1.0 CALL TO ORDER 5:30 p.m.

2.0 CLOSED SESSION (5:30 p.m.): As there were no public comments regarding closed session items, the board went 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: NVCF/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, Employee Evaluation: Faculty Members (Annual Evaluation)

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT
Reduction in Workload for the 2009 – 2010 academic year

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT
Title:
1) Instructor, Associate Degree Nursing Program (Temporary, full-time leave replacement)

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

3.1 Members Present: JoAnn Busenbark, Charles Meng, Steve Reinbolt, Brenda Knight, Tom Andrews, Bruce Ketron, Michael Baldini, Chris Hagerman
Staff Present: Judie Walter-Burke, Mary Shea, Dan TerAvest
Guests: Natalie Hoffman, Napa Valley Register; Stephanie Arguello, ASB Public Relations Officer; NVC student Mike Sjoblom; three students from an area Higher Education Master’s Program; Joan Bennett, former NVC trustee

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

3.3 **Introduction of Visitors, Guests, and New Staff**
Guest introduced themselves.

3.4 **Announcement of Items from Closed Session**
The board announced the approval of Karen Lewis, Instructor, Associate Degree Nursing Program, temporary, full-time leave replacement

3.5 **Adoption of Current Agenda**
M/S/C (Knight/Baldini) to adopt current agenda.

3.6 **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 21, 2009 Special Meeting (NIMS Training); February 28, 2009 Special Meeting (Board Self-Evaluation); March 12, 2009; April 9, 2009

4.0 **PUBLIC COMMENTS — GENERAL**
Joan Bennett, former Napa Valley College trustee from American Canyon, addressed the board. She said she loved the new roundabout at the North end of campus and all the wonderful improvements to our facilities that have been made since she left the board. She said the twelve years of experience on the board served her well in her new position on the American Canyon City Council. She presented a check for $1,610.25 to be made towards the Women’s Re-Entry Program. The money came from a disbanded YWCA, and an equal sum was donated to Solano Community College. She said that the Women’s Re-Entry Program has been a wonderful help to so many individuals returning to college. The board thanked her for the generous contribution.

5.0 **APPROVAL OF MINUTES OF JANUARY 15, 2009**
M/S/C (Andrews/Meng) to approve the minutes of January 15, 2009, as presented.

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

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

6.1.1 **Approval of Warrants**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$1,232,989.14</td>
</tr>
<tr>
<td>Child Care Fund</td>
<td>$3,977.86</td>
</tr>
<tr>
<td>Capital Outlay Projects Fund</td>
<td>$8,001.04</td>
</tr>
<tr>
<td>NVC Bldg. Fund/Series B (BOND)</td>
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</tr>
</tbody>
</table>

6.1.2 **Approval of Total Gross Payroll**

$2,032,701.64

6.2 **Approval of Personnel Assignments Dated February 5, 2009**

6.3 **Proposed Change Orders – Library and Learning Resource Center**
The Board of Trustees ratified acceptance of Edge Development, Inc. proposed change order numbered 39 as given in attached Proposed Change Order Log dated January 30, 2009. The net INCREASE for this proposed change order is $4,864.00.

6.4 Proposed Change Orders – New Ceramics Building
The Board of Trustees ratified acceptance of SW Allen Construction, Inc. proposed change orders numbered 1, 6, 7, 8R, 9, 11R, 12R, and 13R as given in attached Proposed Change Order Log dated January 30, 2009. The net INCREASE for these proposed change orders is $5,054.00.

6.5 Proposed Change Orders – Instructional Center for the Performing Arts
The Board of Trustees ratified acceptance of Broward Builders, Inc. proposed change orders numbered 11, 13R, 18, and 20 as given in attached Proposed Change Order Log dated January 30, 2009. The net INCREASE for these proposed change orders is $9,729.47.

