Napa Valley Community College District

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES

January 15, 2009

5:30 p.m. Closed Session

6:30 p.m. Return to Public Session

1.0 CALL TO ORDER 5:30 p.m.
Board president JoAnn Busenbark called the meeting to order at 5:30 p.m.

2.0 CLOSED SESSION (6:30 p.m.): As there were no 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, 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 54956.8, CONFERENCE WITH NEGOTIATOR OVER REAL PROPERTY
Discussion of terms related to a permanent utility easement on the real property of Napa Valley College for a Napa Sanitation District reclaimed water pipeline

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT
Title:
1) Director, Career Technical Education Programs (grant-funded, classified administrator)

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT
Title:
1) Construction Project Coordinator (1.0 FTE)

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

3.1 Members Present: JoAnn Busenbark, Charles Meng, Steve Reinbolt, Bruce Ketron, Brenda Knight
Staff Present: Dr. Chris McCarthy, Sue Nelson, Oscar DeHaro, Scott Miller, Dan TerAvest, Betty Malmgren, Bonnie Thoreen, Todd Dischinger, Greg Miraglia, Dan TerAvest
Guests Present: From Edge Development: Bryan Osborne, Jon Nystrom, Dave Herson
3.2 Pledge of Allegiance
The audience recited the pledge of allegiance.

3.3 Introduction of Visitors, Guests, and New Staff
Three representatives from Edge Development were present: (see above)

3.4 Resolution Honoring Outgoing Board President Bruce Ketron
Trustee Bruce Ketron completed his term as board president at the December 11, 2008 board meeting. JoAnn Busenbark read a resolution honoring Mr. Ketron for his many achievements as board president during 2008. Fellow board members and staff thanked Bruce for his service and complimented him on his accomplishments during his tenure.

3.5 Announcement of Items from Closed Session
Charles Meng announced the approval of the following personnel items from closed session: Elizabeth Pratt, Director, Career Technical Education Programs (grant-funded, classified administrator)
Thomas Dowd, Construction Project Coordinator (1.0 FTE)

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

3.7 Announcement of Future Meetings (5:30 p.m. closed session, 6:30 p.m. public session)
Board president JoAnn Busenbark announced the following upcoming meetings: February 12, 2009, Regular Meeting; February 21, 2009 Special Meeting (NIMS Training); February 28, 2009, Special Meeting (Board Self-Evaluation); and March 12, 2009, Regular Meeting

4.0 PUBLIC COMMENTS — GENERAL
There were no public comments.

5.0 APPROVAL OF MINUTES OF DECEMBER 11, 2008
M/S/C (Baldini/Meng) to approve the minutes of December 11, 2008.

6.0 CONSENT CALENDAR
M/S/C (Meng/Baldini) to approve the following items on the consent calendar. Brenda Knight asked for an update on item 6.4.

6.1 Ratification of Financial Documents for December, 2008

6.1.1 Approval of Warrants
General Fund $1,414,443.07
Child Care Fund $2,819.54
Capital Outlay Projects Fund $47,710.60
NVC Bldg. Fund/Series B (BOND) $4,406,553.26

6.1.2 Approval of Total Gross Payroll $2,506,038.88

6.2 Approval of Personnel Assignments Dated January 7, 2009
6.3 Approval of Agreement with California Department of Education for Child Development Institutional Materials Project Number 28-6627-00-8
The Board of Trustees approved an agreement with the California Department of Education for Child Development Instructional Materials, Project Number 28-6627-00-8. The term of the agreement is from July 1, 2008 through June 30, 2009. The total amount payable to NVC is $2,705.

6.4 Approval of Agreement with Taher, Inc. for Cafeteria Food Services
Brenda Knight asked for an update on this item. Scott Miller reported that representatives from the classified staff and students had a meeting with Taher, Inc. to review suggestions for improvements to the service, as well as issues related to fundraising activities. This contract does not modify those activities. Chris Hagerman said that students are pleased that the cafeteria will stay open until 7:30 p.m. to accommodate students, on a trial basis. He also described a “Fundraising Friday,” where one item will be on the menu. Students would pay Taher for the cost of items, and then work in the cafeteria. Taher would reduce staffing on Friday. The Board of Trustees approved an agreement with Taher, Inc. for cafeteria food services. The term of the agreement is from August 1, 2008 to July 31, 2009. This is a renewal of the prior contract. All terms and conditions remain the same.

6.5 Approval of Agreement with the San Francisco Community College District for an Early Childhood Mentor Program
The board approved this renewal of a previous agreement. The funding for this grant is provided by the California State Department of Education. San Francisco Community College District is the fiscal agent for the grant. The term of this agreement is from September 1, 2008 through June 30, 2010. The total possible payment to NVC is $41,273, depending on the number of mentors who participate.

