

YUBA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
Minutes of the June 17, 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, June 17, 2009, at Woodland Community College, 2300 E. Gibson Road, Woodland, California.

Chairman Flory opened the Work Session at 1:38 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. Yuba College Sutter County Educational Facility

Mr. George Parker, YCCD Director of Facilities Planning, provided an overview of the plan and revised budget for the District's new Sutter County educational facility. Mr. Parker reviewed with the Board the operational expenses for the Sutter County facility, including maintenance and staffing costs, and construction cost assumptions. Mr. Parker noted that the Measure J Bond Program budget was developed with contingencies for each project and an escalation factor for construction costs. However, due to the economy, construction costs have dropped significantly and cost escalation has been non-existent for over a year. Mr. Parker also shared with the Board that by using the Lease/Lease-Back construction method we have reduced costs for Construction Management, eliminated the bid contingency, and set a guaranteed maximum price (GMP) which will carry through the life of the project. By taking all these factors into consideration and recalculating the Measure J Bond program budget, sufficient funds are available to allow the Sutter facility to be designed for Educational Center status.

Chancellor Harrington noted that the revised full Measure J Bond Program budget will be included in the in-depth review and update on Measure J at the Board's July Work Session. She added that interviews of firms for Lease/Lease Back projects have begun and will finish in July.

Chairman Flory thanked Mr. Parker for his presentation. There being no other questions or comments, the Work Session adjourned at 2:03 p.m. and the Board took a short break before convening to Closed Session at 2:30 p.m.

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 in Williams, CA.
Assessor's Parcel Number (APN) for the Parent Parcel is 016-070-101.
District Negotiators: Dr. Willard Wright, Dr. Angie Fairchilds, George Parker, Lisa Allred (AALRR)
Negotiating parties: Vann & Ruggieri Land Investments, LLC: Steve Tofft, Owners Representatives
Under Negotiation: Negotiating Parameters
- B. Public Employee Appointments – Yuba College President and YCCD Vice Chancellor of Administrative Services
- C. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code section 54956.9 (a)
Ortiz v. Yuba Community College District, et al.
Yolo County Superior Court Case No. CV05-1572
- D. Conference with Labor Negotiator – District Negotiator: Al Alt

3. REGULAR SESSION

A. Call To Order

Board Chairman, Alan Flory, opened the 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

Chairman Flory announced that the Board met in Closed Session to discuss items listed on the Closed Session agenda, which included personnel matters and acquisition of property. No actions were taken.

B. Approval of Agenda

Chairman Flory announced the following revisions to the agenda:

Item 14B(2)(a) – Confirmation of Employment – Management Positions

(i) Albert Alt – Vice Chancellor Administrative Services

(ii) Kay Adkins – President, Yuba College

Moved, Seconded (Tafoya/Hastey), 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 agenda.

4. OATH OF OFFICE AND SEATING OF 2009-2010 STUDENT TRUSTEE, STEPHEN FROTHINGHAM

Chairman Flory administered the Oath of Office to Stephen Frothingham, 2009-2010 Student Trustee.

5. SPECIAL RECOGNITION

Ms. Tanna Thomas, YCCD Instructional Support Analyst and member of the California Community Colleges (CCC) Board of Governors, shared with the Board that there are more than 25,000 classified employees working in the California Community College system. Classified employees frequently work behind the scenes to ensure things run smoothly for students, faculty, and administration. Additionally, many classified employees are exemplary leaders among their constituents. Ms. Thomas stated that after serving her first year on the CCC Board of Governors, she suggested there needed to be a way to formally recognize outstanding classified employees. In response, the California Community College Classified Staff of the Year Award was established. Five recipients were selected from across the state to receive the award based on identified criteria. Ms. Thomas announced that Ms. Teresa Aronson, Yuba College Public Events Technician, was one of the five outstanding classified staff members in the state to receive the award this inaugural year.

Miss Aronson shared with the Board her experience of receiving the award at the Board of Governors meeting held at Lake Tahoe Community College in May. Ms. Aronson stated she had the pleasure of meeting Chancellor Jack Scott, members of the Board of Governors, and the four other award recipients. She thanked Miriam Root, Public Information Officer, retiring Yuba College President Paul Mendoza, and the Board of Trustees for their support, adding that it is an honor to represent the classified staff of Yuba College and California's community colleges.

Woodland Community College (WCC) President, Dr. Angela Fairchilds, presented a Resolution for Kay Gasson in honor of Ms. Gasson's retirement.