6.6 Acceptance of Edge Development, Inc. Request to Substitute Subcontractor
Pursuant to Public Contract Code Section 4107, Edge Development, Inc. prime contractor on the Library and Learning Resource Center Project, has requested that the District consent to the substitution of Genesis Drywall for the originally listed subcontractor; MLR Drywall Services, Inc. Edge Development, Inc. states that the originally listed contractor has failed to execute a written contract. MLR Drywall Services, Inc. did not object to the request to substitute subcontractors.

6.7 Agreement with Humboldt State University Sponsored Programs Foundation
The Board of Trustees approved an agreement between the Small Business Development Center and Humboldt State University Sponsored Programs Foundation for a Small Business Administration grant. The term of the agreement will be from January 1, 2009 to December 31, 2009. The total amount of funds available to the SBDC will be $80,000.

6.8 Agreement with Nuventive LLC for TracDat Software Program License
The Board of Trustees approved an agreement with Nuventive LLL for a TracDat software program license. The term of this agreement is from the date of approval until terminated by either party. The first-year cost is $28,202.50 and the ongoing license fee is $10,901.25. This item received close budget scrutiny by President’s Cabinet, but this software is a critical element in the college’s ongoing assessment efforts.

6.9 Agreement with the City of Napa Paramedic Training Field Internship
The Board of Trustees approved an agreement with the City of Napa for Paramedic training field internship experience. The term of the agreement is from February 12, 2009 until terminated or modified. There is no cost to the college.

6.10 Agreement with Sutter Health Sacramento for Clinical Education Experience
The Board of Trustees approved an agreement with Sutter Health Sacramento to provide clinical experience opportunities for NVC Health Occupations Program students. This is an extension of a previous agreement. The term of this agreement will be from July 1, 2008 to December 31, 2009. There is no cost to either party.

6.11 Agreement with Disability Services and Legal Center for Internships for NVC Students
The Board of Trustees approved an agreement with Disability Services and Legal Center, Napa, CA to provide internships to eligible students in the Human Services Program. The term of this agreement is from October 20, 2008 until terminated by either party. There is no cost to either party.

6.12 Agreement with Los Rios Community College District for the Development of a Paramedic RN Bridge Program
The Board of Trustees approved an agreement with Los Rios Community District for the Development of a Paramedic RN Bridge Program. The Chancellor’s Office, through the Los Rios Community College District acting as the fiscal agent, have awarded NVC a grant for $28,200 to develop the curriculum. The term of the agreement is from February 1, 2009 to October 1, 2010. The maximum reimbursement to NVC is $28,200.

6.13 Agreement with the California Department of Education for a Child Development Center Facilities Renovation and Repair Grant Project Number 28-6627-00-8
The Board of Trustees approved an agreement with the California Department of Education for a Child Development Center Facilities Renovation and Repair Grant. The term of this agreement is from September 15, 2008 through June 30, 2011. The total amount of the grant cannot exceed $14,582.

6.14 Approval of 2009 – 2010 Contract/Regular Faculty Salary Step and Status Document
The Board of Trustees approved the 2009 – 2010 Contract/Regular Faculty Salary Step and Status Document. This is an annual, routine approval of the status document that lists each academic employee by contract status, salary step, and anniversary date.

7.0 CONSTITUENT GROUP REPORTS
- Academic Senate Report
  Dianna Chiabotti said the Academic Senate approved, by mutual agreement, that the “floating flex day” would revert to a required day on campus.
- Classified Senate Report
  Kathy Baird said the Classified Senate donate $500 scholarship to staff or family member. Classified staff have enjoyed serving on accreditation teams
- Associated Student Body Report
  Stephanie Arguello reported on the Cal Leadership Symposium; Club Rush; upcoming PTK conference; the upcoming march on the State Capitol in Capitol in March; African American Dinner on February 26; new board members.

8.0 INFORMATION ITEMS
8.1 Input for Development of College Property
JoAnn Busenbark reviewed that the board decided to agendize an informational item over upcoming months that would allow members of the public to present ideas for development of college property, including land at the corner of Imola and Soscol and the Community Education Center (Armory) on Menlo Avenue. There were no presentations on the subject. Student trustee Chris Hagerman suggested leasing to a corporation to develop a Hotel and Restaurant, and the students of our Napa Valley Cooking school could use the facility. After
the lease was up, he suggested converting to dormitories. JoAnn Busenbark suggested bringing in a consultant in late Spring.

