

Adopted

**HARTNELL COMMUNITY COLLEGE DISTRICT
REGULAR MEETING OF THE BOARD OF TRUSTEES**

May 6, 2008

**OPEN SESSION
CALL TO ORDER**

The Regular Meeting of the Board of Trustees of Hartnell Community College District was called to order at Hartnell College Governing Board Room (CAB-112) at 5:00 p.m., by Board President, Kari Lee Valdés.

PRESENT

Board of Trustees: Kari Lee Valdés, President
Patricia Donohue, Vice-President
Bill Freeman, Trustee (arrived at 5:15 p.m.)
Elia Gonzalez-Castro, Trustee
Kevin Healy, Trustee
John Martinez, Trustee
Brad Rice, Trustee

ABSENT

Lorena Moreno, Student Trustee

ALSO PRESENT

Phoebe Helm, Interim Superintendent/President – Board Secretary

ADOPT AGENDA

Upon motion by Brad Rice, seconded by Patricia Donohue, and unanimously carried the Board moved to adopt the agenda.

**PUBLIC COMMENT
ON CLOSED
SESSION ITEMS**

Dr. Hetty Yelland, English Faculty, addressed the decision not to grant her tenure. Board President Valdés informed Dr. Yelland that Tenure Review was not on the closed session agenda.

CLOSED SESSION

The Board Members, Jack Bessire, Professional Personnel Leasing, and Tamberly Petrovich, Director, Human Resources, adjourned to Closed Session at 5:05 p.m. to discuss the Superintendent/President search. Dr. Phoebe Helm later joined the Board 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.

**RECONVENE
OPEN SESSION**

Board President, Kari Lee Valdés reconvened the regular meeting at 6:06 p.m.

PRESENT

In addition to those present, were representatives of the College:

Management Staff: Tamberly Petrovich, Director, Human Resources/EEO

Academic Senate: Jennifer Lagier-Fellguth, President

Hartnell College Faculty Association: Melissa Stave

Classified Senate: Lourdes Sanchez, President

C. S E A.: Margie Wiebusch, President

Student Senate: Absent

The Pledge of Allegiance was recited.

**REPORT OUT FROM
CLOSED SESSION**

There were no items reported out at Closed Session.

PUBLIC COMMENTS

Board President Valdés reminded the Board and the public that in accordance with its policies, Board Members will not respond to public comments.

Darlene Loggins, student, spoke in support of Tony Anderson.

Sandie Johnson, student, spoke in support of Tony Anderson.

Mel Mason, NAACP Representative, read aloud a letter to the Board of Trustees regarding the denial of tenure to Tony Anderson.

Esperanza Zendejas, Superintendent of Alisal Union School District, presented Andy Newton, Planetarium Coordinator, a plaque in recognition of his work on the Family Science Day.

Tony Anderson addressed the decision not to grant him tenure.

**PRESENTATIONS
Bond Oversight
Committee Update**

Damon Felice, Townsend Management, Inc. provided an update on the College's construction projects. The complete report can be found at:
http://www.hartnell.edu/board/packets/May_packet.pdf.

**BOARD
DEVELOPMENT**

Assigned Reading

In accordance with the Board's Development Plan, the Board read and discussed their assigned reading, *Introduction to the Brown Act*. The document was presented at the 2008 Effective Trusteeship Workshop in January by Warren S. Kinsler, Partner, Atkinson, Andelson, Loya, Ruud, and Romo, A Professional Law Corporation. The document is an updated, introduction to open public meeting requirements under the Brown Act and California Education Code.

Board Policies

Starting with the May meeting, the Board set aside time to review, discuss, and if necessary, revise Board Policies. This not only provides an opportunity for the Board to revisit these policies for currency and accuracy, but also provides the public an opportunity to become familiar with board policy.

