trustee Pinkerton absent) to reject the claim, the claimant will be notified of the rejection. Closed session ended at 5:40p.m.

4.3 PLEDGE OF ALLEGIANCE TO THE FLAG

Eric Schmidt led The Pledge of Allegiance to the Flag.

5. SUPERINTENDENT/PRESIDENT'S REPORT

5.1 FOUNDATION

Eric Schmidt reported out on the Inaugural Victor Valley Regional Open, Grants received from the San Manuel Band of Mission Indians titled the Heart Project provided the EMS Department with simulation technology to help students prepare and respond to traumatic situations in the field. Eric introduced EMS Faculty member Christi Myers and her student Falysha Stefanovich who provided a hands on cut suit presentation and answered the board's questions. This is the sixth year in a row that San Manuel has funded the EMS programs. Eric thanked the Department Chairs at the Regional Public Safety Training Center for their close partnership and collaboration. Eric announced that the



last day to submit applications to the Foundation for the fall campus grants is November 1, 2017 by 5p.m. Eric answered the board's questions.

5.2 ASB STUDENT GOALS

David Perez reported that ASB is still working on their goals. David was informed last week that Mr. Garcia is working on the water hydration station in the bookstore which was funded by Deanna Sanabria, ASB is funding the Student Activities Center hydration station, asking other departments if they would like to fund a hydration station as this is one of their goals.

5.3 ACADEMIC SENATE

No representation, no report.

5.4 ACCREDITATION STEERING COMMITTEE

Peter Maphumulo reported that they had a consultant spend two days with employees as one of our recommendations were that we didn't have outcomes for service areas, training provided outcomes in order to respond to 3 recommendations. Peter answered the board's questions. Trustee Brady requested to bring the enrollment data to the board when Trustee Pinkerton returns. Dr. Wagner stated that the enrollment data will be presented during the next meeting. Peter stated that it would be beneficial to bring the data to the next meeting as he will have more information for the board.

5.5 FACILITIES UPDATE

Steve Garcia reported on the Mass Notification System and provided a system presentation as a unit had been installed in the board room. Thanked IT for the installation of the system, touched on emergency training, and Dr. Wagner stated that this is a long term plan done in stages. Steve answered the board's questions and introduced Jay Lovato from Apple Valley Communications who educated the board on the importance of having cameras on campus, said we are going in the right direction, Jay answered the board's questions.

6. REPORTS

6.1 CTA

No representation, no report.

6.2 CSEA

Margaret Kagy Ralph Hernandez for his exceptional grounds keeping in front of building 10

6.3 AFT PART-TIME FACULTY UNITED

6.4 MANAGEMENT

Steve Garcia reported out on behalf of the management team. Kevin Leahy, Virginia Moran, Hamid Eydgahi, Kong Phang, Deanna Sanabria, Nonnie Compton and Deedee Garcia, were chosen to attend the IEPI "Change Leadership Summit" in Irvine on October 5 & 6. The Summit was developed by the Chancellor's Office and the California Community Colleges to present proven strategies and new ways of "thinking, promoting and activating large scale change" within all CA Community Colleges. Several Managers attended two workshops on September 21st & 22nd presented by Amy Driscoll where they



learned leadership skills to support a culture of assessment while also creating the departmental Mission and Vision statements and identifying tools in which to assess and report the outcomes. These valuable tools, once fully developed, are intended to be posted on all departmental websites. Maintenance and Operations Manager Joseph Garcia attended the OS1 Coach Course in Utah. This training was the first step in implementation of a comprehensive, high performance management system for cleaning practices for the custodial department at VVC. Dean Patricia Ellerson attended the 2nd convening of ACCCA's Great Deans program at El Camino College. Greta Moon attended a Region 9 and 10 CACCRAO meeting of A&R Directors on Friday, October 6 at Crafton Hills College. They worked on finalizing the agenda for the Region 9 & 10 workshop for ALL A&R staff to attend on November 3rd at Southwestern College.

