

**YUBA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**  
**Minutes of the August 5, 2009 Board Work Session and Regular Meeting**

The Yuba Community College District Board of Trustees met for a Work Session and Regular Meeting on Wednesday, August 5, 2009, at Yuba College, 2088 North Beale Road, Marysville, California.

Chairman Flory opened the Work Session at 1:04 p.m.

Present: Jim Buchan, Alan Flory, Brent Hastey, George Nicholau, Ben Pearson, Leela Rai, and Xavier Tafoya  
Absent: None

1. **BOARD WORK SESSION**

A. Measure J Update

Sutter County Facility - Messrs. Ric Mangum and Phil Newsom of TBP Architecture presented concepts for Board Room layout and physical orientation at the Sutter County facility based on information provided in the Program Definition and previous Board Work Session discussion. The Board Room will be designed to provide clear visibility to both the Board and audience and will be a flexible, multi-use room for maximum utilization.

Budget - Chancellor Harrington noted that there was some confusion caused by the revised Measure J budget format presented at the July Board Work Session. For clarity, the original format identifying dollars for each project will be used for bond budget review in the future. Chairman Flory stated that each project has its own contingency funds, and any realized savings from one project can be used toward a different project, and the Board will continue to receive periodic reports. Chancellor Harrington noted that the District continues to seek additional resources, which would extend the use of bond dollars. Discussion followed regarding the Board's level of involvement with bond expenditures, working at the policy level, and the work of the Bond Program Executive Committee (BPEC). There was consensus to return to the original format, and that the bond monies would be used to support the program promised to the voters. Excess funds from any project could be used for other bond projects, but any major change in scope would be brought to the Board.

B. New and Revised Board Policies

The Board reviewed the following Board Policies (BP):

BP 3505 – Emergency Response Plan  
BP 3530 – Weapons On Campus  
BP 4106 – Nursing Programs  
BP 4225 - Course Repetition  
BP 6450 – Wireless or Cellular Telephone and Mobile Communication Devices  
BP 7365 – Discipline and Dismissal – Classified Employees  
BP 7600 – College Police Department(s) or Campus Security

The Board reviewed updates made to the policies listed. Karen Trimble addressed new Board Policy *6450 - Wireless or Cellular Telephone and Mobile Communication Devices*, noting that relatively few employees require use of a cell phone in their positions, and only those designated employees will receive a stipend. Chancellor Harrington noted that Board Policies specifically dealing with shared decision making would not be addressed until faculty return from summer break.

C. 2009 Accountability Reporting for Community Colleges (ARCC) Report

Director of Information Technologies, Karen Trimble, provided a PowerPoint presentation on the ARCC Report and YCCD's performance results. Information in the report reflects 2007-2008 data and is listed under Yuba College since the district was still a single-college district at that time. Next

year's report will reflect individual results for each of the two colleges. Ms. Trimble reviewed systemwide information and noted that seventy percent of all students in CSU or UCs attended a community college first. She presented performance results for YCCD as follows:

Age/Gender/Ethnicity – No change

Student Progress and Achievement Rate – Decline

Percent of Students Who Earned at Least 30 Units – Decline

Persistence Rate – Increase

Annual Successful Course Completion Rate for Credit Vocational Courses – No change

Annual Successful Course Completion Rate for Credit Basic Skills Courses – Decline

Improvement Rates for ESL and Credit Basic Skills Courses – Decline

Peer groupings – Yuba College's accountability indicators show a level of performance that is close to the group average in most cases.

Ms. Trimble stated that the report reflects a decline in several areas over the past year, although the reason is currently unknown. She added that research is key to identifying the reason(s) for the decline so that the college can take appropriate action to implement strategies to reverse the downward trend. Chancellor Harrington added that this is exactly what the accrediting commission wants the colleges to address: to assess performance, examine the reasons behind it, then develop the plan and allocate resources to either make improvements or continue what is working. Ms Trimble indicated that it will take at least six months for the research department to identify the cause. Trustee Rai expressed concern at the District's decline in student success rates and suggested the ARCC report results be included in the Board's 2007-2011 Strategic Directions.

Chairman Flory adjourned the Work Session and the Board convened to Closed Session at 3:00 p.m.

**YUBA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**  
**Minutes of the August 5, 2009 Regular Board Meeting**

Chairman Flory opened the Regular Meeting at 4:02 p.m.

