Napa Valley Community College District

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES
November 13, 2008
5:30 p.m. Closed Session

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, Contract Extension
Vice President, Business and Finance

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 and 22713 for Spring, 2009

With respect to every item of business to be discussed in closed session pursuant to Section 54956.95, LIABILITY CLAIMS
Claimant: David Kallaby
Agency Claimed Against: Napa Valley Community College District and listed employees and agents

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

3.1 Members Present: Bruce Ketron, Michael Baldini, JoAnn Busenbark, Tom Andrews, Brenda Knight, Charles Meng, Steve Reinbolt, Chris Hagerman
Staff Present: Dr. Chris McCarthy, Sue Nelson, Oscar DeHaro, Scott Miller, Laura Ecklin, Dan TerAvest, Judie Walter-Burke, Mary Shea, Dr. Robyn Wornall, Kathy Baird
Guests: Suzanne Reed
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
President Bruce Ketron announced the unanimous approval by the Board of Trustees of the contract extension for the Vice President, Business and Finance until February 19, 2010 and thanked Scott Miller for his continued service to the district. He reported that the Board of Trustees rejected the claim of David Kallaby. (There was no announcement on the item regarding reduction in workload, as it was pulled prior to the meeting).

3.4 Adoption of Current Agenda
M/S/C (Busenbark/Baldini) 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 following upcoming meetings: December 11, 2008 (American Canyon), to be held at the Fairfield Inn; January 15, 2009; February 12, 2009; and March 12, 2009.

4.0 PUBLIC COMMENTS — GENERAL
There were no public comments.

5.0 APPROVAL OF MINUTES
M/S/C (Busenbark/Meng) to approve the minutes.
5.1 Minutes of September 5, 2008
5.2 Minutes of October 9, 2008

6.0 CONSENT CALENDAR
M/S/C (Baldini/Meng) to approve the following items on the consent calendar:

6.1 Ratification of Financial Documents for October, 2008
6.1.1 Approval of Warrants
General Fund $1,297,832.29
Child Care Fund $8,801.72
Capital Outlay Projects Fund $19,752.71
NVC Bldg. Fund/Series B (BOND) $2,038,906.76

6.1.2 Approval of Total Gross Payroll $2,761,229.56

6.2 Approval of Personnel Assignments Dated November 6, 2008

6.3 Approval of Emeritus Status for 2008 Faculty Retirees
Bill Blair, Andrew McConnell, and Gary Silva retired after completion of the 2007-2008 academic year and have earned emeritus status and associated privileges. The board approved emeritus status and privileges for Bill Blair, Andrew McConnell, and Gary Silva.
6.4 Proposed Change Orders – Library Learning Resource Center
The Board of Trustees ratified the acceptance of Edge Development, Inc. proposed change orders numbered 4, 5, 33, 36 and 37 as given in attached Proposed Change Order Log dated October 31, 2008. The net increase for these proposed change orders is $31,497.00.

6.5 Proposed Change Orders – Instructional Center for the Performing Arts
The Board of Trustees ratified acceptance of Broward Brothers, Inc. proposed change orders numbered 8R, 14 and 16 as given in attached Proposed Change Order Log dated October 31, 2008. The net increase for these proposed change orders is $103,445.06.

6.6 Proposed Change Orders – North Gym
The Board of Trustees ratified acceptance of Broward Brothers, Inc. proposed change orders numbered 1 and 2 as given in attached Proposed Change Order Log dated October 31, 2008. The net increase for these proposed change orders is $1,166.24.

6.7 Approval of Agreement with Sutter Medical Center of Santa Rosa
The Board of Trustees approved an agreement with Sutter Medical Center of Santa Rosa for the purpose of providing health occupations students experience in a variety of clinical settings. The term of the agreement is from November 1, 2008 until terminated by either party. There are no financial obligations for either party.

6.8 Approval of Agreement with Napa Valley Support Services
The Board of Trustees approved an agreement with Napa Valley Support Services for the purpose of providing health occupations students experience in a variety of clinical settings. The term of this agreement is from November 1, 2008 until terminated by either party. There are no financial obligations for either party.

6.9 Approval of Agreement with Healthstream, Inc. for Hospital Student Orientation Training
The Board of Trustees approved an agreement with Healthstream, Inc. for the provision of hospital orientation training courses for nursing students. The college applied for a grant for funding to use standardized training materials that are actually used by the hospital teachers in place of the individual training. The term of the agreement is three years from the launch date of the training websites. The total cost is up to $14,837.50 depending on the number of students who participate.