7. CONSENT AGENDA:

7.1 PUBLIC COMMENTS RELATED TO CONSENT AGENDA ITEMS:

Margaret Kagy, 7.44, 7.48, 10.4.

Trustee Tortorici pulled agenda item 7.2 for discussion.

Trustee Wood pulled agenda item 7.44 for discussion.

It was MSC (Brady/Henderson, 4-0-0-1, Trustee Pinkerton Absent) to approve the Consent Agenda items excluding pulled agenda items 7.2 and 7.44.

7.2 PULLED Approval of the September 12, 2017 Minutes of the Regular Board of Trustees Meeting

7.3 Independent Contractor Agreement - San Bernardino Community College District

7.4 Independent Contractor Agreement - Diamond Environmental Services

7.5 Contract Education- Victor Elementary School District ESL (Fall 2017)

7.6 MOU- VICTOR VALLEY COMMUNITY COLLEGE DISTRICT AND APPLE VALLEY UNIFIED SCHOOL DISTRICT (SAM GRANT)

7.7 Western State Design, Inc.

7.8 Agreement - Burlington English

7.9 Renewal Agreement Fain and Company

7.10 Independent Contractor Agreement - Valerie Byrnes

7.11 Agreement - Child Development Training Consortium

7.12 Independent Contractor Agreement: West Virginia University National Alternative Fuels Training Consortium

7.13 Independent Contractor Agreement - Girl Scouts of San Geronio Council



- 7.14 Independent Contractor Agreement - Paul Cello
- 7.15 MOU & ADDENDUM - VICTOR VALLEY COMMUNITY COLLEGE DISTRICT AND EXCELSIOR CHARTER SCHOOL (SAM GRANT)
- 7.16 MOU - VICTOR VALLEY COMMUNITY COLLEGE DISTRICT AND ORO GRANDE SCHOOL DISTRICT (SAM GRANT)
- 7.17 MOU - VICTOR VALLEY COMMUNITY COLLEGE DISTRICT AND SNOWLINE JOINT UNIFIED SCHOOL DISTRICT (SAM GRANT)
- 7.18 MOU - VICTOR VALLEY COMMUNITY COLLEGE DISTRICT AND APPLE VALLEY CHRISTIAN SCHOOL (SAM GRANT)
- 7.19 MOU & ADDENDUM - VICTOR VALLEY COMMUNITY COLLEGE DISTRICT AND VICTOR VALLEY UNION HIGH SCHOOL DISTRICT (SAM GRANT)
- 7.20 Agreement- NEOGOV
- 7.21 Board of Trustees Payment Report
- 7.22 MOU & ADDENDUM - VICTOR VALLEY COMMUNITY COLLEGE DISTRICT AND EXCELSIOR CHARTER SCHOOL (SAM GRANT)
- 7.23 Ratification: AMT Systems, Inc.
- 7.24 Agreement- Tri-Valley Inspections Incorporated
- 7.25 Agreement- A & E Inspection Services
- 7.26 MOU Amendment - Victor Valley College Foundation and Victor Valley Community College District
- 7.27 Memorandum of Understanding with Riverside Community College District
- 7.28 Independent Contractor Agreement- Kevin Bracey
- 7.29 Agreement - Inland Empire Tours and Transportation
- 7.30 Annual 2016-2017 Financial/2017-2018 Budget Reports
- 7.31 Contract - San Bernardino County Sheriff's Department
- 7.32 Agreement - Meltwater
- 7.33 RENEWAL AGREEMENT – Beckman Coulter
- 7.34 AFT Agreement
- 7.35 Increase Contract Amount - Frick, Frick, & Jette Architects, Inc.
- 7.36 Independent Contractor Agreement - Jacob Kelfer



