

MINUTES
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FOUR HUNDRED EIGHTY-FOURTH REGULAR MEETING
June 8, 2005

The meeting was called to order by Board Chair Linda Flores at 3:28 p.m. Trustees then recessed to closed session for the purpose of discussing the following closed session agenda items:

- Discussion:
1. Pursuant to G. C. Section 54957
Discipline/Dismissal/Release/Appointment
 2. Pursuant to G. C. Section 54956.9(a) - Litigation
Case: ACE v. YCCD, Case #306771
Case: Classified employee arbitration
 3. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators
District Representatives: J. Williams, T. Scott, D. Wirth, G. Railey
Employee Organizations: CSEA, YFA

The Board of Trustees reconvened to public session at 5:30 p.m. in the YCCD Board Room. The Pledge of Allegiance to the Flag preceded formal Board action.

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| Board Members Present | Pat Dean Anne DeMartini Linda Flores Delsie Schrimp Tom Hallinan Paul Neumann Abe Rojas Susan Rudolph (student trustee) |
| Board Members Absent | None |
| Others Present | Maria Baker, George Railey, Jim Riggs, Teresa Scott, Bill Scroggins, Jim Williams, Diane Wirth, Gina Rose, Linda Hoile, Jeff Swank, Michelle Christopherson, Mark Newton, Karen Clark, Don Clark, Kim Taylor, William McCombs, Brian Sanders, Karlha Arias, Cece Putnam, Micha Miller, Jerry Yaeger, Carrie Sampson, Patterson Mayor David Keller, Irene Pippin, Deborah Campbell, Linda Kropp, Derek Waring, Steve Collins, Pam Gurnari, Judy Lanchester, Beth Au, Tim Nesmith and Shelley Akiona (recorder). |
| 15,133 Swearing in of New Student Trustee | Susan Rudolph, Columbia College Student, was sworn in by Chancellor Williams as the student representative on the Board of Trustees. Members of the Board congratulated Ms. Rudolph on her appointment. |
| 15,134 Report Out from Closed Session | There was no report from closed session. |

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Approval of the Minutes A motion was made by Trustee Neumann and seconded by Trustee Rojas that the Board of Trustees approve the minutes of the regular meeting of May 11, 2005. The motion carried with a vote of 7-0.

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Student Activity Reports William McCombs, ASMJC President, provided a written update to the Board. ASMJC completed training for new executive officers. Fireworks will be on sale from June 28 through July 4, 2005. Presale coupons are available for \$10.00 each . Students volunteers are preparing for the MJC Foundation Summer Sonata. ASMJC will host a student leadership academy at the Mary Stuart Rogers Student Center on June 20-23, 2005.

There was no report from Columbia College.

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Academic Senate Activity Reports Michelle Christopherson, MJC Academic Senate President, reported that a special meeting will be held next week to take action on MJC's accreditation self-study.

Micha Miller, Columbia College Academic Senate President, gave an update on faculty hiring. He formally thanked David Baggett for his interim service as Dean of Instructional Services.

REPORTS AND INFORMATION ITEMS

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Activities/Announcements

Financial Aid Awareness Faire Columbia College President, Dr. Jim Riggs, reported that Columbia College hosted a free Financial Aid Awareness Faire on May 31 to promote financial assistance programs that are available to students. Information, applications, assistance with completing the forms and tips on avoiding delays were provided. A barbecue lunch, prizes and gift merchandise were also part of the faire.

Summer Culinary Training Program Columbia College President, Dr. Jim Riggs, reported that Columbia College's eight-week Summer Training Program will get underway on June 13. Now in its fourth year, the program will teach commercial food preparation and other essential skills. Students will again plan, prepare and serve Thursday buffets for the public in The Cellar Restaurant from 11:30 a.m. to 1:30 p.m. Cost is \$7.95 per person.

