

AGENDA
YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
FIVE HUNDRED AND TWENTY-SIXTH REGULAR MEETING
December 10, 2008

2:30 P.M. A reception for newly elected Trustee Mike Riley will be held in the YCCD Staff Lounge

3:30 P.M. Open Session - Call meeting to order in the YCCD Board Room, adjourn to closed session in YCCD Conference Room B

Since this is the annual organizational meeting, the Chancellor will call the meeting to order and preside during the election of the Board Chair.

Pledge of Allegiance to the Flag

Reorganization of the Board of Trustees

Education Code section 72000 requires that the annual organizational meeting of the Board of Trustees be conducted within 15 days after the first Friday in December. In compliance with this code section, it is necessary for the Board of Trustees to accomplish the following:

1. Elect a Chair;
2. Elect a Vice Chair with authority and power to act on behalf of the Chair of the Board in the event of his/her absence;
3. Appoint Dr. Roe Darnell as Secretary to the Board of Trustees;
4. Appoint Shelley Akiona as Stenographer for the Board of Trustees;
5. Designate the time and place of the regular meetings of the Board of Trustees;
6. Appoint a voting representative to attend the Stanislaus County annual meeting where vacancies on the Stanislaus County Committee on School District Organization are filled; and
7. Appoint a member to serve on the Stanislaus County Schools Board Association.

3:45 P.M. – (Approximately) –adjourn to closed session – YCCD Conference Room B

CLOSED SESSION AGENDA:

- Discussion:
1. Pursuant to G. C. Section 54957
Discipline/Dismissal/Release/Appointment
 2. Pursuant to G. C. Section 54956.9(b)
Significant Exposure to Litigation: One Case
 3. Pursuant to G.C. Section 54956.8 – Property Negotiator
Conference with Real Property Negotiators (APN: 057-023-027, 057-023-028, 021-027-014)
 4. Pursuant to G. C. Section 54957.6 - Conference with Labor Negotiators
District Representatives: D. Wirth, T. Scott
Employee Organizations: CSEA, YFA

5:30 P.M. - Reconvene to open session – YCCD Board Room

Report out from Closed Session (if any)

Special Recognition

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting on November 12, 2008.

Comments from the Public

Persons who want to comment on Board business issues not included on the agenda can do so as part of this section of the agenda.

Persons who want to address the Board of Trustees on an agenda item may do so after being recognized by the Chair of the Board and before Board discussion on the action item.

Prior to comment at the Board Meeting, all speakers should complete a Speaker Request form in advance and give it to the Board stenographer. Individuals will be allowed a maximum of five (5) minutes per topic. **Other guidelines may apply. See Board Policies #7345 and #7346.**

I. REPORTS AND INFORMATION ITEMS

A. Student Activity Reports

B. Academic Senate Activity Reports

C. Activities and Announcements

Modesto Junior College – President Rose

1. Music Department - “An English Choral Christmas”

The Music Department presents “An English Choral Christmas” on December 11, 2008, 7:30 p.m. at Trinity United Presbyterian Church, 1100 Carver Avenue in Modesto. The program will feature MJC Masterworks Chorus and the Opus Handbell Ensemble, performing a variety of holiday carols and classics. Tickets at the door for \$5 general and \$4 for students and seniors.

2. “The Christmas Star”

Modesto Area Partners in Science (MAPS) presents “The Christmas Star”, on Friday, December 12, at 7:30 p.m. in Forum 110 on East Campus. Dr. Bill Luebke, MJC Professor of Astronomy, will present an illustrated exploration of the lore and scientific explanations surrounding the “star in the east.” This is a thought-provoking, entertaining, scientific, and reverent analysis of the star referenced in the Biblical story of the birth of Jesus Christ. Presentation is suitable for all ages.