Present: Jim Buchan, Alan Flory, Brent Hastey, George Nicholau, Ben Pearson, Leela Rai, Xavier Tafoya, and Stephen Frothingham, Student Trustee  
Absent: None

2. **CLOSED SESSION**

- A. Conference With Real Property Negotiator  
Pursuant to Government Code 54956.8  
Property: Located West of Husted Road and North of "E" Street Road in Williams, CA.  
Assessor's Parcel Number (APN) for the Parent Parcel is 016-070-101.  
District Negotiators: Al Alt, Dr. Angie Fairchilds, George Parker, Lisa Allred (AALRR)  
Negotiating parties: Vann & Ruggieri Land Investments, LLC: Steve Tofft, Owners Representatives  
Under Negotiation: Negotiating Parameters
- B. Conference with Real Property Negotiator  
Pursuant to Government Code 54956.8  
Property: Sutter County Facility Site  
Negotiators: Al Alt, Lisa Allred (AALRR)  
Under Negotiation: Due diligence and contract amendment

3. **REGULAR SESSION**

- A. Call To Order  
Chairman Flory announced that the Board met in Closed Session to discuss items listed on the Closed Session agenda. No actions were taken.
- B. Approval of Agenda

Chairman Flory announced the following changes to the agenda since printing:

**Item 4B(2) – REVISED** – Approve negotiation of agreement for Pre-Construction Services to Lease/Lease-Back Entities for (1) Sutter County Facility (J-01) and (2) Allied Health and Public Safety Building, Yuba College (J-25).

**REVISED RECOMMENDATION:** That the Board of Trustees authorize the District to negotiate agreements for Pre-Construction services for the following Measure J Bond Projects, and for the negotiated fees indicated below:

J-01, Sutter County Facility – Award to DPR Construction, Inc., of Sacramento, California, not to exceed the amount of \$91,820 (10 months)

J-25, Allied Health & Public Services Building – Award to Sundt Construction, Inc., of Sacramento, California, not to exceed the amount of \$79,257 (700 hours)

Actual agreements, once negotiated, will be placed on a future Board agenda for approval by the Board of Trustees.

**ITEM 4 B. (3) REVISED** – Approve Colusa County Land Acquisition

**Amend final paragraph to read as follows:** Terms of the agreement are outlined in the Agreement For Purchase And Sale Of Real Property And Joint Escrow Instructions dated August 5, 2009.

REVISED RECOMMENDATION: That the Board Approve the Agreement For Purchase And Sale Of Real Property And Joint Escrow Instructions dated August 5, 2009 and approve delegation of authority to the Chancellor or Chancellor's designee to do all things necessary, in consultation with staff and legal counsel, as they may deem necessary in order to complete the purchase transaction.

**ITEM 11.B - DELETE** – Design of Specific Systems, Products and/or Materials in the Specifications for the District Construction Projects.

**Moved, Seconded (Hastey/Buchan), Unanimously Carried that the Board approve the agenda with the revisions noted.**

C. Open Agenda

Chairman Flory explained the process for addressing items on and off the regular agenda.

4. **MEASURE J BOND CONSTRUCTION**

A. Measure J Bond Construction - Consent

- (1) Authorize Permission to Proceed to Bid on Colusa County Outreach Facility, Woodland Community College (J-42) and Fire Water Loop, Yuba College (J-11).

**Moved, Seconded (Tafoya/Rai), Unanimously Carried that the Board approve the Measure J Bond Construction Consent agenda as presented.**

B. Measure J Bond Construction – Action

- (1) Approve Citizens' Bond Oversight Committee (CBOC) member appointment.

Chancellor Harrington shared with the Board that the CBOC is a group required by law under Proposition 39. In addition to the legal requirement for representative members, the District looks to ensure representation from each of the five major counties in the district: Yuba, Sutter, Colusa, Yolo and Lake Counties. The CBOC recently had two resignations, leaving Yolo County without a representative.

**Moved, Seconded (Tafoya/Buchan), Unanimously Carried that the Board approve the appointment of Mr. Jeff McCallum to serve on the Citizens Bond Oversight Committee (CBOC).**

- (2) **REVISED** - Approve negotiation of agreement for Pre-Construction Services to Lease/Lease-Back Entities for (1) Sutter County Facility (J-01) and (2) Allied Health and Public Safety Building, Yuba College (J-25).

Vice Chancellor Alt shared with the Board that the Lease/Lease-Back construction method is being used for the Sutter Facility (J-01) and Allied Health and Public Safety (J-25) buildings. He noted that the dollar amount has been revised because the original bid was a sealed bid process. Some of the assumptions have now been reviewed and are less.

