HARTNELL COMMUNITY COLLEGE DISTRICT

MINUTES

Regular Meeting of the Board of Trustees
CALL 208, Training Room
411 Central Avenue
Salinas, California

November 6, 2012

OPEN SESSION

Meeting called to order at 5:00 p.m. by Trustee Padilla-Chavez.

PLEDGE OF ALLEGIANCE

Trustee Montemayor led the Pledge of Allegiance.

ROLL CALL

Erica Padilla-Chavez, President
Candi DePauw, Vice President
Patricia Donohue
Bill Freeman (arrived at 5:10 p.m.)
Elia Gonzalez-Castro (arrived immediately after roll-call)
Ray Montemayor
Demetrio Pruneda
Student Trustee Elaine D. Luchini

Dr. Willard Lewallen, Board Secretary/Superintendent/President

PUBLIC COMMENTS

There were no public comments.

REPORTS FROM ORGANIZATIONS AND LOCATIONS

Academic Senate – Tony Anderson reported:
• Tony reported that he and Dr. Ann Wright, HCFA, are working at the phone bank this evening and asked that the board consider not scheduling their meetings on Election Day.
• The Senate continues to work on accreditation and he hopes that the college does not forget about having a math and reading lab.

Associated Students of Hartnell College (ASHC) – None
Classified Senate - None
Hartnell College Faculty Association (HCFA) – None
CSEA – None
L-39 – None

Center for Advanced Technology – Dr. Zahi Atallah, Dean reported:
• While attending a mandatory USDA grant meeting in Washington D.C., he learned that individuals from Washington DC heard about the work of the Hartnell/USDA interns and strongly encouraged the college to apply for more grants and to become active in the Hispanic Association for Colleges and Universities (HACU).
• The students in the construction program are continuing their work on the Salinas Municipal Stadium. Dr. Atallah urged the board to visit the
site – that the students are building the foundation for what will house 7,000 spectators. He and Dr. Lewallen visited the site last week.

- The heavy-duty diesel and fabrication programs have been given the opportunity to learn on four tractors provided by the Pacific Ag Rental Company.
- The groundbreaking ceremony for the Alisal Campus Technical Training Building is Thursday, November 15, 2012, 11:30 a.m.
- Dr. Atallah has a meeting scheduled next week with the Refrigerating Engineers and Technicians Association to discuss the possibility of offering courses at the Center.

South County/King City Education Center – Paulette Bumbalough, Dean, reported:

- Spring 2013 registration and enrollments are up – the center is busy with registration and financial aid.
- She attended a high school Ag meeting yesterday and this program has really grown and that this is a result of the college's Ag program.
- She thanked Dr. Lewallen for the attending the King City Rotary meeting on Halloween.

Superintendent/President – Dr. Lewallen reported:

- The college's Allied Health Program received a four-year approval as an Emergency Medical Preparedness training program by the Monterey County Department of Health's Emergency Medical Services Division. In addition, the college is an Emergency Medical Services Continuing Education provider as well.
- The Men and Women's Cross Country teams will compete in the State Junior Colleges Championships.
- The 27th Annual Transfer Day/College Night in the College Center is tomorrow, November 7, 2012.
- The Hartnell College Agricultural Business and Technology Institute has been selected as one of this year's honorees and will be recognized at the 2012 Monterey Bay Regional Economic Forum, Public-Private Partnerships Awards, November 8, 2012, 4 p.m., Embassy Suites.

NEW MARKETS TAX CREDIT PROGRAM

Mr. TJ Cox, President/Chief Operating Officer, of the Central Valley NMTC Fund presented information regarding the New Markets Tax Credit Program. The New Markets Tax Credit Program (NMTC Program) was established by Congress in 2000 to spur new or increased investments into operating businesses and real estate projects located in low-income communities. The NMTC Program attracts investment capital to low-income communities by permitting individual and corporate investors to receive a tax credit against their Federal income tax return in exchange for making equity investments in specialized financial institutions called Community Development Entities (CDEs). During the presentation, the board asked questions to which Mr. Cox responded. (Appendix A)

Dr. Lewallen stated that he had the opportunity to work with Mr. Cox at his previous institution and that he wanted to bring forward this opportunity so that the college could further investigate this option because he believes the
college has projects that could qualify. Trustee Padilla-Chavez asked that a scan of the college be conducted to help identify which projects could potentially meet program criteria and the financial impact for the college. The board directed Dr. Lewallen to explore this opportunity and, if appropriate, come back with a recommendation.

