

Napa Valley Community College District

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES

June 12, 2008

5:30 p.m. Closed Session

6:30 p.m. Return to Public Session

Upper Valley Campus

1088 College Avenue, St. Helena, California

1.0 **CALL TO ORDER** 5:30 p.m.

President Ketron called the meeting to order at 5:30 p.m.

2.0 **CLOSED SESSION** (5:30 p.m.): Following any public comments regarding closed session items, the board will go 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, Kevin Luckey, 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

1) Custodian I/II (1.0 FTE)

2) Secretary III, Health Occupations (1.0 FTE)

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

1) Photography Instructor (Tenure-track)

2) English Composition Instructor (Tenure-track)

3) Chemistry Instructor (Tenure-track)

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT

Reduction in Workload Under Education Code Sections 87483 & 22713

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Employee Evaluation

1) Evaluation of Superintendent/President

3.0 **RETURN TO PUBLIC SESSION** (6:30 p.m.)

The board returned to public session at 7:10 p.m.

3.1 **Members Present:** Bruce Ketron, JoAnn Busenbark, Brenda Knight, Michael Baldini, Tom Andrews, Charles Meng

Members Absent: Steve Reinbolt

Staff Present: Chris McCarthy, Scott Miller, Dan TerAvest, Ken Arnold, Greg Miraglia

Guests Present: Students: Adrian Atman, Francisco Fernandez, Gabriela Rodrigues, Chris Adams

3.2 **Pledge of Allegiance**

The audience recited the pledge of allegiance.

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

Students were introduced: Adrian Atman, Francisco Fernandez, Gabriela Rodriguez

3.4 **Resolution Honoring Bill Blair, Retiring Interim Dean, Occupational Education/Economic and Workforce Development**

This agenda item was postponed to the July meeting.

3.5 **Announcement of Items from Closed Session**

M/S/C (Busenbark/Andrews) to approve personnel actions, including hiring of:

3.6 **Adoption of Current Agenda**

M/S/C (Busenbark/Andrews) to adopt the current agenda.

3.7 **Announcement of Future Meetings** (5:30 p.m. closed session, 6:30 p.m. public session)

President Ketron announced the following upcoming meetings: July 17, 2008 Special Meeting; August 14, 2008; September 11, 2008.

4.0 **PUBLIC COMMENTS – GENERAL**

Jack Scott is the new chancellor of California Community Colleges. Bruce Ketron announced that a single vote determined the outcome of an election in Alameda County.

5.0 **APPROVAL OF MINUTES**

5.1 **Minutes of May 15, 2008** (See backup pages 1 through 11)

M/S/C (Busenbark/Andrews) to approve the minutes, as submitted.

6.0 **CONSENT CALENDAR**

M/S/C (Busenbark/Baldini) to approve the following items on the consent calendar.

6.1 **Ratification of Financial Documents for May, 2008**

6.1.1 **Approval of Warrants**

General Fund	\$1,543,362.14
Child Care Fund	\$4,789.89
Capital Outlay Projects Fund	
NVC Bldg. Fund/Series B (BOND)	\$1,489,064.69

6.1.2 **Approval of Total Gross Payroll** \$2,539,960.85

6.2 **Approval of Personnel Assignments Dated June 5, 2008**

6.3 **Proposed Change Orders – Transit Mall Parking Lot B Improvement**

The Board of Trustees ratified acceptance of O.C. Jones & Sons, Inc. proposed change orders numbered 2 and 3 as given in attached Proposed Change Order Log dated May 30, 2008. The net increase for these proposed change orders is \$47,941.00.

6.4 **Proposed Change Orders – Life Sciences Building**

The Board of Trustees ratified acceptance of McCrary Construction Company proposed change orders numbered 81R, 91A, 110R, 114, 115R, 119, 123, 125, 126, 127 as given in attached Proposed Change Order Log dated May 30, 2008. The net increase for these proposed change orders is \$3,291.00.

