

Adopted

HARTNELL COMMUNITY COLLEGE DISTRICT

MINUTES

Special Meeting of the Board of Trustees
Hartnell College Board Room – CAB112
411 Central Avenue
Salinas, California

June 8, 2009

OPEN SESSION

Trustee Donohue called the meeting of Board of Trustees of Hartnell Community College District to order at 5:03 p.m. at the Hartnell College Board Room, CAB112.

ROLL CALL

Patricia Donohue, President
Kevin Healy, Vice President
Bill Freeman
Elia Gonzalez-Castro
Juan Martinez
Ray Montemayor
Brad Rice
Armando Cortes, Student Trustee (advisory vote per Board Policy 1030)
Phoebe K. Helm, Superintendent-President/Board Secretary

ADOPTED AMENDED AGENDA

On a motion by Trustee Healy, seconded by Trustee Gonzalez-Castro, vote of 7-0, and vote of Aye (Cortes), the Board adopted the agenda as amended.

Item B, Adopt Resolution 09:17, Declaration of Financial Emergency, was postponed to the July meeting. Dr. Helm stated that at Saturday's workshop there was a full complement of employee groups who committed themselves to work through the budget process. If the employee groups can bring forth the cuts that are needed, then the resolution would not be needed.

DISCLOSURE OF CLOSED SESSION ITEMS

Trustee Donohue disclosed items for Closed Session as authorized per Government Code Sections, 3549.1, 54956.9, 54957 and/or 54957.6:

1. Recommendation to consider 30-day suspension without pay of an academic employee (1 case)
2. Discuss impact of financial emergency as it relates to personnel only.

PUBLIC COMMENTS REGARDING CLOSED SESSION

Hetty Yelland, faculty, spoke in support of Tony Anderson, and read an excerpt from the book, To Kill A Mockingbird.

Ann Wright, HCFA President, read aloud a statement on behalf of the grievance committee relating to the disciplinary action of Tony Anderson.

Ann Wright, HCFA, President, thanked the people present at the Board's Workshop on Goals and Budget on Saturday, June 6. She found it to be informative and thanked the Board for postponing the resolution.

MOVED TO CLOSED SESSION

The Board of Trustees of Hartnell Community College District, legal counsel, Mary Dowell, Terri Pyer, Interim Director, Human Resources, and Superintendent/President, Dr. Phoebe K. Helm adjourned to closed session at 5:13 p.m. to consider legal, personnel, labor, and/or contract matters authorized for Closed Session per Government Code Sections, 3549.1, 54956.9, 54957 and/or 54957.6.

RECONVENED OPEN SESSION

Trustee Donohue reconvened the meeting at 6:54 p.m.

PLEDGE OF ALLEGIANCE

Trustee Healy led the Pledge of Allegiance.

REPORT OUT FROM CLOSED SESSION

There was no report out from closed session.

PUBLIC COMMENTS

Trustee Donohue acknowledged those wishing to address the Board and stated that she would adhere to a total of 15 minutes for public comments. In addition, as a result of tabling Item B., Adopt Resolution, Declaration of Financial Emergency, the Board would not be taking any public comments on that item.

AHT students, Linda Nee, Kristy McBride, and Erin Jones deferred their time to Karen Ivey.

Patty Ferguson, previous AHT student, currently has her own practice and wanted the Board to know the importance of the program and is willing to help in an effort to help save the college money.

Karen Ivey, student, spoke in support of the AHT Program, and expressed concern over the discontinuance process used for reviewing the program, stating she believed the process was corrupt and the information used by the committee was inaccurate and outdated. Also, she pointed out typographical errors in the item presented to the Board and distributed additional information to the Board. Ms. Ivey was asked to conclude her statements at the end of ten minutes; however, on a motion by Trustee Martinez, seconded by Trustee Freeman, and unanimously carried, the Board moved to allow Ms. Ivey an additional five minutes. At which point, she continued her statements and urged the board not to discontinue the program.

A. TENTATIVE BUDGET

Dr. Helm distributed the salary information requested by Trustee Martinez from Saturday's workshop and asked the board review the information at the July meeting.

She then reviewed the general fund (local and state money the college can decide how it's spent), restricted categorical funds (money that is provided by the State for a specific purpose) and general restricted funds (local money, i.e. bond funds, that is also restricted). For the 2009-10, the college is facing a \$3.3 million cut in general funds and \$2.6 million (60%) in restricted funds. The college had a 12% enrollment growth for 2008-09, which restored the funding lost in 2006 plus 3% growth. However, the college will not be funded for this growth. It is anticipated the college will close 2008-09 at or near zero.

There were questions surrounding the property acquisition, bookstore, and cafeteria funds, and the question was asked if the college could put off the bookstore remodeling. Dr. Helm responded that the remodel is not just the bookstore, but the college center, and that the Board has already approved this project from the bond funds, and that she would not recommend making that modification at the tentative budget level—that if necessary, it can be done at a later time. Trustee Martinez asked if Dr. Helm would look into whether or not the college could hold off on the remodeling of the college center because the college should look closely at everything to try stabilizing employees.

Trustee Montemayor asked if the 2009-10 tentative budget included the Animal Health Technology program. Dr. Helm responded, yes because the college has an obligation to allow the approximately 17 students currently in the program to finish by August 2010. In addition, she clarified that the recommendation to discontinue the program is not based on the budget crisis, but rather a result of the review indicating that trained (technicians) receive very low pay – less than \$1.00 per hour than untrained assistants.