The following policies were reviewed:

1000 Series Governing Board Policies

Organization and Procedures of the Governing Board

1000 Statement of Philosophy

1005 Authority of the Governing Board

1010 Annual Organizational Meeting and Officers of the Board

1015 Meeting Times of the Governing Board

1020 Agenda and Public Notice

1025 Conduct of Governing Board Meetings

1030 Student Member of the Governing Board

There were misspelled words noted in this policy that will be corrected.

1040 Closed Sessions of the Governing Board

1045 Actions of the Governing Board

1050 Executive Officer of the Governing Board

1035 Minutes of the Governing Board Meeting

Trustee Freeman stated he would like the minutes to reflect the full intent of what is being said. Dr. Helm responded that the legal requirement of minutes is to capture the action of the Board. A balance would be to capture the action and some sense of the essence, and that the primary purpose is to be accurate. Trustee Healy asked if the meetings were audio taped. The April 1st meeting was the first meeting to be audio taped. Trustee Martinez asked if audio tapes are a public record and if he could have copy, should he ask. On occasion, he has differed from the Board's decision and has publicly separated himself from their decision, yet the minutes have not accurately stated such. It is important to Trustee Martinez that the record be accurate, especially when he is in the minority. Dr. Helm responded that copies of the audio tape are available up to 30 days after the meeting, after which time, the district has a right to destroy the recording. She also suggested that when Trustees want a statement made for the record, they should state such by saying "Please let the record reflect..." President Valdés asked that a statement be added stating that the minutes are posted on the college website.

1055 Ethical Conduct of the Governing Board

Trustee Freeman stated that if the Board is going to reprimand a member for unethical behavior, that it's unethical to give that person notice the day of the meeting. The Board agreed. The policy will be revised to include a timeline of one week notice, where feasible to follow the last sentence on page 2, Procedures for Sanctioning Members Who Commit Ethical Violations.

1160 Emeritus Trustee of the Governing Board

Dr. Helm stated that revised policies require two readings. The Board directed Dr. Helm to draft the changes and forward to the Board.

**BOARD'S GOALS
FOR THE COLLEGE**
Accreditation
Finances
Communication
Search for Supt/Pres

Accreditation: President Valdés reported that Board members met with the Accreditation Team last week. Overall, the visit was excellent. Several questions were asked and answered regarding board policies, campus climate, shared governance, communication, student learning outcomes and other Accrediting Commission concerns. At the conclusion, the visiting team comments were, "If you would have told me that Hartnell College would be where it's at today - one year ago, I would have not believed you." It was a wonderful opportunity for the Board members who met with the team to learn the college's progress.

Finances: President Valdés reported that the Ad Hoc Committee met earlier to go over finances, and strategies are underway. Dr. Helm reported that the College received notice that the tax revenues for this year are even lower than anticipated and the College won't know the impact until late June. If the College doesn't get hit with anything else, the College could close the year without touching its reserves – something that has not happened in years.

Communication: President Valdés reported on Ag Day, and on the Party in the Library, which was a successful event that exceeded its goal. She also reported on Ricky Fernandez, Hartnell College student, who has already received a \$10,000 scholarship, per year, from NASA, was also the recipient the \$20,000 Karl S. Pister Scholarship from UC, Santa Cruz. Dr. Helm stated that Student Trustee Moreno has also received a scholarship.

Search for Supt./President: Tamberly Petrovich reported that the eleven team member search committee concluded its interviews and have forwarded three finalist: 1) Dr Cecelia Cervantes, President, College of Alameda; 2) Dr. Phoebe Helm, Interim Superintendent/President, Hartnell College, and 3) Dr. Santos Martinez, Vice President, Student Services, Coastal Bend College, Beeline, Texas. Each of the candidates will be visiting the campus next week and will have open meeting/forums hosted by administrators, students, faculty, and staff in the Studio Theatre starting at 11:00 a.m. Although hosted by various groups, all meetings are open to everyone. President Valdés read aloud the names of the search committee members and thanked them for their service. They were: Paulette, Bumbalough, Mary Dominguez, Al Grainger, Aaron Johnson, Aurora Mendez, Lorena Moreno, Ignacio Pando, Ignacio Ornelas, Demetrio Pruneda, Lisa Storm, and Joanne Trevino. In addition, she thanked Jack Bessire, PPL, and Tamberly Petrovich for all of their work. Jack Bessire thanked Tamberly for her organization and efforts.