8.2 Status Report on the Governor’s Budget for 2009 – 2010
Dr. McCarthy provided a brief update on the State budget, though he stated that there was no new information, as a vote is scheduled for the upcoming weekend. The “best guess” at this point includes not funding the COLA as well as a cut to programs not directly affecting students. He noted that apportionment will be affected, due to the reduction in property taxes. He said that in the Federal stimulus package, school construction has been cut out. However, once the State budget is passed, it is hoped that State money for the Library and Learning Center would be freed up and the college would receive it in a timely fashion.

8.3 Update on Accreditation
Judie Walter-Burke and Mary Shea provided an update on the ongoing accreditation self-study process. The steering committee will be meeting for two upcoming all-afternoon sessions. The accreditation site visit will be held on October 19 – 22. (The board meeting for October will be changed to the Tues, October 20.) She also mentioned that bios may be needed from the trustees and administrators. She said everything is on track, with no serious transgressions. She said we have an excellent integration of the planning and budget processes.

9.0 ACTION ITEMS

9.1 Authorization of Acceptance of Proposal – Air Handler Equipment Replacement
Dan TerAvest explained that the college began circulating a Request for Proposal for air handlers and related equipment on January 5, 2009. He noted that only one contractor met all the requirements. While that contractor is the highest bidder, the contractor met the engineering specs regarding unit size and ability to match existing duct openings, and the sound levels meet specifications. The contractor will hold the price for 120 days. However, if the State does not release the library funding or other problems arise, the District will not move forward.

M/S/C (Meng/Baldini) to accept proposal from Norman S. Wright, contingent upon available funding within 120 days.

9.2 Approval of Revision of Measure N Independent Citizens’ Oversight Committee By-Laws
Dr. McCarthy explained that these by-laws have been updated with legal opinions received after the 2003 when the Oversight Committee began its work. Specifically, in 2004, the Attorney General rendered an opinion that a portion of an administrator’s salary could be covered by bond proceeds, consistent with the percentage of the administrator’s time that is spent solely on bond projects. The by-laws have been amended by legal counsel, consistent with the attorney general ruling. Revisions to the by-laws require approval by the board.

M/S/C (Baldini/Knight) to approve revisions to the Measure N Independent Citizens’ Oversight Committee, consistent with the 2004 attorney general opinion.
9.3 **Appointment of Representative(s) for Public Hearings – Contested Requests to Substitute Subcontractor**

Dan TerAvest explained that, pursuant to Public Contract Code Section 4107, if written objections are filed by a subcontractor regarding prime contractor’s request to substitute that subcontractor for cause, the awarding authority shall hold a hearing on the prime contractor’s request for substitution. In order to avoid delays in construction progress, one or two trustees should be appointed to represent the governing board at public hearings held separately from regularly scheduled board meetings.

M/S/C (Ketron/Knight) to appoint Charles Meng, and Bruce Ketron, Chris Hagerman, and Dr. Chris McCarthy to represent the board at possible future public hearings on contested subcontractor substitution requests.

9.4 **Approval of Revisions of Parking Regulations**

Vice President, Student Services Oscar DeHaro reported that parking regulations have been updated to reflect changes necessitated by SB 1407 that increased Stated-mandated surcharges on each parking citation written. The changes also included an increase in the parking permit fee and some language changes.

M/S/C (Ketron/Baldini) to approve revisions to parking regulations.

9.5 **Approval of Resolution to Lease Real Property for a Period of Five Days to Five Years**

The Viticulture and Winery Technology Program has ceased to use the vines at the Upper Valley Campus. There is a small parcel at the corner of Pope Street and College Avenue that is still planted in vines. The District would like to lease this property to eliminate the need for the District to maintain it. This resolution is the first step in the process to lease this property.