6.6 Proposed Change Orders – Library Learning Resource Center
The Board of Trustees ratified acceptance of Edge Development, Inc. proposed change orders numbered 20R1, 35, and 41 as given in attached Proposed Change Order Log dated January 5, 2009. The net INCREASE for these proposed change orders is $3,626.00.

6.7 Proposed Change Orders – New Ceramics Building
The Board of Trustees ratified acceptance of SW Allen Construction, Inc. proposed change orders numbered 3, 4, and 5 as given in attached Proposed Change Order Log dated January 5, 2009. The net INCREASE for these proposed change orders is $4,340.00.

7.0 CONSTITUENT GROUP REPORTS
- Faculty Association Report
  Diane Van Deusen had nothing to report.
- Administrative Senate Report
  Dr. Robyn Wornall wished everyone a Happy New Year. The Administrative Senate is gearing up for the semester.
- Associated Student Body Report
  Chris Hagerman reported on the upcoming spring retreat and Club Rush in February.
8.0 INFORMATION ITEMS

8.1 P.O.S.T. Instructional Skills Program
For the past several years, the college has been under a contract with the Commission on Peace Officer Standards and Training (P.O.S.T.) to develop an instructor workshop training program. Todd Dischinger, coordinator of the P.O.S.T. Instructional Skills Program, gave an update on the program. He said Instructional Skills Program involves training instructors responsible for training police officers. The program has had a significant impact on the training received by individuals already providing instruction in the State of California. Training is now consistent throughout California, and the instructor development that had been voluntary is now mandatory. It is also free. Mr. Dischinger thanked the board for its support and also thanked Greg Miraglia. The board thanked Mr. Dischinger for the presentation and for providing them with an understanding of the Skills Program.

8.2 Status Report on the Governor’s Budget for 2009 – 2010
Scott Miller, Vice President, Business and Finance, provided a report on the governor’s budget for 2009 – 2010. He noted the poor condition of the State budget. However, the governor’s new proposal is more positive for community colleges, based on the increasing recognition of the part that community colleges will play in addressing the current economic crisis. Currently, the only proposed cut is to the COLA. However, it is unlikely that this will be the final budget. His proposal does include deferring January and February apportionment payments until July, which will address the State’s cash flow problems, while creating cash flow problems for the college. There is talk of increased sales tax, alcoholic beverage tax, vehicle registration fees, and others. He said the college would take a wait and see position.

8.3 Bond Funding Update
Dan TerAvest, Director, Campus Planning and Construction, provided an update on the recent freeze on state matching funds and how it might affect the Library and Learning Resource Center Project. He said the $12 million in State contribution for the Library and Learning Resource Center has been frozen and reviewed various scenarios to respond to the situation. He stated that there are substantial financial penalties for stopping the project. Even if the project were only suspended for a period of time, significant costs would be incurred during that suspension period. In addition, the building could suffer deterioration from the elements. If the District backfills with other money, those funds would not be reimbursed. In order to complete the project, the District could put other projects on hold; most of these projects were not scheduled until 2010. Further, if the new library were not to be completed, the old library would not become vacant for reconfiguration for other functions. The result would be that no offices could move into new spaces. He discussed the possibility of receiving $2.7 million for shovel-ready projects from stimulus funding the State may receive.

Charles Meng noted additional problems with suspending the library project, including the rising cost of materials, labor contracts, start-up costs. Tom Andrews asked about whether there is assurance that the District would eventually be reimbursed by the State. Dr. McCarthy explained that the library funding was the result of a statewide bond issue, which would indicate the District would be reimbursed. Dr. McCarthy also noted that, in the past, the board’s direction has been to “build the buildings right,” and the District has been proceeding under that assumption. He said the District’s recommendation would be to move
forward on the library. However, he noted that this is not an action item. There was a consensus on the board that suspension of the construction of the library did not appear to be a viable option, and that for the time being, the board’s direction had not changed: it would “stay the course” and continue construction on the new library.

8.4 **Discussion of Opportunities for Federal Funding of Capital Improvement Projects**
Dr. McCarthy noted that the District has been reviewing opportunities for potential funding that may become available through a federal economic stimulus package. The discussion has included opportunities to assist the college’s health occupations programs and projects included in the Facilities Master Plan. Dan TerAvest offered that the number of classrooms the college had planned for in the Facilities Master Plan had not yet been achieved. In reviewing projects that could be “shovel-ready” to qualify for funding through a federal economic stimulus plan, an Allied Health Building was identified as one possibility. It would be built on the site where the Technology Building had been originally planned and would also raise the number of classrooms to the number originally planned for in the Facilities Master Plan. JoAnn Busenbark supported the idea of an Allied Health Building to be incorporated into the Facilities Master Plan, Brenda Knight agreed that it was an outstanding idea, and others supported the concept.

