1.0 CALL TO ORDER  5:30 p.m.
Board president Bruce 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)  Child Care Specialist I  (1.0 FTE)
2)  Secretary III, Student Support Services (1.0 FTE)

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Approval of 2008 Reclassification Recommendations for Classified Staff

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

3.1 Members Present:  Ketron, Busenbark, Meng, Andrews, Knight, Baldini, Reinbolt, Hagerman
Staff Present:  Dr. Chris McCarthy, Sue Nelson, Matt Christensen, Dr. Robyn Wornall, Dianna Chiabotti, Kathy Baird
Guests Present:  Omar Azuei, Senator, Natural Sciences

3.2 Pledge of Allegiance
The audience recited the pledge of allegiance.

3.3 Introduction of Visitors, Guests, and New Staff

3.4 Announcement of Items from Closed Session
Board president Bruce Ketron announced from closed session the approval/ratification of Full-time employment for the following new staff:
Patricia Patten, Child Care Specialist I (1.0 FTE)
Renee Biddenback, Secretary III, Student Support Services (1.0 FTE)

Board president Bruce Ketron also announced approval of classified reclassification recommendations.

3.5 Adoption of Current Agenda
M/S/C (Busenbark/Meng) to adopt the current agenda.

3.6 Announcement of Future Meetings (5:30 p.m. closed session, 6:30 p.m. public session)
Board President Bruce Ketron announced the upcoming board meetings: November 13, 2008
December 11, 2008 (American Canyon)

4.0 PUBLIC COMMENTS — GENERAL
There were no public comments.

5.0 APPROVAL OF MINUTES OF SEPTEMBER 11, 2008
M/S/C (Busenbark/Meng) to approve the minutes of September 11, 2008 as submitted.

6.0 CONSENT CALENDAR
M/S/C (Knight/Busenbark) to approve the following items on the consent calendar.

6.1 Ratification of Financial Documents for September, 2008
6.1.1 Approval of Warrants
General Fund $1,116,204.33
Child Care Fund $6,338.32
Capital Outlay Projects Fund $35,673.24
NVC Bldg. Fund/Series B (BOND) $2,356,441.26

6.1.2 Approval of Total Gross Payroll $2,568,729.70

6.2 Approval of Personnel Assignments Dated October 2, 2008

6.3 Approval of Agreement with Three Angels Children and Family Services
The Board of Trustees approved an agreement with Three Angels Children and Family Services for the purpose of providing internships to eligible students in the Human Services Program. The term of the agreement is from July 1, 2008 until terminated by either party. There are no financial obligations for either party.

6.4 Approval of Agreement with Solano County Office of Education
The Board of Trustees approved an agreement with Solano County Office of Education regarding student nurses participating in learning activities that include health care delivery and health promotion opportunities. The term of the agreement is from October 1, 2008 until terminated by either party. There are no financial obligations for either party.
6.5 Approval of Agreement with Tour Resource Consultants for an International Education Spanish Language Program
The Board of Trustees approved an agreement with Tour Resource Consultants for a Spanish Language Program in Playa Del Carmen, Mexico for June 15, 2009 through July 18, 2009. The price per student ranges from $2,495 per student if 12 – 14 students participate to $2,400 per student if 20 – 24 students participate. The board previously approved this international education course.

6.6 Approval of Agreement with Tour Resource Consultants for an International Education Anthropology Program
The Board of Trustees approved an agreement with Tour Resource Consultants for an anthropology program in Playa Del Carmen, Mexico from June 15, 2009 through July 9, 2009. The price per student ranges from $2,280 per student for 12-14 students to $2,185 for 20 – 24 students.

6.7 Approval of Agreement with Accent International for an International Education French Language Program
The Board of Trustees approved an agreement with Accent International for a French language program at the Sorbonne in Paris, France from June 30, 2009 through August 1, 2009. The price per student ranges from $3,450 per student for 15 – 19 students to $3,330 per student for 25 or more students.

6.8 Ratification of the Notice of Completion and Acceptance of Project as Complete -- Life Sciences Building
The project to construct the Life Sciences Building is complete. A Notice of Completion was filed with the County Recorder on August 27, 2008. The Board of Trustees ratified the Notice of Completion and Acceptance of Project as Complete.

6.9 Approval of Salary Advancement Projects 2008 – 2009
The District provides opportunities for salary advancements as an expression of its commitment to reward improved competence and/or performance of its certificated staff. Criteria are stated in order to define conditions that must be met for the approval of a salary advancement request proposal. The Board of Trustees approved Salary Advancement Projects 2008 – 2009.