- CONSENT ACTION** On a motion by, Patricia Donohue, seconded by Brad Rice, and unanimously carried, the Board moved to approve Consent Actions Items IV.A through IV.O.
- MINUTES** A. Approved the minutes of the Hartnell College Board of Trustee Regular Meeting of April 1, 2008 and Special Meeting of April 15, 2008.
- RATIFIED DISBURSEMENTS** B. Ratified disbursements from College accounts: General Cafeteria, Child Development, Capital Outlay Restricted, Property Acquisition Restricted and Deferred Maintenance, Revolving, Bookstore, Scholarship & Loan, Athletic, Associated Student Body.
- ACCEPTED GRANT AWARD – Industry Driven – Sustainable Construction** C. Accepted an award for the Chancellors Office Grant: *Industry-Driven Regional Collaborative for Sustainable Construction*. The grant award is \$400,816 over a two year period, July 1, 2008 to June 30, 2010.
- ACCEPTED GRANT AWARD – Industry Driven – Food Safety** D. Accepted an award for the Chancellors Office Grant: *Industry-Driven Regional Collaborative for Distressed Areas in Food Safety*. The grant award is \$205,000 over a two year period, July 1, 2008 to June 30, 2010.
- ACCEPTED GRANT AWARD – Career Technical Education** E. Accepted an award for the Career Technical Education Community College Collaborative Project. The grant award is \$375,000 from June 1, 2008 to January 31, 2010.
- GRANT APPLICATION – Nursing Program Enrollment** F. Ratified the grant application for RFA Specification #07-0106: *Capacity Building for Nursing Program Enrollment Growth and Retention – Associate Degree Nursing – Registered Nurse Programs*. The grant award is \$292,656. The term: June 1, 2008 to August 31, 2009.
- SURPLUS PROPERTY** G. Declared the listed property as surplus and authorize disposal by the administration.
- CONTRACT EXTENSION – PEPSI BOTTLING GROUP** H. Ratified the amendment for a one-year extension to the Contract between Hartnell College and the Bottling Group, LLC, dba, The Pepsi Bottling Group for pouring and distribution rights.

**CONTRACT WITH
AURUM
CONSULTING FOR
PROJECT DESIGN**

- I. Acknowledged and ratified a contract for professional services with Aurum Consulting Engineers Monterey Bay, Inc. for the Main Campus Site Lighting Replacement Project Design. The contacted amount is \$26,000 and will be paid from Measure H bond funds.

**CONTRACT –
BLOSSOM VALLEY
LANDSCAPE**

- J. Ratified contact to the responsive lower bidder, Blossom Valley, Landscape Contractors, for the Merrill Hall Landscape Project. The cost for this project is \$56,455 and will be paid from Measure H bond funds.

**CONTRACT –
MEE MEMORIAL –
CLINICAL EXP.**

- K. Ratified the amendment to the Mee Memorial Hospital Agreement for clinical experience and use of clinical facilities for Medical Laboratory Technician and Phlebotomy students. This is an on-going agreement with annual review.

**CONTACT – SEVEN
CHALLENGES**

- L. Approved a contract with the Monterey County Department of Social and Employment Services, Probation Department to implement Seven Challenges, an alcohol and other drug dependency treatment program for adolescents. The college will receive \$111,387 to provide training and services for the term of April 15, 2008 to June 30, 2010.

**CONTRACT –
PROBATION DEPT.
FITNESS PROGRAM**

- M. Approved an agreement with County of Monterey, Probation Department for Voluntary Fitness Program for the term of February 1, 2008 to August 1, 2008. The college will receive approximately \$1,000, as well as generated FTES.

