

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

Date: July 9, 2013

Place: **Closed Session:** 5-6 p.m., Staff Lounge, Victor Valley Community College 18422 Bear Valley Road, Victorville, CA 92395

Place: **Open Session:** 6:00 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

5-6 p.m.

The Board of Trustees of Victor Valley Community College District met in Open Session on July 9, 2013 in the Board Room of the Administration Building. Board President Denson called the meeting to order at 5:02 p.m.

**TRUSTEE ROLL CALL:** Lorrie Denson, President, Dennis Henderson, Clerk; Joseph W. Brady, Trustee, and John Pinkerton, Trustee;

**Absent:** Evelyn Blanco

#### PLEDGE OF ALLEGIANCE

Norm Hurst led the Pledge of Allegiance to the Flag.

**ANNOUNCEMENT OF ITEMS DELETED OR CORRECTED FROM THE AGENDA:** In reference to agenda item 6.3 recommended timelines were made available to the public.

**PUBLIC COMMENTS RELATED TO CLOSED SESSION AGENDA ITEMS:** David Gibbs (2.0) and Jessica Gibbs (2.0)

## CLOSED SESSION ~ West Wing Conference Room

#### 2. CLOSED SESSION

5 p.m.

##### PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Employee Number 102007032013  
Government Code section 54957(b)(1)

PUBLIC APPOINTMENT – Government Code Section 54954.5  
Interim, Superintendent/President

Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b)  
Threatened Litigation (one case)

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

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At 5:10 p.m. Board President, Denson recessed to closed session.

3. OPEN SESSION

3.1 Closed Session Report: At 6:17 p.m. Board President Denson convened the meeting. Jeff Morris, Legal Counsel announced that there was no reportable action taken by the Board on all 3 items.

3.2 PUBLIC COMMENTS RELATED TO AGENDA ITEMS: Norm Hurst (6.3)

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

Dr. Javaheripour reported on the award Victor Valley College received earlier in the year regarding excellence in energy and sustainability leadership.

Dr. Donald Parker, with the University of La Verne spoke of the quality of students accepted from VVC and pointed out that the Transfer Center at VVC is best by far with many services available to the students.

Robert Sewell announced the 2013 Student Choice Awards recipients who made a difference in a student's life. Angela Perdomo recognized the students and community members who were Presidential Public Service award recipients.

Acting, Superintendent/President Allan provided a brief update on the Accreditation status with a site visit planned in November. Faculty and staff have done a great job. Out of the original 9 recommendations, 3 recommendations are left to complete. He feels the college is right on track with the rest of the State regarding SLO assessments. Strategies on Recommendations 6 has been discussed which will involve negotiations with union representatives.

Academic Senate: Ms. Davis reported that Dave Olson and Brian Hendrickson recently were awarded the 2013 Innovator Educator Award at the HPSN conference San Francisco. Another example of quality instruction they provide. Welcomed Dr. Maphumulo, Executive Vice President Instruction/Student Services to VVC. She also provided her personal steps in demonstrating SLOs and spoke on the progress made at VVC.

5. **CONSENT AGENDA**

It was MSC (Henderson/Brady, 3-1 Pinkerton, No) to approve the consent items in one action with item 5.35 deleted.

5.1 Approval of the minutes of the June 11, 2013 regular Board meeting

5.2 Independent Contractor Agreement – Stanley R. Conway

Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Stanley R. Conway to provide an appeal process for parking citations. The period of this agreement is from July 1, 2013 through June 30, 2014. Fiscal Impact: Not to exceed \$750.00, budgeted item.

- 5.3 Increase Independent Contractor Agreement – Joanne Bodine  
Ratification the increase of the Independent Contractor Agreement between Victor Valley Community College District and Joanne Bodine, for an additional \$4,218.50 for mediation services as needed for conflict resolution. This contract was originally approved on February 19, 2013 for up to \$4,400.00. Fiscal Impact: \$4,218.50, including expenses, budgeted item.
- 5.4 Independent Contractor Agreement – Nancy K. Bohl, Inc. DBA The Counseling Team  
Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Nancy K. Bohl, Inc. DBA The Counseling Team to provide psychological testing for police officers. The Counseling Team International will be used as primary contractor for psychological testing services. The period of this agreement is from July 1, 2013 through June 30, 2014. Fiscal Impact: Not to exceed \$2,200.00, budgeted item.
- 5.5 Curriculum Changes  
Approval of the curriculum changes made on May 23, 2013 and May 30, 2013 and recommended by the College Curriculum Committee. Fiscal Impact: None
- 5.6 Agreement – MKH Medical Electronics  
Ratification of the agreement between Victor Valley Community College District and MKH\_Medical Electronics for the maintenance, calibration and performance verification of therapy equipment in the athletic training room. The period of this agreement is July 1, 2013 to June 30, 2014. Fiscal Impact: Not to exceed \$1,000.00, budgeted item.
- 5.7 Agreement – American Medical Response (AMR)  
Ratification of the agreement between Victor Valley Community College District and American Medical Response (AMR) to provide medical standby services for commencement. The period of this agreement is June 7, 2013. Fiscal Impact: \$225.00, budgeted item.
- 5.8 Independent Contractor Agreement – Dawn Niemeyer  
Ratification of the Independent Contractor Agreement between Victor Valley Community College District and Dawn Niemeyer to provide academic support services at GEAR UP partner school sites. The service period for this agreement is July 1, 2013 through June 31, 2013. Fiscal Impact: Not to exceed \$1,000, GEAR UP grant funded.
- 5.9 Independent Contractor Agreement – H&L Charter Co.  
Ratification of the Independent Contractor Agreement between Victor Valley Community College District and H&L Charter Co. to provide transportation services for GEAR UP students/staff/chaperones in GEAR UP partner schools to educational/academic activities. The service period for this agreement is from July 10, 2013 through June 30, 2014. Fiscal Impact: Not to exceed \$60,000, GEAR UP grant funded.
- 5.10 Board of Trustees Payment Report  
Approval of the Board of Trustees Payment Report. Fiscal Impact: None
- 5.11 Rescind – Board Delegated Authorized Signatory  
Approval to rescind all signatory authority for Christopher O’Hearn, effective immediately.

