The regular meeting of the Board of Trustees of the San Joaquin Delta Community College District was held on Tuesday, December 5, 2006 at 5:15 p.m. Closed Session and 6:30 p.m. Public Meeting, in the Board Room, Administration 103, 5151 Pacific Ave., Stockton, California.

Members Present: Maria Elena Serna, Board President; Leo Burke, Vice-President; Greg McCreary, Clerk; Dan S. Parises; Anthony Bugarin; Janet Rivera; Ted Simas; Jovan Paunovic, Student Representative

I. Called to Order
The Board meeting was called to order at 5:15 p.m. by Board President Simas.

II. Communications
1. Public Comments
Residents from the Lodi community addressed the Board of Trustees regarding the Trustees’ potential vote on the purchase of property in the Lodi area. Resident Mary Hoff residing at 17566 Kennison Lane, Lodi, Ca. addressed the Board of Trustees regarding a soon to be vacant Blue Shield building in Lodi as a potential site for a college satellite campus.

Resident Bill Dauer residing at 225 Royal Oaks, Lodi, Ca. and General Partner of the Blue Shield building addressed the Board of Trustees regarding the two buildings in question informing the Board that the square footage of the buildings to be 40,000 and 30,000 feet. Mr. Dauer informed the Board that the buildings would be available for lease in April 2007. Mr. Dauer spoke of the willingness to give the college an open end lease with the provision that the college give a six month notice to vacate.

Lodi City Council member Bob Johnson addressed the Board of Trustees regarding Mr. Dauer’s offer stating that he and Mr. Dauer were personal acquaintances and that if the Board decided to go in the direction of leasing property from Mr. Dauer the Lodi City Council would support the decision of the Board.

However, Mr. Johnson warned that if the Board decided to lease the Blue Shield property they would find themselves landlocked because the property is in the middle of a build-out area.
III. **Recess to Closed Session**
Board President Simas convened to Closed Session to discuss matters pursuant to Government Code Section 54957, 54957.6 and 54956.8. Motion: Serna; Seconded: Bugarin. Vote: 7/0; motion carried.

IV. **Reconvene Public Session**
Board President Simas reconvened the meeting at 6:38 p.m. with the following to report:

On a motion by Trustee Serna, seconded by Trustee Burke, and carried by a vote of 5/2, with Trustees Serna, Burke, Rivera, Bugarin and Parises in favor, and Trustees McCreary and Simas opposed, the Board of Trustees of the San Joaquin Delta Community College District approved and authorized Superintendent/President Rodriguez to execute Real Estate Purchase and Sale Agreements and Joint Escrow Instructions with the property owners for the District’s purchase of approximately 114 acres of real property located generally between East Highway 12 and Mokelumne River, east of Highway 99, in the Lodi area. The property owners are Larry, Lenore, Kurtis, Scott, and Kris Nies and Nhon and Lisa Vien. The substance of the Agreements is shown on the attached “Term Sheets.” The full Agreements will be available for public review in the office of Andy Dunn, the District’s Vice President for Business Services. This property is proposed to be used as the site of a new Educational Center to serve the Lodi area. These Agreements supersede the Option Agreements approved with the property owners back in March.

On a motion by Trustee Parises, seconded by Trustee Rivera, and carried by a vote of 5/2, with Trustees Parises, Rivera, Burke, Serna and Bugarin in favor, and Trustees McCreary and Simas opposed, the Board of Trustees of the San Joaquin Delta Community College District approved and authorized Superintendent/President Rodriguez to execute a Real Estate Purchase and Sale Agreement and Joint Escrow Instructions with the property owners for the District’s purchase of approximately 4 acres of real property located generally between East Highway 12 and Mokelumne River, east of Highway 99, in the Lodi area. Nhon and Lisa Vien hold a purchase on that property. The substance of the Agreement is shown on the attached “Term Sheets”. The full Agreement will be available for public review in the office of Andy Dunn, the District’s Vice President for Business Services. This property is proposed to be used as part of the site of a new Educational Center to serve the Lodi area.