**CONTRACT –
SHERIFF’S DEPT.
FITNESS PROGRAM**

- N. Approved an agreement with County of Monterey, Sheriff’s Department for Voluntary Fitness Program for the 2008-2009 academic year. The college will receive approximately \$1,950, as well as generated FTES.

**PERSONNEL
ACTIONS**

- O. Ratified and/or approved current personnel actions as amended. (Appendix A).

ACTION ITEMS

BUDGET REVISIONS

- A. On a motion by Brad Rice, seconded by John Martinez, and on a roll-call vote of 7 to 0, the Board moved to approve budget revisions numbered 7484 to 7546.

**RESOLUTION 08:6,
CLASSIFIED
SCHOOL
EMPLOYEE WEEK**

- B. On a motion by Elia Gonzalez-Castro, seconded by Kevin Healy, and on a roll-call vote of 7 to 0, the Board moved to adopt Resolution 08:6, In Recognition of Classified School Employee Week, May 18 – 24, 2008.

The events planned during Classified Employee Week are being co-sponsored by C. S. E. A. and Classified Senate and Board members are invited.

**QUARTERLY
FINANCIAL STATUS
REPORT**

- C. On a motion by Patricia Donohue, and seconded by John Martinez, and unanimously carried, the Board moved to review and accept the required State Report: Quarterly Financial Status Report (CCFS 311Q) for the quarter ended on March 31, 2008.

**MANAGEMENT
CLASSIFICATIONS
AND SALARY
RANGE**

- D. On a motion by Brad Rice, and seconded by John Martinez, and unanimously carried, the Board moved to approve the new management classifications and new salary range on the Management Salary Schedule.

**APPROVED
ALLOCATIONS -
SEVEN MGMT
POSITIONS**

E. On a motion by Kari Lee Valdés, seconded by Patricia Donohue, and unanimously carried, the Board moved to approve position allocations for seven new management positions.

**SIDE LETTER
AGREEMENT WITH
HCFA – SUSPEND
EVALUATIONS**

F. On a motion by Patricia Donohue, seconded by Brad Rice, and unanimously carried, the Board moved to approve the Side Letter Agreement with Hartnell College Faculty Association to Suspend Tenured Faculty Evaluations for 2007-08 Academic Year.

Trustee Freeman questioned the purpose of the side letter agreement. Dr. Helm responded that the agreement between Hartnell College and HCFA requires that a percentage of tenured faculty be reviewed and evaluated by each academic year. This year, two academic deans have left, and it has made it difficult for the administration to remain compliant. Therefore, the side letter is an agreement between the Board and union that acknowledges this problem and provides an equitable solution.

INFORMATION ITEMS

**FINANCIAL
STATEMENTS**

The Board received and accepted the financial statements for period ending March 31, 2008.

**STUDENT SENATE
REPORT**

There was no report.

**CLASSIFIED
SENATE REPORT**

Classified Senate President, Lourdes Sanchez reported that the classified employees have been working with the senates, unions, and Dr. Rose on the development of the Shared Governance Handbook. The Handbook will be shared with the college community at Friday's Town hall Meeting. She also reported that the classified staff have been actively involved in the college's transformation and are currently appointing classified staff to the hiring committees for the new management positions.

**ACADEMIC SENATE
REPORT**

Jennifer Lagier-Fellguth reported that the Senate approved the new Professional Code of Ethics; that the Senate Task force is currently working on the roles and responsibilities for faculty chairs. She also reported that the faculty have been energetic, and are working together to combine disciplines; that Kelly Locke is looking at other tenure review models; that they are planning training sessions and are developing a FAQ for the tenure review process; and that, at its next meeting, the Senate will be electing new officers for the upcoming year.