7.0 CONSTITUENT GROUP REPORTS
• Academic Senate Report
  Dianna Chiabotti said the Academic Senate was busy rewriting a new curriculum committee handbook and ensuring inclusivity issues are addressed in course outlines. They are also working on an ethics policy and appointments of non-voting members to certain committees in an advising capacity.
• Faculty Association Report
  Diane Van Deusen reported that a CTA rep made a presentation at a general membership meeting.
• Classified Association Report/Classified Senate Report
Kathy Baird reported the Classified Union paid for student tickets to the *Laramie Project*.

• Administrative Senate Report
Dr. Robyn Wornall said the next Administrative Senate meeting would honor Beth Hauscarriague for 18 years of service.

• Associated Student Body Report
Andrew Hayes reported on the Angel Tree Project; Phi Theta Kappa Religion Forum; poet Gary Soto’s presentation; textbook advisory committee; fundraising policy for clubs selling food; possible Farmer’s Market or Flea Market in the parking lot.

8.0 INFORMATION ITEMS

8.1 Discussion of Process to Seek Community Input for Development of College Property
Bruce Ketron reviewed the board’s interest in starting the process of considering the options for the development of college property, including property at the corner of Soscol and Imola, the Armory, and the Mt. Veeder property.

As background, Dan TerAvest, Director, Campus Planning and Construction, and Suzanne Reed of School and Colleges Legal Services presented procedures and considerations for development, sale, or lease of the undeveloped college property. Dan TerAvest explained that it would be easier to provide guidance as the board gets closer to selecting which particular path they want to follow in developing the property.

Suzanne Reed said she has been involved in property issues for 22 years at School and Colleges Legal Services, mainly with purchase and sale. She said that sale or lease with option to purchase is the most complicated process. After briefly reviewing the process for selling property, the board stated that it was not their interest to sell the property, but only in leasing it. Regarding leases, Ms. Reed stated that the lease would not exceed 99 years, and the college would not be required to offer the property to particular entities. She also stated that the college could request a waiver from rules regarding the highest bid, if the Board of Governors thinks it is in the best interest of the District.

She reviewed the joint occupancy option, an agreement with a private entity. The District would retain the title, and the project would be subject to zoning and building code requirements. It would need to be in compliance with the Field Act and would require approval by the City Planning Department. The District would enter into a contract, and protections would be built into that contract. After the board has had further discussion to narrow its options, there would need to be a request for proposal.

Suzanne Reed also reviewed the joint use option, beginning with the board’s determination of a use that would not be at odds with the goals of the college. She suggested a five-year, renewable contract, but with the District’s option to renew or terminate.

Ms. Reed recommended setting parameters first, or many proposals would not be appropriate. Charles Meng suggested a study group to come up with proposed parameters. Campus input would also be solicited. Dr. McCarthy offered the option of inviting an expert to speak to the board. Bruce Ketron suggested the possibility of applying for federal funds to supplement
the project, and as Congressman Mike Thompson had been a strong supporter of the college, a presentation to him may be appropriate. Charles Meng said the board needs to get ideas from staff, students, and the community.

In summary, the board agreed that this was not a short-term process, and it would not be possible to set parameters at this evening’s meeting. All agreed that it would be a lease rather than a sale and that there would need to be an educational connection, preferably with benefit to students at the college. Brenda Knight said she liked Dr. McCarthy’s suggestion of bringing in experts initially so that the board might hear some ideas. Suzanne Reed offered that a new attorney in her office specialized in zoning and land use.

JoAnn Busenbark asked about the land use agreement for Bumpy Camp, another of three pieces of property owned by the college. Dan TerAvest explained that it can only be used for educational and scientific purposes. He further explained that the Land Trust is not interested in owning property, but in protecting it. Dr. McCarthy stated that the Community Education Center, known also as the Armory, is a third piece of property owned by the District. John Glaser, superintendent of Napa Valley Unified School District, has indicated interest in that property for school buses. When President Bruce Ketron asked Suzanne Reed a question regarding trading that property, and she stated that trading property is a totally different issue.

The board briefly discussed the Community Education Center property, noting that Napa Valley Unified School District had expressed an interest in it for school buses.

