

**MINUTES**  
**YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**  
**FIVE HUNDRED AND EIGHTY-SEVENTH REGULAR MEETING**  
**January 8, 2014**

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The meeting was called to order by Chair Lynn Martin at 3:30 p.m.

Public Comment: Steve Collins addressed the Board of Trustees regarding free speech and the YCCD policy on time, place and manner.

Trustees adjourned to Closed Session for the purpose of discussing the following Closed Session Agenda items:

**CLOSED SESSION AGENDA:**

- Discussion:
1. Pursuant to G. C. Section 54957  
Discipline/Dismissal/Release/Appointment
  2. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators  
Employee Organizations: CSEA, YFA
  3. Pursuant to G.C. Section 54956.8 Property Negotiator  
Conference with Real Property Negotiator (Stanislaus APN: 089-019-015, 089-019-016, 089-019-017, 089-019-018, 081-022-010.)
  4. Pursuant to G.C. Section 54956.9(a) - Existing Litigation  
Case: Van Tuinen vs. Yosemite Community College District, et al.,  
USDC Case #1:13-CV-01630-LJO-SAB
  5. Pursuant to G.C. Section 54956.9 (b) - Anticipated Litigation  
Significant Exposure to Litigation: One Potential Case

The Board of Trustees reconvened to Open Session at 5:38 p.m. in the Yosemite Community College District Board Room.

The Pledge of Allegiance to the Flag preceded formal Board action.

Board Members Present      Lynn Martin, Board Chair  
Don Viss, Vice Chair  
Linda Flores  
Anne DeMartini  
Tom Hallinan  
Mike Riley

Board Members Absent      Abe Rojas  
Erik Vorsatz (Student Trustee)

Others Present              J. Smith, T. Scott, V. Simmons, M. Gang, J. Stearns,  
L. Buckalew, B. Sinclair, A. Fairchilds, D. Fairchilds, S. Schrader,  
M. Kennedy, E. Anderson, L. Jackson, M. Newton,  
M. Shively, D. Bolter, S. Curl, M. Adams, A. Gonzalez, T. Kosik,  
M. Jones, H. Coit, J. Hamilta, M. Sundquist, G. Womble, J. Todd,  
N. Stavrianoudakis, J. Leamy, B. Thames, G. Molina, J. Mathies  
(Recorder).

Report Out From Closed Session      Chair Martin reported that the Board of Trustee rejected the Tort Claim of Dennis Gervin with a vote of 6-0.

Approval of Minutes

A motion was made by Trustee DeMartini and seconded by Trustee Flores to approve the Minutes of the Regular Meeting on December 11, 2013.

The motion carried with a vote of 6-0.

**PUBLIC COMMENTS**

There were no comments from the public.

**REPORTS &  
INFORMATION ITEMS**

**Constituency Reports**

Monthly Reports were given by the following:

Student Senate

Student Senate Activity Reports  
(ASMJC President Andrew Campbell for MJC and  
ASCC President Matt Chrisman for Columbia College)

Academic Senate

Academic Senate  
(CCAS President John Leamy and  
MJCAS President James Todd)

Leadership Team Advisory  
Council

Leadership Team Advisory Council  
(LTAC President Mike Sundquist)

Yosemite Faculty  
Association

Yosemite Faculty Association  
(YFA Co-President Debra Bolter)

California Schools  
Employee Association

California Schools Employee Association  
(No report this month.)

Faculty Representative to  
the Board

Faculty Representative to the Board  
(Brian Sinclair)

**Activities and  
Announcements  
Columbia College**

Interim President Leslie Buckalew called the Board's attention to the following Columbia College activities and announcements described in the January Board Agenda:

1. Big Band Featured at Benefit Concert for Sonora High School Jazz Band
2. Jazz Artist Series – January Events
3. Flex Day

**Modesto Junior College**

President Jill Stearns called the Board's attention to the following MJC activities and announcements described in the January Board Agenda:

1. MJC Professor Hosts the Stanislaus County Junior High and High School Music Festival
2. MJC Ag Presents 2<sup>nd</sup> Beef Show Master Classic
3. MAPS Presents "Skycaves of Nepal" at MJC
4. East Campus Library Ribbon Cutting Ceremony

5. Martin Luther King, Jr. Commemoration
6. Off-Balance Dancers to Perform

**Yosemite Community College District**

Save the Date – Staff Recognition Dinner 2014

Save the date for the upcoming Staff Recognition Dinner – Friday, April 11, 2014, in Oakdale at the Gene Bianchi Community Center.

Chancellor Smith expressed appreciation to Interim President Leslie Buckalew for her service to Columbia College. She introduced the next incoming President of Columbia College Angela Fairchilds.