6.10 Proposed Change Orders – Library & Learning Resource Center
The Board of Trustees ratified acceptance of Edge Development, Inc. proposed change orders numbered 9R1, 12R1 and 13 as given in attached Proposed Change Order Log dated September 26, 2008. The net increase for these proposed change orders is $26,143.00.

6.11 Proposed Change Orders – Instructional Center for the Performing Arts
The Board of Trustees ratified acceptance of Broward Brothers, Inc. proposed change orders numbered 9R and 12 as given in attached Proposed Change Order Log dated September 26, 2008. The net increase for these proposed change orders is $12,774.22. Michael Baldini asked for clarification on this change order, and Matt Christensen explained the plan omission that required a change order.
6.12 Approval of Agreement with Yosemite Community College District, Child Development Training Consortium
The Board of Trustees approved an agreement with the Yosemite Community College District, Child Development Training Consortium. The agreement stipulates that Napa Valley College will provide students with courses required by the California Commission on Teacher Credentialing to obtain a new or renew a currently held Child Development Permit. The term of the agreement is from September 1, 2008 to June 30, 2009. The maximum payment to NVC for this agreement is $13,750. Payment is based on the number of units of college credit completed.

7.0 CONSTITUENT GROUP REPORTS
- Academic Senate Report
  Dianna Chiabotti announced the election of Erik Shearer, Vice President, Academic Senate. The Senate is working on by-laws and committee structure. She said her experience in the statewide academic senate demonstrates to her how fortunate we are to work at Napa Valley College.
- Faculty Association Report
- Classified Association Report/Classified Senate Report
  Kathy Baird said classified staff appreciated being included in the accreditation self-study process and she found the process interesting and that it opened up dialog on campus.
- Administrative Senate Report
  Dr. Robyn Wornall stated that several members had participated in the hiring committee training. The Senate has purchased a block of 20 tickets to enable students to attend the upcoming Laramie Project. Presentations from financial planners are planned.
- Associated Student Body Report
  Students have hosted opportunities to watch the presidential debates on campus. Students are making an effort to add a class in computer programming to the Spring Schedule.

8.0 INFORMATION ITEMS

8.1 Disaster Preparedness
Ken Arnold, Chief, Campus Police Department, provide an update on National Incident Management System (NIMS – Federal) and Standardized Emergency Management System (SEMS- State) which includes standardized incident management processes, protocols, and procedures for all levels of government, including the college. He explained that, under this plan, responders will use the same standardized procedures, share a common focus, and place full emphasis on incident management when a homeland security incident or natural disaster occurs. The training required of elected officials takes approximately four hours to complete. He outlined possibilities for board training, which he said could be accomplished in one four-hour session, 2 two-hours sessions, or possibly one intense three-hour session. The board discussed possible times for the training and preferred a four-hour training on a Saturday. They will bring their calendars to the November meeting to set a date for the training.
9.0 **ACTION ITEMS**

9.1 **Approval of Resolution of the Napa Valley Community College District Declaring an Emergency Pursuant to the Public Contract Code Section 20654**

Public Contract Code (section 20654) allows that, in the case of emergency repairs and with the approval of the County Superintendent of Schools, a community college may contract for goods and services in excess of $15,000 without soliciting bids.

Matt Christensen, Director of Facilities Services, presented information, including photographs, regarding a water main rupture that occurred on September 13, 2008 at the Library and Learning Resource Center construction site. The break resulted in a significant water intrusion into the lower level of the Physical Sciences Building 1800. Liability for the water main break, and resulting damage, has been accepted by Edge Development, the general contractor for the LLRC.

Mr. Christensen explained that the exact value of contracts let for the remediation and replacement equipment will not be known until all estimates and invoices have been received. One known contract to be executed by Keenan & Associates on behalf of the college will be with American Technologies, Inc., in a not to exceed amount of $250,000 for remediation and repair services.

M/S/C (Busenbark/Baldini) to adopt a resolution declaring an emergency pursuant to Public Contract Code Section 20654 and authorize staff to contract as needed for necessary remediation, repairs and replacement equipment.

9.2 **Approval of 2009 – 2010 College Planning Priorities**

Each year, the Planning Committee, with input from the President, Vice President, Instruction and Vice President, Student Services, recommends college-wide planning priorities for approval by the Board of Trustees. These priorities are taken from the NVC Strategic Plan. The priorities will be used by budget center managers in developing their unit level plans and budgets for 2009 – 2010. Mr. Baldini recommended the insertion of the word “constituencies” in priority #6, to read: “Develop and sustain strong connections with high schools, constituencies, various cultural communities, American Canyon, Upper Valley, and local businesses.”