6. **APPROVE MINUTES**

Moved, Seconded (Tafoya/Buchan), Carried, that the Board approve the Minutes of the May 13, 2009 Board Work Session and Regular Meeting.

7. **MEASURE J BOND CONSTRUCTION**

A. Measure J Bond Construction - Consent

Moved, Seconded (Hastey/Buchan), Carried that the Board approve the Measure J Bond Construction Consent Calendar as presented.

- (1) Award Construction Contract to United Building Contractors of Chico, California in the amount of \$2,554,596 for Building 400 Theatre Renovation Project (J-06) at Yuba College.
- (2) Award Construction Contract to United Building Contractors of Chico, California, in the amount of \$581,720 for the Building 600 Renovation (J-08 – Applied Arts, Science & Technology) and Building 1800 Renovation (J-21 – Student Service, DSPS) at Yuba College.
- (3) Award Construction Contract to Koch Excavating Company of Penn Valley, California in the amount of \$112,016 for the Information Technologies Back-up Generator Installation Project (J-30) at Yuba College.

B. Measure J Bond Construction - Action

- (1) Accept Re-Circulated Initial Study/Mitigated Negative Declaration for Sutter County Site and File Notice of Determination with the Clerk of Sutter County.

Mr. Randy Chafin, EDAW, shared with the Board that at the May 13, 2009 Board Work Session, he provided information about the IS/MND and responses to the comments received at that time. Due to late responses from key participants, approval of the IS/MND was pulled from the May Board Agenda and re-circulated for an additional 30 days. Key changes to the document involve agricultural resources and the traffic impact analysis to address concerns expressed by the City of Yuba City. Two written comments have been received, one from a local non-profit agency and one from a local state agency. The comments have been reviewed and are either addressed in the Re-circulated IS/MND or are acknowledged as received.

Moved, Seconded (Hastey/Rai), Carried that the Board accept the findings of the Re-Circulated Initial Study/Mitigated Negative Declaration for the Sutter County site and that a Notice of Determination be filed with the Clerk of Sutter County.

- (2) Approve Scope of the Yuba College Sutter County Educational Facility

This item was discussed at length during the Board's Work Session.

Moved, Seconded (Buchan/Rai), Carried that the Board authorize the District to move forward with the development of the design of the Sutter County Facility to include the scope of Educational Center status.

C. Measure J Bond Construction - Information

- (1) Monthly Measure J Bond Construction Projects Update

Highlights included information on swing space, i.e., areas used to temporarily house classrooms, offices, or other activities displaced during construction projects. Chancellor Harrington noted this would be Dr. Wright's last Board meeting before retiring at the end of the month. The Board thanked Dr. Wright for his key role in passing the Measure J Bond conducting the sale and management of bond funds, and for his guidance in the bond construction projects to this point.

8. FEATURED PRESENTATION – Woodland Community College Administration of Justice (AJ) Program

AJ Program Instructor, Leslie Deniz, provided information about the AJ Program at Woodland Community College. The program offers degree programs designed for entry into Law Enforcement, Corrections, and related fields. The program also prepares students wishing to pursue Bachelor's Degrees at four-year colleges. The AJ Program Advisory Board consists of fifteen members, including chiefs of police and representatives from the Commission on Police Officer Standards and Training (POST), California Highway Patrol (CHP) and Department of Corrections. Desired program outcomes include (1) Increase high school student awareness of AJ as a career opportunity; (2) Formal Education – to assist students in the successful completion of an AS degree and prepare them for academic success at four-year educational institutions; (3) Successful completion of POST police academy; and (4) Enhance POST educational opportunities for law enforcement practitioners. Ms. Deniz stated that one of the most difficult aspects in the AJ Program is report writing. To help prepare students for this component of the program, a new course, *Police Report Writing Essentials*, has been developed. In addition, ethics instruction has been incorporated as an emphasis in the AJ program, and a certificate program is currently awaiting Curriculum Committee approval. Effort is also being made toward the development of a POST Dispatch Academy program. Ms. Deniz noted that the program was able to purchase materials/equipment for student outreach and recruitment through an SB70 grant, and materials for instructing students in crime scene scenarios were purchased through the Instructional Equipment process. Ms. Deniz stated that police officers and sheriff's patrol officers had average annual earnings of \$47,460 in May 2006. The middle fifty percent earned between \$56,000 and \$59,880. The highest ten percent earned more than \$72,450. She also noted that WCC is a POST certified training facility and will be offering the POST academy in February 2010.