**Moved, Seconded (Hastey/Buchan), Unanimously Carried that the Board authorize the District to negotiate agreements for Pre-Construction services for the following Measure J Bond Projects, and for the negotiated fees indicated below:**

**J-01, Sutter County Facility – Award to DPR Construction, Inc., of Sacramento, California, not to exceed the amount of \$91,820 (10 months); J-25, Allied Health & Public Services Building – Award to Sundt Construction, Inc., of Sacramento, California, not to exceed the amount of \$79,257 (700 hours). Actual agreements, once negotiated, will be placed on a future Board agenda for approval by the Board of Trustees.**

- (3) Approve Colusa County Land Acquisition

Chairman Flory opened the session for public comment. There being no public comments, the session for public comment was closed.

**Moved, Seconded (Pearson/Tafoya), Unanimously Carried that the Board approve the Agreement For Purchase And Sale Of Real Property And Joint Escrow Instructions dated August 5, 2009 and approve delegation of authority to the Chancellor or Chancellor's designee to do all things necessary, in consultation with staff and legal counsel, as they may deem necessary in order to complete the purchase transaction.**

- (4) Approve Matson and Isom Certified Public Accountants to perform Measure J Bond Program Annual Audit.

**Moved, Seconded (Tafoya/Buchan), Unanimously Carried that the Board approve Matson and Isom to perform the audit services as recommended by the Vice Chancellor Administrative Services.**

C. Measure J Bond Construction – Information

- (1) Monthly Measure J Bond Construction Projects Update

Mr. Bruce Brewer, Construction Manager, shared information about the application process for the State of California Department of Public Health, Safe Drinking Water State Revolving Fund American Recovery and Reinvestment Act (ARRA) funding for the Well Replacement/Waterline Connection Project at Woodland Community College. This project will connect WCC's domestic water lines to the City of Woodland's water system and separate WCC's existing well as the only irrigation water supply. Mr. Brewer noted that although the process has been arduous, the District's application is currently ranked at 17 out of 220.

Mr. Craig Fernandez, AECOM, introduced Ms. Margaret Lednicky and Messrs. Ken Bauer and Brad Nelson of LPA Sacramento, who provided a PowerPoint presentation on the schematic design of the new Allied Health and Public Safety building at Yuba College. The project includes redesign of the parking lot and a campus walk. It was noted that there would be trees in the landscaping of the parking lot, reducing the number of parking spaces by about 70 spaces. Trustee Frothingham stated that many students have expressed frustration with the existing shortage of parking and expressed his concern about losing spaces. It was noted, however, that the layout would ensure right-sized parking spaces and aisles for a much safer area. Features of the campus walk will include shade trees, seating benches, and trash and recycling receptacles. Ms. Lednicky reviewed the Leadership in Energy and Environmental Design (LEED) rating system, and some of the elements used to reach LEED status.

5. **FEATURED PRESENTATION** – Associate Degree Nursing (ADN) and Licensed Vocational Nursing (LVN) Programs

President Adkins introduced Director of Nursing, Toni Christopherson, who provided a PowerPoint presentation on the Nursing Programs. The Department of Nursing was established in 1955 with the opening of the LVN program. By the 1970s, the program admitted 30 students in Woodland every other year and 30 students in Marysville every year. In 1981, the LVN-to-RN Step-Up program was started with 26 total students from both campuses, which grew to include the Lake campus. In 1992, the ADN program was started with 50 students: 20 in Marysville, 20 in Woodland, and 10 in Lake. Currently, the ADN program accepts 30 students every semester and an additional 10 ten students are admitted every other fall semester. In a collaborative partnership with Fremont Rideout Health Group (FRHG), Yuba College has been financially supported to expand to current student capacity levels. FRHG provides personnel assistance to work with graduating students in the ADN Preceptor course, as well as clinical settings for Yuba College students throughout the program. Ms. Christopherson shared with the Board that the vision of the nursing program is

that it will be the nursing program of choice, graduating highly skilled clinicians who will shape the future of nursing. Program accomplishments include a new on-line wait list, and a revitalized Nursing Advisory Board. Nursing faculty participate in community service and ongoing education. Both the LVN and ADN programs underwent accreditation visits in 2009. The LVN Program received a full four-year accreditation with no recommendations. The ADN program had received three recommendations. The LVN program has an exam pass rate average of 94.8% (2003-2007), and the ADN program has an average pass rate of 93% (2003-2008).