Brenda Knight brought up the development of instruction programs for “green jobs,” and Sue Nelson noted that several staff members were currently attending a green conference.

M/S/C (Meng/Knight) to of Trustees approve the 2009 – 2010 College Planning Priorities, amended as noted above.

9.3 **Approval of 2009 – 2010 Budget Parameters**

Each year, the Budget Committee reviews, modifies if necessary, and forwards the next year’s budget development parameters/priorities to the college president for approval by the Board of Trustees. No changes other than date changes were recommended this year. Charles Meng added that the approval would be with the understanding that the “reserve would be maintained at 5%.”
M/S/C (Busenbark/Baldini) to approve the 2009 – 2010 Budget Parameters/Priorities with the understanding that the reserve would be maintained at 5%.

9.4 Approval of Resolution Regarding the California Uniform Cost Construction Act

The board was presented with information at the last board meeting regarding the benefits of the Uniform Cost Construction Act. The three major benefits to the Act are:

1) The bid limit for construction when issuing a contract or purchase order goes from $15,000 to $30,000.
2) Informal bidding up to $125,000 is allowed without the normal posting in a newspaper and waiting for formal board approval.
3) If the District does not receive any responses to a bid using these procedures, the District can negotiate a contract with these guidelines without additional bidding.

The laws establish this act require that a local public agenda adopt a resolution to establish the use of this cost accounting standard, and that the appropriate City Clerk notify the State Controller of the local agencies adoption of this procedure.

Bruce Ketron suggested that the increase in the bid limit would be phased in over the year, moving from $15,000 to $25,000 the first year and the higher amount the following year. Several members said that this issue had been discussed at the last board meeting and that it should be implemented as earlier agreed upon.

M/S/C (Busenbark/Meng) to approve the proposed resolution regarding the adoption of the California Uniform Cost Accounting Procedures. Bruce Ketron voted “no.”

9.5 Approval of Policy Implementing Resolution Adopting the California Uniform Cost Construction Act

The Board of Trustees was presented information regarding the Uniform Cost Construction Act at their September meeting. The resolution regarding the adoption of this act was approved in agenda item 9.4, so there needs to be a board policy regarding implementation. The proposed policy was also reviewed at the September board meeting.

M/S/C (Meng/Busenbark) to approve the board policy as shown on backup page x.

9.6 Approval of New Board Policies

The policy and procedures service subscription service to which the college subscribes has recommended the following new board policies to be current with accreditation standards and other legal practices. The following policies were distributed in an addendum backup packet.

BP 2432 CEO Succession
BP 2610 Presentation of Initial Collective Bargaining Proposals
BP 3200 Accreditation
BP 3505 Emergency Response Plan
BP 5800 Prevention of Identity Theft in Student Financial Transactions
H TBA Administrative/Confidential Personnel Files
H TBA Confidential Staff Development Opportunities
H TBA Voluntary Enrollment of Confidential Employees in College Courses
M/S/C (Busenbark/Knight) to approve the following new policies for a first reading:
BP 2432, BP 2610, BP 3200, BP 3505, BP 5800 and the three Human Resources policies, with numbers to be assigned.

9.7 Approval of Revisions of Board Policies
Minor revisions of the previously approved board policies have been recommended by the Policy and Procedure Service subscribed to by Napa Valley College or have been initiated by the college.

BP 2015 Student Member
BP 2100 Board Elections
BP 2105 Election of Student Members
BP 2200 Board Duties and Responsibilities
BP 2315 Closed Sessions
BP 2350 Speakers
  Charles Meng noted the need to change the board agenda to reflect the five-minute allotment per speaker under the public comments section of the agenda; the agenda currently cites a three-minute limit
BP 2710 Conflict of Interest
BP 2715 Statement of Ethics and Conduct (this policy was removed from the list at the board meeting because it had been previously revised).
BP 2716 Political Activity
BP 2725 Board Member Compensation

H 2412 Evaluation of Administrative/Confidential Personnel
H 2411 Administrative/Confidential Salary Schedule
H 2310 Travel and Professional Growth, Administrative Confidential
H 2420 Administrative Physical Fitness Plan

Policies were distributed in addendum to backup packet to follow.