| | |
|--|--|
| CDF Firefighting Academy | MJC Interim President, Dr. Bill Scroggins, reported that the California Department of Forestry (CDF), in partnership with Columbia College, is preparing for the upcoming fire season by conducting a ten-day Firefighting Academy, which runs from June 13 to 22. Over 40 enrollees will be taught wild land and structural fire control techniques in college classrooms and on the campus grounds. In addition, students will be required to extinguish live fire simulations at the Modesto Reservoir and Sierra Conservation Center in Jamestown. The training will lead to certification, which is a CDF requirement for employment as firefighters. |
| MJC Summer Sonata | MJC Interim President, Dr. Bill Scroggins, reported that the Modesto Junior College Foundation will again host A Summer Sonata on Friday, July 8, at the home of Jim and Sue Coleman. The elegant garden dinner party will begin with a social hour and silent auction at 6 p.m., dinner will be served at 7 p.m. and a live auction will follow at 8 p.m. Tickets are \$150 each and sponsorships are still available by contacting the Foundation Office. All proceeds benefit the MJC Foundation in their support of MJC's programs, services and scholarships. |
| MJC TRIO Student Support Services Grant Renewed | MJC Interim President, Dr. Bill Scroggins, reported that Modesto Junior College received a grant renewal from the U.S. Department of Education in the amount of \$1,071,940 for the TRIO Student Support Services (SSS) Program. The program, in its 10 th year at MJC, assists low income and first generation college students with the assistance and support needed to graduate from MJC and transfer to a four-year college. The grant renewal will provide the program with \$267,985 annually for the next four years. Congratulations to the program director Martha Robles. |
| MJC Receives CCCLive Caption Project | MJC Interim President, Dr. Bill Scroggins, reported that the California Community Colleges Chancellor's Office (CCCLive Caption Project) has awarded MJC a grant for \$112,876.94 to close caption videos for distance learning classes. This will benefit the deaf and hard of hearing populations and will make these materials more accessible to other learners, such as ESL students and others with various learning styles. The grant money will be used as follows: \$21,600 for RapidText live captioning for distance education, \$3,300 for equipment to allow captioning of online education courses, \$81,000 for the replacement/captioning of currently non-captioned videos that are checked out by students through the library and \$5,000 for video production equipment and software to allow closed captioning of future videos produced by MJC. Congratulations to the grant writer Nancee Carrillo and staff members Wes Page, John Chappell, Jim Clarke, Sue Adler and Linda Occhipinti. |
| MJC Summer Theatre Presents "A Servant of Two Masters" | MJC Interim President, Dr. Bill Scroggins, reported that Modesto Junior College Summer Theatre will provide a double helping of rich Italian comedy as it presents "A Servant of Two Masters" by Carlo Goldoni on July 8, 9, 15 and 16 at 7:30 p.m. and on July 17 |

at 2:00 p.m. in the MJC Little Theatre on East Campus. Tickets will be on sale at the door for \$8 general admission and \$7 for students and seniors.

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Presentations/Updates

CampusWorks & Datatel Update

Lloyd Vaught, representing the Information Technology Oversight Committee, provided a brief progress report on the efforts to solve our software problems. IT is preparing for Fall registration. The student registration process has been changed and refined. IT is preparing for the next Datatel upgrade. Current IT projects include: a data warehouse system, improving reporting requests, communication management, curriculum management, student online access to degree audit and web projects. This is the last progress report. The District's contract with CampusWorks ends on June 30, 2005. Mr. Vaught commended CampusWorks consultants for their assistance.

Reclassification Study

Diane Wirth, Interim Vice Chancellor of Human Resources, reported that the District will be requesting proposals for a classification and salary study of the District's classified bargaining unit and leadership team positions. The last study occurred in 2001. The current study shall be conducted during the 2005-2006 fiscal year. A committee will be established to review the proposals and conduct interviews of potential firms. The charge of the committee will be to select a firm that can best meet the District's expectations. Trustee DeMartini expressed interest in the reclassification process and requested that trustees be kept informed. Updates will be provided to the Board.