6.5 **Proposed Change Orders – Performing Arts Center Increment I – North Site Development**

Michael Baldini asked for clarification on this item. Mr. TerAvest answered his question regarding the cost increase for the theater seats. The Board of Trustees ratified acceptance of O.C. Jones & Sons, Inc. proposed change order numbers 12, 42, 43 and 49 as given in attached Proposed Change Order Log dated May 30, 2008. The net increase for these proposed change orders is \$45,926.39.

6.6 **Proposed Change Orders – Performing Arts Center Increment II**

The Board of Trustees ratified acceptance of Broward Brothers, Inc. Proposed Change Order Log dated May 30, 2008. The net increase for these proposed change orders is \$59,254.74.

6.7 **Energy Conservation Project**

The Board of Trustees approved using Scheduled Maintenance funds to replace the roof-top air conditioning units on the Child Care Center with newer hybrid system air conditioning. This project has a net cost to the District of about \$75,000 and is eligible for an approximate 50% rebate from PG&E. A nine-year payback on the investment is anticipated.

6.8 **Agreement with Veterans Home of California, Martinez**

The Board of Trustees approved an agreement with the Veterans Home of California, Martinez to provide educational learning activities for the college's student health occupations students. The agreement will commence on June 1, 2008 and will continue until terminated by either party. There is no expense related with this agreement.

6.9 **Agreement with Marin General and Sutter Marin Hospitals**

The Board of Trustees approve an agreement with Marin General and Sutter Marin Hospitals to provide educational learning activities for the college's respiratory therapy students.

This is a renewal of a previous agreement. The agreement renews on July 2, 2008 and continues for three years unless cancelled by either party. There is no expense related with this agreement.

6.10 Approval of Close of Year Transfer Resolutions

The Board of Trustees approved this routine annual Close of Year Transfer Resolution.

6.11 Approval of Resolutions: Signing Authority for Christopher McCarthy, Scott Miller, Daniel TerAvest, Matt Christensen, and Laura Ecklin

The Board of Trustees approved five resolutions that authorize the following staff members to sign documents on behalf of the District from July 1, 2008 through June 30, 2009: the college president; vice president, Business and Finance; director, Campus Planning and Construction; dean, Human Resources; and Director, Facilities.

6.12 Approval of 2007 - 2008 Interfund Transfer

The Board of Trustees approved the interfund transfer documents.

6.13 Agreement with Commission on Peace Officer Standards and Training

The Board of Trustees approved an agreement with the Commission on Peace Officer Standards and Training (P.O.S.T.) for the renewal of a grant for providing an instructor workshop training program. The term of the agreement will be from July 1, 2008 to June 30, 2009. The total amount of the grant will not exceed \$380,000.

7.0 CONSTITUENT GROUP REPORTS

- Academic Senate Report
Ken Arnold reported on the retirement party held for Bill Blair. He announced that he would no longer be Academic Senate president and would be replaced by Dr. Robyn Wornall in that position. The board thanked Chief Arnold and congratulated him for leading the administrative group.
- Associated Student Body Report
- Chris Adams reported on the graduation reception which many students attended. He said next year, they would plan for the larger attendance. He worked on high school Grad Night, noting the attendance to that event has dropped in recent years. ASB reported on Relay for Life, PTK planning, NVC Day, the Fall Retreat, and Club Rush.
- Adrian Atman, executive Vice President of Phi Theta Kappa said that turnout for PTK is very high this year, and all officer positions have been filled.
- Francisco Fernandez reported on special events, PTK, Relay for Life, Campus Clean-Up, and Napa Valley College Day on August 16.

8.0 INFORMATION ITEMS

8.1 Response to Grand Jury Report

The Napa Valley Community College District has received the Grand Jury Report pertaining to the college. After receipt of the report, the college has 90 days to offer a written response. Dr. McCarthy reviewed the recommendations and asked for the board's input to the formal response to the Grand Jury.

