1.0 **CALL TO ORDER** (4:30 p.m.)
Michael Baldini called the meeting to order at 4:30 p.m.

2.0 **CLOSED SESSION** (4:30 p.m.):
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 CONSIDERATION OF CLAIM OF UNLAWFUL DISCRIMINATION

3.0 **TENNIS COURT DEDICATION**: (5:00 p.m.) The board attended the formal dedication of the recently completed tennis courts. The new, lighted tennis courts were funded by Measure N bond funds.

4.0 **RETURN TO CLOSED SESSION**: (6:00 p.m.)

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, Sue Nelson, Laura Ecklin
Name of organization representing employees: NVCFA/CTA/NEA

Name of agency negotiators: Scott Miller, Laura Ecklin, Judie Walter-Burke
Name of organization representing employees: NVC-ACP/SEIU
Name of agency representatives: Chris McCarthy
Name or organization representing employees: NVC Administrative Senate

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

Title:
1) EOPS Counselor (Tenure Track Faculty)
2) EOPS Counselor (Tenure Track Faculty)
3) Mathematics Instructor (Full-time, Temporary Leave Replacement)

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

Title:
1) Media Services Technician I (1.0 FTE)

5.0 **RETURN TO PUBLIC SESSION** (7:00 p.m.)
5.1 **Members Present:** Michael Baldini, Bruce Ketron, JoAnn Busenbark, Charles Meng, Steve Reinbolt, Aman Sunak  
**Members Absent:** Tom Andrews  
**Staff Present:** Chris McCarthy, Armond Phillips, Oscar De Haro, Laura Ecklin, Nadine Wade Gravett, David Angelovich, Dan TerAvest, Bill Blair, Ken Arnold, Ron Rogers, Dean Ehlen, Judie Walter-Burke, Ron Rogers, Dean Ehlen, Bob Freschi, Christy Kling,  
**Guests Present:** Barry Martin, Doris Smith, Robert Lacy, Sasha Dansky, Kim Erickson, Jim Roth, David Casnocha, Erin Lawley, Nel Brewster, Warren Brewster, Tom Smeltzer

5.2 **Pledge of Allegiance**  
The audience recited the pledge of allegiance.

5.3 **Introduction of Visitors, Guests, and New Staff**

5.4 **Announcement of Items from Closed Session**  
Acting president Michael Baldini reported that the board, in a unanimous opinion, found no basis on which to reverse a previously reached determination of the Napa Valley Community College District regarding a complaint of unlawful discrimination.  
M/S/C (Busenbark/Ketron) to approve Angela Widemann, EOPS Counselor and Alejandro Guerrero  
M/S/C (Meng/Bennett) to approve Jennifer Phan, Mathematics Instructor  
M/S/C (Ketron/Busenbark) to approve Choolwe Kalulu, Media Services Technician

5.5 **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.

5.6 **Announcement of Future Meetings** (5:30 p.m. closed session, 6:30 p.m. public session)  
- October 12, 2006 – Regular Meeting  
- October 26 2006 – Regular Meeting  
- November 9, 2006—Regular Meeting (Upper Valley Campus)  
- December 14, 2006—Regular Meeting

5.0 **PUBLIC COMMENTS — GENERAL**  
Mr. Barry Martin from Public Access/Cable TV reaffirmed its interest in locating on the Napa Valley College campus. He said it would ensure the future of access to have it on campus, whether now or in the future.

6.0 **APPROVAL OF MINUTES**  
6.1 Approval of Minutes of August 5, 2006  
6.2 Approval of Minutes of August 10, 2006  
M/S/C Busenbark/Ketron to approve the minutes of August 5, 2006 and August 10, 2006.

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

7.1 **Ratification of Financial Documents for August, 2006**

7.1.1 **Approval of Warrants**

- General Fund $1,628,553.04
- Child Care Fund $2,556.22
- Capital Outlay Projects Fund
  - NVC Bldg. Fund/Series A (BOND) $8,756.01
  - NVC Bldg. Fund/Series B (BOND) $1,156,11.25

7.1.2 **Approval of Total Gross Payroll** $1,870,317.59

7.2 **Approval of Personnel Assignments Dated September 7, 2006**

7.3 **Agreement with the California Department of Education – Resolution**

The Board of Trustees approved an agreement with the California Department of Education for the provision of Full-Day Preschool in the Child Development Center project number 28-6627-00-6. The term of this agreement is from July 1, 2006 to June 30, 2007. The maximum amount is $143,661.