**Presentations/Updates**

**Chancellor's Update**

Chancellor Smith announced the next Leadership Team training entitled *Managing Change* and reported the Board of Trustees and District Council will be receiving an invitation. She briefly reported on the 2014 California budget and how it will affect the community colleges. She expressed her appreciation to everyone who worked on Accreditation, remarking on the teamwork.

**Bond Update**

Kitchell representative Mr. Mark Newton provided the Board with an update on the progress of the Measure E Bond project winter move-ins at Columbia College and the MJC Library.

**Modesto Junior College: North Hall:** The project is in construction. *Science Community Center/Great Valley Museum (GVM):* GVM is in construction.

**Columbia College: Manzanita Building Remodel:** The project is working through back check at the DSA. *Sequoia Building:* The project is in construction.

**Central Services: Secondary Data Center:** The project is in construction. *Central Services Building:* The project is in design.

**Current Modesto Junior College Projects**

PROJECT	STATUS	START CONSTRUCTION
Infrastructure Increment II	Complete	February 2011
Science Community Center & GVM	GVM Under Construction	July 2010
Student Services	Closeout	April 2010
Library Learning Resource	Move-in	September 2012
High Tech Center (North Hall)	Construction	September 2013
Career Transfer Center	Complete	May 2013

**Current Columbia College Projects**

Manzanita Building	Moving into Bid	March 2014
Sequoia Building	Move-in	August 2013
Redbud (MJC Funded)	Complete	March 2013

PROJECT	STATUS	START CONSTRUCTION
<b>Current Columbia College Projects</b>		
Roads Phase I	Complete	June 2013
Roads Phase II	Design	May 2014
Secondary Effects (Tamarack)	Bid	November 2013
<b>Current Central Services Projects</b>		
Primary Data Center	Commissioning	August 2012
Secondary Data Center	Construction	April 2013
Shipping and Receiving	Complete	August 2012
Central Services Building	Design	Fall 2015
<b>Current Educational Outreach Facilities</b>		
Calaveras	Design	Tbd
Oakdale	Property Search	Tbd
Turlock	CEQA Review	Tbd
Patterson	Design	Tbd
Definition of "Complete" for Facilities refers to "YCCD Occupancy." DSA = Division of State Architect.		

## **ACTION ITEMS**

### **Consent Agenda**

A motion was made by Trustee DeMartini and seconded by Trustee Hallinan to approve Consent Items A through C.

The motion carried with a vote of 5-0. (Trustee Riley abstained.)

### **Fiscal Services**

#### **Purchase Orders**

The Board of Trustees approved the purchase orders issued from November 1, 2013, through November 30, 2013.

### **Acceptance of Gifts**

A recommendation is made that the Board accept with appreciation the following gift(s):

Donor	Gift	College	Program
George Murphy	Heat Buster Barn Fan 4 ft. diameter (Value \$500)	MJC	Ag and Environmental Sciences
Christine Carr	\$500 to purchase sheet music, instruments and for repairs	MJC	MJC Community Orchestra
Doc Wait	200 copies of "Ornamental Plants, Their Care, Use, Propagation and Identification" (Value \$6,000)	MJC	Ag and Environmental Horticulture Science
Alan Cover	Donation of labor, pick up and hulling of 132,067 pounds of walnuts (Value \$4,661.34)	MJC	Ag and Environmental Sciences Beckwith Instructional Laboratory
D & M Ag	Kubota Tractor (Value \$2,000)	MJC	Ag and Environmental Sciences Young Farmer Power Mechanics
Veterinarian's Co-op	Refrigerator (Value \$350)	MJC	Ag and Environmental Sciences Vet Tech Program

Donor	Gift	College	Program
Marco Dusi	\$100	MJC	Ag and Environmental Sciences Equine Program
Minturn Nut Company	\$5,000	MJC	Ag and Environmental Sciences Livestock Judging Team and Young Farmers Animal Science Program

Notice of Completion of Contract

The following project contracts have been completed and inspected. The Board accepted the work performed as having been completed in accordance with the plans and specifications and authorized final payment of 10% of the total contract amount.

Bid #	Project Name	College	Contractor	Amount
12-1683	Hydronic Flush and Fill Project	MJC	Mark III Construction, Inc.	\$81,277.78
12-1684	Shipping and Receiving Building Project	CS	Acme Construction Co., Inc.	\$2,893,101.12

Nonresident Tuition Fee

The Board of Trustees is required to establish annually a nonresident student tuition fee for the succeeding year. The 2013-2014 nonresident student tuition fee is \$222. The 2014-2015 nonresident student tuition fee must be at or between the statewide average expense per unit and the Yosemite Community College District's expense per unit. The state Chancellor's Office provides the formula to compute the nonresident tuition fee. The statewide average expense per unit is \$193, and the Yosemite Community College District's expense per unit is \$219. In keeping with the three prior years, staff recommends that the Board adopts the District's computed rate of \$219.