On a motion by Trustee Rivera, seconded by Trustee Bugarin, and carried by a vote of 6/1, with Trustees Rivera, Bugarin, Burke, Serna, Parises and McCreary in favor, and Trustee Simas opposed, the Board of Trustees of the San Joaquin Delta Community College District approved and authorized
Superintendent/President Rodriguez to execute a Real Estate Purchase and Donation Option Agreement and Joint Escrow Instructions with the Thomas Coe Family for the District’s acquisition of approximately 60 acres of real property in the Valley Springs area of Calaveras County. The property is generally located along Paloma Road between Highway 12 and Campo Seco Road. The substance of the Agreement is shown on the attached “Term Sheet”. The full Agreement will be available for public review in the office of Andy Dunn, the District’s Vice President for Business Services. This property is proposed to be used as the site of a new Educational Center to serve the Calaveras County foothills area of the District.

V. Pledge of Allegiance
Trustee Simas led the Pledge of Allegiance.

VI. Communications
1. Public Comments
   Manual Payan residing at 5151 Pacific Avenue, Stockton, Ca. introduced Delta College employee Connie Martinez stating that she was at the meeting on behalf of the La Raza president to invite the Board of Trustees, the student representative and Dr. Rodriguez to the Holiday annual Breakfast Potluck to be held on December 15th, in the Student Chef.

   M.E.Ch.A student Kevin Moore addressed the Board of Trustees and read a thank you letter to Trustee Serna for her service on the Board on behalf of M.E.Ch.A.

   San Joaquin Delta College CTA representative Claudia Quinn extended holiday greetings to the Board of Trustees on behalf of the CTA.

VII. Other Actions
A. Administration of Oath of Office to Elected Officials.
   1. The Honorable Jose Alva presided over the administration of the Oath of Office to Trustee Rivera and spoke of his working relationship with Trustee Rivera. Trustee Rivera introduced her family members in attendance.

   2. The Honorable Jose Alva presided over the administration of the Oath of Office to Trustee Serna. Judge Alva spoke of his affiliation and relationship with Trustee Serna stating that he had known Trustee Sema for many years and that she was an inspiration to young Latinas and women all over. Trustee Sema introduced her family members in attendance. Superintendent/President Rodriguez read a short statement from Trustee Sema’s daughter who could not be in attendance.

   3. The Honorable Ron Northup presided over the administration of the Oath of Office to Trustee Simas.
Judge Northup stated that it was an honor to administer the oath. Trustee Simas introduced his wife Rita Simas who was in attendance and spoke of his friendship with Judge Northup. Trustee Simas stated that this would be his last term in office and spoke of his eldest daughter and new grandson. Trustee Simas also spoke of his youngest daughter who is studying for her Ph.D at UC Davis in Political Science. Trustee Simas then graciously presented Executive Secretary to the Superintendent/President Valerie Stewart-Green with a bouquet of roses and a gift card as a token for her work with him as a Trustee.

Valerie Stewart-Green thanked Trustee Simas and stated that it was a pleasure working with him as a Trustee.

B. Consideration of Annual Organization of the Board of Trustees.

The Board of Trustees conducted their annual organization meeting with Trustee Rivera making the motion to nominate Trustee Serna as Board President, Trustee Bugarin seconded the motion. Trustee Parises moved to close the nomination. Vote: 7/0; motion carried.

Trustee Rivera motioned to nominate Trustee Burke as Vice President of the Board and Trustee Parises seconded the vote. Trustee Rivera moved to close the nomination. Vote 7/0; motion carried.

With the nominations of the Board President and Vice President, Trustee Simas rotated seats with incoming President Serna.

Trustee Burke motioned to nominate Trustee McCreary as Clerk of the Board, Trustee Rivera seconded the motion. Trustee Bugarin moved to close the nomination. Vote: 7/0; motion carried.