3. Spring Institute Days

This year’s Spring Institute theme is “*Celebrating Basic Skills Campus Wide.*” Thursday, January 8 is a training day: 9 a.m. – 4 p.m. on West Campus. Friday, January 9, begins with a continental breakfast at 7:30 a.m. in the Staff Dining Room. Programs begin at 8:30 a.m. in the Main Auditorium on East Campus. The morning will highlight artist David Garibaldi painting to music in a presentation entitled “Rhythm and Hue.” Keynote speaker Jonathan Brennan will discuss basic skills. A buffet lunch at noon will be followed by workshops and divisional meetings. Trustees are invited to join with the campus as we kick off a new Spring semester.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Modesto Junior College – President Rose, continued

4. David Myers – “Happiness”

David Myers, a social psychologist at Hope College, will speak on "*Happiness*," on Thursday, January 15, at 4 p.m. in the Main Auditorium of the Performing and Media Arts Center on East Campus. Meyers will explore things that do, and surprisingly don't, predict people's feelings of well-being, looking at marks of happy lives based on new studies that have exploded a number of myths and misconceptions.

Columbia College – President Smith

1. It's a Jungle Out There

Coming in February and March, selected animal specimens on loan from the Osterberg collection and the Columbia College Toyon exhibit will be on display in the Manzanita Rotunda. The exhibit is intended to create an awareness of Columbia College and South American and North American animal life for prospective students. There is an essay writing contest for local 1st through 12th graders. Contest winners will have dinner with Dr. Joan Smith and the College biology department in the exhibit space.

2. Tutoring Program with Columbia Elementary School

Columbia College and Columbia Elementary School have formed a partnership which enables college students who have had training as tutors to engage in a federally funded after school program at the elementary school. Under the direction of credentialed teachers, the goal will be to provide the college students with hands-on experience for future careers in K-12 education.

3. Department of Conservation Grant

The California Department of Conservation has selected Columbia College's recycling program request for grant funding. Of the final 61 proposals for the 2008-09 Beverage Container Recycling Grant of \$7,200,000, only 13 were selected for a total grant funding of \$1,500,000. Columbia College's grant of \$35,000 will be used for purchasing campus CRV recycling stations, consumer education, and funding of a part-time student worker to assist in coordination. Faculty member Raelene Juarez was the principal author/coordinator of the grant application and was assisted by student Julia Stephens, along with Jon Sterling, Campus Operations Manager.

I. REPORTS AND INFORMATION ITEMS

C. Activities and Announcements

Columbia College – President Smith, continued

4. Stained Glass Photo Exhibit

Photos of stained glass windows from Tuolumne County churches will be on exhibit for the public in the Manzanita Rotunda through December 12. Art Professor Laurie Sylwester successfully recorded digital images of these historical treasures. They comprise the first group of stained glass photos Sylwester has printed to date. Selections are representative of the style and shape of windows in each local church. While a number of windows are themed with figurative images, some consist mainly of arrangements of colorful geometric shapes. Iconography, or the use of symbolic forms with traditional meaning, is also a common theme for this form of art.

5. In-Service Day

Columbia College will hold its In-Service Day on Thursday, January 8, 2009, beginning at 8:15 a.m. An all-college meeting will include introduction of new employees and the President's address. Following a brief break, the all-college meeting will reconvene and a presentation will be made on the "It's a Jungle Out There" outreach program. Lunch will be provided and division/senate meetings will be held in the afternoon. Trustees are invited to attend.

District Offices – Chancellor Darnell

1. Special Appointment (Scott)

Executive Vice Chancellor Teresa M. Scott has been appointed to serve as a member of the Association of Chief Business Officials (ACBO) Board of Directors for a term of three years (October 2008 through October 2011).

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

1. MJC Accreditation Update

President Rich Rose will provide the Board with an update regarding Modesto Junior College's accreditation status.

2. Columbia College Program Review Update

Vice President Dennis Gervin will provide a brief presentation as to how Columbia College is working with the Program Review Process for both instructional and service related areas. Examples will be given to demonstrate recent accomplishments and what can be expected over the next few semesters. Particular focus will be given as to how the Program Review process integrates with planning and resource allocation.