The board noted that the District is continuing to work on securing stable funding that is not tied to K-14 funding. Dr. McCarthy stated the Community College League of California also continues to address this issue. The college is also working on options regarding the funding of retiree health benefits that will move from a “pay-as-you-go” to an accrual basis. The Board agreed that when promoting future bond issues, it would be clear about what would be lost if the bond were not to pass. The college is in the process of strengthening its marketing efforts in the community. The board discussed wireless access on the campus, noting the high cost of offering this to the entire campus community. Further review would be required to assess the priority of this project in relation to other college needs. The need for security of confidential information was also stressed. The cost of placing computers in campus police cars will be reviewed. Ken Arnold reviewed with the board the campus-wide alert systems that are being evaluated.

The board agreed with the recommendations made by the Grand Jury and found no inaccuracies to be addressed.

8.2 **Campus Police Update**

Brenda Knight requested an update on the firearms training of the campus police and other changes that followed the board’s decision to expand the force options available for campus police for use in protecting the campus community.

Ken Arnold, Chief, Campus Police, thanked board members for their courage in increasing force options available to the Campus Police in protecting the campus community. He said campus police has utilized firearms training through the Sheriff’s Department and recently had an active shooter drill. All officers are fully qualified and meet a high standard of proficiency.

8.3 **Update on the Criminal Justice Training Program**

Michael Baldini and Bruce Ketron had requested an update on the Criminal Justice Training Program. Greg Miraglia, Director, Criminal Justice Training Center, made a presentation and answered questions. Since 1983, 3,000 students have graduated from the Police Academy.

Mr. Miraglia thanked the board for its ongoing support and noted that the auxiliary gym and mat room will further strengthen the program, and the advances made to driver training that the board supported is also significant. He noted that the Criminal Justice Training Program has long worked with established required competencies, i.e., student learning outcomes. He praised his outstanding instructional staff. He also said online training for in-service law enforcement officers is very important, and it will be expanded. Unfortunately, he reported that some departments around the State are now freezing positions, though 80 – 90% of graduates are hired within three years. The cost of going through the program is estimated at \$2,900.

8.4 **2008 – 2009 Negotiations Proposal from the Napa Valley College Faculty Association**

This is the 2008 – 2009 Negotiations Proposal from the Napa Valley College Faculty Association.

8.5 **Napa Valley Community College District Proposal for Negotiations with the Napa Valley College Faculty**

This is the District Proposal for Negotiations with the NVC Faculty Association.

8.6 **2008 – 2009 Negotiations Proposal from the Napa Valley College Association of Classified Professionals (NVC – ACP)**

This is the negotiations proposal from the Napa Valley College Association of Classified Professionals.

8.7 **Napa Valley Community College District Proposal for Negotiations with the Napa Valley College Association of Classified Professionals for the Contract Period Beginning July 1, 2008**

This is the District Proposal for negotiations with the Napa Valley College Association of Classified Professionals.

8.8 **Other Post Employment Benefits (OPEB) Liability Options**

One of the recommendations in the recent Grand Jury report was to continue to look at options for funding the district's outstanding liability for retiree medical benefits. Under GASBY 45, audits will begin documenting the accrued liability of the District.

One option to address the unfunded liability for OPEB (other post-employment benefits) is to issue a bond to cover some or all of this liability. Jim Roth presented information regarding options, including a taxable interest bond. A board subcommittee was set up to review options and to answer the many questions that would need to be answered prior to moving forward. Tom Andrews, Charles Meng, and Michael Baldini volunteered to meet with Scott Miller and Dr. McCarthy to work on this issue in order to gain a better understanding of the options.

9.0 **ACTION ITEMS**

9.1 **Acceptance of 2008 – 2009 Negotiations Proposal from the Napa Valley College Faculty Association**

The Board of Trustees accepted the 2008 – 2009 Negotiations Proposal from the Napa Valley College Faculty Association.

9.2 **Approval of the Napa Valley Community College District Proposal for Negotiations with the Napa Valley College Faculty Association for the Contract Period Beginning July 1, 2008**

The Board of Trustees approved the Napa Valley Community College District Proposal for Negotiations with the Napa Valley College Faculty Association for the contract period beginning July 1, 2008.