Board President Serna appointed Dr. Rodriguez as the Secretary to the Board of Trustees and Dr. Condon as the Assistant Secretary to the Board of Trustees according to Board Policy 1100.

Board President Serna reviewed the current Board committee appointments and stated that new appointments will be made at the January 16, 2007, Board of Trustees meeting.

Board President Serna called for a 15 minute recess where refreshments were served in the lobby.
Public Session was reconvened at 7:28 p.m.

VIII. Recognitions
A. Introduction of the December 2006 Academic Senate Non-Teaching Staff Award.
Academic Senate President Janice Takahashi introduced the wife of Patrick Stapelburg to accept the award of the non-teaching staff honor on his behalf. Ms. Stapelburg thanked the Board of Trustees and staff on behalf of her late husband and spoke of how many people had positive experiences working with Patrick. Ms. Stapelburg stated that Patrick enjoyed his work at the college and had pride in being a part of the Delta College family. Patrick’s mother was also in attendance. Board President Serna stated that the Trustees were happy to have Patrick as an employee of the college.

IX. Consent Agenda – Action Items
A. Governance Process
1. Approval of the Minutes: November 21, 2006, Regular Board Meeting.
Approved the Minutes of the November 21, 2006 Regular Board Meeting. See Exhibit CON A 1.1 – A 1.10 which is made a part of the December 5, 2006 agenda.

2. Consideration of Proposed Adoption of Board Policy 3550 “Personal Necessity Leave” (Second Reading).
Approved the Second Reading of Board Policy 3550. See Exhibit CON A 2.1 – 2.3 which is made a part of the December 5, 2006 agenda.

3. Consideration of Board Policy 6002 “Criteria for Determining General Education Courses” (Second Reading).
Approved the Second Reading of Board Policy 6002. See Exhibit CON A 3.1 – 3.4 which is made a part of the December 5, 2006 agenda.

4. Consideration of Board Policy 6750 “Parking” (Second Reading).
Approved the Second Reading of Board Policy 6750. See Exhibit CON A 4.1 – 4.5 which is made a part of the December 5, 2006 agenda.

B. Business Services
Approved the donation from The Raymond Foundation (c/o California Welding Supply) of Stockton, Ca. of miscellaneous welding equipment to the Auto Body and Welding Shops valued at $14,365. See Exhibit CON B 1.1 – 1.4 which is a part of the
December 5, 2006 agenda.

2. Gateway Design – Build Update.
Dr. Raul Rodriguez pulled this item from the agenda to address the Board on the Gateway Build Update.

C. Human Resources
1. Consideration of Personnel Action – Adjunct.
The Board approved the employment of adjunct faculty as presented. See CON 1.1 – 1.2 which is made a part of the December 5, 2006 agenda.

Trustee Rivera asked that Item C 2.4 be pulled for discussion/questions.

Trustee Bugarin motioned and Trustee Parises seconded to approve the consent agenda notwithstanding item B.2 and C 2.4 called in question by Dr. Rodriguez and Trustee Rivera respectively. Vote: 7/0; motion carried.

Trustee Serna called for Item B.2 “Gateway Design” as the first topic of discussion. Vice President of Business Services Andy Dunn addressed the Board on the Gateway Project and the Board's consideration of the pre-qualified build team as the project moves to the next stage. Vice President Dunn introduced Facilities Director Maria Baker to address the Board on the project. Ms. Baker gave an update on the progress of the Gateway Building Project. Ms. Baker congratulated newly appointed Board members and gave a PowerPoint presentation on the design-build delivery mode of the Gateway project.

Trustee Rivera inquired about Short-term employee Reynoldo Rodriguez under Con 2.4. Dr. Myers clarified the issue regarding the splitting of areas of responsibilities in the areas of the Communication Skills Tutor/Writing Center.

The Board voted to approve the Consent agenda with Trustee Bugarin motioning and Trustee Rivera seconding to approve the consent agenda with the two items pulled as part of the agenda. Vote 7/0; motion carried.