The Board of Trustees adopted the 2014-2015 nonresident student tuition fee based on the District's computed rate of \$219 per unit.

Consent Agenda, Proposed Curriculum Changes

MJC Proposed Curriculum Changes – 2014-2015 Academic Year

Per approval of the Modesto Junior College Curriculum Committee on December 3, 2013, Modesto Junior College requests that the YCCD Board of Trustees approve the following curriculum changes. They will take effect with the beginning of the 2014-2015 academic year unless otherwise indicated. Changes will be reflected in the 2014-2015 MJC Catalog and Schedules of Classes. Changes that require California Community College Chancellor's Office (CCCCO) approval will be implemented upon CCCCCO approval.

The Board of Trustees approved the Curriculum Board Report additions, deletions, and modifications for Modesto Junior College as of the December 3, 2013, Curriculum Committee meeting which were attached to the Agenda.

Columbia College Proposed Curriculum Changes

The Board of Trustees approved the curriculum additions, deletions, and modifications for Columbia College for the report period of November 20, 2013, to December 20, 2013, which were attached to the Agenda.

Consent Agenda, Personnel

Personnel Transaction Items

The Board of Trustees approved the following list of Personnel Transaction Items and commended the retiree for her years of service:

**PERSONNEL TRANSACTION LIST**

Name	Position	Department	Coll	Effective
<b>Retirements:</b>				
Denise Godbout-Avant, 25 years of service	Instructional Support Technician	Science, Math and Engineering	MJC	5/1/14
<b>Probationary Appointment - Academic:</b>				
David Dow	Instructor of Music	Arts, Humanities and Communications	MJC	1/9/14
<b>Temporary Appointment - Academic:</b>				
David Austin	Instructor of Speech	Arts, Humanities and Communications	MJC	Spring 2014 only
Roxanne C. Bonjean	Instructor of English	Arts & Sciences	CC	Spring 2014 only
Patricia Harrelson	Academic Achievement Center Coordinator	Arts & Sciences	CC	Spring 2014 only
Keith Thompson	Instructor of Math	Arts & Sciences	CC	Spring 2014 only
<b>Probationary Appointment - Classified:</b>				
Dana Baker	Financial Aid Technician	Financial Aid	CC	1/9/14
Kelsie Bonavia	Financial Aid Technician	Financial Aid	CC	1/9/14
Kevin Ciabatti	Custodian	Facilities Operations	CS	1/10/14
Elizabeth Morris	Administrative Assistant	Child Development Training Consortium	CS	1/9/14
<b>Interim Appointment - Classified:</b>				
Marissa Cahn	Interim Facilities/Events Scheduler	Facilities & Events	MJC	1/6/14 until filled permanently

Name	Position	Department	Coll	Effective
<b>Appointment - Classified Management:</b>				
Yolanda Avila	Custodial Services Manager	Facilities Operations	CS	1/13/14
<b>Resignation:</b>				
Elizabeth Hondoy	Program Technician	Technical Education and Workforce Development	MJC	1/9/14
Joseph Nguyen	Instructional Support Assistant	STEM/Library & Learning Center	MJC	12/31/13

Short-Term Appointee List

The Board of Trustees approved the following list of short-term appointees, in accordance with state law (AB500-Goldberg).

Name	Classification	Department	Coll	Start Date	End Date
<b>Seasonal</b> — hired to cover high peak periods associated with the academic calendar such as registration, bookstore rush.					
Shirley Conner	Administrative Assistant	Community Education	MJC	1/9/14	3/6/14
Lisa Jackson	Food Service Technician	Food Service	MJC	1/13/14	2/7/14
Larisa Ubryanova	Administrative Assistant	College Administrative Services	MJC	1/9/14	3/6/14
<b>Intermittent</b> — creates pool of eligible employees available on an "on-call" basis. Typically used for critical areas such as security or to cover for mandated positions such as child care.					
Jenay Anderson	Art Model	Arts, Humanities & Communications	MJC	1/9/14	6/30/14
Dorothy Arndt	Accompanist	Arts & Sciences	CC	1/9/14	6/30/14
Linda S. Berry	Accompanist	Arts & Sciences	CC	1/9/14	6/30/14
Diane Day	Accompanist	Arts & Sciences	CC	1/9/14	6/30/14
Tom Harris	Transportation Services Operator	Transportation	CS	1/9/14	6/30/14
Marcella Hernandez	Performing Arts Costume Specialist	Arts, Humanities & Communications	MJC	1/9/14	6/30/14
Lisa Jackson	Food Service Technician	Food Service	MJC	2/7/14	5/2/14
Sherri Karp	Transportation Services Operator	Transportation	CS	1/9/14	6/30/14
Alicia Keenom	Shuttle Driver	Security	CC	1/9/14	6/30/14
Andrea Marks	Accompanist	Arts & Sciences	CC	1/9/14	6/30/14
Jonathon Parks	Transportation Services Operator	Transportation	CS	1/9/14	6/30/14
Joan Peck	Accompanist	Arts, Humanities & Communications	MJC	1/9/14	6/30/14
Wesley Richmond	Accompanist	Arts, Humanities & Communications	MJC	1/9/14	6/30/14