- 5.12 Authorized Signatory – Peter Allan  
Approval to authorize Peter Allan as a representative of the Board of Trustees to conduct college business in named matters for fiscal year 2013-2014 per Education Code 72282. Fiscal Impact: None
- 5.13 Agreement – Trane Building Services  
Ratification of the agreement between Victor Valley Community College District and Trane Building Services to remove and replace the water temperature sensor on Chiller #1 at the Central Plant. Fiscal Impact: \$1,756.97, Fund 71.
- 5.14 Agreement – HCI Systems, Inc.  
Ratification of the agreement between Victor Valley Community College District and HCI Systems, Inc. to investigate, troubleshoot and repair current panel trouble on Simplex 4020 alarm system in the Child Development Center. Fiscal Impact: \$650.00, Fund 71.
- 5.15 Agreement – Epower Network  
Ratification of the agreement between Victor Valley Community College District and Epower Network to provide onsite service, preventive maintenance and remote monitoring for UPS system and batteries plus a Thermography inspection for fiscal year 2013-2014. Fiscal Impact: \$3,300.00, Fund 71.
- 5.16 Agreement – Epower Network  
Ratification of the agreement between Victor Valley Community College District and Epower Network to troubleshoot existing Mitsubishi UPS and battery system located in Student Services I. Recommendations on how to repair the system will be provided. Fiscal Impact: \$650.00, Fund 71.
- 5.17 Notice of Completion – Pacific Contractors Group, Inc.  
Ratification of the Notice of Completion for Pacific Contractors Group, Inc. for the Met Tile Roof Painting. This project was originally Board approved on April 9, 2013. Fiscal Impact: None.
- 5.18 Notice of Completion – Securitech  
Ratification of the Notice of Completion for Securitech for the Proximity Lock Installation project. This Liberal Arts project was originally Board approved on May 14, 2013. Fiscal Impact: None.
- 5.19 Agreement – Continuant  
Ratification of the agreement between Victor Valley Community College District and Continuant to purchase a Right Fax Server, this is a network fax software application that runs on a Windows platform. This solution allows users to send and receive faxes from users' desktop computers as well as the fax machine. (Item IN-10, on the Campus Technology Project list). Estimated cost savings of \$750/month. Fiscal Impact: \$27,192.00, budgeted item.
- 5.20 Agreement – OmniUpdate  
Ratification of the agreement between Victor Valley Community College District and OmniUpdate for year to continue maintenance support on Contract Management System for the Victor Valley College website so that departments can update their own websites. Term 7/1/13-6/30/14. Fiscal Impact: \$29,000.00, budgeted item.

- 5.21 Notice of Completion – Securitech  
Ratification of the Notice of Completion for Securitech for the Door Access and Equipment project at the Regional Public Safety Training Center. This project was originally Board approved on April 9, 2013. Fiscal Impact: None.
- 5.22 A Notice of Completion – Apple Valley Communications  
Ratification of the Notice of Completion for Apple Valley Communications for the Main Campus Fiber Relocation project. This project was originally Board approved on October 9, 2012. Fiscal Impact: None.
- 5.23 Agreement – All American Fence Erectors  
Ratification of the agreement between Victor Valley Community College District and All American Fence Erectors to continue use of the temporary fencing around the damaged storm drainage ditch located on District property between the college and Spring Valley Lake Association. The fencing installation was originally approved by the Board on December 11, 2012. Fiscal Impact: \$1,147.00, Fund 71 (May be reimbursable by Keenan Insurance Company.)
- 5.24 Agreement– Frick, Frick, & Jette Architects, Inc.  
Ratification of the agreement between Victor Valley Community College District and Frick, Frick, & Jette Architects, Inc. for architectural services needed for the Drainage Channel Repair project. This agreement was originally approved by the Board on April 9, 2013. Fiscal Impact: \$7,650.00, Fund 71.
- 5.25 Agreement Addendum – Golden State Labor Compliance, LLC  
Ratification of the addendum to the agreement between Victor Valley Community College District and Golden State Labor Compliance, LLC to provide labor compliance services for the Music Building Renovation and Addition, a local bond funded project. Fiscal Impact: \$20,000.00, Bond Funded.

