

**AGENDA**  
**YOSEMITE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**  
**FOUR HUNDRED SIXTY-SIXTH REGULAR MEETING**  
**DECEMBER 10, 2003**

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**3:30 P.M.** Call to Order – YCCD Board Room

Since this is the annual organization 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 35143 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. Pamila Fisher secretary to the Board of Trustees;
4. Appoint Ms. Elisa Osnaya 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;
7. Appoint a member to serve on the Stanislaus County Schools Board Association.

**Public Comment on Agenda Action Items:** Persons who want to address the Board of Trustees on an agenda action item (Section II) may do so after being recognized by the Chair of the Board and before Board discussion. 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.

**Comments from the Public:** Persons who want to comment on an Agenda Information Item (Section I) or Board business issues not included on the agenda can do so as part of agenda item **III.A.** 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.**

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

- Discussion:
1. Pursuant to G. C. Section 54957 - Public Employee Discipline/Dismissal/Release
  2. Pursuant to G. C. 54957.6 - Collective Bargaining (YFA and CSEA)

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

Approval of the Minutes

RECOMMENDATION: That the Board of Trustees approve the minutes of the regular meeting of November 12, 2003.

**I. REPORTS AND INFORMATION ITEMS**

- A. Student Activity Reports
- B. Academic Senate Activity Reports

**I. REPORTS AND INFORMATION ITEMS**

C. Activities and Announcements

1. Mother Lode Festival of Singing

Columbia College professor John Carter coordinated "A Festival of Singing" in October. Eleven choirs, composed of 300 students, participated from Sonora, Summerville and Calaveras high schools and Columbia College. Performances ranged from classical to jazz. Approximately 600 spectators attended this event.

2. ASCC Sponsors Canned Food Drive

Columbia College's Associated Student Government sponsored a canned and non-perishable food drive from November 3 through December 1, 2003. All food items were donated to the ATCCA Food Bank for Thanksgiving and Christmas meals to local residents. Collections were accepted throughout campus with the Library graciously accepting canned food items as payment of library fines.

3. MJC Dairy Judging Team wins two national awards

The MJC Dairy Judging Team continued the college's winning tradition as it garnered the 1<sup>st</sup> High Team Overall Award, as well as 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> High Individual Overall Awards at the International Post Secondary Dairy Cattle Judging Contest held on October 2. MJC also took first place for the fourth time in the last five years at the North American International Livestock Exposition Post-Secondary Dairy Cattle Judging Contest, held November 9, 2003. Congratulations go to coach Mark Anglin and his MJC team members.

4. West Campus Development Project

The option agreement between YCCD and KG-MN, LLC to develop and lease areas of Modesto Junior College's West Campus expired on November 6, 2003. Due to changing political climate and lack of community support over time, the District exercised its right not to renew the option agreement and refunded the developer's deposit of \$25,000. As a result, the property now will be included and planned for in the District's Facilities Master Plan.

**I. REPORTS AND INFORMATION ITEMS**

D. Presentations/Updates

1. CSU Stanislaus Leadership Program

The Community College League of California's (CCLC) summer edition of their publication *The News* recognized YCCD Chancellor Fisher for playing a key role in promoting the need for programs to develop community college leadership. Working with colleagues in the Higher Education Consortium of Central California (HECCC), she suggested they help address the need for leadership development in local community colleges. HECCC members agreed and a new Graduate Certificate Program was developed at CSU, Stanislaus that began in the fall of 2002. The program includes 15 units of graduate study in areas such as human resources, finance, technology, instruction, resource development and leadership.

Faculty in the program have included Dr. Riggs, Ms. Teresa Scott, Ms. Lynn Kubeck and Chancellor Fisher. Other YCCD administrators have served as mentors and interviewees. At this meeting YCCD graduates of the program will share some observations about their experiences. Congratulations are due to these colleagues: Michael Akard, John Chappell, Marcos Garcia, Barbara Jensen, George Railey, George Retamoza, Gina Rose, Ray Sandoval, Denise Solomon, Michael Sundquist, and Sandra Uyeshiro.

2. USDA Grant

The Yosemite Community College District/CampusWorks Inc. partnership has yielded several benefits to the District's colleges and to the YCCD community at large. Besides the management of the Datatel Administrative System project and other technological assistance, CampusWorks assisted with a new USDA Rural Utilities Services grant. The grant integrates with other District technology projects to achieve greater economies and savings. To date, the integration and coordination of the USDA grant, the District Microwave Upgrade Project and the CALVIP/Videoconferencing upgrade project has realized a cost savings of over three-quarters of a million dollars. Dr. Charles Mize from CampusWorks Inc. will give a brief update on a few of the noteworthy activities.

3. MJC Pre-Construction Program

The MJC Pre-Construction Program is relocating from its 7<sup>th</sup> Street location to the MJC East Campus. Dr. Williams will give a status report on the program and answer any questions the Board may have and respond to concerns expressed by a member of the public at the last Board meeting.