X. NonConsent Agenda/Action Items
A. Consideration of 2007 Board of Trustees Meeting Dates.
Trustee
Board President Serna recommended that the Board consider a retreat at the February 6th board meeting and that Trustees take into consideration May 15th, June 19th
or July 17th where there is normally a summer Board Retreat. Trustee Serna asked that Trustees communicate their availability with Dr. Rodriguez.

Trustee Simas motioned and Trustee Parises seconded the motion to approve the calendar for the 2007 year. Motion approved 7/0; motion carried.

B. Final Environmental Impact Report (FEIR) – Stockton Campus.

Vice President Dunn introduced Director of Facilities Management Maria Baker to address the Board on the Final Environmental Impact Report for the Stockton Campus. Vice President Dunn reminded the Board of their action a year ago adopting the Stockton Campus Master Plan. The Board’s action last year has lead to the Final Impact Report certification. Ms. Baker gave a PowerPoint presentation on the Master Plan process and the environmental concerns of the Master Plan process. Ms. Baker introduced the Reduced Development Alternative as a preferred plan that mitigates many of the impacts of the California Environmental Quality Act (CEQA). Ms. Baker introduced two consultants from AMIC, Christine Tierney and Steve Crane to speak with the Board about the process and specific technicalities involved.

Mr. Crane spoke on the CEQA and defined the legislation to the Board of Trustees. Ms. Tierney addressed the components of the 2005 Master Plan FEIR and the items before the Board for certification and approval to include the FEIR, Response to Comments, Mitigation Monitoring, Reporting Plan, Findings and Overriding Considerations. Ms. Tierney explained the affect that the Reduced Environmental Alternative would have on several projects of the Master Plan stating the mitigating factors identified.

Dr. Rodriguez read the Final Environmental Impact Report recommendations.

Trustee Rivera motioned and Trustee Burke seconded to approve the Final Environmental Impact Report (FEIR). Vote: 7/0; motion carried.

Trustee Parises inquired if the consulting firm made the decision on the mitigating factors. Ms. Tierney stated that there was a college committee involved in the decision.

Faculty member Dr. Matt Wetstein stated that he did not know that the FEIR was being discussed and took issue with the level of communication and participation on the
mater with staff and faculty.

Trustee Serna asked Dr. Rodriguez if it was eminent that the Board act on this certification at this board meeting. Dr. Rodriguez responded that the District is trying to conform to law that confers with the bond program and that CEQA is an important part of the process.

Trustee McCleary asked why the Board had to act on CEQA for projects that the District is not going to do. Vice President Dunn stated that this was the way the FEIR was structured and the reduction project alternative speaks to the reduction in projects.

Faculty member Claudia Quinn made the comment that the Passport to College Program encourages elementary school children to attend college. Ms. Quinn felt that what was being presented tonight was contradictory to that program because it reduces the Stockton campuses ability for growth. Ms. Quinn voiced concern with what was being presented and with the level of communication and information being disseminated by the administration. Dr. Rodriguez responded that the administration had made every effort to get information regarding the Stockton campus master plan out to the campus community.

In terms of growth, Dr. Rodriguez stated that growth is occurring in online courses and outlining centers. Further, the enrollment trend with the Stockton campus shows that the campus has not experienced much growth in on-campus students and that enrollment figures remain steady.

Trustee Serna stated that there is a board meeting coming up on January 16, 2007 and stated that she had concerns with this issue and would like to see a continuance of this item until that meeting. Trustee Serna suggested that Board members take a tour of the campus, if that would not be possible than perhaps the Board could hear from others at the January meeting rather than taking action tonight. Trustee Serna asked that Board members keep in mind that a motion had already been taken tonight. Trustee Paris said that the FEIR presented tonight is presented with project cuts if the Board waits to act upon the FEIR until January, and for example in January the Board votes that it wants two more projects the process would have to start all over.

Trustee Simas voiced concerns that the bond project seemed like a moving target and that it seemed that
what the administration was presenting to the public was not what the original bond was meant to address.