**PRESIDENT'S
REPORT**

Dr. Helm reported that the past month has been filled with good news –the accreditation team appeared to be pleased with the amount of work that has been done since last year and commented specifically about the new energy and the spirit of ownership and shared responsibility evident in all of the employee groups; that the grants from the Chancellors Office are for approximately \$1.3 million over the next two years. She thanked Joe DeRuosi, Neil Ledford, Joe Welch, Mike Thomas, Beverly Grova, and others for that work; that Osher Foundation Scholarships are available to students in community college and when they transfer to universities. It is wonderful when philanthropies recognize the importance of education, much like at the local level, where Andy Matsui provides scholarships to area youth; that one of our own outstanding students, Ricky Fernandez, received a \$20,000 Pister scholarship from UC Santa Cruz to continue his undergraduate studies in science.

Earlier this year, Ricky received a \$10,000 per year scholarship from NASA. The NASA scholarship includes an internship at the Kennedy Space Center in Florida; that Carol Kimbrough, psychology faculty, received the Harden Award for Teaching Excellence; that Coach Danny Teresa and his baseball team received the Roosevelt School Lighthouse for Literacy Award in recognition of their reading to children at the school during the Monterey County Reads events this year; that the Child Development Center is audited through “surprise visits” by the licensing department of Social Services. The surprise visit on May 1st had all positive results – no citations; that Carl Christensen, our long standing music faculty member, shared the seventh edition of his Foundations of Music textbook with her. The textbook, which comes with a CD that enables a student to practice and even compose, has been adopted by approximately 100 colleges and universities across the country; that Barbara Yesnosky, our very competent controller, completed a year long Chief Business Officer training with the Chancellors Office’s training institute; that Trustee Kevin Healy invited her to speak to the North County School Board - the first time a President at Hartnell had spoken to their Board and that she had the most difficult but wonderful experience of following a 10-year-old on the agenda. A young girl, Samantha, created her own foundation – Sammie’s Kids – when she was eight years old. Her foundation provides a bag for kids who become wards of the courts. The bag contains a blanket, stuffed animal, toothbrush, pajamas and other age and gender appropriate clothing; and that she, along with Trustee Martinez, met with Walter Wong, who recently retired from the County of Monterey. Mr. Wong would like to get involved in the college’s food safety efforts. President Valdés stated that she would also contact with Mr. Wong.

BOARD COMMUNICATION

Trustee Gonzalez-Castro reported that she had the privilege of being Principal for the day and that it was a wonderful experience for her to engage with the students in this positive manner.

Trustee Donohue reported that she had the privilege to participate in the faculty flex activity, Agriculture Tour – it was eye-opening, that she learned a lot, and thoroughly enjoyed the day.

Trustee Healy reported that he received a multitude of compliments after Dr. Helm’s presentation to the North Monterey County Unified School District Board. The district felt honored to have Hartnell come out, and he thanked Trustee Martinez for the idea. He also reported that he attended a meeting at MCOE where he also received many compliments about Hartnell from those present at the meeting.

Trustee Martinez stated he would like to have Dr. Helm present to the districts in South County; and that he has been distributing the 2020 plan with the south county community.

Trustee Freeman reported that he was pleased with Danny Teresa and the Baseball team; that he spoke at North Salinas High School during Parent’s Day; and that he attended the POW WOW.

President Valdés reported that the Food Safety Ag class went well – next one is planned for June/July and October; that the interviews/forums for Superintendent/ President candidates are May 12-14 – dinner will be served to the Board at 5:30 p.m. and will open the meetings at 6:00 p.m.; May 22 is groundbreaking for the Alisal Campus; June 6 is Graduation; and that Trustee self-evaluations are due.

**FUTURE AGENDA
ITEMS**

None stated.

NEXT MEETING

The next regular Board of Trustees Meeting is scheduled on June 3, 2008, 5:00 p.m., Hartnell Community College, Governing Board Room (CAB-112), 411 Central Avenue, Salinas.

ADJOURNMENT

Upon motion by Brad Rice, seconded by Kevin Healy, and unanimously carried, the Board moved to adjourn the meeting at 7:45 p.m.

Kari Lee Valdés
Board of Trustees President

Phoebe K. Helm
Board Secretary