3. Chancellor's Update

Chancellor Darnell will provide the Board with updates regarding State/District issues and upcoming events.

4. Fiscal Services Update

According to Board Policy 3330, transactions of \$10,000 or more shall be reviewed by the Board every 60 days and are listed in the purchase orders on the Board's Consent Agenda. Transactions below are provided as further information for October 28, 2008, to November 24, 2008:

Service Agreements – Non-Construction

Vendor	Cost	Location	Purpose
Public Economics	\$11,250	YCCD	Consultant Agreement
KD Anderson & Associates	\$13,780	YCCD	Consultant Agreement

5. ★Bond Update

Kitchell representative Mr. Mark Newton will provide the Board with an update on the progress of current Bond projects and review the Quarterly Expenditure Report ending October 31, 2008.

Citizens' Bond Oversight Committee – The next regularly scheduled meeting of the YCCD Citizens' Bond Oversight Committee (CBOC) will be held on Tuesday, January 7, 2009.

I. REPORTS AND INFORMATION ITEMS

D. Presentations/Updates

☆Bond Update, Continued

Modesto Junior College: CEQA Compliance: West Campus: The report has been submitted to the Department of Toxic Substance Control and they have committed to respond by January 9, 2009. **Allied Health:** DSA approval is planned for early January. The **Parking Lot** project has started HazMat mitigation prior to demolition of the existing buildings. **Softball Complex:** The construction documents are complete. **Science Community Center & GVM:** Value Engineering has been complete bringing the project back into budget compliance. The construction document phase has started.

Current MJC Projects

PROJECT	STATUS	START CONSTRUCTION
Auditorium	Complete	September 2006
Agriculture Beef and Sheep Unit	DSA	February 2009
Agriculture Housing	Bidding	February 2009
Agriculture Multi-Use Pavilion	DSA	February 2009
Allied Health	DSA	February 2009
Parking Lot	Construction to start	February 2009
Science Community Center & GVM	Construction Documents	October 2009
Student Services	Schematic Design	October 2009
Softball Complex	Construction Documents	February 2009

Columbia College: Child Development Center: The project contractor mobilization is underway. **Science and Natural Resources:** The construction document phase is complete. The project is scheduled to start construction July of 2009.

Current Columbia College Projects

PROJECT	STATUS	START CONSTRUCTION
Child Development Center	Construction	November 2008
Madrone Building	Construction	July 2008
Public Safety Center	Construction	May 2008
Science and Natural Resources	DSA	July 2009

Educational Outreach Sites

PROJECT	STATUS	START CONSTRUCTION
Calaveras	Property Acquisition	Tbd
Oakdale	Property Acquisition	Tbd
Turlock	Property Acquisition	Tbd
Patterson/West Side	CEQA Preparation	Spring 2009

Action items listed in Sections II.A, II.B & II.C are part of the Board's consent agenda. Trustees may pull specific items off the consent agenda for separate discussion and action. Items not pulled for separate discussion/action will be acted upon as one action by the Board.

II. ACTION ITEMS

A. Consent Agenda, Fiscal Services

1. ☆Purchase Orders

A recommendation is made that the Board of Trustees approve the purchase orders issued from October 1-31, 2008.

2. ☆Grant Project Applications/Amendments

A recommendation is made that the Board of Trustees authorize the Yosemite Community College District to submit the following grant project applications/amendments and to enter into a contract with the appropriate agencies when the projects are selected for funding:

Agency	College	Agency Share	Proposer Share
California Dept. of Education	CC	\$1,753	-0-
California Dept. of Education	MJC	\$1,753	-0-

3. Notice of Completion of Contract

The following project contract has been completed and inspected. A recommendation is made that the Board accept the work performed as having been completed in accordance with the plans and specifications and authorize final payment of 10% of contract amount.

Bid #	Project Name	Coll	Contractor	Original Amount	Revised Amount
08-1602	Roof Replacement at Buckeye and Madrone Buildings	CC	RCI Roofing Co.	\$174,615	\$175,847

4. Rejection of Claims

The District has received the following claims against the Yosemite Community College District and requested that the Board of Trustees reject the claims and refer them to the District's claims administrator.