Bond Update

Chancellor Jim Williams reported that David Casnocha, bond legal counsel, will conduct a make-up session for members of the Citizens Oversight Committee who could not attend the first orientation meeting on May 10, 2005. The District has entered into a three-year agreement with Kitchell for Program Management Services for Measure E Bond activities. No changes have been made to the latest project priority list presented to the Board at the March Board meeting. Chancellor Williams assured the Board that any possible changes to the MJC project list will be carefully reviewed by MJC, Kitchell and the Chancellor prior to being presented to the Board. Trustee Neumann suggested that trustees try to attend MJC discussion sessions to observe the process and report back to other trustees. There are no anticipated changes to the Columbia College Measure E project list. YCCD completed its first sale of Measure E bonds, \$94.445 million, on April 19, 2005. District staff and Trustee Neumann met with a potential land donor in Patterson. We are expecting a formal offer for the Board to consider as early as July 2005.

Mark Newton from Kitchell made a presentation to the Board of Trustees regarding upcoming activities which include, but are not limited to: review college program goals; prepare an overall

program timeline and implementation schedules; develop an organizational structure for decision making, communications and regular updates; design approval process; establish building program foundations; obtain architectural consultants for focused planning and design; identify quick start projects, and procure property. Kitchell now has an office located at Central Services. Representatives will be present at each project site and ongoing updates will be provided.

West Side Site Acquisition Update

Chancellor Williams reported that staff and trustees have met with several developers, land owners, and city and county officials regarding various center sites on Stanislaus County's "West Side." Eight sites have been presented to staff since December 2004 with varying degrees of discussion, ranging from potential land donations, land sales, building sales, and building leases.

An MJC West Side Center would ideally consist of the following characteristics: the potential to occupy or build roughly 20,000 square feet of facility space in the short term and the opportunity to expand into roughly a 40+ acre campus site in the long term. It is anticipated that in the future, the West Side will be able to sustain a full blown college campus. The District has budgeted \$5 million to accomplish at least these two primary goals.

The team from YCCD who have met individually and collectively regarding West Side sites includes Chancellor Williams, Interim President Scroggins, Trustees DeMartini and Neumann, Maria Baker, and Nick Stavrianoudakis. Legal counsel and a Kitchell representative have attended one of the meetings. Guidelines are being established by legal counsel and Kitchell, to submit a formal proposal for consideration at the next Board meeting. An analysis of formal offers will be brought to the Board in the near future.

West Side Site Presentation

Mr. Michael Miroyan, president of Golden Eagle Investments, has offered to donate approximately 30-40 acres to YCCD within the Patterson City limits for a West Side Center. The presentation was made by Mr. Jerry Yaeger and Mr. Greg Troxell. The property is located near Sperry and Baldwin Roads, near Highway 33 and is visible from Interstate 5. Mr. Miroyan has also agreed to build a second road to the campus site from Sperry Road and put in utilities at a cost to Miroyan of \$1.2 – \$1.5 million. Maps and preliminary drawings were presented to the Board for their review. Patterson Mayor David Keller was also present. The City of Patterson supports the concept of a West Side campus, at whichever site the Board chooses, and appreciated being included in the Bond measure. There is a sphere of influence on the south side of this property, where the City line stops. He advised that there is no assumption that the city will continue to grow south. Mello Roos is in place in this area, however, the District could request from the Patterson City Council to opt out of the Mello Roos. The Board expressed their thanks and appreciation of this offer.

ACTION ITEMS

15,140

Consent Agenda

Purchase Orders

A motion was made by Trustee DeMartini, seconded by Trustee Schrimp that the Board of Trustees approve the purchase orders issued from April 1, 2005, through April 30, 2005. The motion carried with a vote of 5-0, with 2 abstentions (Neumann, Hallinan).

Acceptance of Gifts
& Projects Applications/
Amendments

Accept with appreciation the following gifts:

- a. Donation of 80 gift sets with calculator and pen from Ron Alves to be used for the Project Competition in Ag & Environmental Sciences at Modesto Junior College.
- b. Donation of a hydraulic steering cylinder from Hydratech to be used for the collegiate $\frac{1}{4}$ scale tractor for the Ag Mechanics Program in Ag & Environmental Sciences at Modesto Junior College.
- c. Donation of an electromagnetic chuck, a vertical milling machine and miscellaneous used cutting tools from Parker Hannifin Corp – Racor Division to be used in the Machine Tool Technology program in the Technical Education Department at Modesto Junior College.
- d. Donation of a model trimmer from Dr. John Padmos to be used in the Dental Assisting Program at Modesto Junior College.
- e. Donation of six rubber dam punches from Valley Hill Dental to be used in the Dental Assisting Program at Modesto Junior College.
- f. Donation of a laboratory vibrator from Dr. James Woodbury to be used in the Dental Assisting Program at Modesto Junior College.
- g. Donation of a laboratory vibrator from Dr. Andrew Soderstrom to be used in the Dental Assisting Program at Modesto Junior College.
- h. Donation of a laboratory vibrator from Dr. Randy Hayashi to be used in the Dental Assisting Program at Modesto Junior College.
- i. Donation of a laboratory vibrator from Dr. Robert DiGiorno to be used in the Dental Assisting Program at Modesto Junior College.
- j. Donation of a laboratory vibrator from Dr. Michael Boyd to be used in the Dental Assisting Program at Modesto Junior College.
- k. Donation of a laboratory vibrator from Dr. Robert Venn to be used in the Dental Assisting Program at Modesto Junior College.

- l. Donation of an extra large toothbrush and dental model from Dr. Robert Cushing to be used in the Dental Assisting Program for Dental Instruction/Community Projects at Modesto Junior College.
- m. Donation of two rubber dam forceps from Dr. Peter Soderstrom to be used in the Dental Assisting Program at Modesto Junior College.
- n. Donation of two rubber dam forceps from Dr. John Sulak to be used in the Dental Assisting Program at Modesto Junior College.
- o. Donation of a rubber dam forcep from Dr. Elizabeth Demichelis to be used in the Dental Assisting Program at Modesto Junior College.
- p. Donation of \$1,000 from the Schnoor Family to be used for the Young Farmers Animal Science Club for livestock activities at Modesto Junior College.
- q. Donation of a reflective telescope from Tom Lewis for use at Columbia College, Baker's Station.

Project Applications/
Amendments

Authorize the Yosemite Community College District to submit the following project applications/amendments (**Report #2163**) and to enter into a contract with the appropriate donor agencies when the projects are selected for funding:

- a. Early College High School Initiative – Vocational Education Academy - MJC
Submitted to Foundation for California Community Colleges
Agency share: \$400,000, over five years
Proposer share: \$353,965, over five years

A motion was made by Trustee Hallinan and seconded by Trustee Neumann that the Board approve the acceptance of the above gifts and project applications/amendments. The motion carried with a vote of 7-0.

15,141

Personnel Items

A motion was made by Trustee Rojas, seconded by Trustee Neumann that the Board of Trustees take the following action on the Consent Agenda Item B (Personnel Items), as amended, for approval, excluding Items 40 as follows:

Grant retirement status to **Paul Lockman**, Dean of Special Programs, Columbia College, effective June 30, 2005 and commend him for 24 years of valuable service to the District.

Grant retirement status to **Thomas David Davis**, Fire Science Facility Technician, Public Safety-Fire, Modesto Junior College, effective May 1, 2005, and officially commend him for 10.5 year of valuable service to the District.

Approve the appointment (first year contract) of **Optimism One** to the position of Instructor English, Literature & Language Arts, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Jason Wohlstadter** to the position of Instructor English, Literature & Language Arts, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Deborah Gilbert** to the position of English Instructor, Literature & Language Arts, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Emily Malsam** to the position of English Instructor, Literature & Language Arts, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Adrienne Peek** to the position of English Instructor, Literature & Language Arts, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Joseph Caddell** to the position of Chemistry Instructor, Science, Mathematics & Engineering, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Todd Conrado** to the position of Instructor of Agriculture Mechanics, Agriculture & Environmental Sciences, Modesto Junior College, effective July 1, 2005.

Approve the appointment (first year contract) of **Gail Brumley** to the position of Instructor of General Agriculture, Agriculture & Environmental Sciences, Modesto Junior College, effective July 1, 2005.

Approve the appointment (first year contract) of **Nathan Rien** to the position of Instructor of Health & Human Performance, Columbia College, effective Fall 2005.

Approve the appointment (first year contract) of **Raelene Juarez** to the position of Instructor of Health & Human Performance, Columbia College, effective Fall 2005.