- 7.37 Contract - Pacific Coachways Charter Services
- 7.38 Contract - Inland Empire Tours and Transportation
- 7.39 Agreement - Bear Valley Rentals
- 7.40 Agreement - Roadways International Inc.
- 7.41 Performance Fee - Samuel French Inc.
- 7.42 Contract - Ebmeyer Charter
- 7.43 Notice of Completion - Vector Resources, INC., dba Vector USA
- 7.44 PULLED Contract - Assist Design
- 7.45 Independent Contractor Agreement - Sew Tech
- 7.46 Agreement Renewal - Municipal Emergency Services
- 7.47 MOU - VICTOR VALLEY COMMUNITY COLLEGE DISTRICT AND SUMMIT LEADERSHIP ACADEMY (SAM GRANT)
- 7.48 Non-Classified Employees
- 7.49 Agreement renewal for Courier Services # 17/18-0124 San Bernardino Co Supt of Schools

8. ACTION AGENDA:

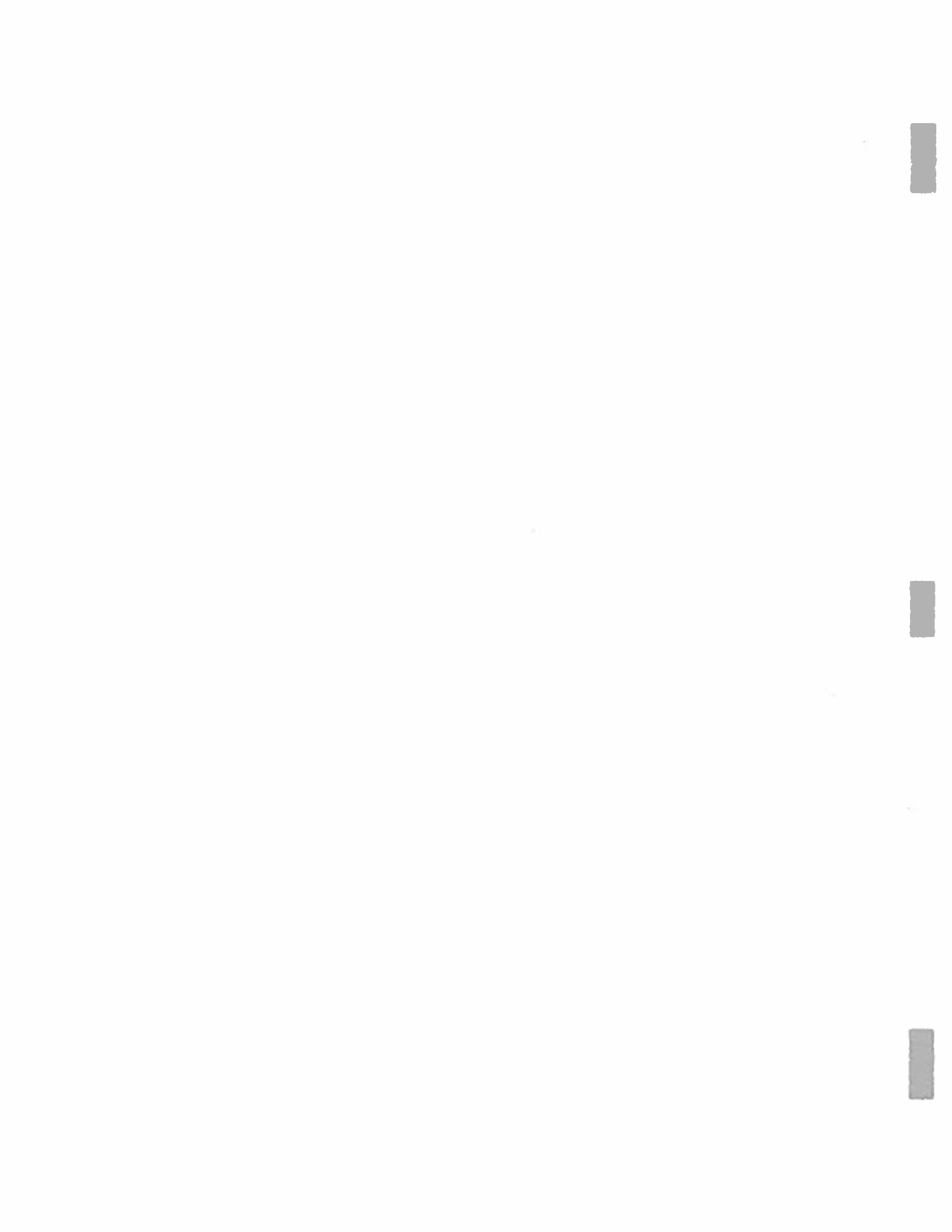
- 8.1 PUBLIC COMMENTS RELATED TO ACTION AGENDA ITEMS:
Margaret Kagy, 10.4, 12.1.