Name	Amount of Damage	Description of Incident	Date of Incident
Ronald Strobel	\$820,000	Injury allegedly sustained during an MJC Community Education swim class	May 12, 2008
Rashaun Strobel	\$50,000	Loss of Consortium	May 12, 2008

☆Denotes Attachment

II. ACTION ITEMS

B. Consent Agenda, Personnel

1. Personnel Transaction Items

A recommendation is made that the Board of Trustees approve the following list of Personnel Transaction Items and commend retirees for their years of service.

PERSONNEL TRANSACTION LIST

Name	Position	Department	College	Effective
Retirements:				
Alvin Rose (34 years of service)	Telecommunications Engineer	Information Technology	YCCD	12/30/08
Jacquelyn Dominguez (16 years of service)	Payroll Analyst III	Fiscal Services	YCCD	12/30/08
Appointments – Management:				
Gail Brovont	Assistant Director	Child Development Training Consortium	YCCD	12/1/08
Gene Hill	Executive Director	MJC Foundation	MJC	1/2/09
Leta Love	Interim Director	Health Services	MJC	12/1/08 - 6/30/09
Rebecca Michael	Interim Director of Development	President's Office	CC	1/2/09 Until filled permanently
Probationary Appointments – Classified:				
Doreen Rutherford	Associate Teacher – 73.75% (10-month)	Child Development Center/Family & Consumer Sciences	MJC	1/5/09 Contingent upon funding
Mary Borges	Program Representative I	CalWorks/Financial Aid	MJC	12/15//08 Contingent upon funding
Lora Hunter	Laboratory Assistant I	DSPS	CC	12/11/08
Promotional Appointment - Classified:				
William Watts	Campus Security Officer II	Campus Security	YCCD	12/11/08
Temporary Increase in Assignment - Classified:				
Suzanne Cruz	Campus Security Officer I, increase from 32 to 40 hours per week	Campus Security	CC	1/1/09 - 6/30/09
Erik Schrantz	Campus Security Officer I, increase from 32 to 40 hours per week	Campus Security	CC	12/1/08- 6/30/09
Terminations:				
Probationary Classified Employee	Program Representative I – 49%	Pre-College Programs/TRIO-Upward Bound	MJC	11/5/08
Permanent Classified Employee	Maintenance II	Facilities Operations	YCCD	11/25/08

II. ACTION ITEMS

B. Consent Agenda, Personnel, continued

2. Short-Term Appointee List

A recommendation is made that the Board of Trustees approve the following list of short-term appointees, in accordance with state law (AB500-Goldberg).

Name	Classification	Department	Coll	Start Date	End Date
Akiona, Jessica	General Clerk	Facilities Planning & Operations	CS	12/11/08	6/30/09
Caldwell, Lauren	Master Teacher	Child Care Center	CC	12/11/08	6/30/09
Giles, Bryan	Security Officer I	Security	CC	12/11/08	6/30/09
Grays, Alicia	General Clerk	Human Resources	CS	12/15/08	6/30/09
Hernandez, Becky	Support Service Aide	Family & Consumer Sciences	MJC	12/11/08	6/30/09
Lind, Joe	Interpreter III	Special Programs/DSPS	MJC	1/12/09	6/30/09
McGee, Sylvia	Laboratory Assistant I	Family & Consumer Sciences	MJC	1/15/09	6/30/09
Perez, John	Security Officer I	Security	CC	12/11/08	6/30/09
Rose, Alvin	Telecommunications Engineer	Information Technology	CS	1/2/09	6/30/09
Tillery, Mary	Account Tech I	Business Services	MJC	12/19/08	6/30/09

3. Adjunct Faculty Appointee List

A recommendation is made that the Board of Trustees approve the following list of adjunct faculty appointments:

Name	Discipline	Department	Coll	Effective
Bridgman, Roy	Natural Resources	Vocational Education	CC	Spring 2009
Brown, Billy	Fire Science	Vocational Education	CC	Spring 2009
Camacho, Charles	PE	Health & Human Performance	CC	Spring 2009
Cassidy, Susan	English	Literature & Language Arts	MJC	Spring 2009
Cavill, Richard	Fire Science	Vocational Education	CC	Spring 2009
Cordray, Tamara	Psychology	Business, Behavioral & Social Science	MJC	Spring 2009
Cross, Jill	Biology	Science, Math & Engineering	MJC	Spring 2009
Day, Clinton	Music	Arts & Science	CC	Spring 2009
Day, Diane	Music	Arts & Science	CC	Spring 2009
Hall, Steven	Fire Science	Community & Economic Development	MJC	Spring 2009
Harris, Monica	Animal Science	Agriculture & Environmental Sciences	MJC	Spring 2009
Holman, Darren	Welding	Vocational Education	CC	Spring 2009
Kerr, Josh	Philosophy	Arts, Humanities & Communications	MJC	Spring 2009

II. ACTION ITEMS

B. Consent Agenda, Personnel

3. Adjunct Faculty Appointee List, Continued

Name	Discipline	Department	Coll	Effective
Marchy, Lori	Agriculture	Agriculture & Environmental Sciences	MJC	Spring 2009
Morgan, Darca	Natural Resources	Vocational Education	CC	Spring 2009
Murray, Michael	EMS	Vocational Education	CC	Spring 2009
Ostwald, Preet	Physics	Science, Math & Engineering	MJC	Spring 2009
Pandey, Rajeev	Chemistry	Science, Math & Engineering	MJC	Spring 2009
Schroeder, Katherine	Biology	Science, Math & Engineering	MJC	Spring 2009
Schut, Lisa	Child Development	Allied Health	MJC	Spring 2009
Steele, Robert	Fire Science	Vocational Education	CC	Spring 2009
Zinner, Dennis	Anatomy	Science, Math & Engineering	MJC	Spring 2009

C. Consent Agenda, Student Travel

1. MJC Spanish Study in Mexico – Summer 2009

MJC is seeking Board approval of “Spanish Study in Mexico” June 12 - July 11, 2009. The courses that will be offered are SPAN 51, 52, 101-104, 109, 110 and 173. Instruction will take place at the Spanish Language Institute in Cuernavaca. MJC professor Laura Manzo will be responsible for the design, implementation and monitoring of the program, including all travel arrangements. Professor David Hoobyar will be the resident coordinator and will travel with the group and be the liaison between the students and the Spanish Language Institute. Students will be housed in home stays with Mexican families. This summer will be the tenth year in a row that MJC sponsors this very successful program at the Spanish Language Institute at Cuernavaca. The estimated cost will be \$2,413 per student. Professor Hoobyar will pay his round-trip flight and the Spanish Language Institute will pay for his home stay.

2. MJC Animal Science Swine Program - Reno, Nevada

MJC is seeking Board approval of the Animal Science Swine Program’s participation in the Western All-Breeds Invitational Swine Show & Sale in Reno, Nevada. The MJC Animal Science Swine program has been invited to compete this December in the All-Breeds Invitational Swine Show & Sale. Professor John Mendes, Swine Team Advisor, is planning the trip from December 12-14, 2008. The approximate cost for the team trip will be \$600 and will be covered by the Swine trust account, CTE funds, or the Animal Science Club.

3. MJC Dairy Judging Team - Fort Worth, Texas

MJC is seeking Board approval for the Dairy Judging Team to compete in the South Western Livestock Exposition Dairy Cattle Judging Contest in Fort Worth, Texas, January 16 - 19, 2009. The approximate cost of the trip for Professor Hobby and team members will be \$2,700. The trip will be paid through CTE, Departmental Travel or Dairy Club funds.