Approve the appointment (first year contract) of **Dana Pollock** to the position of Counselor, Student Services – Counseling, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Wendy Griffiths-Bender** to the position of West Campus Librarian, Learning Resources, Modesto Junior College, effective August 1, 2005 (11 month work year).

Approve the appointment (first year contract) of **Shawn Black** to the position of Physical Education & Men's Tennis Coach, Physical, Recreation and Health Education, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Bill Anelli** to the position of Instructor of Philosophy, Business, Behavioral & Social Sciences, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Laura Manzo** to the position of Instructor of Spanish, Literature & Language Arts, Modesto Junior College, effective Fall 2005.

Approve the appointment (first year contract) of **Joseph Doherty** to the position of Instructor of Fire Technology, Columbia College, effective Fall 2005.

Approve the appointment (first year contract) of **Kelly Butler** to the position of Instructor of Nursing, Nursing Consortium, Modesto Junior College, effective for the Fall 2005-2006 academic year only.

Approve the appointment (first year contract) of **Leanne Bartels** to the position of Instructor of Nursing, Nursing Consortium, Modesto Junior College, effective for the Fall 2005-2006 academic year only.

Approve the interim administrative appointment of **Tobin Clarke** to the position of ~~Director~~ Dean of Learning Resources, Instruction, Modesto Junior College, effective July 1, 2005 through December 31, 2005, renewable by mutual consent.

Approve the extension of contract of the interim administrative appointment of **Steven Collins** to the position of Vice President of Instruction, Modesto Junior College, effective May 1 to August 1, 2005.

Approve the interim administrative appointment of **John Williams**, to the position of ~~Vice~~ Dean of Instructional Services, Arts & Sciences, Columbia College, effective June 9, 2005, not to exceed seven (7) months.

Approve an interim assignment for **Don Borges** to Tech Prep Director, Ag & Environmental Sciences & Technical Education, Modesto Junior College, effective June 16, 2005 to August 31, 2005.

Approve the promotional appointment of **Cecilia Vera** to Nurse II, Health Services, Modesto Junior College, effective May 23, 2005, contingent upon funding (10 month work year).

Approve the promotional appointment of **Dahlia Massey** to the position of Administrative Assistant of Information Technology, Yosemite Community College District, effective June 1, 2005.

Approve the promotional appointment of **Vicki Groff** to the position of Instruction Office Technician, Instruction, Modesto Junior College, effective June 1, 2005.

Approve the probationary appointment of **Molly Navarro** to the position of Executive Secretary (70%) Yosemite Faculty Association, Modesto Junior College, effective August 1, 2005 (10-month work year).

Approve the probationary appointment of **Maria Vivas Vargas** to the position of Support Staff II, Community Education, Modesto Junior College, effective June 1, 2005, contingent upon funding.

Approve the probationary appointment of **Melvin Ainsworth** to the position of Software/Network Analyst, Technology Services, Modesto Junior College, effective June 1, 2005.

Approve the probationary appointment of **Shami Soro** to the position of Bookstore Buyer, Auxiliary Services, Yosemite Community College District, effective May 23, 2005.

Approve the probationary appointment of **Wendy Long** to the position of Support Staff II, Science, Mathematics & Engineering, Modesto Junior College, effective July 1, 2005.

Approve the probationary appointment of **Carly Battle** to the position of Support Staff I – 47.5%, Foster Kinship Care Education/Child Care Center, Columbia College, effective June 1, 2005.

Approve the probationary appointment of **Janine Hiles** to the position of Administrative Secretary, Student Learning, Columbia College, effective June 13, 2005.

Approve a permanent increase in assignment for **Julie Faulkner**, Administrative Secretary, Columbia College, from 10 months per year to 12 months per year, effective July 1, 2005.

Accept the resignation of **William Michael Daniel**, Chemistry Instructor, Science, Mathematics & Engineering, Modesto Junior College, effective May 9, 2005.

Accept the resignation of **Barbara Bradford**, Museum Technician III, Great Valley Museum, Science, Mathematics & Engineering, Modesto Junior College, effective April 29, 2005.