9.3 **Acceptance of 2008 – 2009 Negotiations Proposal from the Napa Valley College Association of Classified Professionals**

The Board of Trustees accepted the 2008 – 2009 Negotiations Proposal from the Napa Valley College Association of Classified Professionals.

9.4 **Approval of the Napa Valley Community College District Proposal for Negotiations**

with the Napa Valley College Association of Classified Professionals for the Contract Period Beginning July 1, 2008

The Board of Trustees approved the Napa Valley Community College District Proposal for Negotiations with the Napa Valley College Association of Classified Professionals for the contract period beginning July 1, 2008.

9.5 Approval of Napa Valley College Technology Plan

A campus technology plan completed in May, 2008 by the District Technology Advisory Committee and the Instructional Technology Committee is forwarded for review by the NVC Board of Trustees. The plan, developed with campus-wide collaboration, was recently endorsed by the Faculty, Classified, and Administrative Senates. The Planning Committee finds the technology plan to be consistent with the NVC mission, vision, and values. The plan is necessary for accreditation.

M/S/C (Busenbark/Knight) to approve the Napa Valley College Technology Plan.

9.6 Adoption of the 2008 – 2009 Tentative Budget

The proposed 2008 – 2009 Tentative Budget includes budgets for the General Fund, Capital Outlay Projects Funds, Bond Projects, Bond Redemption, Child Care Fund, Post-Retirement Fund, Bookstore Account, Associated Student Body Account, Farm Account, and Trust Account. The Budget was developed through the planning and budget process. The college president has reviewed the budget and supports its adoption, as proposed by the Budget Committee.

Scott Miller explained that this Tentative Budget is not very different from the preliminary budget. It maintains a conservative position regarding the reserve. He reminded the Board that the budget was created with a new procedure rather than the rollover budget of the past. He stated that the new process supports better management.

M/S/C (Busenbark/Baldini) to approve 2008 – 2009 Tentative Budget.

9.7 Public Hearing on and Approval of Resolution Setting the Appropriations Limit for 2008 – 2009

9.7.1 Public Hearing on the 2008 – 2009 Appropriations Limit

President Ketron opened the hearing at 9:00 p.m., and closed the hearing at 9:01 p.m. This hearing is held to allow for public comment on the Appropriations Limit for 2008 – 2009. Government Code Section 7910 states that each year the governing body of the local jurisdiction shall, by resolution, establish its appropriations limit for the following fiscal year at its regularly scheduled or noticed special meeting.

9.7.2 Approval for Resolution Setting the Appropriations Limit for 2008 – 2009

M/S/C (Baldini/Andrews) to approve the 2008 – 2009 appropriations limit resolution, which reads as follows: “Pursuant to Section 7910 of Title 1 of the Government Code, the Board of Trustees of the Napa Valley Community College District establishes its 2008 – 2009 appropriations limit in the amount of \$44,782,428.

9.8 **Acceptance of Fiscal Year 2006 – 2007 Measure N Bond Fund Financial Audit and Measure N Bond Fund Performance Audit**

Measure N was approved by the voters in November, 2002. The Proposition 39 guidelines include a requirement that the District Board ensure that the bond funds receive two audits each year, a performance audit and a financial audit. Matson and Isom Accountancy Corporation performed these two audits for the 2006 – 2007 fiscal year. They made no recommendations.

M/S/C (Busenbark/Meng) to accept the Fiscal Year 2006 – 2007 Measure N Bond Funds Performance Audit and Fiscal Year 2006 – 2007 Measure N Bond Funds Financial Statements with Independent Auditors Report.

9.9 **Approval of Resolution Order Governing Board Member Election**

The terms of two current board members and two provisional appointees end in 2008. Elections for trustee areas 1, 3, 6, and 7 will be held on November 4, 2008. The resolution ordering the governing board member election requires board action prior to submission to County Superintendent of Schools.