CONSENT AGENDA

Motioned (Donohue) seconded (Montemayor), and unanimously carried, the board moved to approve Consent Agenda Items A through I.

A. MINUTES

The board adopted the minutes of September 18, 2012 (Workshop), October 2, 2012 (Regular), and October 18, 2012 (Workshop).

B. DISBURSEMENTS

The board ratified the disbursements from any or all of the following funds: general; debt service; bookstore; child development; capital outlay projects; scheduled maintenance; property acquisition; bond projects; cafeteria; self-insurance; retirees health benefits; associated student body; scholarship, loan, and trust; and intercollegiate athletics.

C. CURRICULUM

The board ratified the Curriculum Committee actions from the September 20, 2012 and October 4, 2012 meetings.

D. PROPERTY SURPLUS

The board declared property as surplus and authorize its disposal by the administration. (Appendix B)

E. COASTAL KIDS HOMECARE

The board ratified the agreement between Hartnell Community College District and Coastal Kids Homecare for clinical learning of nursing students effective October 6, 2012, with a six-month written termination clause by either party. There is no budget implication.

F. NATIONAL STUDENT CLEARINGHOUSE

The board ratified the agreement between Hartnell Community College District and the National Student Clearinghouse to provide updated student enrollment information (degree verification) to employers, employment agencies, and other applicable organizations. The Clearinghouse will only release information that Hartnell has designated as directory information under the Family Educational Rights and Privacy Act. There is no budget implication.

G. QUARTERLY FINANCIAL STATUS REPORT

The board reviewed and accepted the Quarterly Status Report (CCFS-311Q) for the quarter ended September 30, 2012.

H. ACADEMIC CALENDARS


I. PERSONNEL ACTIONS

The board approved and/or ratified personnel actions. (Appendix C)

Dr. Lewallen introduced and congratulated Dr. Richard Prystowsky on his interim appointment as Dean of Planning and Institutional Effectiveness.
### ACTION ITEMS

**BUDGET REVISIONS**
Motioned (Donohue) seconded (DePauw) and unanimously carried, the board moved to approve the budget revisions numbered 9969 to 10017.

**RESOLUTION 12:19**
The board and public received a correction on this item. The resolution contained a typographical error and the installation and infrastructure for this project is paid from capital outlay funds and not general funds as noted.

Motioned (DePauw) seconded (Donohue), by roll call vote of 7-0, and by an advisory vote of Aye (Student Trustee Duran), the board moved to adopt Resolution 12:19, State Architect Acceptance of 4KW Wind Turbine and Appurtenant Structures Installed at the Alisal Campus.

**AWARD AG LAND LEASE BID AND ENTER INTO AGREEMENT**
Motioned (Donohue) seconded (DePauw) and unanimously carried, the board moved to award the land lease bid to Affiliated Companies, highest bidder and authorized the administration to enter into an agricultural land lease agreement, beginning December 3, 2012 through December 3, 2015. The annual rental is $265,852.73 payable in three equal installments ($2,425/per acre, 109.63 acres).

**BOARD HEALTH AND WELFARE BENEFITS**
Motioned (Freeman) seconded (Montemayor) and unanimously carried, the board moved to reinstate eligibility for health and welfare benefits for board members under the Monterey County Schools Insurance Group (MCSIG).

### INFORMATION ITEMS

**CONSTRUCTION PROJECTS – UPDATE**
The board received an updated, written report on the current construction projects. The report is on Page 122 of the November 6, 2012 Meeting Agenda Packet posted at:

http://www.hartnell.edu/board/packets/110612.pdf

The board asked questions related to the completion date of the PE Field House, the demolition of the Annex Building, and the elevator in CAB.

**FINANCIAL STATEMENTS**
The board received the financial statements ending September 30, 2012.

**BUDGET UPDATE**
Alfred Muñoz provided a budget update as of September 30, 2012 (first quarter of the fiscal year). (Appendix D)

**SIGNED LEGISLATION**
The board received a summary of bills recently signed by the Governor that affect California Community Colleges. Trustee Padilla-Chavez and Trustee Freeman thanked Dr. Lewallen for providing this information because it allows the board to be more in tune with what is happening in Sacramento.

