Note:  5:30 p.m. Start Time  
For Closed Session

Napa Valley Community College District

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES  
February 24, 2005  
5:30 p.m. Closed Session

1.0  CALL TO ORDER  (5:30 p.m.)  
Joan Bennett called the meeting to order at 5:30 p.m.

2.0  CLOSED SESSION  (5:30 p.m.):  As there were no public comments regarding closed session items,  
the board went immediately into closed session to consider and/or take action upon any of the  
following items:

With respect to every item of business to be discussed in closed session pursuant to Section  
54957.6, CONFERENCE WITH LABOR NEGOTIATORS  
Name of agency negotiators:  Scott Miller, Ed Shenk  
Name of organization representing employees:  NVCFA/CTA/NEA  
Name of agency negotiators:  Scott Miller, Bonnie Thoreen, Judie Walter-Burke  
Name of organization representing employees:  NC-ACE/SEIU  
Name of agency representatives:  Chris McCarthy

With respect to every item of business to be discussed in closed session pursuant to Section 54957,  
PUBLIC EMPLOYMENT, Employee Evaluation  
1) Superintendent/President:  Criteria for future evaluations

With respect to every item of business to be discussed in closed session pursuant to Section 54957,  
PUBLIC EMPLOYMENT, Approval/Ratification of Full-Time Employment  
Titles:  
1) Director of Facilities Services

With respect to every item of business to be discussed in closed session pursuant to Section 54957,  
PUBLIC EMPLOYMENT, Employee Evaluation:  Faculty Members (Annual Evaluation)

3.0  AFRICAN AMERICAN CELEBRATION AND DECKED OUT FASHION SHOW  
As part of the celebration for Black History Month, the Associated Student Body and the Diversity Task  
co-hosted an African American Celebration Dinner and Fashion Show.  The board attended the  
dinner prior to returning to public session.

4.0  RETURN TO PUBLIC SESSION  (7:00 p.m.), Room 211, McPherson Administration Building

4.1  Roll Call:  Joan Bennett, Margaret Lee, Bruce Ketron, Tom Andrews, Michael Baldini, Charles  
Meng, JoAnn Busenbark, Emery Meeks  
Staff Present:  Dr. McCarthy, Dr. Fitzgerald, Dr. Shenk, Scott Miller, Judie Walter-Burke, Greg  
Miraglia, Dan TerAvest, Judie Walter-Burke, Faye Smyle, Dianna Chiabotti  
Guests Present:  Jim Roth, David Casnocha, Alan Butler, Dr. Paulette Perfumo, Alan Peterson,  
Dan Monez, Jed Christensen, Jim Rogawski
4.2 **Pledge of Allegiance**  
The audience recited the pledge of allegiance.

4.3 **Introduction of Visitors, Guests, and New Staff**  
As there were many guests for the evening’s meeting, they introduced themselves and were welcomed by the board.

4.4 **Announcement of Items from Closed Session**  
M/S/C (Lee/Andrews) to approve Matt Christensen, Director of Facilities Services.  
M/S/C (Lee/Andrews) to approve the annual evaluation of faculty members and the evaluation process.

4.5 **Adoption of Current Agenda**  
Items will be heard following 5.0 (Public Comments). Other items may be moved, at the discretion of the board president.

4.6 **Announcement of Future Meetings**  
(6:30 p.m. closed session, 7:00 p.m. public session)  
Joan Bennett announced upcoming future meetings: March 17, 2005; April 28, 2005; and May 19, 2005

5.0 **PUBLIC COMMENTS — GENERAL**  
There were no public comments.

6.0 **APPROVAL OF MINUTES of January 27, 2005**  
(See backup pages 1-5).  
M/S/C (Busenbark/Meeks) to approve minutes of January 27, 2005.

7.0 **CONSENT CALENDAR**  
M/S/C (Lee/Busenbark) to approve the following items on the consent calendar.

7.1 **Ratification of Financial Documents for January, 2005**  
7.1.1 **Approval of Warrants**  
General Fund $363,340.40  
Child Care Fund $4,743.73  
Capital Outlay Projects Fund  
NVC Bldg. Fund/Series A (BOND) $50,078.00  
1.0.0 **Approval of Total Gross Payroll** $1,692,287.82

7.2 **Approval of Personnel Assignments Dated February 15, 2005**

7.3 **Approval of Contract with the Commission on Peace Officer Standards and Training (P.O.S.T.)**  
The board approved contract number 04-011-016 with P.O.S.T. for a total of $162,000. This contract will provide for development services to update Instructor Development Training and to present pilot Facilitation Skills Courses. Bruce Ketron praised and thanked Greg Miraglia for his successful entrepreneurial efforts in providing training and development for P.O.S.T.