Approve the reclassification in assignment for **Karlha D. Arias**, from Executive Secretary, External Affairs to Communications Specialist, External Affairs, Yosemite Community College District, effective June 1, 2005. Supporting documentation has previously been provided to the Board.

Accept the resignation of **Stephen Carroll**, Programmer Analyst II, Information Systems, Yosemite Community College District, effective August 9, 2004.

Approve the probationary appointment of **Kaci Landis** to Human Resources Assistant, Human Resources, effective June 6, 2005.

Approve **Resolution No. 04-05/09**, Classified Reduction in Staff, authorizing a reduction in classified personnel and appropriate notice to affected staff. Reduction of Community Services Agency funding has created the need for a reduction in program staff at Modesto Junior College, effective July 22, 2005.

Short-Term Appointees

Approve the list of short-term appointees, in accordance with state law (AB500-Goldberg).

The motion carried with a vote of 7-0.

Personnel Item #40
Reclassification of
Assignment

Reclassification in assignment for **David Todd**, from Media Production Photographer, Media Services, to Media Production Photographer/~~Graphic Artist~~ Visual Specialist, Media Services, Modesto Junior College, effective March 1, 2005. Supporting documentation has previously been provided to the Board.

After discussion by the Board, and comments made by Jeff Swank, CSEA Chapter 420 President, a motion was made by Trustee Rojas, including title change, and seconded by Trustee Neumann that this reclassification in assignment be approved. The motion carried with a vote of 5-2 (DeMartini, Dean).

DISCUSSION ITEMS

15,142

Tentative Budget 2005-
2006

Executive Vice Chancellor Teresa Scott reviewed for the trustees the Tentative Budget for 2005-2006 and the amended 2004-2005 Budget (**Report #2164**) which includes adjustments to apportionment revenue due to reduced growth funding in the current year and prior year revenue adjustments calculated by the State to reflect additional growth funds statewide from the 2003-2004 fiscal year. Approximately 500 FTES will be borrowed from next year. The amended budget for Columbia College is reduced by the estimated cost to grow 3% since the FTES were not earned. The contingency line item is adjusted to reflect the estimated cost to implement negotiated salary adjustments. The budget also is adjusted to show the over expenditure by MJC in the part-time overload budget in the amount of \$500,000, reduced from \$1.2 million. It is possible that by the end of the year that will be zero. The Tentative 2005-2006 Budget does not include new growth or COLA allocations. Subsequent to the passage of the State Budget, revenue will be adjusted as appropriate. The expenditure budgets for 2005-2006 have been increased to cover the cost of filling positions vacated as a result of the Golden Handshake and

to cover the cost of filing new full-time faculty positions required to meet the State's full-time faculty mandate. Medical benefits are estimated to increase 5% for the six-month period January 2006 through June 2006. The Budget does not include a transfer to the retiree liability fund, which will be required in fiscal year 2006-2007. In the May Revise, the Governor has an additional \$40 million for equalization. If that stays in the Budget, it could bring in about \$485,000. Also proposed May Revise is Partnership for Excellence funding to be made up, which would also increase our revenue. Though this is a balanced Tentative Budget, the District is dealing with a large gap in revenues and expenditures and is deficit spending by approximately \$4 million in this portrayal. When the Final Budget is prepared, the District will be challenged with an approximate deficit of \$2.5 million. A Final Budget will be presented to the Board at its September meeting.

In response to Trustee Neumann regarding the MJC overload cost deficit, Interim MJC President Bill Scroggins stated that the previous cost model used by MJC was not accurate. MJC has a new cost predicting model to project out the number of sections that are planned for the year, cost factors from base faculty time and adjunct/overload assignments that has been used to predict next year's budget. MJC is also working on improved enrollment management and projections of FTEs.

In response to Trustee Hallinan, Executive Vice Chancellor Teresa Scott stated a priority for the District will be to fund future retirement liability beginning next year in order to protect the District's commitment to retirees and also the District's favorable bond rating.. The District is currently funding the annual retirement costs for current employees on a pay-as-you-go basis.

A motion was made by Trustee Hallinan and seconded by Trustee Rojas that the Board adopt the 2005-2006 Tentative Budget for the Yosemite Community College District and direct staff to file it with the Stanislaus County Superintendent of Schools by July 1, 2005. The motion carried with a vote of 7-0.