9. SUPERINTENDENT/PRESIDENT - ACTION AGENDA

- 9.1 Grants- Bureau of Land Management California: Support of National Seed Strategy to Produce Ecologically Appropriate Native Plant Materials for Mojave Desert Ecoregion
It was MSC (Brady/Henderson, 4-0-0-1, Trustee Pinkerton Absent) to approve the Grants- Bureau of Land Management California: Support of National Seed Strategy to Produce Ecologically Appropriate Native Plant Materials for Mojave Desert Ecoregion.

10. BOARD OF TRUSTEES - ACTION AGENDA

- 10.1 SEPARATE APPROVAL OF ITEMS PULLED FROM CONSENT AGENDA
 - 7.2 PULLED Approval of the September 12, 2017 Minutes of the Regular Board of Trustees Meeting
Trustee Tortorici pulled the September 12, 2017 Minutes, seconded by Trustee Wood as agenda item 7.2, CSEA report requires a correction to the word "duel" in line 6. It was MSC (Tortorici/Henderson) Tortorici Yes, Henderson Yes, Wood Yes, Brady Abstained, Pinkerton Absent, to approve the minutes as amended correcting the word "duel" to "dual".



7.44 PULLED Contract - Assist Design

Trustee Wood pulled agenda item 7.44 motioned by Trustee Tortorici, seconded by Trustee Henderson for discussion. Trustee Wood questioned the sales tax charge for services. Dr. Wagner will verify if sales tax should be charged for services rendered and will follow up. Agenda item 7.44 passes with a caveat that the item be corrected if needed. (Wood Yes, Tortorici Yes, Henderson Yes, Brady Yes, and Pinkerton Absent). Motion passed.

10.2 Board of Trustees - Finalize Upcoming Annual Conferences for 2017-2018 Fiscal Year

Trustee Brady – Tentative to attend the Annual CCLC Trustees Conference, May 4-6, 2018 at the Hyatt Regency Valencia.

All in favor with Trustee Pinkerton absent for sending Trustee Brady to the Annual CCLC Trustees Conference in May 2018.

10.3 Hold Public Hearing – Redistricting

Board President Wood made a motion that the comments made earlier by the board and the public be applied towards the public comment section of the hearing as the comments were made prior to declaring the meeting open, motion seconded by Trustee Henderson, 3-1-0-1 (YEA by Trustees Wood, Henderson, Brady, NAY by Trustee Tortorici, Trustee Pinkerton absent).

Public Hearing to accept comments regarding the District's Resolution of Intent to move from at-large elections to elections by district.

- a) Board President Wood hereby declares the hearing open.
- b) The public may now comment on the District's Resolution of Intent to move from at-large elections to elections by district.
- c) Board President Wood hereby declared the hearing closed.

10.4 First Reading of Board Policy 6320(a), Use and Distribution of the Guaranteed Investment Contract Fund ("GIC")

The First Reading of Board Policy 6320(a), Use and Distribution of the Guaranteed Investment Contract Fund ("GIC") was approved by the Board of Trustees. No vote, Trustee Pinkerton absent.

10.5 Board Delegation-Authorized Agent Status Revised

It was MSC (Tortorici/Henderson, 4-0-0-1, Trustee Pinkerton absent) to approve the Board Delegation-Authorized Agent Status Revised.

10.6 Board Delegation-Authorized Agent Status Revised

It was MSC (Tortorici/Brady, 4-0-0-1, Trustee Pinkerton absent) to approve the Board Delegation-Authorized Agent Status Revised.