7.4 **Approval of Contract Amendment with the Napa County Health and Human Services for the Independent Living Skills Program (ILP)**  
The Board of Trustees approved Amendment 1 to Napa County Agreement 3353 which renews the agreement for the 2004-2005 fiscal year. The total amount of the contract is $77,754.
7.5 Approval of Contract Renewal with Contra Costa Health Services for Unpaid Student Training
The Board of Trustees approved Unpaid Student Training Agreement #26-51 with Contra Costa Health Services for clinical field experience. The contract period is from January 19, 2005 to December 31, 2010. There is no financial requirement for either party.

8.0 CONSTITUENT GROUP REPORTS
• Academic Senate Report
  Glen Bell said the Senate had its first mutual agreement meeting last week; Program Review and Program Discontinuance is coming to the Academic Senate Meeting of March 8. He reviewed ongoing activities of the faculty, including schedule and curriculum development. He also highlighted work on the IDI, Title III, student learning outcomes, and was excited about the upcoming production of Hello, Dolly, Scholarship Committee, and the seven faculty hiring committees that have begun the important process of hiring new faculty members.
• Classified Senate Report
  Benita Briones said the Classified Senate is planning an annual retreat; elections will be held in the first part of May.
• Associated Student Body Report
  Aaron Kavanagh, Senator of Administration of Justice, representing the ASB, reported that the Associated Student Body is working on new identification cards for students. He said the ASB board will attend a student body meeting at Sonoma State.

9.0 APPROVAL OF FINANCIAL REPORTS
9.1 Quarterly Financial Status of Income and Expenditures for the Period Ending 12/31/04
M/S/C (Busenbark/Meng) to approve Quarterly Financial Status of Income and Expenditures for the Period Ending 12/31/04.

9.2 Quarterly Financial Statement Report (CCFS311Q)
Scott Miller briefly reviewed the two financial reports. He said the college had borrowed from TRAN, but because property taxes came in well, all has been repaid to TRANS. The reserve is at approximately 5%, but will increase by the end of fiscal year.
M/S/C (Andrews/Meeks) to approve Quarterly Financial Statement Report.

10.0 INFORMATION ITEMS
10.1 Workshop Presentation on Volume III of the Facilities Master Plan
Alan Butler of TLCD Architecture presented the latest updates to the campus facilities plan and implementation strategies and standards. He reviewed the phases of the plan; the building design guidelines, and landscape design guidelines; sustainable design; campus graphics, campus standard projects, and office area standards.

Glen Bell suggested that the Facilities Master Plan be available on campus in designated locations. Alan Butler said it will also be on the college website. Bruce Ketron requested a workshop that would give board members an opportunity to discuss Facilities Master Plan issues with other board members; there was general agreement among board members that this would be helpful to them. JoAnn Busenbark suggested putting it in a future agenda for discussion.
10.2 **Report from City of Napa and Napa Public Access Cable TV**

Dan Monez, Executive Director, Napa Public Access Cable TV (Channel 27/28) and Jed Christensen, City of Napa, made a brief presentation to the board regarding the possibility of locating the Channel 27/28 studios on the Napa Valley College Campus. They explained that NPAC is looking for a permanent location and asked the Board of Trustees to consider the mutual benefits to the college and NPAC in having their studio on the NVC campus. Benefits to the college include: distance learning potential; a television/video production facility available for marketing purposes; possibility of offering vocational training courses in television/video production; and increased community exposure. He said Napa TV is excited about the possibility of collaboration. Steve Goze, telecommunications instructor, noted some issues regarding the equipment that would need to be resolved. Bruce Ketron spoke in support, and Betty Malmgren also said she supported the discussion.

11.0 **ACTION ITEMS**

11.1 **Approval of the Refinance of Series A of 2002 Voter-Approved Tax-Exempt Bonds**

District voters approved the sale of $133.8 million dollars of tax-exempt bonds in November, 2002. Jim Roth, our UBS Paine Webber consultant, was present to explain his recommendation that the District refinance this series of bonds due to favorable market conditions. Benefits of this refinancing proposal include a reduction of several years off the life of the bonds, a net repayment savings to the taxpayers and an increase in interest earnings that will be available to support bond projects. David Casnocha, our bond attorney, was also present and addressed benefit to the District. It is projected that the net benefit would be 3 1/2 million dollars, that which would have a net effect of a $10 million savings. This satisfies the two requirements required for moving forward on this recommendation: a) there would be a savings to taxpayers; and b) we do not extend the maturity of the bonds.

This item was amended to include a Resolution to Approve the Refinance of Series A of 2002 Voter-Approved Tax-Exempt bonds Once approved, the copies of the resolution will be forwarded to the County Boards of Supervisors of Napa and Sonoma.