## **ACTION AGENDA**

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

- 6.1 Separate approval of items pulled from consent agenda
- 6.2 Approval of Resolution #13-02 – Declaring Board Vacancy  
It was MSC (Henderson/Brady, 4-0) to approve the Resolution #13-02 declaring a vacancy on the Board of Trustees at Victor Valley Community College District. Fiscal Impact: None
- 6.3 **FAILED** Proposed Process to Appoint a New Board Member to Fill Vacancy  
It was MSC (Brady/Henderson, Henderson, No, Pinkerton, No, Brady, Yes, Denson, Yes) to approve the process, timeline, application materials and criteria. Fiscal Impact: None.

### **10. ADMINISTRATIVE SERVICES**

#### **10.1 Vote for Spring Valley Lake Association Water Purchase Plan**

It was MSC (Henderson/Brady, 4-0) to approve to vote for each of the 19 parcels owned by the District to determine if consent is given for SVLA to purchase water rights which will significantly save on the cost of maintaining the water level of their lake. The District property falls under the SVLA CC&Rs, therefore requiring a vote be cast for each of the 19 District owned parcels. Fiscal Impact: None.

10.2 Agreement – A&E Inspection Services

It was MSC (Henderson/Brady, 4-0) to approve to use the existing three (3) year agreement with A&E Inspection Services for Division of State Architect Inspector of Records services for the Music Renovation and Addition project which was Board approved June 14, 2011. Fiscal Impact: \$104,400.00, Bond funded.

10.3 Agreement – GiantPowerComm.

It was MSC (Henderson/Brady, 4-0) to approve to use the three (3) year agreement GiantPowerComm for specialized maintenance and cleaning of the 1 Megawatt CPV system located on the lower campus. This original scope of work was being completed by Sol-Focus who has recently filed bankruptcy and gone out of business. Fiscal Impact: \$68,745.00, Fund 71

10.4 Award Contract – Music Renovation and Addition

It was MSC (Henderson/Brady, 4-0) to approve to award the contract to Webb Brothers Construction for the Musical Renovation and Addition. Fiscal Impact: \$2,368,000.00, Bond funded.

10.5 Agreement – Merrell Johnson Companies

It was MSC (Henderson/Brady, 4-0) to approve to use the existing three (3) year agreement with Merrell Johnson Companies, which was originally approved by the Board on April 9, 2013, for materials testing and special inspection services needed during construction of the Music Renovation and Addition project which was Board approved on June 14, 2011. Fiscal Impact: \$79,230.00, Bond funded.

10.6 Statewide Association of Community Colleges

It was MSC (Henderson/Brady, 4-0) to approve to renew the contract with Statewide Association of Community Colleges to provide liability and property insurance coverage for Victor Valley College during fiscal year 2013-2014. Fiscal Impact: \$333,098.00, budgeted item.

11. **HUMAN RESOURCES**

11.1 Public Hearing for the District and CSEA for Successor Contract

The District sunshined reopeners at the June 22, 2013 Board meeting. It was MSC (Brady/Henderson, 4-0) to conduct a public hearing to provide the opportunity for comments on their initial proposals: Articles 5,8,9,10,12,13,21,22,24,and 25

a) The Board President hereby declares the hearing open at 7:30 p.m.

b) The public commented on the initial proposals (Fred Board)

c) The Board President hereby declared the hearing closed 7:31 p.m.

Fiscal Impact: Exact potential amounts are subject to negotiations between District and CSEA.

**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 – Don Brown

13.2 Employee Groups

- a) CTA – David Gibbs
- b) CSEA – Fred Board
- c) AFT Part-Time Faculty United – absent

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

**15. BOARD COMMUNICATION**

Trustee Brady: is proud to be a trustee and need to meet as soon as possible to get a Trustee that represents the community.

Trustee Denson: it has been very difficult to see us not being good examples for you. What we have not learned to do is work as a unit. We, as the Board, have to be united for you to be united. The trust factor for the board and administration has gone down. We need to work together and challenge the Board to do what we were elected to do and show that we are in this to serve you and that they didn't do this for politics or politricks. She challenged the Board to respect each other and to go forward as a team. She thanked the audience for attending and making the Board accountable. She is looking forward to ASB retreat.

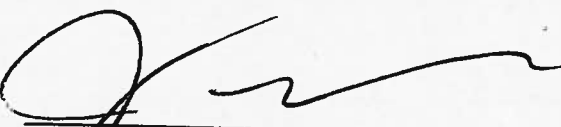
Trustee Pinkerton: spoke on the need to support faculty. He is looking forward to participating in the ASB retreat in Big Bear.

Trustee Henderson: thanked the Foundation for the work being done. He supports the college and the groups it feels it is one of the finest schools in the system.

Student Trustee Blanco: absent

**16. ADJOURNMENT**

It was MSC (Brady/Henderson, 4-0) to adjourn the meeting at 8 p.m.

  
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Joseph W. Brady, Clerk

8-13-13  
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Date Approved