**I. REPORTS AND INFORMATION ITEMS**

D. Presentations/Updates

4. SEBA JPA Assessment

The School Employee Benefits Association (SEBA) has been the District's self-funded health benefits plan since it was formed in 1989 with Sylvan, Riverbank, and Hughson school districts.

Inundated with rapidly escalating costs of medical services and major high cost claims, the JPA was no longer financially feasible. The SEBA Board voted to dissolve the JPA effective December 31, 2003 but the deficit fund balance continued to grow.

The cumulative SEBA deficit now stands at \$2,270,000. Allocated proportionately, YCCD's share is \$2,000,000 which has been paid. The District had budgeted \$1,500,000 in anticipation of the assessment and as a result is approximately \$500,000 short. It is unknown at this time what the final deficit will be by December 31, 2003, but our total District costs for health benefits in 2003 is likely to be in excess of \$13 million.

## II. ACTION ITEMS

### A. Consent Agenda

#### 1. ☆Purchase Orders

RECOMMENDATION: That the Board of Trustees approve the purchase orders issued from October 1, 2003 through October 31, 2003.

#### 2. Acceptance of Gifts

RECOMMENDATION: That the Board of Trustees accept with appreciation the following gifts:

- a. Walnut and almond hulling and drying services from Cover's Dehydrator to be used in the Beckwith Ranch at Modesto Junior College.
- b. Various books of assorted titles from Ann Lowry, to be used in the Library at Modesto Junior College.
- c. A Brother MFC – 5100C multi-function printer, scanner, copier, fax machine from Mary Sahlman to be used in the MJC Forensics Team in the Arts, Humanities and Communications Division at Modesto Junior College.
- d. A \$150 donation along with tableware and raffle prizes from American AG Credit to be used for the Ag Senior's Day at Modesto Junior College.
- e. A \$150 donation from Mr. and Mrs. Alan Cover to be used for the Ag Annual Senior's Day Luncheon at Modesto Junior College.

#### 3. Special Appointment – Riggs

RECOMMENDATION: That the Board of Trustees approve the appointment of Dr. Jim Riggs, President of Columbia College, to serve on the Fresno City College Athletic Program Review Team on December 9, 2003.

#### 4. Special Appointment – Fisher

RECOMMENDATION: That the Board of Trustees approve the appointment of Chancellor Fisher as a member of AACC's Leading Forward National Advisory Panel. The panel will oversee the implementation of a multi-million dollar Kellogg Foundation grant designed to develop new community college leaders. This is a two-year appointment and the Advisory Panel will meet twice a year (once in conjunction with an established meeting). The Kellogg Foundation will pay for airfare and lodging.

## II. ACTION ITEMS

### A. Consent Agenda

#### 5. Notice of Completion of Contract

The contract for the Water Cross Connect at Modesto Junior College, West Campus, Bid #03-1519, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Nicro, Inc., for the Water Cross Connect at Modesto Junior College, West Campus, Bid #03-1519, as having been completed in accordance with the plans and specifications, and authorize final payment to be made.

#### 6. Notice of Completion of Contract

The contract for the Steam System Maintenance at Modesto Junior College, East Campus, Bid #03-1520, has been completed and inspected.

RECOMMENDATION: That the Board of Trustees accept the work performed by Champion Industrial Contractors, Inc. for the Steam System Maintenance at Modesto Junior College, East Campus, Bid #03-1520, as having been completed in accordance with the plans and specifications, and authorize final payment to be made.

#### 7. ☆Project Applications/Amendments

RECOMMENDATION: That the Board of Trustees authorize the Yosemite Community College District to submit the following project applications/amendments and to enter into a contract with the appropriate donor agencies when the projects are selected for funding:

- a. Child Development Permit and CRI Technical Assistance Project – MJC  
Submitted to First 5 California (formally the California Children and Families Commission)  
Agency share: \$1,832,838 (revised from \$1,000,000)  
Proposer share: \$0
- b. Curriculum Development Focus Group & Job Shadowing – MJC  
Submitted to Foster Farms Dairy  
Agency share: \$500: Proposer share: \$0

## II. ACTION ITEMS

### B. Personnel Items

1. Retirement – Administrative

RECOMMENDATION: That the Board of Trustees grant retirement status to Dr. Bennett Tom, Vice Chancellor of Educational Services, Yosemite Community College District, effective July 1, 2004 and officially commend him for 11 years of valuable service to the District.

2. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Monica Sanchez to Financial Aid Technician II, Financial Aid/ Scholarships, Modesto Junior College, effective December 2, 2003, contingent upon funding.

3. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Brandi Supnet, Financial Aid Technician II, Financial Aid/Scholarships, Modesto Junior College, effective December 2, 2003, contingent upon funding.

4. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Sheila Johnson, Support Staff II, Health Services, Modesto Junior College, effective December 8, 2003, (10-month work year).

5. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Sally McGee, Support Staff II (50%), EPO&S, Modesto Junior College, effective December 11, 2003, contingent upon funding.