8.2 Accreditation Update
Judie Walter-Burke and Mary Shea, accreditation co-chairs, provided a brief update on progress on the accreditation self-study. They said that they have met with all 10 writing teams and presented them with their own evidence box and the previous report from 10 years ago. They said there was a lot of progress made to date. They will review drafts and make improvements before they go out for review. Forums will follow. She praised the work Charles Meng had done on the governance standard.

8.3 Napa Sanitation Easement
The pipeline providing reclaimed water to the college ballfields is now complete and the easement for that work can be recorded. The 24” pipeline along the highway remains in development and Napa Sanitation District has requested to revive its original plan to place the line in the college vineyard. Mr. TerAvest explained that, since the an easement with Napa Sanitation was reviewed some time ago, the college winery has been bonded. That means that potential income from the vines could be diminished by line through the college vineyard., and the loss could be as much as $60,000, based on an estimated cost per bottle. Mr. TerAvest explained that he wanted the board to know that negotiations are now underway with Napa Sanitation regarding the easement.

Mr. Baldini noted that a continued application of water can protect the vines from frost. Dan TerAvest stated that, eventually a 6” pipe can go to the north corner of the college property.

8.4 National Incident Management System (NIMS) Training Requirements
The Governor’s Office of Emergency Services (OES) outlines a five-year training plan that went into effect this year. The section on “elected officials” clearly states that elected officials must take a NIMS Executive Course by 2009. At the last board meeting, board members agreed to come to the November board meeting with their calendars in order to select a date for the four-hour training. The board selected February 21, 2009 for the training and the February 28, 2009 date to conduct its self-evaluation. They also briefly noted the possibility of doing a board listening session. That item will be placed under the “Future Agenda Items.”

8.5 **Rotation of Board Officers for 2008**

Board Policy B8110: Officers and Duties describes the rotation of board members into officer position. The policy states that “at the November board meeting, board members who have moved into officer position are polled to establish their willingness to serve in the upcoming year. If an individual does not want to serve when his/her name is moved into officer position, his or her name may be held over for subsequent elections, rather than moving to the bottom of the list. Board members reserve the right to nominate candidates to stand for election in addition to those who qualify on the basis of the standard rotational sequence. This nomination process can take place only in an open meeting.”

The rotational sequence as it now stands is JoAnn Busenbark, Charles Meng, Steve Reinbolt, Tom Andrews, Brenda Knight, Michael Baldini, Bruce Ketron. Trustees Busenbark, Meng, and Reinbolt all expressed their willingness to serve as president, vice president, and clerk respectively during the upcoming 2009 board year.

9.0 **ACTION ITEMS**

9.1 **Approval of an Agreement with Apple, Inc. to Become an Apple Authorized Training Center for Education**

John Dota, new full-time photography instructor, made a brief presentation on the agreement with Apple, Inc. to become an Apple-Authorized Training Center for education. He said the instructional program has been interested in using the new Apple Mac Computer lab as an Apple-Authorized Training Center. This agreement would allow the college to become a training facility to deliver instructor-led Apple Certification Curriculum training classes to the general public through Apple-certified trainers who have met Apple’s quality standards. Classes would be appropriate to professionals or to K-12 education. Mr. Dota said it would be a helpful tool to deliver the photography curriculum.

M/S/C (Busenbark/Andrews) to approve an agreement with Apple, Inc. to become an Apple-Authorized Training Center for Education.

9.2 **Approval of Revision to NVC Mission, Vision, and Values Statement**

Judie Walter-Burke explained that, in preparation for the Accreditation Self Study, the Planning Committee reviewed the NVC Mission, Vision and Values and is recommending revisions to the statements. She said that the minor wording changes reflected the need to more clearly who our students are, and so an introductory statement was added: “Napa Valley College, as part of the California Community College System, provides open access to higher education.” The former vision statement has been moved to become the opening statement of the values statement.
M/S/C Busenbark/Knight to approve the revisions to the NVC Mission and Values Statement.

9.3 **Approval of Policy Implementing Resolution Adopting the California Uniform Cost Construction Act (Second Reading)**
The Board of Trustees approved this policy on first reading at its October 9, 2008 meeting. The board approved the resolution regarding the adoption of this act on this agenda.

M/S/C (Brenda/Busenbark) to approve the second reading of the California Uniform Cost Construction Act.

9.4 **Approval of New Board Policies (Second Reading)**
The Board of Trustees approved the following policies at its meeting of October 9, 2008.

BP 2432 CEO Succession
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 (Meng/Knight) to approve the following new policies (second reading): BP 2432, BP 3200, BP 3505, BP 5800 and the three Human Resources policies, with numbers to be assigned.