**ADMINISTRATIVE PROCEDURE 5550**
The board received a copy of Administrative Procedure 5550, Speech: Time, Place, and Manner. The board adopted the policy earlier in the year and this procedure implements that policy.
The board reviewed Board Policy 7345, Catastrophic Leave Program. Members of the board stated that this is a great program and are pleased that the program is under consideration. The next step is to develop an implementing procedure and Dr. Lewallen stated that he plans to bring that procedure to the board as information.

Dr. Lewallen recently met with MST and was provided student-boarding data since the program started in September 2011. To date, there have been 23,605 student boardings.

Trustee Pruneda reported that he participated in a press release on pesticides and offered to share a report on scientific data that shows certain pesticides are harmful and he encouraged all to get involved because pesticides affect all of our lives in one way or another.

Trustee Pruneda gave a full report on his attendance at the ACCT Leadership Conference stating that he thoroughly enjoyed the conference, that he learned a lot, and that he was pleased to see so many participants. He urged that the college contact Cabrillo College to learn about the types of services Cabrillo provides to undocumented students on a regular basis. He plans to share some of the materials he received from the conference and he thanked the board for approving his travel. Trustee Pruneda recited quotes that he heard while at the conference: "You open a school and you close a jail"; "Community college equals a living wage instead of a minimum wage"; "Education is liberation of people – great things happen when people share"; and, "It takes a village to raise a child".

In addition, he reported that he voted today and he learned that a local grocery store is on strike and that he had conversations with its employees and asked for support on their behalf. In closing, he thanked Dr. Lewallen for his weekly report because the report helps him understand what is going on at the college.

Trustee Freeman provided each board member with a bag of conference materials he received at the conference. He stated that the focus of the conference was Student Success and he believes more needs to be done to help our students at the front end, such as providing more counseling and orientation. He recalled that when he attended a conference several years ago in Washington D.C., he was nicked-named $5 Bill, and that he enjoyed seeing many of the same people at this conference. In closing, he said the college is doing a great job, but more is needed to help our students be successful and that he believes the focus of the board and college needs to be student success.

Trustee Donohue thanked Trustees Freeman and Pruneda for their report. She reported that she attended the Hartnell College Foundation Board and President's Task Force meetings; that she is saddened to see the retirement of Sharon Eckhart, Foundation Office Executive Assistant. In addition, she announced The Western Stage Council is seeking new members and she reminded everyone to buy their tickets for the Gala on December 1, 2012 – the food will be great and silent auction will have wonderful gifts already wrapped for Christmas.
Trustee Gonzalez-Castro wished everyone a Happy Thanksgiving.

Trustee Montemayor reported that he had the privilege to attend great events: 1) the dedication of La Paz as a national monument by President Obama, 2) an event honoring Julian Camacho, longtime activist, held in Monterey, and 3) the visit from Governor Brown.

Trustee DePauw reported that she has been extremely busy with Farm Day and another one is scheduled for February.

Trustee Padilla-Chavez reported that she received a note from Assemblymember Alejo asking her, on his behalf, to thank staff for all of their work in preparing for Governor Brown's recent visit. She thanked Carla Johnson, Manuel Bersamin, their staff, and members of the ALAS Club for all of their work on the 1st Annual Health Conference for Women, many of whom are students of the college. In addition, she attended the recent Monterey County School Boards training where she was refreshed on the Brown Act and the Role of a Trustee, and she reminded everyone that the Veterans' Center Open House is Friday and encouraged everyone to attend.

MOVED TO CLOSED SESSION

The Board, Dr. Willard Lewallen, Superintendent/President, Terri Pyer, Associate Vice President, Human Resources, and legal counsel, Thomas Manniello, Lozano Smith, moved to closed session at 6:30 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.

1. Conference with Legal Counsel - Anticipated Litigation
   (Government Code § 54956.9(b)(1)
   Significant Exposure to Litigation: Claim by Celia Barberena

RECONVENED PUBLIC SESSION – REPORT OUT FROM CLOSED SESSION

Trustee Padilla-Chavez reconvened the public session at 6:50 p.m. and reported out from Closed Session.

Motioned (Pruneda), seconded (Montemayor) by vote of 6-1 (No: Freeman), the board moved to adopt Resolution 12:20, Authorizing Execution of Settlement Agreement and Release with Celia Barberena.

ANNOUNCEMENTS

Trustee Padilla-Chavez announced the following meetings:

1. November 27, 2012, Board Workshop
2. December 6, 2012, Regular Meeting

ADJOURNMENT

The meeting adjourned at 6:51 p.m.

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Erica Padilla-Chavez           Willard Clark Lewallen
Board of Trustees President     Board Secretary