Nursing Program student, Claudia Ritchey, shared with the Board that after Hurricane Katrina, she decided to pursue her dream of becoming a nurse, and her experience with Yuba College has been very positive. Ms. Ritchey is currently in her third semester of the program and plans to pursue a master's degree and eventually go into nursing education. She also expressed that she is very glad that Yuba College uses a wait list rather than a lottery. On behalf of the entire Board, Chairman Flory thanked Dr. Christopherson and Ms. Ritchey for their informative presentation.

6. **OPEN AGENDA and PUBLIC COMMENT**

Ms. Barbara Warren, a private citizen of the District, addressed the Board requesting that consideration be given to designing the parking lot with spaces at a thirty-degree angle.

7. **REPORTS**

A. Trustee Reports

Trustee Haste reported that he is a member of the Yuba County Local Agency Formation Commission (LAFCO) Board and would need to leave early to attend an overlapping meeting.

Trustees Rai and Buchan attended the City of Yuba City Council meeting on August 4<sup>th</sup> at which the City Council approved the change to the Sphere of Influence and pre-annexation for the Sutter County Facility. Each Council member expressed pleasure at the opportunity to have Yuba College services in Yuba City. Trustee Buchan asked that consideration of timing for the Board's Summer Planning Session be given to include the student trustee. Trustee Pearson reported that he was pleased to see information about the Colusa County Facility in the Post Office. Trustee Frothingham reported that he would be attending the Student Trustee Workshop in San Francisco on August 14<sup>th</sup>.

B. Board Foundation Liaisons Report

Trustees Buchan and Flory attended the Foundation Board meeting on July 23<sup>rd</sup>.

C. Classified Exclusive Representative Report

Chancellor Harrington noted that CSEA President, Donna Spenser, was currently attending the CSEA Conference and would provide an update at the September Board meeting.

D. Yuba College Academic Senate Report

Yuba College Academic Senate President, Helen Nickolson, distributed a list identifying closed classes, stating that the District's decision not to fill ten faculty positions was contributing to the situation. She stated that the Academic Senate has primary care of curriculum, and hopes that the Board recognizes the contribution of Yuba College faculty. Professor Nickolson welcomed President Adkins to Yuba College.

E. Yuba College President's Report

President Adkins provided an update on activities of students, faculty and staff since the last meeting. Of special note, Yuba College hosted a Weld Camp for Foster Youth, underwritten by a Foster Youth grant from the State Foundation for Community Colleges through the Fabricators Manufacturing Association. Yuba College is one of only five colleges in the State to receive funding from the Foundation. Also, Professor Rick Murai has returned from Sabbatical. An exhibition of work from his

Sabbatical will be on display August 1 through September 11, 2009 at the Yuba Sutter Arts Council Gallery in Marysville.

- F. **Woodland Community College Academic Senate Report**  
Woodland Community College Academic Senate President, George Galamba, reported that a retreat is scheduled for the Woodland Community College Academic Senate and College Council on Saturday, August 15<sup>th</sup>. Professor Galamba noted that the current budget crisis makes it tough for students to get classes they need.
- G. **Woodland Community College President's Report**  
President Fairchilds provided an update on activities of students, faculty and staff since the last meeting. Of special note, as a component of its strategic plan, WCC will provide training for the development of Student Learning Outcomes (SLOs) and expanding the efforts to Student Services and Administrative Services at WCC. Vice President Konuwa arranged for Dr. Juan Avalos, Dean of Student Services at Cosumnes River College, to present a workshop on Assessment methodologies for SLOs and SAOs (Service Area Outcomes) in Student Services.
- H. **Chancellor's Report**  
Chancellor Harrington stated that the greatest challenge during this budget crisis is how much each of us realize the impact it has on students. The latest information from the State indicates YCCD will be funded for 7858 FTES, yet currently serves over 8400 FTES. Community college districts across the state are experiencing the same difficulty of having to align FTES with reduced funding and reduced workload. Chancellor Harrington noted that this is the time when the District needs faculty and staff to look at courses and services most needed by our students as we make the necessary fiscal and course reductions. At the state level, Chancellor Harrington and Dr. Lopez attended an all day session specifically addressing how to work with the public and media during the current budget crisis.