7.4 **Agreement with the State of California for an Apprenticeship Program**

The Board of Trustees approved an agreement with the State of California Psychiatric Technical Unit 18 Joint Apprenticeship Committee for the provision of instruction and other services to apprentices. This continues a previously established program. This agreement is from January 1, 2006 to December 31, 2010. The annual cost is estimated at $55,000.

8.0 **CONSTITUENT GROUP REPORTS**

- **Academic Senate Report**
  Dianna Chiabotti reported that the Senate has been busy working on committee membership. The Senate has been working without a secretary in recent months. She said the Senate has thoroughly enjoyed working with Armond Phillips.

- **Faculty Association Report**
  Diane van Deusen said the association held its first general membership meeting and reported that Linda Mallet is a new part-time representative.

- **Classified Association Report**

- **Classified Senate Report**

- **Administrative Senate Report**
  Ken Arnold said the semester was off to a good start and the Mutual Gains Committee is working diligently.

- **Associated Student Body Report**
  Aman Sunak reported that Sarah Magrado is the new ASB president and there was a good turnout for Club Rush.

9.0 **DISCUSSION ITEMS**
9.1 **Discussion of Available Options for the Refinance of Series B and the Issuance of Series Bonds**

At its special meeting of August 5, 2005, the Board of Trustees reviewed the reasons for the budget shortfall for the facilities projects included in the Measure N Bond, primarily the sharp rise in construction costs. Jim Roth, representative from UBS Paine Webber, reviewed various options to leverage bond funds. The board expressed interest in maximizing funds, while providing benefit to the taxpayers. They favored an option that included the acceleration of Series C and Refunding of Series B. Bond counsel David Casnocha said the practice was legal and said that many community colleges throughout the State have followed the same path. He also spoke to the importance of providing savings to the taxpayers and at the same time fulfilling the commitments made to them regarding the projects outlined in the bond implementation plan. He noted that, under any option presented, the tax rate would not exceed the $25 outlined in the original ballot measure.

The board voiced its interest in moving forward, but as the item was not on the agenda for action, the board discussed options for placing it in a future agenda. In the interest in maximizing benefit to taxpayers and the college, the board called a special meeting on September 21, 2006 to take action.

9.2 **Memorandum of Understanding Between Napa Valley Community College District and Solano Community College District**

The latest, revised Memorandum of Understanding between Napa Valley Community College and Solano Community College Districts drafted in response to Solano’s planned new Vallejo Educational Center was distributed. Its purpose is to ensure cooperation in the development of educational programs and services in the respective services areas in Napa and Solano Counties to enhance the success of both institutions. All future conversations will include representatives of both Academic Senates. The item will be placed on the October agenda for action.

10.0 **ACTION ITEMS**

10.1 **Approval of Project Funding List**

At its August 5, 2006 retreat, the board reviewed current cost projections for projects originally included in the Bond Implementation Plan. Dr. McCarthy said there was currently a $70 million shortfall to complete all projects originally planned. As there are currently inadequate funds to complete all projects, the board established a list of projects approved for implementation under current funding, and a list or projects that would require future funding for completion. Dan TerAvest reviewed the critical path calendar and explained that the sequence of construction was determined by the construction process and was not reflective of the importance of any given project. However, some projects needed to be completed for ADA compliance. Scott Miller noted that all budget scenarios are estimates. An additional unknown is the outcome of the November statewide facilities measure that, if passed, would bring upwards of $16 million for the Library and Learning Resources Center. He also stated that all interest numbers are fluid, and all budgets are based on estimates.