6. Probationary Appointment - Classified

RECOMMENDATION: That the Board of Trustees approve the probationary appointment of Monika Schortner, Program Representative I (50%), Student Development, Modesto Junior College, effective December 11, 2003, contingent upon funding (10-month work year).



## II. ACTION ITEMS

### B. Personnel Items

#### 7. Reinstatement - Classified

RECOMMENDATION: That the Board of Trustees approve the reinstatement of Gerald Baldwin to Transportation Technician III, YCCD Transportation, effective January 1, 2004.

#### 8. Correction to Temporary Increase in Assignment – Classified

RECOMMENDATION: That the Board of Trustees approve an temporary increase in assignment from 32 hrs/10 months to 40 hrs/10 months for Cynthia Taylor, Cook/Baker, Columbia College, effective October 9, 2003 through June 30, 2004.

#### 9. Reorganization: MJC Classified Management

Administrative Procedure 4204 (Procedure for Organizational Change) permits the creation of a new classified management position and the elimination of an existing position in response to significant changes in responsibility. An administrative review of the MJC Farm Manager position, in light of increasing technological demands, changes in staff supervision and related responsibilities, has concluded that a reorganization of the Farm Manager position is necessary.

RECOMMENDATION: That the Board of Trustees approve:

- a. Elimination of the MJC Farm Manager position (management salary schedule range 10) effective no later than June 30, 2004;
- b. Creation of a new MJC Agricultural Operations Manager (management salary schedule range 22);
- c. Staffing of the new management position through an open, competitive process.

#### 10. ☆Short-Term Appointee List

Recently adopted state law (AB500-Goldberg) pertaining to the employment of short-term employees provides that the governing board, at a regularly scheduled Board meeting, shall specify the service to be performed and certify the ending date of service. The enclosed list of short-term appointees is intended to bring the District into compliance with AB500. Subsequent lists of short-term appointees will be submitted for Board approval on a monthly basis.

RECOMMENDATION: That the Board of Trustees approve the list of short-term appointees.

## II. ACTION ITEMS

### C. Discussion Items

#### 1. ☆Report on Employee Negotiations

Discussions with the District's three employee organizations regarding 2003-2004 contract negotiations are continuing. Based on this process, we are pleased to report that tentative agreements have been reached with the Yosemite Faculty Association (YFA) and the Leadership Team Advisory Committee (LTAC).

Both agreements provide for continuation of 2002-2003 salary schedules in 2003-2004 and no employee contributions toward the cost of medical benefits in 2003-2004. Also, changes in eligibility criteria for retiree medical benefits and a "Golden Handshake" retirement incentive program in 2004 are provided. Copies of the agreements are attached.

A comparable proposal has been extended to representatives of CSEA Chapter 420, the District's exclusive representative for classified employees, and further discussions are pending.

RECOMMENDATION: That the Board of Trustees

- 1.) Approve a 2003-2004 negotiated agreement with the Yosemite Faculty Association (YFA) subject to successful completion of the Association ratification process and
- 2.) Approve a 2003-2004 Memorandum of Understanding (MOU) with the Leadership Team.

#### 2. Veterans Day

At the November Board meeting, trustees approved 2004-2005 Academic Calendars. At that time there were questions and concerns from trustees and staff about when the Veteran's Day holiday would be observed. Trustees asked that college presidents revisit the issue with their respective Calendar Committees and that the item be brought back to them for further consideration.

RECOMMENDATION: That the Board of Trustees review and discuss the issue of Veterans Day recognition in the 2004-2005 year and determine which day will be observed.

#### 3. Brown Act Workshop

Over the years trustees and staff have participated in several Brown Act workshops, including those provided by CCLC to all new trustees at their statewide orientation, as well as local workshops. Janice Walker, a member of the public, has requested that this item be on the agenda and that the Board hold another workshop offered by consultants she recommends. In addition, attorneys specializing in community college law are available for such a workshop, if the Board wishes to conduct another one.

RECOMMENDATION: That the Board of Trustees discuss the topic and determine their preference for action, if any.

## II. ACTION ITEMS

### C. Discussion Items

#### 4. ☆Board Bylaws/Policy 5570 - First Reading

Attached is YCCD Board Policy 5570 (Student Credit Card Solicitations), to regulate marketing practices used on campuses by credit card companies. The Community College League of California Board Policy & Administrative Procedure Service has determined that this policy is legally required. To assure compliance with Title 5, section 54400, boards must take steps to adopt this policy by December 31, 2003. Following the first reading, the policy will be placed on the January agenda for a second and final reading.

RECOMMENDATION: That the Board of Trustees review the proposed YCCD Board Policy 5570 and conduct a first reading.

**III. COMMENTS**

A. Comments from the Public

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

B. 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. SPECIAL PRESENTATION**

**V. NEXT MEETING**

- A. The next regular meeting of the Board of Trustees will be held on Wednesday, January 14. The meeting will be called to order at 3:30 p.m. in the YCCD Board Room and then recess to closed session in Conference Room B. Open session will reconvene at 5:30 p.m. in the YCCD Board Room.