**Recommendation:** It is recommended that the Board of Trustees approve a resolution to refinance Series A of the 2002 voter-approved tax-exempt bonds and authorize the superintendent/president to direct UBS Paine Webber to proceed with the refinancing of these bonds as soon as possible.

11.2 **Approval for the Sale of Series B of 2002 Voter-Approved Tax-Exempt Bonds**

District voters approved the sale of $133.8 million dollars of tax-exempt bonds in November of 2002. The District sold the first series of bonds (Series A) in April, 2003 for a total of 25 million dollars. The District contracted with UBS Paine Webber for investment banking services. Our UBS Paine Webber consultant, Jim Roth, was present and explained his recommendation that we issue the second series of the 2002 voter-approved bonds, Series B, for up to $65 million dollars. This recommendation is based on cash flow needs and current market conditions. UBS Paine Webber would continue to provide services for this sale. David Casnocha, our bond attorney, will be present to answer questions.

This item was amended to include a resolution to approve the sale of Series B of 2002 Voter-Approved Tax-Exempt bonds.

M/S/C (Meng/Busenbark) to approve a resolution to approve the issuance of Series B of the 2002 voter-approved tax-exempt bonds for up to $65 million dollars and to authorize the superintendent/president to direct UBS Paine Webber to proceed with the sale of these bonds as soon as possible.
11.3 **Solano College’s Application for Center Status on Columbus Parkway**

As discussed at previous meetings, Solano College is requesting support for a proposed Solano College Educational Center to be located in Vallejo and the board had requested information from Solano College prior making its decision. Bruce Rogawski from the Chancellor’s office explained that the approval process included a review by the Chancellor’s Office Board of Governors and by CPEC (California Post-Secondary Committee).

Dr. Paulette Perfumo, Superintendent/President of Solano College said the emphasis of course offerings at the proposed center would be general education. She proposed center would have 15 classrooms, replacing classrooms in downtown Vallejo, and Vallejo and Benecia High Schools, for a net increase of four classrooms. She said the two colleges have worked together in the past to develop agreements regarding vocational and sports program and would anticipate they could work out future agreements. Alan Peterson explained that the overriding goal is to help colleges achieve their goals. A needs study will be conducted to see if there merit to the proposal; other analyses would include traffic and enrollments studies.

Dr. McCarthy explained that the proposed center is not far from American Canyon, the college’s main growth area, so it is crucial that strong agreements are in place prior to approval. Thirty-five percent of NVC students come from Solano County, so losing that population would be devastating for the District.

Faye Smyle and Dianna Chiabotti, instructors in our Child and Family Studies Program, expressed their concern that losing students would seriously threaten their ability to offer a well-rounded curriculum and lower the quality of education provided. Glen Bell stated that past agreements between Napa Valley College and Solano College have not always come to fruition.

Board members expressed reservations about granting their support for the proposed center. Their overriding concern was the effect the proposed center would have on Napa Valley College enrollments. They agreed that no approval should be granted without carefully developed agreements or memos of understanding in place.

M/S/C (Andrews/Ketron) to withhold approval regarding support of Solano’s College proposed new center until the respective presidents of the two colleges develop a memo of understanding.

11.4 **Approval of Resolution to Certify the Environmental Impact Report**

Dan TerAvest explained that The Environmental Impact Report consists of the Draft EIR and appendices published in November, 2005, and the Final EIR, including Statement of Overriding Considerations, Mitigation Monitoring Plan, Responses to Comments, and Corrects/Additions to the document, as published in January, 2005. He said the public process that provided interested public agencies, groups and individuals the opportunity to comment on the contents and completeness of the Draft EIR. That review period has been completed, and Mr. TerAvest reported that we received comments for the City of Napa Community Development Department, the California Department of Transportation, and the Audubon Society. The main issues raised concerned drainage, traffic, and habitat.

Kim Erikson of Mark Thomas & Company, Inc. and Geoff Reilly from Christopher A. Joseph & Associates, were present to answer questions from the board.

M/S/C (Lee/Ketron) to approve the resolution to accept and certify the Environmental Impact Report.

AYES: Bennett, Andrews, Baldini, Busenbark, Lee, Meng, Busenbark, Meeks
NOES: None
ABSTENTIONS: None
11.5 Public Hearing to Select Photovoltaic Firm

11.5.1 Public Hearing on the Selection of a Photovoltaic Firm
President Bennett opened the hearing at 10:25 p.m. and as there were no public comments, closed the hearing at 10:25 p.m.

11.5.2 Staff Report on Selection of Photovoltaic Firm
Dan TerAvest reported on the selection of a photovoltaic firm and said that PowerLite was the firm that best addressed the college’s needs.