Name	Classification	Department	Coll	Start Date	End Date
Lawrence V. Thompson	Transportation Services Operator	Transportation	CS	1/9/14	6/30/14
Hannah Watson	Art Model	Arts, Humanities & Communications	MJC	1/9/14	6/30/14
<b><i>Specially Funded or Temporary</i></b> – appointments made in response to specially-funded project and/or unexpected workload demand created by special projects or vacancies.					
Susanne Anderson	Health Service Nurse	Health Services	MJC	1/9/14	6/30/14
Jana Connell	Instructional Support Specialist	Career Technical Education	CC	1/9/14	5/31/14
Denice Ford	Program Assistant	Technical Education & Workforce Development	MJC	1/9/14	6/30/14
<b><i>Temporary Replacement for Vacant Classified Position</i></b> – Maximum of 60 calendar days permitted only during recruitment process.					
Alice Giagou	Instructional Support Assistant	Library & Learning Center	MJC	1/9/14	2/28/14

Adjunct Faculty Appointee List

The Board of Trustees approved the list of adjunct faculty appointments for the Fall 2013 semester that was attached to the Agenda. **(See Report #2455)**

Negotiations - YFA

Discussion with the Yosemite Faculty Association (YFA) regarding 2013-2014 contract negotiations has been completed. Based on this process, we are pleased to report that new contract language was developed effective January 9, 2014 – June 30, 2014. A summary of contract language changes was provided to the Board of Trustees.

The Board of Trustees approved the negotiated contract language effective January 9, 2014 – June 30, 2014, pending successful ratification by YFA.

**Discussion Items**

CCCT Board of Directors Nominations for 2014

Nominations for the CCCT 2014 Board of Directors are open through February 15, 2014. A member district may nominate one of their trustees to run for these positions. Background materials were previously distributed to Trustees.

The Board of Trustees determined they would not nominate a candidate for the CCCT Board of Directors.

Board Policy – 1<sup>st</sup> Reading

YCCD Board Policy 3900 – Time, Place and Manner is presented to the Board as a 1st Reading. The policy has been distributed to the Policy and Procedures Committee to collect constituency group review and feedback and will be presented to District Council at its



January 22 meeting. In addition, a revised version of Administrative Procedure 3900 is currently under review by the Policy and Procedures Committee which will replace the interim administrative procedures presented at the December 11, 2013, Board meeting. **(See Report #2456)**

The Board of Trustees conducted a 1<sup>st</sup> Reading on YCCD Policy 3900 – Time, Place and Manner. Based on comments from the Board, a revised Policy 3900 will be presented as a 2<sup>nd</sup> Reading along with a revised Administrative Procedure at the February Board meeting.

## **COMMENTS**

### **From the Board of Trustees**

Trustee Hallinan had no report. Trustee Riley reported he attended the MJC Associate Degree Nursing Program Pinning Ceremony and visited both college campuses with his guests. Trustee Viss reported he attended the MJC Nurses' Pinning Ceremony and the Agenda review with the Chancellor. Trustee DeMartini reported she attended the MJC Nurses' Pinning Ceremony. She was recently appointed to be the Board of Trustees' representative to the Great Valley Museum Foundation. She attended the December GVM Foundation meeting and also met with the Foundation President and Treasurer. Trustee Flores reported she attended the MJC Nurses' Pinning Ceremony. Chair Martin reported she attended the Columbia College Fire Academy graduation, the Columbia College holiday dinner with numerous faculty members and the Agenda review with the Chancellor.

The meeting adjourned at 6:56 p.m.

## **ANNOUNCEMENTS**

The next regular meeting of the Board of Trustees will be held on Wednesday, February 12, 2014. Closed Session will begin at 3:30 p.m., Open Session begins at 5:30 p.m., in the Yosemite Community College District Board Room, 2201 Blue Gum Avenue, Modesto, California.

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Lynn Martin, Chair  
YCCD Board of Trustees

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Joan E. Smith, Ed.D., Secretary  
YCCD Board of Trustees