Faculty representatives of various programs addressed the board regarding projects on the “future funding” list. They described the needs of their programs and how students would be negatively impacted without the planned projects for their programs moving forward. Christy
Kling spoke to the dugout project and batting cages, and Nadine Wade Gravett and Bob Freschi followed Ms. Kling in supporting the need to see these facilities as classrooms. They spoke to the 96% transfer rate of the athletes and their contribution to FTES.

Bill Blair introduced the topic of unmet needs in the technology areas and stressed the importance of workers who have been trained on up-to-date equipment to meet industry standards. He estimated approximately $1.5 million for facilities improvements. Steve Goze spoke on the needs of broadcast television and status of the NVC program in the industry. Ron Rogers presented the needs of photography and said the combined classes serve approximately 200 photography students. Dean Ehlen voiced concern over the old equipment and raised safety issues. Tom Smeltzer noted that vocational students are more successful in securing jobs more easily than other college graduates.

Board members were appreciative of the thoughtful and respectful comments of the speakers and concerned about the unmet needs in the technology area. Ms. Busenbark explained that the board was aware that the bond funds were not going to go as far as originally planned, and the board had made a decision not to compromise the quality of the projects but rather to complete as many projects as possible at a high-quality level.

The board asked staff to refine the needs and associated costs for all projects that are currently in the “approved for future funding” category. The board will review this information at its meeting on November 9. Mr. Meng noted the possibility of getting money from industry.

M/S/C (Busenbark/Ketron) to refine needs and associated costs of projects “approved for future funding” and move this item to the November 9 agenda.

10.2 Adoption of 2006 – 2007 Final Budget

10.2.1 Public Hearing on the 2006 – 2007 Final Budget
Michael Baldini opened the public hearing at 10:07 p.m. As there were no public comments, he closed the meeting at 10:08 p.m. This hearing is held to allow for public comment on the proposed budget, as required by California Title 5 Administrative Regulations, Section 58191.

10.2.2 Adoption of the 2006 – 2007 Final Budget
David Angelovich explained that Walt Unti, previously scheduled to take over Mr. Angelovich’s position on the Budget Committee, has postponed taking on those responsibilities. He is currently covering classes for another faculty member who is out on leave.

Scott Miller and David Angelovich reviewed the general fund budget assumptions. He reviewed the 2006-2007 Governor’s Budget, which he said was strong for community colleges. The COLA has been increased to 5.92. There were increases in categorical programs and an increase for instructional equipment. The college will receive additional monies from a block grant. He noted that the pending passage of SB 361 would change the funding formula for community colleges and provide a funding increase for NVC due to the equalization mechanism in the funding model. He said there is a strong ending balance, a 9.4% reserve, and that is very positive for the
college. He noted that no amounts have been included for salary schedule increases at this time.

M/S/C (Busenbark/Ketron) to adopt the 2006 – 2007 Final Budget.

10.3 Initial Study/Mitigated Negative Declaration – Magnolia Drive/SR 221 Intersection Improvement Project

Napa Valley College, in keeping with the requirements of the California Environmental Quality Act (CEQA), has prepared an initial Study and Mitigated Negative Declaration for the intersection improvements at Magnolia Drive and State Route 221 (Napa- Vallejo Highway). This environmental document is supplementary to the NVC Master Plan Environmental Impact Report and was publicly circulated for comments for 30 days commencing on July 7, 2006.

Dan TerAvest gave a recap of the study, which converts Magnolia Drive to a two-way roadway, creates a turn-about on Magnolia Drive, realigns James Diemer Drive to provide additional parking, and provides for North Campus sitework.

Mr. Ketron said the District must adjust to getting projects done “at a minimum” and said he would rather see money go towards program needs rather than for infrastructure work included in the Magnolia Drive Improvement Project. Mr. TerAvest said postponing this site work would postpone the theater project. Mr. Baldini questioned doing the Magnolia work until decisions have been made regarding what ultimately will be done with the corner property. He suggested more work could be done to improve safety of the hookramp, including speed bumps and additional signage.