AJ Program students, Crystal Aguirra and Michelle Miller, addressed the Board. Ms. Aguirra stated that she is pursuing a career to become a parole agent. Ms. Miller shared with the Board that she will be attending the POST Academy in January.

The AJ Program addresses the Board's Strategic Directions, Goal 1 – Student Retention and Success and SLO and Institutional Accountability.

9. OPEN AGENDA AND PUBLIC COMMENT

Regarding Items Not On This Agenda

Professor Tim May, Yuba College Academic Senate Vice President, addressed the Board and stated that the Yuba College Council Budget Committee recommended that there be a freeze on positions due to the fiscal crisis.

Professor Matt Clark addressed the Board asking that the Board not fill administrative positions due to the budget crisis.

10. REPORTS

A. Trustee Reports

Trustee Nicholau reported that he attended the Yuba College Nursing Pinning Ceremony and the Yuba College commencement. He noted that from his seat at the event, he noticed the pride shown by faculty for their students. He also attended the Yuba-Sutter Relay For Life event held at Geweke Field.

Trustee Hastey attended the Clear Lake Campus commencement, noting that it was an honor and joy to attend.

Trustee Rai thanked President Fairchilds for hosting the Board meeting. She reported that she attended the MESA Banquet, Yuba College commencement activities, and the Awards & Recognition Ceremony. Ms. Rai noted that this was her first time attending the Awards & Recognition Ceremony and stated that it was a very nice event.

Trustee Buchan attended commencement activities and also participated in the Lease/Lease Back interviews and found the process to be very interesting.

Trustee Pearson reported that he participated in the Woodland Community College commencement as a graduate. He also attended an Air Resource presentation in Los Angeles.

Trustee Tafoya attended the Trustee conference in Sonoma and will be providing information at the July Board meeting about how students can save on textbook costs.

Student Trustee, Stephen Frothingham, expressed his thanks to the student body. He added that he will do his best to represent the voice of students and looks forward to working toward the betterment of the District.

Trustee Flory reported that he attended the WCC commencement breakfast and ceremony.

B. Board Foundation Liaisons Report

No report was given.

C. Woodland Community College (WCC) Academic Senate Report

WCC Academic Senate President, George Galamba, shared with the Board that he was very pleased that Instructor Leslie Deniz was present to provide information about the WCC Administration of Justice (AJ) program, and added that he would continue to advocate for more vocational programs at WCC. Professor Galamba noted that Professor Julie Brown will serve as the WCC Academic Senate Vice President for 2009-2010. The WCC Academic Senate has been very busy working on the Educational Master Plan and the Planning and Budgeting ad hoc committee has been working to identify ways to minimize cuts to student services, such as increasing energy efficiency, charging a printing fee, and making more information available on the web site. A scheduling task force has also been working with administration and faculty in developing a priority list.

D. Yuba College Academic Senate Report

Yuba College Academic Senate President, Helen Nicholson, stated that the Academic Senate has had discussion about the state's fiscal crisis. She added that the District is not filling ten faculty positions, which is equal to approximately \$1.2 million. Professor Nicholson stated that the Yuba College Council Budget Committee recommended there be no administrative hires due to the current fiscal crisis. She listed many course sections that had closed and added that ten vacant faculty positions will have a negative impact for students. She requested that the Board, on the recommendation of the Academic Senate and the Yuba College Council Budget Committee, pull Item 14 B 2 (a) (i) and (ii) from the agenda.

E. Classified Exclusive Representative Report

Minerva Lemus, WCC Campus Student Services Specialist, shared with the Board that classified staff member Jackie Harryman, was recognized at the Rising Star Awards Dinner for her many hours spent examining the District's budget and making recommendations for possible cuts in order to avoid layoffs. Ms. Lemus congratulated Ms. Gasson on her retirement. She raised several issues effecting classified staff which Chairman Flory referred to staff for resolution.

F. Chancellor's Report

Chancellor Harrington welcomed new Student Trustee, Stephen Frothingham, to the Board and congratulated Trustee Pearson on his recent graduation. She attended the commencement at Woodland Community College, noting that she rotates among the three campuses annually. She commented that it was very exciting to be present at WCC's first commencement as an accredited institution. Chancellor Harrington commended Tanna Thomas for her recent re-appointment to serve on the Board of Governors, and also congratulated Teresa Aronson on receiving the California Community College Classified Employee of the Year Award. Chancellor Harrington noted that she participated in the Lease/Lease Back interviews and added that many Measure J bond construction projects are moving toward the design and construction phase. Chancellor Harrington stated that the budget situation still looks grim, and acknowledged the work of the budget committees. She stated that the budget is a moving target and several statewide conference calls have been held weekly to discuss it. The District will continue to track the budget and continue the work begun last November to make necessary budget reductions through the summer months.