M/S/C (Busenbark/Knight) to approve the policy revisions noted above: BP 2015, BP 2100, BP 2105, BP 2200, BP 2315, BP 2350, BP 2710, BP 2716, BP 2725, H 2412, H 2411, H 2310, and H 2420.

9.8 Deletion of Redundant Board Policies
The following board policies were not formally deleted at the time new policies covering the same material were adopted. They have been replaced by new policies (in parentheses) and are now redundant and should be formally deleted.

B 8020 Definition of Board of Trustees (BP 2100)
B 8040 Statement of Ethics and Conduct (BP 2715)
B 8050 Administrative Authority in Absence of Governing Board (BP 2430)
B 8210 Time and Place of Meetings (BP 2315 and BP 2320)
B 8220 Agenda (BP 2340)
B 8230 Quorum (BP 2330)
B 8240 Voting (BP 2330)
B 8250 Public and Closed Session (BP 2315)
B 8260 Minutes (BP 2360)
B 2410 Policies (BP 2410)
B 8320 Board Self-Evaluation (BP 2745)
B 8410 Travel and Reimbursement (BP 2725 and BP 2735)

M/S/C (Meng/Busenbark) to approve the deletion of the follow board policies: B 8020, B 8040, B 8050, B 8210, B 8220, B 8230, B 8240, B 8250, B 8260, B 2410, B 8320, B 8410

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

10.1 Staff Reports
Vice President, Instruction
Sue Nelson announced that Oscar De Haro, Jose Hernandez, Jose Hurtado, and Judie-Walter-Burke will attend the HACU conference in Denver. She will attend a CIO conference to bring good information. She announced a forum for students to provide feedback on online courses, October 21, 12:30 – 130.

10.2 Superintendent/President’s Report
Dr. McCarthy thanked board members for attending the Foundation Annual Dinner honoring Frank Humpert. He also thanked JoAnn Busenbark and Bruce Ketron for attending the opening of the new transit mall. He announced the opening of Henrik Ibsen’s A Doll House and The Laramie Project. He reported on the Vineyard Symposium for college presidents he led with Diane Woodruff. He said Michael Baldini provided a wonderful wine-tasting at the symposium by college presidents who attended the symposium.

10.3 Reports from Board Members

- Tom Andrews said he had nothing to report.
- Charles Meng said he was invited to go on an accreditation team site visit to Contra Costa. He has also been invited to be on an accreditation selection committee to select a commissioner. He said he is on the Team IV writing team. He said we need to do three things in the upcoming year: firm up the trustee orientation process; conduct a board self-evaluation, and provide more detail for board’s evaluation of the superintendent/president. We will put the “new board orientation” and the “board self-evaluation” in the planning agenda (at the end of the regular agenda).
- Brenda Knight said she was glad Dr. McCarthy will attend the Napa Chamber Economic Outlook at the Marriott. She said there would be an Leadership Napa Valley Tour on Thursday, October 23 for Class 22. Chris will greet the LNV class and Dan TerAvest will provide the tour. Brenda Knight suggested the board conduct a listening session that would provide an opportunity for the board to meet with students.
- JoAnn Busenbark praised the opening of the new Transit Mall. Several people from the Transit Company attended, and she said Jim Krider of the Napa City Council was impressed by the structure. She suggested that the board information item on the board agenda for the upcoming six months of meetings that would give parties interested in the development of college property an opportunity to present their ideas to the board. She suggested presentation be limited to 15 minutes. She will participate in the AIDS walk.
Chris Hagerman said the development of the corner property is discussed a lot by students. He noted that many students commute from some distance and would like dormitories. He will bring this information to the board.

Michael Baldini credited Dr. Chris McCarthy with the bonding of the Napa Valley College winery. He reported on the college baseball team at the All-State game at Sacramento State and asked about the dust on the solar panels that might reduce their effectiveness.

Steven Reinbolt stated that he had nothing to report at this meeting.

Bruce Ketron reiterated that there would be an informational item on the board agenda for approximately six months that would allow the interested public to provide input on how college property should be developed.

11.0 FUTURE AGENDA ITEMS

11.1 Development of College Property on Corner of Soscol and Imola

11.2 Update on Solar Energy Savings

11.3 Development of Armory/Community Education Building

11.4 Update on Bonding of College Winery and Viticulture and Winery Technology Program

12.0 ADJOURNMENT

Board president Bruce Ketron adjourned in recognition of the success of board members Busenbark, Reinbolt, Andrews, and Knight in retaining their seats on the Napa Valley College Board of Trustees. (All four board members are running unopposed in the November, 2008 election).