Trustee McCreary agreed with Trustee Simas posing the question of whether it was more important to have papers signed or more important to have projects executed properly.

Academic Senate President Janice Takahashi stated that growth is thought of in terms of new students on campus and that even if no new students come to the campus retention of students is very important.

Trustee Burke stated that he had no problem with waiting to vote on this matter until January 2007.

The Board discussed the ramifications of waiting for Board action until January 2007. AMIC consultant Christine Tierney clarified that there is nothing that would prohibit the Stockton campus from moving forward and growing after voting on the FEIR tonight.

On that note, Trustee Rivera who had earlier asked to withdraw her motion to approve the FIER, agreed along with the entire Board to take another vote on the matter with the following results: Trustee Rivera motioned and Trustee Burke seconded to approve the FEIR; Vote: 5/2; motion carried. Trustee Simas and Trustee McCreary opposed.

Trustee Parises left the meeting at 8:55 p.m. before the remainder of the NonConsent Agenda.

C. Consideration Personnel Action – Classified.

Trustee McCreary motioned and Trustee Bugarin seconded the motion to approve the following classified appointment(s) and resignations(s):
- Danielle Bartalotti, Business Services (replacement, effective December 6, 2006 or as soon as possible thereafter; Nancy Rostomily, Family, Consumer & Health Sciences (replacement, effective December 6, 2006 or as soon as possible thereafter; Daniel Harris, Jr., Campus Police (replacement, effective December 6, 2006 or as soon as possible thereafter); Kathy Johnson, Academic Senate (new hire, effective December 6, 2006 or as soon as possible thereafter); William F. Wilson, Fine Arts (resignation, effective December 2, 2006); Kiriya Thiphanep, Campus Police (resignation, effective January 1, 2007).

Vote 6/0; motion carried.
D. Consideration of Personnel Action – Faculty.
Trustee Burke motioned and Trustee McCreary seconded to approve the following faculty new entitlements and new hires as presented:
Art Instructor (new entitlement; 1.0 FTE); Pauline Blair Communication Skills, (new hire, effective date December 6, 2006 or as soon as possible thereafter); Gary Carlos, Fine Arts (new hire, effective date December 6, 2006 or as soon as possible thereafter).

Vote: 6/0; motion carried.

E. Consideration of Personnel Action – Management.
Trustee McCreary motioned and Trustee Rivera seconded to approve the following management hiring as presented:
Meryl Wamhoff, Division Dean of Fine Arts (revision of salary placement from Range 8, Step 1 $104,758/year to Range 8, Step 2 $108,530/year).

Vote: 6/0; motion carried.

F. Consideration of Classified Classification/Entitlement Changes.
Trustee McCreary motioned and Trustee Burke seconded to approve the Classified Classification/Entitlement Changes as presented:
Horticulture Lab Technician (Permanent Intermittent Status), Applied Science & Technology - .20 FTE, 12 month, salary range 27 $16.22 - $19.72/hour (new classification & entitlement); Office Assistant (Rapid Service Operator) - .50 FTE, 12 month, salary range 20, $13.65 - $16.59/hour (new entitlement).

Vote: 6/0; motion carried.

G. Consideration of Sunshine Proposal for CTA Succession Contract.
Trustee Rivera motioned and Trustee McCreary seconded to accept the initial proposals "sunshined" by the San Joaquin Delta Community College District and San Joaquin Community College Teachers’ Association, and that a public hearing on these proposals be included at the next action session of the Board of Trustees in public session.

Vote: 6/0; motion carried.

H. Consideration of Resolution 06-32 In Support of the DREAM Act.
Trustee Rivera motioned and Trustee Burke seconded to approve Resolution 06-32 in support of the DREAM Act.
Act.
Vote: 6/0; motion carried.