Trustee Freeman stated that it's a tragedy that we are in this state and believes if we make these cuts, our students and community will suffer. Also, he believes the college should not be forced to make any cuts. Further, he believes we are not in a budget crisis in California, rather the State does not know its priorities.

For clarification, Dr. Helm explained that the Board's approval of the tentative budget would direct her and employees groups to work toward bringing forth recommended cuts to avoid declaring an emergency.

Audience member, HCFA President, Dr. Ann Wright, was permitted to make a statement and she urged the Board to pass the tentative budget because not doing so would tie employee's hands and that she and others are ready to move forward.

On motion on by Trustee Gonzalez-Castro, seconded by Trustee Rice, roll call vote of 4-3 (Freeman, Martinez, Montemayor), and advisory vote of Aye (Cortes), the Board approved the tentative budget 2009-2010, set the date and time for a public hearing, and the set date to adopt final budget for 2009-2010. Trustee Martinez stated he based his "No" vote on the fact that he wants to take part in building the budget to meet the deadline of July 1, 2009.

**B. ADOPT RESOLUTION
09:17, DECLARATION
OF FINANCIAL
EMERGENCY**

This item was postponed to a future meeting.

**C. FINAL PROJECT
PROPOSAL – SCIENCE
BUILDING**

On motion by Gonzalez-Castro, seconded by Trustee Rice, and on roll-call vote of 7-0, advisory vote of Aye (Cortes), the Board approved the submittal of the Science Building Final Project Proposal to the California Community College Systems Office.

Trustee Healy asked Mr. Felice if the State would match the funds some day, and he responded, yes. Trustee Cortes asked what the percentage was, and he

responded 50%. Trustee Freeman asked about the construction timeline, he responded that construction would start in about 3.5 to 4 years.

D. FIVE YEAR CAPITAL PLAN 2011-2015

On motion by Trustee Healy, seconded by Trustee Gonzalez-Castro, vote of 7-0, and advisory vote of Aye (Cortes), the Board moved to approve the submittal of the 2011-2015 Five-Year Capital Construction Plan.

E. BOARD BENEFITS

Trustee Healy stated he suggested suspending Board benefits because he believes the Board should be the first to show leadership in regards to the financial crisis. He encouraged the Board vote in favor as a good faith effort, that the momentum is good, and that he is pleased to see the college moving in a positive direction.

Trustee Rice asked that the motion state “suspend” rather than “waive”.

Trustee Montemayor stated he believes this decision should be an individual choice and that he has a concern when a governing board takes action to completely take out benefits from any group, and that he is opposed.

Trustee Freeman agrees with Trustee Montemayor; that this action should be voluntary and that he does not agree the Board should be forced to give up their benefits.

Trustee Martinez stated he agrees with Trustee Montemayor, it should be an individual choice; that if the Board takes this action, employees will be asked to lower their benefits; that it should not be imposed and is choosing to vote no.

Trustee Donohue stated that the estimated cost savings would cover one full-time position – approximately \$100,000.

On motion by Trustee Healy, seconded by Gonzalez-Castro, roll call vote of 4-3 (Freeman, Martinez, Montemayor), and advisory vote of Aye (Cortes), the Board moved to suspend board benefits through June 30, 2010.

F. DISCONTINUE ANIMAL HEALTH TECHNOLOGY PROGRAM

Dr. Helm pointed out a typographical error in the year of the report (May 2009) and that she inadvertently picked up the data for a veterinary assistant rather than a technician. Also, as she stated earlier, this recommendation is not coming forward because of budget cuts, but because the program is producing jobs with poor wages. Also noted, is that this program was recently provided support and review in 2006. Currently, the program, while funded through general funds, has received some funding through the Foundation, and that money is nearly exhausted. There are approximately 17 students in the program that will be allowed to finish by August 2010. Also, she stated that the committee was not appointed by the Board, but rather by the Academic and Student Senates, and she appointed the administrators, none of which had a direct responsibility to the program. The data the committee received came from the Center of Excellence, Chancellors Office (labor market report), the college registrar (enrollment), and from internal reports (expenses). The corrected report is on-line.

Trustee Freeman questioned why the public was prevented from the process,

why the Board was misled, and why they are being asked to take this action being this is the largest agricultural area. Dr. Helm responded that the process was followed and she did not believe the Board was misled in any way. Rather, the Board has heard from groups of students 1) at the April 14 meeting, 2) the June 2 meeting and 3) this evening, and she has had met with the advisory at least three times since she has been here, including April 2009.

On motion by Trustee Healy, seconded by Trustee Gonzalez-Castro, roll call vote of 4-3 (Freeman, Martinez, Montemayor), and advisory vote of Aye (Cortes), the Board moved to discontinue the animal health technology program; that students who have been admitted and continuously and successfully enrolled (approximately 17) be provided an educational plan to enable to complete the program requirements on or before August 2010.

Trustee Martinez wanted stated for the record his concern for the students.

**RESCHEDULE AUGUST
REGULAR MEETING**

On motion by Trustee Rice, seconded by Trustee Gonzalez-Castro, vote of 7-0, and advisory vote of Aye (Cortes), the Board moved to reschedule the regular meeting of August 4 to August 11, 2009.

ADJOURNMENT

On a motion by Trustee Rice seconded by Trustee Cortes vote of 7-0 and advisory vote of Aye (Cortes), the Board adjourned the meeting at 8:27 p.m.

NEXT MEETING

The next regular Board of Trustees Meeting is scheduled on July 7, 2009, 5:00 p.m., Hartnell College, CAB112, Board Room.

Patricia Donohue
Board of Trustees President

Phoebe K. Helm
Board Secretary