

ALLAN HANCOCK COLLEGE VITICULTURE & ENOLOGY FOUNDATION
ANNUAL MEETING OF THE BOARD OF DIRECTORS

AGENDA

Thursday, May 21, 2015
Allan Hancock College
Open Session - Sky Room A-204
800 S. College, Building A
Santa Maria, CA 93454

BOARD MEMBERS

Kevin Walthers	Paul Murphy	Brian Simas
Michael Black	Alfredo Koch	Larry Lahr

1. Call to Order - 4:00 p.m.
2. Public Comments
The section of the agenda is intended for members of the public to address the Board on items involving the Foundation. Public comment not pertaining to specific agenda items is welcome under public comment. *Please note that Board members are prohibited by the Brown Act from responding to comments made regarding topics not on the official agenda.* Testimony on specific agenda items will be welcome during consideration of the item by the Board. When public testimony is completed regarding a specific agenda item, discussion is then confined to Board members only.
3. Approval of August 15, 2014 Minutes
4. Financial Report Ending March 31, 2015 – Michael Black
5. Formal Recognition of Michael Black – Interim Vice President, Administrative Services Effective January 2, 2015 as Ex-Officio Board Member
6. Adoption of Allan Hancock Joint Community College District Conflict of Interest Policy
7. Election of Directors
8. Officer Appointments
9. New Business
10. Adjournment

Consistent with the American with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires the modification or accommodation in order to participate at the referenced public meeting by contacting the Director, Brian Simas (805) 934-4600.

ALLAN HANCOCK COLLEGE VITICULTURE & ENOLOGY FOUNDATION
BOARD MEETING

MINUTES

Friday, August 15, 2014
Allan Hancock College
Open Session - Sky Room A-204
800 S. College, Building A
Santa Maria, CA 93454

BOARD MEMBERS – All Members were present:

Kevin Walthers	Paul Murphy	Brian Simas
Elizabeth Miller	Alfredo Koch	Larry Lahr

Others Present:

Terri Lee Coleman, STEM Advancement Specialist

The meeting was called to order at 2:00 p.m.

Public Comments – No public comments

The section of the agenda is intended for members of the public to address the Board on items involving the Foundation. Public comment not pertaining to specific agenda items is welcome under public comment. *Please note that Board members are prohibited by the Brown Act from responding to comments made regarding topics not on the official agenda.* Testimony on specific agenda items will be welcome during consideration of the item by the Board. When public testimony is completed regarding a specific agenda item, discussion is then confined to Board members only.

Review & Approval of Master Operating Agreement by and between the Allan Hancock College Joint Community College District and Allan Hancock College Viticulture & Enology Foundation.

Treasurer Betty Miller had expressed concerns with the terminology, however, the purpose statement was revised making it consistent with the articles of incorporation and the MOA.

Motion

On a motion by President Alfredo Koch, seconded by Secretary Paul Murphy and carried, the Master Operating Agreement, as revised, was unanimously approved.

New Business

There was discussion regarding the sale of wine when the time comes.

Adjournment

The meeting was adjourned at 2:50 p.m.

Allan Hancock College Viticulture & Enology Foundation
Income Statement
For Period Ending 3/31/2015

REVENUE:

Contributions	8,150.00
Contributions non-cash	0.00
Total revenue	<u>8,150.00</u>

EXPENDITURES:

Office/Operational Supplies	775.80
Printing	121.71
Food Supplies	3,047.76
Fingerprint/Background	82.20
Total expenditures	<u>4,027.47</u>
Net Income (loss)	4,122.53

OTHER FINANCING SOURCES/OUTGO:

Transfers in	0.00
Transfers out	0.00
Net transfers	<u>0.00</u>
Net inc/dec in fund bal	4,122.53

FUND BALANCE:

Fund equity, July 1	0
Current Balance	<u><u>4,122.53</u></u>

Allan Hancock Joint Community College District
Administrative Procedure
Chapter 2 – Board of Trustees

AP 2710 CONFLICT OF INTEREST

Incompatible Activities (Government Code Sections 1126 and 1099)

Board members and employees shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the District. A Board member shall not simultaneously hold two public offices that are incompatible. When two offices are incompatible, a Board member shall be deemed to have forfeited the first office upon acceding to the second.

Financial Interest (Government Code Sections 1090 et seq.)

Board members and employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as members of the Board or as employees.

A Board member shall not be considered to be financially interested in a contract if his/her interest meets the definitions contained in applicable law (Government Code Section 1091.5).

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other member of the Board to enter into the contract. Remote interests are specified in Government Code Section 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his or her minor child.

No Employment Allowed (Education Code Section 72103(b))

An employee of the District may not be sworn in as an elected or appointed member of the Board of Trustees unless and until he/she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. This provision does not apply to an individual who is usually employed in an occupation other than teaching and who also is, at the time of election to the Board, employed part time by the District to teach no more than one course per semester or

quarter in the subject matter of that individual's occupation (Education Code Section 72103(b)).

Financial Interest in a Decision (Government Code Sections 87100 et seq.)

If a Board member or employee determines that he/she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of an employee, this announcement shall be made in writing and submitted to the Board. A Board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter.

- Publicly identify the financial interest in detail sufficient to be understood by the public;
- Recuse himself/herself from discussing and voting on the matter;
- Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A Board member may, however, discuss the issue during the time the general public speaks on the issue.

Gifts (Government Code Section 89503)

Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.

A gift of travel does not include travel provided by the District for Board members and designated employees.

Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501 and 89502).

Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any

public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. The term "honorarium" does not include:

- Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches.
- Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income tax purposes.

Representation (Government Code Section 87406.3)

Elected officials and the Superintendent/President shall not, for a period of one-year after leaving their position, act as an agent or attorney for, or otherwise represent for compensation, any person appearing before that local government agency.

References: Government Code Sections 87105 and 87200-87210;
Title 2 Sections 18700 et seq.; and as listed above

Approved: 10/21/14

*(This is a new procedure recommended by the
Policy and Procedure Service)*

**Allan Hancock Joint Community College District
Board Policy
Chapter 2 – Board of Trustees**

BP 2710 CONFLICT OF INTEREST

Board members shall not be financially interested in any contract made by the Board of Trustees or in any contract they make in their capacity as Board members.

A Board member shall not be considered to be financially interested in a contract if his/her interest is limited to those interests defined as remote under Government Code Section 1091 or is limited to interests defined by Government Code Section 1091.5.

A Board member who has a remote interest in any contract considered by the Board shall disclose his/her interest during a Board meeting and have the disclosure noted in the official Board minutes. The Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract.

A Board member shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to his/her duties as an officer of the District.

In compliance with law and regulation, the Superintendent/President shall establish administrative procedures to provide for disclosure of assets of income of Board members who may be affected by their official actions, and prevent members from making or participating in the making of Board decisions which may foreseeably have a material effect on their financial interest.

Board members shall file statements of economic interest with the filing officer identified by the administrative procedures.

Board members are encouraged to seek counsel from the District's legal advisor in every case where any question arises.

The Political Reform Act (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating officials and employees and establishing disclosure categories, shall constitute the conflict-of-interest code of the Allan Hancock Joint Community College District (District).

Designated positions shall file their statements with the District, which will make the statements available for public inspection and reproduction. (Government Code Section 81008) Statements for all designated positions will be retained by the District.

Also see AP 2710 titled Conflict of Interest

References: Government Code Sections 1090 et seq.; 1126; 8100 et seq., and 87200 et seq.;
Title 2 Sections 18730 et seq.

Adopted: 12/17/92
Revised: 8/18/04
Revised: 11/18/08
Revised: 9/13/11
Revised: 11/18/14

(Replaces Board Policy 1400)

**ALLAN HANCOCK JOINT COMMUNITY COLLEGE DISTRICT
CONFLICT-OF-INTEREST CODE
APPENDIX A - DESIGNATED POSITIONS**

POSITION	CATEGORY
Associate Superintendent/Vice President, Academic Affairs	1, 2, 3, 4
Associate Superintendent/Vice President, Student Services	1, 2, 3, 4
Dean, Academic Affairs	5
Dean, Counseling and Matriculation	5
Dean, Extended Campus Division	5
Associate Dean, Athletics, Health, & Physical Education	5
Dean, Community Education	5
Associate Dean, Learning Resources	5
Associate Dean, Artistic Director, PCPA	5
Vice President, Facilities and Operations	1, 2, 3, 4
Executive Director, Foundation	5
Director, Admissions and Records	5
Director, AHC Bookstore Services	5
Director, Business Services	1, 4
Director, Information Technology	5
Director, EOPS and Special Outreach	5
Director, Institutional Grants	5
Director, Institutional Research and Planning	5
Director, Human Resources/Labor Relations	5
Director, Learning Assistance Program	5
Director, Outreach and Retention	5
Director, Plant Services	5
Director, Public Affairs and Publications	5
Director, Public Safety/Chief of Police	5
Director, Student Financial Aid	5
Director, TRiO/College Achievement Now	5
Department Chairs	5
Academic Specialist/Mathematics, Engineering, & Science Achievement	5
Coordinator, Fire Science and Fire Academy	5
Director, Post Programs	5
Maintenance Supervisor	5
Landscape Supervisor	5
Purchasing Agent	1, 4
Director of Marketing, PCPA	5
Production Manager, PCPA	5
Technical Director, PCPA	5
Purchasing Coordinator, PCPA	1, 4
Managing Director, PCPA/Auxiliary Accounting	5

**ALLAN HANCOCK JOINT COMMUNITY COLLEGE DISTRICT
CONFLICT-OF-INTEREST CODE
APPENDIX A - DESIGNATED POSITIONS**

POSITION

CATEGORY

Consultants/New Positions

*

* Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Superintendent/President may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant/new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Superintendent/President's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

The following positions are not covered by the code because the positions manage public investments. Individuals holding such positions must file under Government Code Section 87200 and are listed for informational purposes only. Section 87200 requires disclosure of all investments and business positions in business entities, all income, including gifts, loans and travel payments, and real property.

Board of Trustees

Superintendent/President

Associate Superintendent/Vice President, Administrative Services

**ALLAN HANCOCK JOINT COMMUNITY COLLEGE DISTRICT
CONFLICT-OF-INTEREST CODE
APPENDIX B-DISCLOSURE CATEGORIES**

Category 1: All investments and business positions in, and sources of income, including gifts, loans, and travel payments, from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of the type purchased or leased by the District.

Category 2: All interests in real property that is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the District.

Category 3: Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from, sources of the type that engage in the acquisition, disposal, or development of real property within the District.

Category 4: All investments and business positions in, and sources of income, including gifts, loans, and travel payments, from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income including gifts, loans, and travel payments, from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's Department.

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**CONFLICT OF INTEREST
Board Policy**

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If necessary, Board members shall file statements of economic interest with the filing officer identified by the administrative procedures.
Board

Adopted May 21, 2015