HARTNELL COMMUNITY COLLEGE DISTRICT

MINUTES

Board of Trustees – Development
CALL 208
411 Central Avenue
Salinas, California

March 19, 2013

OPEN SESSION

Called to order at 5:00 p.m. by Trustee DePauw.

PLEDGE OF ALLEGIANCE

Student Trustee Duran-Luchini led the Pledge of Allegiance.

ROLL CALL

Candi DePauw, President
Patricia Donohue
Bill Freeman
Elia Gonzalez-Castro (arrived at 5:50 p.m.)
Ray Montemayor
Erica Padilla Chavez (arrived at 5:45 p.m.)
Demetrio Pruneda
Elaine Duran-Luchini, Student Trustee – (advisory vote per Board Policy 1030)

Willard Lewallen, Superintendent/President

INFORMATION AND TECHNOLOGY

Matt Coombs, Vice President, Information and Technology Resources, presented an overview and update on technology. He addressed the planning process that resulted from the Technology Master Plan 2011-2021, a copy of which the board received. In front of each member, Matt placed an iPad to demonstrate three major initiatives that he proposed to the board a year earlier. Those initiatives were to 1) migrate off Novel into Windows, 2) virtualization, and 3) increase wireless capability. In addition, the presentation included a new website look, email transition, workgroup printing, and future trends. Also, Matt spoke about a disaster recovery and auto backup plan. A proposal to address this plan will be forwarded to the board for their consideration in April.

After the presentation, the board asked questions regarding the email transition and the affect to students, the authenticity of massive open online courses, student access to computers, and online daily parking permits. Some members stated they like the idea of making technology available to students. Matt thanked the board for supporting technology because their support helped moved the college forward and he stated that the college is doing things that few campuses are. The board thanked Matt for his informative presentation.

PUBLIC COMMENTS

There were no public comments on this presentation.
Dr. Lewallen stated that at the March 5, 2013 board meeting, the board authorized the utilization of lease-leaseback construction delivery method and stated the board needs to 1) define “local”, 2) establish a target/goal of local, and 3) determine the contingency fund.

Legal counsel, Tom Manniello, talked about the different options used to define “local”, stating that a “local” contractor can mean several things and he stressed the importance of carefully defining “local” in a manner that is clear to potential contractors. In addition, he stated that too narrow or too large of an area can dilute or restrict the pool. He shared that the County of Monterey adopted a local preference policy in 2012 and he provided the board with an excerpt of that county ordinance.

The discussion then moved to the establishment of a goal for work performed by local workers. Dr. Lewallen provided a list of projects and percentage of local firms used since June 2006 to present (74.01%).

Mr. Manniello then explained the contingency account; an account that used to cover unforeseen expenses. Further, he explained the differences between the two options used to manage this account 1) contractor control, or 2) owner control.

Peter Kasavan, American Institute of Architects/Monterey Bay stated it is vital to establish clear criteria for the success of the project.

Ron Chesshire, Monterey/Santa Cruz BCTC, urged the board to be reasonable - to allow the contractor to do the best job possible in the most reasonable manner. In addition, he cited apprenticeship percentages for various trades within the county.

Chris Burditt, IBEW 234, encouraged the board to consider local employment versus local contractors.

The board engaged in a lengthy discussion each providing their input and overall, the board liked the use of the tri-county area (Monterey, San Benito, and Santa Cruz) and based on the college’s history, established 75% as a targeted goal.

The board then discussed the contingency account. Some member referenced the board's policy on construction change orders and others stated that they liked the incentive offered under the contractor's control.

The administration will submit a proposal at a future meeting. In addition, members asked that the administration provide to the board a fully written summary prior to taking action.

Legal Counsel, Tom Manniello, presented on Project Labor Agreements (PLAs); a pre-hire collective bargaining agreement between a project owner and a union or group of unions which establishes terms and conditions for the use of labor on a specific construction project or projects. Mr. Manniello explained that a PLA must be consistent with the requirement described by the California Supreme Court and comply with the provisions set forth in the Public Contract Code [Senate Bill 922 (2011)]. SB922 requires that PLAs include five specific taxpayer protection
provisions: 1) non-discrimination, 2) contractor pool, 3) drug testing, 4) work stoppage, and 5) arbitration. At the conclusion of his presentation, Mr. Manniello addressed the larger pros and cons of using PLAs.

**PUBLIC COMMENTS**

The following community members spoke against PLAs:
Paul Bruno, Monterey Peninsula Engineering
Dick Johnson, Community Member
Nicole Goehring, Associated Building Contractors
Peter Kavasan, Salinas Chamber Commerce/Builders Exchange

The following community members spoke in support of PLAs:
Ron Chesshire, Monterey/Santa Cruz Building Trades.
Abel Moran, local union member
Jim Schumaker, IBEW 234 member
Steve MacArthur, Plumbers/Steamfitters

A lengthy discussion ensued as each member asked questions and provided their input. Some members supported the use of PLAs stating that it would help stop construction delays and liked that unions advocate for employees (benefits and, retirement). Other members believed the college has done well with the use of local contractors and saw no need for the use of a PLA. The board thanked everyone for their comments this evening and thanked Ron Chesshire for bringing PLAs to their attention.

**ADJOURNMENT**

The meeting adjourned at 8:45 p.m.

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Candi DePauw Willard Lewallen
Board of Trustees President Board Secretary