9.5 **Approval of Revisions of Board Policies (Second Reading)**
Minor revisions of the following board policies were approved at the October 9, 2008 board meeting.

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
BP 2710 Conflict of Interest
BP 2716 Political Activity
BP 2725 Board Member Compensation
H 2310 Travel and Professional Growth, Administrative Confidential
H 2411 Administrative/Confidential Salary Schedule
H 2412 Evaluation of Administrative/Confidential Personnel
H 2420 Administrative Physical Fitness Plan

M/S/C (Busenbark/Baldini) to approve the second reading of the policy revisions noted above: BP 2015, BP 2100, BP 2105, BP 2200, BP 2315, BP 2350, BP 2710, BP 2716, BP 2725, H 2310, H 2411, H 2412, and H 2420.
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 on a HR conference she attended in October, reaffirming the excellent working relationships we enjoy at Napa Valley College. She reported on the successful Employee Assistance Program workshops held recently.

- Vice President, Business and Finance
  Scott Miller reported on the recently completed audit. He noted the governor has declared a fiscal emergency and the severe budget cuts expected for the college. He stressed the importance of reducing expenses and said recommendations for doing that will be prioritized. He said the intention of the District is to protect permanent staff and course offerings.

- Vice President, Student Services
  Oscar De Haro said there have been increased tours and visits to the campus. He announced the upcoming high school breakfast and said registration for spring has begun.

- Vice President, Instruction
  Sue Nelson said she learned a lot at a recent CIO conference she attended.

10.2 Superintendent/President’s Report

Dr. McCarthy reported on the performance of *A Doll’s House*; the forum held on the national financial crisis; the faculty art opening; cooking school graduation; the board luncheon; and the holiday party at Churchill Manor. He said the reading of the *Laramie Project* in which he participated was rewarding, and the poetry reading recently held in the Writing Center was also successful. He thanked Scott Miller for postponing his retirement date and congratulated him on his recent award as the best CEO in the State.

10.3 Reports from Board Members

- Chris Hagerman announced the Angel Christmas Tree event. He said there are 32 clubs on campus and they are concerned about limitations on their food fundraising events. He said he ushered at *A Doll’s House*. He said students are facing financial pressures at this time.

- Michael Baldini said he completed his work with the railroad.

- Tom Andrews said he enjoyed *A Doll’s House*. He thanked Scott for staying. He said his sister has been in intensive care, and he really appreciated the wonderful work of community colleges nurses.

- Brenda Knight said she would like Dan TerAvest and Scott Miller acknowledged on the next agenda prior to the public comments section. She attended the CCCT conference in New York, and next year the conference will be in San Francisco. She asked for talking points available for trustees so that they can speak effectively in the community. She also noted that baby boomers are back at the community colleges. She asked that items related to American Canyon be placed on the agenda for the meeting to be held there.

- Charles Meng said he attended the Annual Community College Trustees conference. He said the cooking school luncheons were excellent and that students are getting excellent positions upon graduation. He said the *Laramie Project* was very moving. He said he
will participate on the selection committee for the Accrediting Commission. He has also worked on the Standard IV writing team.

- Steve Reinbolt said he attended the economic forum and added that this is a time of a lot of financial stress for many. He noted that CSU is planning to restrict enrollments for upcoming terms.
- JoAnn Busenbark thanked Scott Miller for deferring retirement and said that it provided a feeling of stability during difficult financial times.
- Brenda Knight added that she felt it was important for her to comment upon recent political events, as it has tremendous meaning for her and the nation. She noted the historical nature of the accomplishment of an educated and talented African American. Bruce Ketron noted that the president-elect was a lawyer and his wife is a lawyer. Dr. McCarthy added that both the president-elect and vice-president elect taught at a college, and the wife of the vice-president elect teaches at a community college.

11.0  **FUTURE AGENDA ITEMS**
Bruce Ketron reviewed and updated the “future agenda items” portion of the agenda.

11.1  **Board Listening Session**

11.2  **Update on Bonding of College Winery and Viticulture and Winery Technology Program**

11.3  **Board Self-Evaluation**
This item can be removed, as it will be conducted in February.

11.4  **Trustee Orientation**
As no new trustees were elected, this item can be removed for the next agenda.

12.0  **ADJOURNMENT**
Board President Bruce Ketron adjourned the meeting in memory of Dale Johnson, former Napa Valley College history teacher.