15,143

2005-2006 Appropriations
Limit

Executive Vice Chancellor Teresa Scott reported that this is an annual item that comes before the Board. Section 7910 of the Government Code provides that ". . . each year the governing body . . . shall, by resolution, establish its appropriations limit for the following year . . ." The law further requires that the information relative to the action be available to the public fifteen (15) days prior to the meeting at which the determination of the appropriations limit is made.

A motion was made by Trustee Hallinan and seconded by Trustee Rojas that the Board accept the report regarding the establishment of the 2005-2006 appropriations limit; direct that the computation be publicly posted; and, declare its intent to adopt the report at the

next regular meeting of the Board of Trustees on July 13, 2005. The motion carried with a vote of 7-0.

15,144
Resolution Authorizing
End-of-Year Transfers

Executive Vice Chancellor Teresa Scott reported that California Code of Regulations, Section 58199, provides that the District may, with the consent of the governing board, make transfers as are necessary to permit the payment of the District's obligations incurred during such school year. Transfers may involve modest General Fund and Special Project expenditure adjustments for 2004-2005. This is an annual recommendation to the Board.

A motion was made by Trustee Rojas and seconded by Trustee Neumann that the Board adopt **Resolution No. 04-05/10** authorizing the transfer of appropriations necessary to balance expenditure classifications of the Yosemite Community College District budget for the 2004-2005 fiscal year. The motion carried with a vote of 7-0.

15,145
Resolution Authorizing
Signatures

Executive Vice Chancellor Teresa Scott reported that in order to conduct the District's day-to-day business, it is necessary for the Board of Trustees to authorize selected employees to act as agents for the Board. This is an annual recommendation to the Board. Trustee Schrimp requested that a monthly report be made to the Board regarding monies spent on bond projects.

A motion was made by Trustee Rojas and seconded by Trustee Dean that the Board adopt **Resolution No. 04-05/11** authorizing selected employees to act as agents for the Board of Trustees. The motion carried with a vote of 7-0.

15,146
Report on Employee
Negotiations

Interim Vice Chancellor of Human Resources, Diane Wirth, reported on continuing contract negotiations. Tentative agreements have been reached with the Yosemite Faculty Association (YFA) and the Leadership Team Advisory Committee (LTAC) (**Report #2165**). Both agreements provide for a two-year contract with the 2004-2005 COLA added to the salary schedules retroactive to January 2005, and the 2005-2006 COLA less 1% to be added to the salary schedule effective July 2005. Should the colleges reach their base 2004-2005 FTES without borrowing 2006-2007 earned FTES, a 1% salary adjustment will be paid retroactively. Also, there will be no employee contributions toward the cost of medical benefits in 2004 – 2006. The agreement with YFA is subject to the successful completion of the YFA ratification process, at which time it will return to the Board for final approval, as early as July 2005.

A motion was made by Trustee Neumann and seconded by Trustee Hallinan that the Board approve the 2004-2006 negotiated

agreement with the Yosemite Faculty Association (YFA) subject to successful completion of the Association ratification process and approve a 2004-2006 Memorandum of Understanding (MOU) with the Leadership Team. The motion carried with a vote of 7-0.

15,147

Board Policy 5560 – 2nd
Reading

Chancellor Williams reported that this was the second reading of Board Policy 5560 wherein a discrepancy exists between the cumulative GPA that triggers academic probation and the GPA that triggers academic dismissal after three consecutive semesters. Board Policy 5560 states that a student will be placed on academic probation if a student's average GPA falls below 2.0. The policy also states that a student with a cumulative GPA of less than 1.75 (for three consecutive semesters) is subject to dismissal. Because of this discrepancy a loophole is created that would allow a student to remain on academic probation indefinitely. Example: A student could have a cumulative GPA of 1.76 for three consecutive semesters (or longer) and never be subject to academic dismissal.

A motion was made by Trustee DeMartini and seconded by Trustee Schrimp that the Board conduct a second and final reading and adopt the proposed revision to Policy 5560 – Probation, Disqualification and Readmission. The motion carried with a vote of 7-0.