M/S/C (Ketron/Meng) to enter into negotiations for a photovoltaic contract with PowerLite, contingent upon an Offer Letter and Commitment Agreement from P.G.&E.

11.6 Ratification of Architect Selection and Acceptance of Proposal
A joint committee of the performing arts staff, president’s staff and appointed trustee representatives conducted final interviews for the Performing Arts Center architect and unanimously selected HGA of San Francisco to provide architectural services for the new Performing Arts Center. A proposal for programming that has been distributed to the Board of Trustees will result in establishing scope and budgeting parameters prior to beginning design work.

M/S/C (Busenbark/Baldini) to ratify the selection of HGA as project architect and accept their initial proposal in the amount of $105,000 for a pre-design programming study.

11.7 Award of Bid for Gym Floor and Bleacher Replacement
The upper floor of the gymnasium will be renovated, including the replacement of the failing and unsupported 3M Tartain floor and the aged bleacher system. The project will also include renovation work in the restrooms and some flooring replacement adjacent to the main gym.

Bids were opened on February 15, 2005, at 2:00 p.m.

M/S/C (Lee/Meng) to award the bid to Helmer and Sons of Angwin for a total bid of $1,051,500.

11.8 Consideration of Any Appeal on Determination of a Bidder Non-Responsibility
This item was pulled from the agenda, as no appeals were received.

11.9 Resolution to Delegate Powers to the Superintendent/President
District staff, working with legal counsel, developed a resolution supported by the Education Code and the Public Contracts Code. This resolution provides the Superintendent/President, or his/her designee, clear guidelines for taking various actions on behalf of the governing board in order to facilitate timely responses to contracting issues.

M/S/C (Meeks/Lee) to adopt the resolution that grants the superintendent/president certain specified approval authorities as provided by the Education Code and the Public Contracts Code in an amount not to exceed $100,000.

AYES: Benentt, Andrews, Baldini, Ketron, Meng, Lee, Busenbark, Meeks
NOES: None
ABSTENTIONS: None
11.10 Approval of New Member(s) to the Independent Citizens’ Bond Oversight Committee
Since its initial meeting in March of 2003, the Citizens’ Bond Oversight Committee has lost members and representation of the required groups, as established in the bylaws: students; the business community; a senior citizen’s organization; a bona-fide taxpayers’ association; a support organization for the college; and the community at large. New members for the oversight committee were solicited through press releases and paid advertisements. Trustees Bruce Ketron, JoAnn Busenbark, and Joan Bennett reviewed applications and forwarded one applicant for approval. Because no applications were received to represent students, a seniors’ organization, or a taxpayers’ association, the college will re-advertise for these positions. One applicant is being forwarded for the board’s approval.

M/S/C (Ketron/Meng) to approve Gregory Rodeno as a member of the Citizens’ Bond Oversight Committee.

11.11 Approval of Academic Calendar
M/S/C (Lee/Meng) to approve the proposed academic calendar, as submitted.

11.12 Approval of Revised Board Policy 3720: Computer Use (First Reading)
This revised policy, provided by the California Community College League Policy and Procedures Service, has been through the college’s shared governance process and has received the approval of all constituent groups. M/S/C (Ketron/Busenbark) to approve the revised Computer Use Policy (First Reading).

12.0 OTHER REPORTS: Note that no action can be taken regarding any report item.

12.1 Superintendent/President’s Report
Dr. McCarthy announced that a Napa Valley College student has been named to the All USA First Academic Team. She will receive her award in Boston in April. He announced a March 8 reception for the hospitals involved in making possible a second nursing cohort; the opening of Hello, Dolly on March 11; and a March 31 at the Culinary Institute of America for District CEOs.

12.2 Reports from Board Members

- Emery Meeks said Club Rush was very successful. He announced a candidate’s forum for mayoral and city council members. He said he enjoyed working at the newly renovated Lincoln Theatre for Burt Bacharach concert.
- Margaret Lee raised a concern regarding a campaign mailer that included comments made by a board member she felt could be misleading for community members. The board discussed the propriety of members endorsing candidates, and that discussion will be continued at a future date.

- Bruce Ketron said he attended a conference in Sacramento and said he participated in the interview process for the Executive Director of the Foundation on February 15 and 16 and review of candidates for the Citizens’ Bond Oversight Committee.
- Joan Bennett noted that when a board member makes a public statement, it can be misconstrued to represent the view of the entire board.
- Charles Meng recommended a review of the board ethics statement. He said he appreciated the comments from faculty and staff regarding previous agreements with Solano College.
• JoAnn Busenbark said she attended the Biology Transfer Consortium.
• Michael Baldini said he was looking forward to the board retreat and said he was concerned about the proposed Center.

Board members requested a future review of the board roles and responsibilities. Mr. Ketron requested a legal opinion the support of political candidates.