8. **BUDGET UPDATE**

Vice Chancellor Alt provided an update on budget news and distributed a document from the Systems Office regarding 2009-2010 Workload Adjustment and identifying YCCD's required reduction in FTES. He stated that the executive team will continue to discuss this reduction in the coming weeks as each college works through the required FTES reduction.

9. **LEGISLATIVE UPDATE**

Dr. Lopez shared with the Board that the legislation is on hold until legislators return on August 20<sup>th</sup>.

10. **CONSENT**

**Moved, Seconded (Tafoya/Buchan), Unanimously Carried that the Board approve the Consent Calendar as presented.**

- A. **Categorically Funded Positions**
  - (1) Approve Short-Term Classified Employees (Temporary Classified and Non-Academic/ Non-Classified) – Assembly Bill 500
  - (2) Permanent Employment
    - (a) Confirmation of Resignation – Management Employee
      - (i) Timoteo Rico, Upward Bound Supervisor – Woodland Community College
    - (b) Confirmation of Resignation – Classified Employees
      - (i) Stephanie Beaver Alder, Clerical Assistant, EOP&S/CARE – Woodland Community College

- (ii) Brenda Murry, Financial Aid Student Services Assistant – Clear Lake Campus

B. District Funded Positions

- (1) Approve Short-Term Classified Employees (Temporary Classified and Non-Academic/Non-Classified) – Assembly Bill 500

C. **OTHER**

- (1) Approval of Warrants
- (2) Confirm Student Insurance Renewal for 2009-2010.
- (3) Authorization to Sell Surplus Property, Fiscal Year 2009-2010
- (4) Accept Yuba County Investment Report
- (5) Approve 2009 Resolution and Grant Contract Between CSU, Chico Research Foundation and YCCD
- (6) Approve New and Revised Board Policies
- (7) Approve 2009-2010 Agreement for Legal Services with Fagen, Friedman & Fulfrost

11. **ACTION**

- A. Adopt Revised YCCD Board of Trustees Strategic Directions for 2007-2011

This item incorporates updates/revisions discussed at the July Board Summer Planning Session.

**Moved, Seconded (Tafoya/Nicholau) that the Board adopt the revised Strategic Directions for 2007-2011. The motion was lost as a result of no votes made.**

Trustee Rai requested that verbiage also be added to identify use of the ARCC Report results to increase District students' success levels in Goal 1.4.

**Moved, Seconded (Rai/Tafoya), Unanimously Carried that the Board adopt the revised Strategic Directions for 2007-2011 with the additional amendment to Goal 1.4.**

B. **DELETED**

- C. Approve Addition of Vice Chancellor Administrative Services Name as Authorized Signatory

**Moved, Seconded (Rai/Buchan), Unanimously Carried that the Board approve the addition of Al Alt's name to the Yuba Community College District bank accounts.**

- D. Approve Monthly Unrestricted Budget Report for June 2009.

**Moved, Seconded (Tafoya/Nicholau), Unanimously Carried that the Board approve the budget revisions as presented.**

- E. Approve YCCD 2009 Accountability Report for the Community Colleges (ARCC) Report

Trustee Rai expressed concern that the District's results reflect an overall decline in student success rates, and noted that this is why she suggested the ARCC Report results be included in the Board's Strategic Directions.

**Moved, Seconded (Buchan/Rai), Unanimously Carried that the Board approve the YCCD 2009 Accountability Report for the Community Colleges (ARCC).**

- F. Authorize Classified Employees FTE Reduction

Vice Chancellor Alt shared with the Board that due to the loss of Youth Empowerment Strategies for Success-California (YESS CA) Independent Living Program (ILP) funding, it is necessary to reduce .5

FTE from Classified positions. He commended CSEA for working collaboratively with the District on this item.

**Moved, Seconded (Buchan/Nicholau), Unanimously Carried that the Board authorize the classified employees FTE reduction as outlined to be effective November 1, 2009.**

G. Authorize Management Employees FTE Reduction


At the July 22, 2009 Board Meeting, the Board adopted a resolution reducing the FTE for a management position as a result of lack of work or lack of funds. This reduction was due to the loss of AmeriCorps Early Learning School Readiness funding.

**Moved, Seconded (Tafoya/Buchan), Unanimously Carried that the Board authorize the classified supervisor FTE reduction as outlined to be effective October 31, 2009.**

12. **ADJOURNMENT**

The meeting adjourned at 6:14 p.m.

Respectfully submitted,



Nicki Harrington, Ed.D.  
Board Secretary