II. ACTION ITEMS

D. Consent Agenda, Wawona Child Development Center

Due to a failed sewer system on October 20, 2008, with no acceptable access to restrooms or running water, Laura Haley, Program Manager, notified all parents to pick up their children. The Center remained closed until October 23 for repairs. The problem was resolved and children returned on October 24, 2008. A one-page report was previously provided to the Board for review. The Board is requested to accept and approve the information in order to submit a reimbursement claim to the California Department of Education on the basis of a natural disaster beyond the control of the Center's staff for MJC.

II. ACTION ITEMS

E. Discussion Items

1. 2007-2008 Audit Report

The auditing firm of Matson and Isom has completed the 2007-2008 audit of the District's fiscal operations. The audit report and financial statements have been prepared using the guidelines required by the Governmental Accounting Standards Board (GASB).

The audit consists of the examination of the District's financial statements, a review of the systems of internal accounting controls and a review of state and federal compliance areas mandated by the Single Audit Act, the State Department of Finance Guide, and the California Community Colleges State Chancellor's Office.

Representatives from the auditing firm will be present during the Board meeting to formally present the audit report to the Board of Trustees. The representatives will also respond to specific inquiries regarding the report. The audit report has been previously provided to the Board for their review.

RECOMMENDATION: That the Board of Trustees receive the 2007-2008 audit report and authorize its filing with the appropriate state agency in accordance with Education Code Section 84040.

2. Environmental Impact Review – Intent to Adopt a Mitigated Negative Declaration and Mitigation Monitoring Program

In accordance with the California Environmental Quality Act (CEQA) requirements, Krazan & Associates, Inc. prepared and submitted a Draft Mitigated Negative Declaration on the District's behalf to the State Clearinghouse. This document concluded that the bond projects at Modesto Junior College East Campus will not have a significant effect on the environment with mitigation. Public notices have been posted and the State Clearinghouse has informed us that the review period has closed and no comments were received.

RECOMMENDATION: That the Board of Trustees find the Modesto Junior College Bond projects will not have a significant impact upon the environment incorporation and adopt the "Mitigated Negative Declaration" and the "Mitigation Monitoring Program" and direct staff to file a "Notice of Determination" with the Governor's Office of Planning and Research.

II. ACTION ITEMS

E. Discussion Items, continued

3. Agreement for Preliminary Services

The Board has received an Agreement for Preliminary Services which is requested to be made between the Yosemite Community College District and Crestmont Development , LLC, for the purposes of providing preliminary services during the feasibility and design phase relating to the development and construction of a new education site for the District in Patterson. The Project will be located on approximately ten acres located in an unincorporated area of Stanislaus County, adjacent to the City of Patterson. Crestmont has retained sub-consultants and sub-contractors for the Project, including Taylor Teeter Partnership, LLP (Architect) to prepare plans and specifications which have been submitted to the California Division of State Architect (DSA) as required by applicable laws, and for which approval is pending. The District and Crestmont intend to enter into a Site Lease and a Facilities Lease, commonly known as a lease/leaseback arrangement for the development of the Project pursuant to Education Code section 81335.

RECOMMENDATION: That the Board authorize the Chancellor to enter into said Agreement with Crestmont development, LLC to perform the services requested for the development and construction of a new educational site in Patterson.

4. 2009 Summer Calendar

For a number of years, the colleges of the Yosemite Community College District have employed a 4/10 workweek during the summer months. At their November 2008 meeting, the Board received an analysis report of the 4/10 Summer Schedule for review and consideration to determine the effectiveness of the schedule, review fiscal/energy impact and review impact on staff and student services.

RECOMMENDATION: That the Board authorize the use of the 4/10 workweek for the period beginning May 4, 2009 and ending August 21, 2009.

III. BOARD COMMENTS

Comments from the Board of Trustees

This time is for Trustees to report on conferences, meetings, and other activities related to District business. No action will be taken.

IV. ANNOUNCEMENTS

The next regular meeting of the Board of Trustees will be held on Wednesday, January 14, 2009. Closed Session will begin at 3:30 p.m., Open Session at 5:30 p.m., Yosemite Community College District, District Board Room, 2201 Blue Gum Avenue, Modesto, California.