10.7 First Reading of Board Policy 2432 Revised, Superintendent/President Succession

The First Reading of Board Policy 2432 Revised, Superintendent/President Succession was approved by the Board of Trustees. No vote, Trustee Pinkerton absent.



11. ADMINISTRATIVE SERVICES - ACTION AGENDA

11.1 Agreement- Jergensen Construction

It was MSC (Brady/Henderson, 4-0-0-1, Trustee Pinkerton absent) to approve the agreement with Jergensen Construction.

11.2 Agreement-California Construction Management

It was MSC (Brady/Henderson, 4-0-0-1, Trustee Pinkerton absent) to approve the agreement with California Construction Management.

12. HUMAN RESOURCES - ACTION AGENDA

12.1 Resolution No. 17-07 Intent to Eliminate Position for Lack of Funds

Dr. Wagner tabled this item as the verbiage needs to be amended. Resolution No. 17-07 will be brought back to the November 2017 Regular Meeting of the Board of Trustees. It was MSC (Wood/Brady, 4-0-0-1, Trustee Pinkerton absent) to table the item until next month.

12.2 Educational Administrator Appointment- Director of Special Grants (Upward Bound)

It was MSC (Brady/Tortorici, 4-0-0-1, Trustee Pinkerton absent) to approve the Educational Administrator Appointment- Director of Special Grants (Upward Bound).

12.3 Amendment to Agreement for Superintendent/President

It was MSC (Henderson/Brady, 4-0-0-1, Trustee Pinkerton absent) to approve the Amendment to Agreement for Superintendent/President.

13. INSTRUCTION AND STUDENT SERVICES - ACTION AGENDA

13.1 Curriculum Changes

It was MSC (Brady/Henderson, 4-0-0-1, Trustee Pinkerton absent) to approve the Curriculum Changes.

13.2 Agreement - Olpin Group

It was MSC (Henderson/Tortorici, 4-0-0-1, Trustee Pinkerton absent) to approve the Agreement with the Olpin Group.

14. INFORMATION

14.1 Agreement – College and Career Access Pathway (CCAP): Apple Valley Unified School District

15. PUBLIC COMMENTS RELATED TO NON-AGENDA ITEMS:

Margaret Kagy

16. BOARD COMMUNICATION

Student Trustee Perez reported out on the upcoming documentary, “The Farthest”, taking your family to interstellar space on October 20th at 7 p.m. in the Student Activities Center.



Trustee Tortorici reported that she had the opportunity to attend the Paramedic Graduation, she encourages the board to attend future graduation ceremonies.

Trustee Brady reported out on the Inland Economic Growth and Opportunity consortium, spoke at a medical fair, pushing hard for crime free discussion that ensued last Monday, Trustee Brady speaks as President of the BRADCO Company not as a board member. Trustee Brady received a lengthy negative text message regarding VVC's registration process, comments on Facebook bashing VVC hard about registration, Dr. Wagner, Trustee Wood, and Eric Schmidt received a copy of the text messages. Dr. Wagner briefly explained the registration process, Trustee Brady encourages Dr. Wagner to respond back to the text messages, and thanked Eric Schmidt for responding back to the student.


Trustee Wood reported that he read the text exchanges while it was occurring, he mirrored Trustee Brady's statements regarding the negative text messages and thanked Eric Schmidt for diffusing the conversation while trying to help the student.

Trustee Henderson reported that he will be having surgery next month and may not be able to attend the November Board of Trustees meeting and wished everyone a Happy Thanksgiving.

Trustee Wood reported that Trustee Pinkerton is currently in Cambodia with his wife. Trustee Wood reported that Trustee Pinkerton would like to see on next month's agenda an item related to the GIC in an effort to begin a conversation about starting to earmark the use of GIC interest funds, GIC specific.

17. ADJOURNMENT:

It was MSC (Wood/Brady, 4-0-0-1, Trustee Pinkerton absent) to adjourn the meeting at 9:19 p.m.



Dennis Henderson, Clerk



Date Approved