Chancellor Harrington added that the California Innovation Center (CIC) continues to progress, though it has been working through the process of hiring an Executive Director. The CIC serves predominately the Yuba-Sutter area, but also stretches farther. The Linking Education and Economic Development (LEED) Consortium works for the greater Sacramento region to link education and economic development and she has been asked to serve on the LEED Board of Directors to ensure our region is served. Chancellor Harrington again expressed her personal congratulations to Dr. Wright on his upcoming retirement, and thanked him for all of his work on the Measure J Bond Program and throughout the District.

G. Woodland Community College President's Report

President Fairchild welcomed Board members to the Woodland Community College campus, and welcomed new student trustee, Stephen Frothingham, to the Board. She provided an update on WCC activities since the last meeting. Of special mention, Ms. Laurana Snyder, current WCC-Agriculture student and WCC Collegiate Agriculture Leaders (CAL) Vice President, was recently selected to serve on the statewide CAL Officer Team for 2009-2010. President Fairchild expressed her thanks to all WCC faculty and staff for their hard work during WCC's first year as an accredited institution. She added that great progress was made toward achieving WCC's strategic goals and the Board will receive a detailed report at the July Planning Session.

Chancellor Harrington noted that President Fairchild also deserved recognition for all of her hard work this past year in seeing WCC through its first year as an accredited institution.

H. Yuba College President's Report

Dr. Kevin Trutna, Vice President of Academic and Student Services, provided an update on activities of students, faculty, and staff at Yuba College since the last meeting in President Mendoza's absence. Of special note, the college was recently able to provide a significant learning experience for Linda Elementary School second grade students. It was learned that Linda Elementary did not have money for field trips, so the Yuba College Public Information Office arranged for a tour of Yuba College. The students walked to campus as a group, participated in the noon recital, learned about making pottery, toured the Veterinary Technology program, and visited the art display in the library. Dr. Trutna shared with the Board the very special thank you letters received from the Linda Elementary School second grade students.

11. LEGISLATIVE UPDATE

Dr. Adrian Lopez noted that budget news changes daily and the District will continue to monitor the information as it is received. Due to budget restraints, many bills are holding and will become 2-year bills, including SB 271 – Public Higher Education Facilities Bond Act. Dr. Lopez congratulated Tanna Thomas on her re-appointment to the Board of Governors.

12. YUBA COLLEGE PRESIDENT SEARCH UPDATE

13. YCCD VICE CHANCELLOR ADMINISTRATIVE SERVICES UPDATE

Chancellor Harrington noted the District's contract with the Association of Community College Trustees (ACCT) to conduct the Yuba College Presidential search. The Vice Chancellor search was conducted by the District. Both search processes took about six months and are now complete. The Presidential Search Committee included a Board member (Trustee Buchan), and representatives from faculty, administration, classified staff, the community, and a student liaison. In the case of the Vice Chancellor position, the selection committee included representation from each of the five areas under the Vice Chancellor position's supervision, as well as faculty and staff from both colleges. Both processes included paper screening followed by a first round of interviews, then second interviews. Each of the committees provided a final list of candidates and a thorough reference check process took place. Chancellor Harrington noted that due to the state budget crisis and pending budget reductions, she has conducted a more in-depth review of Accreditation and Education Code regulations, and Title 5 standards with regard to whether or not the four pending management positions could remain vacant. A financial analysis was also considered. The decision to fill these positions is both fiscally prudent, and required for operation of Yuba College and the District. Chancellor Harrington thanked the members of both search committees for their time and commitment to the process.

Trustee Rai asked Chancellor Harrington to share why these two positions are critical to the District. Chancellor Harrington stated that the President position is required by accreditation. The position can be vacant for only a few weeks, and the position can have no other duties other than that of President. The position is required in order to be a college. With regard to the Vice Chancellor of Administrative Services, this position serves as the Chief Business Officer (CBO) for the District. With a \$44 million District budget and a \$190 million Bond Construction Program, the District requires this position.

14. **CONSENT CALENDAR**

Professor Lauren Syda addressed the Board requesting that Items 14 B 2 (a)(i) and (ii) be pulled from the agenda for further discussion. Professor Syda stated that both the Yuba College Academic Senate and Yuba College Budget Committee recommend not filling these positions due to the current fiscal crisis. She added that many vacant classified positions, and faculty positions are not being filled. Professor Syda noted that both instructional deans and categorical programs have been asked to do a "what if" scenario for next year. She suggested these positions not be filled until a "what if" study is conducted.