15,148

Environmental Impact –
Intent to Adopt Negative
Mitigated Declaration and
Approve Project

Maria Baker, Director of Facilities Planning & Operations, reported to the Board that, in accordance with the California Environmental Quality Act (CEQA) requirements, the Initial Study prepared by URS Corporation conducted the initial study and found that the Firing Range Removal Project, as mitigated by the measures included in the Proposed Mitigated Negative Declaration, would not result in a significant environmental impact. Public notices have been posted and the State Clearinghouse distributed information to appropriate State agencies. Comments were received from the State Department of Transportation and the Association for a Cleaner Environment. A Staff Report was prepared in response to the comments received. The Study, comments and Staff Report were previously provided to the Board (**Report #2166**).

In response to inquiry by Trustee Schrimp, Ms. Baker reported that URS is an International firm that conducts various services including environmental studies, architectural engineering, project management services, etc. Attorney Kim Taylor, appeared on behalf of the Association for a Cleaner Environment (ACE). Ms. Taylor stated that ACE would have liked to have had the opportunity to respond to the staff report and recommendations. The Court of Appeal ruling included three elements: the range closure, lead abatement and transfer of the facility. ACE believes that the third element has been omitted. ACE does not believe that the District has met CEQA requirements. Not considered in the initial study was the collection system for ground water and a subterranean vault system beneath the facility. The information in

the initial study is incomplete. The water was pumped out into the pond to the north of the range. There could be lead impacts in that pond that could affect wildlife. CEQA requires that all cumulative aspects of a project be reviewed. Ms. Taylor requested the Board to revisit with their consultant these aspects, augment the initial study and recirculate it for public comment before making a decision.

After questions and comments by the Board, a motion was made by Trustee Rojas and seconded by Trustee Neumann that the Board find that the above project will not have a significant impact upon the environment and adopt: the Proposed Mitigated Negative Declaration, all mitigation measures set forth in the Mitigated Negative Declaration as conditions of its approval of the Project, all findings stated in the Mitigated Negative Declaration, and the Mitigation Monitoring and Reporting Program (MMRP). That the Board further approve the project and direct staff to file a Notice of Determination. The motion carried with a vote of 5-2 (Hallinan, DeMartini).

COMMENTS

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Comments from the Public There were no additional comments from the public.

15,150

Comments from the Board of Trustees Trustee Neumann, Chancellor Williams and Interim President Scroggins met with Jim Enochs, Superintendent of Modesto City Schools, five counselors from local high schools who provide college counseling and the Director of Secondary Education. Discussions centered around what could be done to raise the profile of MJC specifically in Modesto City Schools high schools. Trustee Flores encouraged MJC to continue in raising MJC's profile. Trustee Rojas commented that the same problem exists in Turlock and encouraged the Board to also meet with their area superintendents and high school counselors. Trustee DeMartini reported that she attended the MJC breakfast meeting with superintendents and high school principals. Trustee DeMartini is the representative on the Stanislaus County School Board Association. At the last meeting the YCCD Board made a donation to the SCOE Foundation in memory of Bert Cofer. Trustees DeMartini and Rojas attended the YCCD BBQ. Trustee Schrimp is excited to see Columbia College offering classes in Oakdale. Trustee Flores attended the ACCT Leadership Seminar in San Francisco. She received valuable information and appreciated the opportunity to attend. Trustee Hallinan and DeMartini met several times with Stanislaus County Supervisor Grover regarding the nursing needs in the District. Trustee Hallinan encouraged the Board to continue working together with other local governmental agencies. Trustee Dean attended a Columbia College Foundation meeting. Another trip to Angels Camp will be coming up soon.

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NEXT MEETING

The next regular meeting of the Board of Trustees will be held on Wednesday, July 13, 2005. Closed session will begin at 3:30 p.m. and open session at 5:30 p.m. in the YCCD Board Room, 2201 Blue Gum Avenue, Modesto.

The meeting was adjourned at 8:07 p.m.

Linda Flores, Chair
YCCD Board of Trustees

James Williams, Secretary
YCCD Board of Trustees