M/S/C (Ketron/Meng) to approve the resolution to authorize the District to lease the property per the terms of the resolution. AYES: Busenbark, Ketron, Meng, Baldini, Andrews, Reinbolt, Knight, Hagerman NOES: None

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

10.1 **Staff Report**

**Vice President, Student Services**

Oscar DeHaro reported on an 8% enrollment increase over last spring. He announced the Upcoming American Canyon College Awareness Night on February 18, 2009.

**Vice President, Instruction**

Sue Nelson announced a March 20 regional one-day conference regarding high-risk students, particularly African American students. She reported on increased enrollments and crowded classes.

10.2 **Superintendent/President’s Report**
Dr. McCarthy reported on a Foundation Board retreat concerning reorganization of the Foundation. He spoke to a Leadership Napa Valley group, and will speak to 20-30 club on February 25. He announced the African American Dinner on February 26 and a Salon event on February 22 (Seussical the Musical). He distributed a packet that was sent to Congressman Mike Thompson’s office requesting funding for the Allied Health Building discussed at the last board meeting. The board discussed other possible requests, including a residential project. The board agreed to develop that idea in the future and have it sent separately. Tom Andrews noted that a housing project was a good fit with a bond. JoAnn Busenbark suggested putting a discussion of housing on the April agenda as part of the “next step” discussion regarding future development.

10.3 Reports from Board Members

- Chris Hagerman announced that 75 students will take college vans for the March on the Capitol. He said students were discussing an events fee that would support more and better events. He said he attended a legislative conference with Charles Meng and Bruce Ketron and thanked Bruce for the book he purchased to be presented to the ASB. There will be a PTK regional meeting in March.
- Michael Baldini commended Oscar De Haro and Scott Miller for the ease with which he enrolled and paid fees for two classes he is taking. He also got great help in the bookstore.
- Steve Reinbolt attended a Winery Tech meeting as well as the barrel tasting and was very impressed by both, as well as by the quality of the wines. He attended three Chambers of Commerce Dinners, including Napa, Vallejo, and American Canyon Chambers. His new employer was named Business of the Year in Vallejo.
- Tom Andrews said he enjoyed the barrel tasting event and suggested that a large sign be placed in the vineyard saying “Student-Run Vineyard.” He attended an upvalley meeting on behalf of JoAnn Busenbark.
- Bruce Ketron said he studied the materials distributed at the last meeting regarding POST and gained a greater understanding of the Academy Instructor Certification Course. He attended the legislative conference in January, describing the climate as fatalistic. He said he felt the country’s current crisis is more than we yet understand and he was very concerned about what he sees as national denial.
- Brenda Knight said she felt it was time to get out and talk to people to let them know how their community college can help them change careers and get training. She praised the barrel-tasting and thought the wine was outstanding. She spoke to Katelyn McLeod’s aunt at a reception at the Umqua Bank. She said she was pleased that she had known so much about Katelyn from her participation at the college and board meetings. She attended the American Canyon Chamber Dinner. As representative of African American Vintners, she invited everyone to a tasting of wine at Jay Vee Liquors.
- Charles Meng praised the wine at the barrel tasting. He attended the legislative meeting and said the League is increasing its budget advocacy efforts. Colleges will be assessed a fee, and Dr. McCarthy stated that NVC has already paid its contribution. He referred to the millennium make-over and said the new generation works together differently. He said he felt that Napa Valley College has building blocks in place to get us through this difficult crisis.
- JoAnn Busenbark thanked everyone for their ongoing efforts during these difficult times. She said we needed to take on the additional responsibility of being sensitive to our
constituents during this difficult time, saying students are hurting right now. She wished everyone a Happy Valentine’s Day.

- Chris Hagerman asked that an item be placed on the March agenda regarding allowing students in closed session.

11.0 FUTURE AGENDA ITEMS

11.1 Board Listening Session

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

12.0 ADJOURNMENT

Board President JoAnn Busenbark adjourned the meeting “with a positive attitude toward the budget.”