Trustee Tafoya requested Item 14B(3)(b) be pulled for discussion.

Moved, Seconded (Buchan/Hastey), Carried that the Board approve the Consent Calendar with the exception of Item 14 B(3)(b).

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 Employment
 - (i) Rosa Packard, Administrative Secretary I – CalWORKs – WCC

B. District Funded Positions

- (1) Approve Short-Term Classified Employees (Temporary Classified and Non-Academic/Non-Classified) – Assembly Bill 500
- (2) Permanent Employment
 - (a) Confirmation of Employment - Management Position
 - (i) **REVISED** – Albert Alt - Vice Chancellor Administrative Services
 - (ii) **REVISED** – Kay Adkins - President, Yuba College

- (b) Confirmation of Employment - Classified Employee
 - (i) Mario Leal, Custodian – Yuba College
- (c) Confirmation of Resignation – Classified Employee
 - (i) Tim Flowers, Custodian – Yuba College
- (3) Other District Funded Consent
 - (a) Yuba College Faculty Association – Approve 2009-2010 Reduced Workload – Five Positions
 - (i) Stephen Cato, Mass Communications – Yuba College
 - (ii) Sally Harvey, English – Yuba College
 - (iii) Allan Miller, Music – Yuba College
 - (iv) Robert Wachman, ESL – Yuba College
 - (v) Leslie Williams, Biology – Yuba College

C. **OTHER**

- (1) Approval of Warrants
- (2) Approve Resolution authorizing absence of Board member from meeting due to illness – Ben Pearson
- (3) Approve expenses for Student Trustee attendance at the 2009 Student Trustee Workshop in San Francisco, California, sponsored by the Community College League of California.
- (4) Approve Kuldeep Kaur, Director of Fiscal Services, to serve as the District Representative Alternate on the Northern California Community Self-Insurance Agency (NCCCSIA)
- (5) Approve Sutter County and Yuba County Department of Health and Human Services Contracts for Professional Services Under the Auspices of the Sutter and Yuba CalWORKs Programs.
- (6) Approve and Accept Facilities Renovation and Repair Grant.
- (7) Approve Addendum with North Central Counties Consortium and Colusa County One Stop Partners for the period July 1, 2008 through June 30, 2011.

14 B (3)(b) Approve Increase in Board Members' Monthly Compensation

Motion was made by Trustee Tafoya that the Board not approve the increase in Board member compensation due to the state budget crisis. Trustee Rai seconded the motion.

Trustee Hastey stated that if the Board does not accept the salary increase at this time, the increase cannot be made up at a future date like employee salaries. He expressed concern that this will hurt members of the Board in the future. Trustee Nicholau concurred, for the sake of future Board members.

Moved, Seconded (Tafoya/Rai), Carried that the Board not approve the increase in Board member monthly compensation.

Nays – Hastey, Nicholau

15. **ACTION**

A. Approve 2009-2010 Tentative Budget

Dr. Wright shared with the Board that information about the budget is continuously changing and decisions are yet to be made by the state. He stated that he expects the District will have a \$3 - \$4 million cut. Dr. Wright noted that District and college managers have stepped up to do all they can to reduce expenditures for the 2009-10 year, but that more cuts are likely. Chancellor Harrington

stated that the best way to keep up with the daily budget information is by checking the CCLC website at www.cclc.org. The federal stimulus monies will help for one year, and cuts to categorical programs have been reduced, though tuition fees are slated to increase. The District will continue to work with the budget information as it is received. Chancellor Harrington added that the Community College League of California (CCLC) and the State Chancellor's Office are working very hard for us. She noted that this Tentative Budget will change over the summer months as more information becomes available.

Moved, Seconded (Buchan/Tafoya), Carried that the Board approve the Tentative Budget for 2009-2010 and direct staff to make the appropriate filing with the County and/or the appropriate public entities. It is also recommended that the Board designate that the Public Hearing for the adoption of the final budget for 2009-2010 be held Wednesday, September 9, 2009 at 4:00 p.m. in the Yuba College, District Board Room.

B. Approve Monthly Unrestricted Budget Report for April 2009.

Moved, Seconded (Hastey/Rai), Carried that the Board approve the budget revisions as presented.

16. ADJOURNMENT

Chairman Flory adjourned the meeting at 6:48 p.m.

Respectfully submitted,

Nicki Harrington, Ed.D.
Board Secretary