9.0 **ACTION ITEMS**

9.1 **Notice of Completion and Project Acceptance – Transit Mall – Parking Lot B Improvements**
M/S/C (Baldini/Meng) to ratify the Notice of Completion for the Transit Mall Parking Lot B Improvements Project and accept the project as complete.

9.2 **Establishment of the 2009 – 2010 Non Resident Tuition Fee**
Education Code Section 76140 requires the governing board to establish the non-resident tuition fee for 2009 – 2010 by February 1, 2009.

M/S/C (Knight/Baldini) to set the District’s 2009 – 2010 non-resident tuition fee at $190 per semester unit. In addition, foreign students should be charged an additional $10 per unit, pursuant to Education Code Section 76141.

9.3 **Telecommunications Systems Maintenance Agreement with Advanced Telecommunications, Inc.**
The Information Technology Department has researched alternative options and is recommending that this service be provided by Advanced Telecommunications, Inc. Their offices are located in Emeryville, CA. The proposed rate is guaranteed for two years and will save the district approximately $40,000 from the current NEC cost. The annual savings are estimated to be approximately $15,000 each year.

M/S/C (Meng/Andrews) to approve an agreement with Advanced Telecommunications, Inc. (ATI) for the period February 1, 2009 through January 31, 2011 for a total cost of $35,880.77.

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

- **Dean, Human Resources**
  Laura Ecklin said that, though there is a hiring freeze, the college continues to hire categorically funded positions as well as those responsible for maintaining campus health and safety. She will attend a personnel law workshop.

- **Vice President, Business and Finance**
  Scott Miller reported that his office barely missed the December 31 audit deadline. He will convene an audit committee meeting within the next week or two. He said the auditor has noted no comments or recommendations. He thanked the entire college for this successful campus-wide effort. He said the college will be having an actuarial study done related to retiree benefits, as this is the entry year for GASBY 45. Results will be brought back to the board.

- **Vice President, Student Services**
  Oscar DeHaro reported that enrollments are up 9% over last year, with an increase of 9.2% in full-time enrollments. He announced the American Canyon College Fair on February 18.

- **Vice President, Instruction**
  Sue Nelson said that Instructional Excellence Day will include an expert in assessment. She announced a barrel tasting on January 27. She said international education classes were under-enrolled for summer and asked that everyone spread the word.

10.2 **Superintendent/President’s Report**

Dr. McCarthy said that JoAnn Busenbark will give a welcome at Instructional Excellence Day. He thanked Michael Baldini and Bruce Ketron for attending the Police Academy Graduation. He announced the upcoming trustee and legislative conferences. He will attend a Council for Higher Education Accreditation meeting in Washington, D.C. as well as an EDPAC meeting in January. The college will be working on a CEO evaluation policy, ethics policy, and board evaluation. He congratulated the Board on its stability and working relationships and thanked them for their ongoing efforts.

10.3 **Reports from Board Members**

- **Michael Baldini** said he included a college rail station in a regional transportation stimulus proposal he worked on.
- **Tom Andrews** said he liked the idea of the transit stop, and he complimented the board for acting together as a board.
- **Charles Meng** said he would attend the CCCT meeting in January. He enjoyed the board meeting in American Canyon. He stressed the importance of wisely developing the corner property.
- **Steve Reinbolt** praised the work of Barbara Nemko and John Glaser on a new education project. He attended meetings of the Vallejo, Napa, and American Canyon Chambers of Commerce.
- **Brenda Knight** said she attended the Jefferson Award Ceremony at which 55 people were honored, and she met wonderful fellow winners. She announced the opening of the new American Canyon City Hall. She will speak at the Martin Luther King celebration in American Canyon. She reported on an outstanding holiday jazz event for the Family Resource Center. The American Canyon Chamber will meet on January 30.
• Bruce Ketron said he appreciated the resolution in his honor. He stressed the importance of supporting the president and acknowledged his contribution to the board’s success. He thanked the board for their support during his tenure as board president and noted the growth in the position of board president. He said the awards that were given at the Police Academy Graduation have changed greatly over recent years.

• JoAnn Busenbark stressed the board’s role is a fiduciary one. She also said the board’s role was to support the ideas and creativity of the president and staff so that the college can be the best it can be.

11.0 FUTURE AGENDA ITEMS

11.1 Board Listening Session

11.2 Update on Bonded College Winery and Viticulture and Winery Technology Program

12.0 ADJOURNMENT
JoAnn Busenbark adjourned the meeting at 8:55 p.m.