I. Consideration of Resolution 06-33 Approving the San Joaquin Delta College Tech Prep Consortium Grant. Trustee Rivera motioned and Trustee Simas seconded to adopt Resolution 06-33 approving the San Joaquin Delta College Tech Prep Consortium Grant and ordering that Dr. Raul Rodriguez be authorized as representative to sign said agreement on behalf of the governing board.

Vote: 6/0; motion carried.

J. Consideration of Resolution 06-34 In Appreciation of Dr. Hazel Hill – 2006 Athena Award Recipient. Trustee Rivera motioned and Trustee Simas seconded to adopt Resolution 06-34 In Appreciation of Dr. Hazel Hill as the recipient of the 2006 Athena Award.

Vote: 6/0; motion carried.

XI. Report Items
A. Budget/Bond Update.
   Vice President of Business Services Andy Dunn gave a brief report on the Mountain House Project stating that the Letters of Credit (LOC) had been concluded and that our attorneys have validated that they are in place.

XII. Communications
Superintendent/President:
   Dr. Rodriguez congratulated the newly seated Board members and congratulated Trustee Simas on the birth of his first grandson.

   Dr. Rodriguez informed the Board of Trustees that faculty member Debra Landre had received the Community College Service Award and that long-time retired faculty member Ray Wuco had also received this prestigious award.

   Dr. Rodriguez stated that he and his family had seen the Fine Arts Division production of the “Christmas Carol” last week and that they thoroughly enjoyed the play.

   Dr. Rodriguez informed the Board of Trustees of CSEA President Pat Putman’s last meeting as CSEA President and thanked Mr. Putman for his service.

Board of Trustees:
   Student Trustee Jovan Paunovic reflected on taking the oath of office as student trustee and congratulated the
newly appointed board officers.

Trustee Janet Rivera thanked the Academic Senate on the Student Awards Program, Holiday Gift program, and congratulated Dr. Hazel Hill on her award of the Athena Award. Trustee Rivera also congratulated Trustee Serna and Trustee Simas on their re-elections to the Board of Trustees.

Trustee Bugarin stated that he had participated in the ASBG’s holiday gift basket program along with Trustee Serna. Trustee Bugarin made mention of the women’s volleyball team who went to the State finals and commented on the efforts of the women’s volleyball coach.

Trustee Serna shared in Trustee Bugarin’s experience participating in the holiday basket deliveries and thanked Student Activities Supervisor David Ferrell on mentoring the students. Trustee Serna also informed the Board that she had also seen the Fine Arts Division production of the “Christmas Carol” with her grandchildren. Trustee Serna congratulated Dr. Hill on her Athena Award stating that she was proud of Dr. Hill on her accomplishment.

Constituent Groups:

Academic Senate President Janice Takahashi congratulated the Board’s new officers and thanked past president Ted Simas. Ms. Takahashi welcomed back Dr. Della Condon and thanked the Board members who attended the Academic Senates Recognition Dinner. Ms. Takahashi recognized the ASBG CARE Dinner activities. Ms. Takahashi recognized Dr. Kathy Hart for helping the Academic Senate achieve many projects as Acting Assistant Superintendent/Vice President of Instruction.

Ms. Takahashi wished everyone happy holidays.

No comments.

Management Senate President Alin Ciochina congratulated the Board of Trustees on their nominations. Mr. Ciochina congratulated Dr. Hazel Hill on her Athena Award and thanked Dr. Kathy Hart on her hard work as Acting Assistant Superintendent/Vice President of Instruction and welcomed Dr. Della Condon back. Mr. Ciochina extended best wishes to all.
ASBG President Jovan Paunovic thanked Trustee Serna and Trustee Bugarin for participating in the ASBG’s holiday food basket giveaway.

No comments.

CSEA President Pat Putman informed the Board that this would be his last meeting as CSEA President and stated that Dana Baker would take his place.

No comments.

Board President Serna wished everyone happy holidays and encouraged all to attend the President’s Holiday Open House.

Board President Serna adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Dr. Raúl Rodríguez
Superintendent/President and
Secretary to the Board of Trustees