M/S (Busenbark/Reinbolt) to adopt the negative declaration, but hold off on the Magnolia project, saying that the document could be adopted without doing everything outlined in it. Dan TerAvest explained that stopping work on one part of the project would move architectural staff to other projects, with no guarantee of when they would be able to start again, thus delaying the theater project indefinitely. Sasha Dansky of Mark Thomas and Co. spoke strongly about the significant dangers of the hook ramp, and Mr. Baldini concurred that student safety was of the highest concern.

M/S/C (Busenbark/Reinbolt) to accept and certify the Mitigated Negative Declaration for the Magnolia Drive/Highway 221 Intersection Improvements and approve the Resolution Making Findings Pursuant to the California Environmental Quality Act, Approving the Mitigation Monitoring Program, Adopting as Adequate the Initial Study/Mitigated Negative Declaration for the Magnolia Drive/State Route 221 Intersection Improvement Project.

AYES: Busenbark, Meng, Reinbolt, Baldini, Sunak (student):
NOES: Ketron
ABSENT: Andrews

10.4 Campus Signal Cabling Upgrade Project Bid Award

M/S/C (Meng/Busenbark) to award the Campus Signal Cabling Upgrade Project to Bell Products for $1,226,287 and accept the proposed change order for $296,185.

10.5 Central Chiller Plant Project Bid Award

M/S/C (Busenbark/Meng) to award the Central Chiller Plant project to Bell Products, Inc.
10.6 Approval of Agreement with TLCD Architecture for New Fieldhouse Design Services
M/S/C (Busenbark/Meng) to approve an agreement with TLCD Architecture for $835,304.00

10.7 Approval of HGA Contract Amendments 2 through 5 for Architectural Services for the Fine and Performing Arts Center
M/S/C (Busenbark/Meng) to approve HGC Contract Amendments 2 through 5 for architectural services totaling $272,312.00 for the Fine and Performing Arts Center.

10.8 Notice of Completion and Project Acceptance – UVC Recladding
M/S/C (Busenbark/Meng) to ratify the Notice of Completion for the UVC Recladding Project and accept the project as complete.

10.9 Notice of Completion and Project Acceptance – Emergency Phone Installation
M/S/C (Busenbark/Meng) to ratify the Notice of Completion for the Emergency Phone Installation Project and accept the project as complete.

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

11.1 Reports from Vice Presidents
- Laura Ecklin spoke to the progress on the hiring committees for the three administrative positions currently open.
- Armond Phillips said the first draft of the spring schedule is out. He said he was impressed with the board and the faculty for the respect they demonstrated to each other this evening and said he felt there was a great deal of respect on this campus. He also said he felt the campus community put students first.
- Scott Miller thanked the board for approving the budget.

11.2 Superintendent/President’s Report
- Dr. McCarthy thanked Michael Baldini for being a mentor in the Puente Program. He reported on the Vice Chancellor’s visit to the Simulation Laboratory. He said he attended the Police Academy Graduation, the Harvest Festival hosted by Kiwanis Club, and an annual arts event at Cakebread Cellars that featured pottery by NVC staff. He announced the Business Expo and congratulated staff on the two hospitality grants. He thanked JoAnn Busenbark for working with a Henrietta Ash in regards to a substantial gift to be used to name the Performing Arts Center lobby. He said he would be meeting with the arts community next week to discuss the new performing arts center. He announced Stop the Hate and thanked Betty Malmgren for the Report to the Community that appeared in the Register. The college has three tables at the Hispanic Network Annual Dinner. He announced the Foundation Annual Dinner scheduled for September 26 and encouraged everyone to attend.

11.3 Reports from Board Members
- JoAn Busenbark described an assisted learning device that does not give feedback and would be a good option for the board room. She met at the Upper Valley Campus with Bonnie Thoreen and St. Helena Unified School District.
- Steve Reinbolt complimented staff on the Report to the Community.
• Charles Meng said he attended a Super Core meeting and CCCT meeting.
• Bruce Ketron praised the Report to the Community and commented on the $20 fee per unit that begins in January. He said he attended a training on Saturday hosted by the Psychology Association and the college.

12.0 ADJOURNMENT
Mr. Baldini adjourned the meeting at 11:25 p.m., saying he hoped Mr. Swann was feeling better.