M/S/C (Baldini/Knight) to approve the Resolution Ordering the Governing Board Member Election.

9.10 **Kurt Hirtzer Inspection Services Proposal Acceptance**

Kurt Hirtzer Inspection Services of Healdsburg, CA submitted a proposal to provide the professional service of certified Inspector of Record for the new Library and Learning Resource Center project. This proposal will cover the next two (2) years of construction and provide for two (2) full-time inspectors.

M/S/C (Busenbark/Baldini) to authorize acceptance of the proposal from Kurt Hirtzer Inspectional Services for \$552,000.00.

9.11 **Approval of International Education Program Offerings for Summer, 2009**

The following courses have been approved by the International Education Advisory Committee and the Office of Instruction to be offered in France from July 1 – August 1, 2009: French 120, 121, 240, 241. Classes will be taught by Anne-Marie McEligot at the Sorbonne in Paris, France.

The following courses have been approved by the International Education Advisory Committee and by the Office of Instruction to be offered in Mexico from June 26 – July 19, 2009: Anthropology 121, 199; Spanish 130, 131, 110, 111, 114, 116. Classes will be taught by Jessica Amato and Maria Villagomez in Merida, Mexico.

M/S/C (Busenbark/Baldini) to approve the following courses for Summer, 2009: French 120, 121, 240, 241; and Anthropology 121, 199; Spanish 130, 131, 110, 111, 114, 116.

9.12 **Approval of Results of Division Chair Election**

The result of the Division chair election for the Fine and Performing Arts Division

is as follow: Eve-Anne Wilkes. The term for this position will be July 1, 2008 to June 30, 2011.

M/S/C (Knight/Meng) to approve Eve-Anne Wilkes, Division Chair, Fine and Performing Arts Division.

9.13 **Authorization to Hire Leave Replacement Position**

This is a request for authorization to hire an English Composition instructor and a Career Counselor/Coordinator as leave replacements for Fall 2008 and Spring 2009.

M/S/C (Knight/Meng) to authorize the hiring of an English composition instructor and a Career Counselor/Coordinator as leave replacements for Fall, 2008 and Spring, 2009.

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

10.1 **Staff Reports**

Dean, Human Resources

Laura Ecklin reported her office is working on hiring.

Vice President, Business and Finance

Scott Miller said the auditors have begun their new cycle and are on campus now and will return in October.

Vice President, Student Services

Oscar DeHaro thanked the board for their attendance at the commencement ceremony.

10.2 **Superintendent/President's Report**

Dr. McCarthy thanked the board for their attendance at the year-end events. He reported on the P.O.S.T. visit and his meeting the PUC president. He thanked everyone for the site celebration for the new Instructional Center for the Performing Arts. He said diversity consultant Tom Brown has submitted a preliminary report. Dr. McCarthy will attend a diversity workshop in Oregon this summer and the speaker at Instructional Excellence Day will speak on the subject of diversity.

10.3 **Reports from Board Members**

- Brenda Knight reported on her Leadership Napa Valley experience and her appointment to the African American Vintners Association.
- Charles Meng said he would attend a CCCT conference.
- Tom Andrews congratulated Brenda Knight on her recent appointment to the African American Vintners Association.
- Michael Baldini suggested that Napa Valley College participate in next year's Wine Auction.
- JoAnn Busenbark reported on the Scholarship Ceremony.

11.0 **FUTURE AGENDA ITEMS**

11.1 **Update on Mitigation Efforts for Softball and Baseball Fields**

Steve Reinbolt brought to the board's attention its prior interest in results of the mitigation efforts to address problems with the fields in wet weather. The board will schedule this with input on the suggested time and information desired.

11.2 Update on Bicycle Path to College

The board expressed an interest in determining how soon access to Napa Valley College via a bicycle path will be completed.

11.3 Development of College Property on Corner of Soscol and Imola

11.4 Update on Solar Energy Savings

12.0 ADJOURNMENT

President Bruce Ketron adjourned the meeting in honor of Laura Ecklin's 50th birthday.