1.0 CALL TO ORDER  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: Kevin Luckey, Laura Ecklin, Faye Smyle
Name of organization representing employees: NVCFA/CTA/NEA

Name of agency negotiators: 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, Consideration of Recommendation to Terminate Classified Employee

3.0 RETURN TO PUBLIC SESSION

3.1 Members Present: Charles Meng (acting president in JoAnn Busenbark’s absence), Michael Baldini, Tom Andrews, Bruce Ketron, Brenda Knight, Steve Reinbolt, Rob Holst
Members Absent: JoAnn Busenbark
Staff Present: Dr. Chris McCarthy, Sue Nelson, Oscar DeHaro, John Nahlen, Betty Malmgren, Shawna Bynum, Diane Van Deusen
Guests Present: Natalie Hoffman, Napa Valley Register

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
Acting board president Charles Meng stated that there were no actions taken in closed session.

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

3.6 **Announcement of Future Meetings** (5:30 p.m. closed session, 6:30 p.m. public session)  
Mr. Meng announced the upcoming meetings:  
**September 10, 2009 Regular Meeting.** Later during this meeting, the board agreed to move this meeting to September 24, contingent upon the Chancellor’s Office final approval of extending the budget deadline.  
**October 20, 2009 Regular Meeting.** The October meeting was rescheduled to coincide with Accreditation Site Visit. The meeting will be held in the Quiet Zone of the library, as the board room will be used by the accreditation team;  
**November 12, 2009 Regular Meeting**

4.0 **PUBLIC COMMENTS — GENERAL**  
Public Information Director Betty Malmgren announced that Dr. McCarthy has won the People’s Choice Award for Channel 27, *Napa Valley College Forum*. She presented him with a small trophy on behalf of Channel 27.

Steve Reinbolt announced the actions taken by the Viticulture and Winery Foundation at its meeting that preceded the board meeting. He said there would be a release event on November 5, and the first vintage will be for sale. There are three levels and prices: estate reserve; estate; and student. The rose will sell for $12 a bottle and the pinot will be $30. He reported that the wine has been poured at JV Liquors, and one of the college wines came in first.

5.0 **APPROVAL OF MINUTES OF June 18, 2009**  
M/S/C (Reinbolt/Holst) to approve the minutes of June 18, 2009.

6.0 **CONSENT CALENDAR**  
M/S/C (Ketron/Holst) to approve the following items on the consent calendar. Item 6.11 has been corrected to read as noted below, and item 6.12 has been deleted.

6.1 **Ratification of Financial Documents**

6.1.1 **Approval of Warrants for June, 2009**
- General Fund: $1,282,484.02
- Child Care Fund: $11,309.87
- Capital Outlay Projects Fund: $3,113,310.59
- NVC Bldg. Fund/Series B (BOND): $3,113,310.59

6.1.2 **Approval of Total Gross Payroll for June, 2009** (Includes Supplemental Payroll of July 16, 2009)  
- $2,745,319.59

6.1.3 **Approval of Warrants for July, 2009**  
- General Fund: $984,122.93
6.1.4 Approval of Total Gross Payroll for July, 2009

$2,128,216.07

6.2 Approval of Personnel Document of August 6, 2009

6.3 Proposed Change Orders – Library and Learning Resource Center
The Board of Trustees ratified acceptance of Edge Development, Inc. proposed change orders numbered 54, 58, 62R1, 78R1, 85R1, 102R1, 103, 104, 107, 108, 110, 113, 115R1, 116, 117R1, 118R1, and 124 as given in attached Proposed Change Order Log dated July 30, 2009. The net INCREASE for these proposed change orders is $175,684.00.

6.4 Proposed Change Orders – North Gym
The Board of Trustees ratified acceptance of Broward Buildings, Inc. proposed change order numbered 11 given in attached Proposed Change Order Log dated July 30, 2009. The net INCREASE for this proposed change order is $12,445.67.

6.5 Proposed Change Orders – New Ceramics Building
The Board of Trustees ratified acceptance of SW Allen Construction, Inc. proposed change orders numbered 10R, 18, 19R, 26R, 27, 32, 33R, 35, 39, 42, 46, and 47 as given in attached Proposed Change Order Log dated July 30, 2009. The net INCREASE for these proposed change orders is $43,279.00.

6.6 Proposed Change Orders – Instructional Center for the Performing Arts
The Board of Trustees ratified acceptance of Broward Builders, Inc. proposed change orders numbered 24, 37, 38, 39, and 40 as given in attached Proposed Change Order Log dated July 30, 2009. The net INCREASE for these proposed change orders is $50,613.69.

6.7 Approval of an Agreement with the City of Albany for Paramedic Student Field Experience
The Board of Trustees approved an agreement with the City of Albany for field experience for paramedic students. The agreement is in effect until terminated by either party. There is no cost to the District.

6.8 Approval of Agreement with the Napa Nursing Center for Clinical Experience for Health Occupations Students
The Board of Trustees approved an agreement with the Napa Nursing Center for Health Occupations students to receive experience in a variety of clinical settings. The agreement shall commence on August 1, 2009 and shall continue until terminated by either party. There is no cost to either party.

6.9 Approval of Agreement with the Golden Living Nursing Facility for Clinical Experience for Health Occupations Students
The Board of Trustees approved an agreement with the Golden Living Nursing Facility for health occupations students to receive experience in a variety of clinical settings. This agreement shall commence on September 1, 2009 and shall continue until terminated by either party. There is no cost to either party.

6.10 Approval of an Agreement with the City of Fairfield for the use of the Fairfield Police Department Range and Training Facility
The Board of Trustees approved an agreement with the City of Fairfield for the use of the Fairfield Police Department Range and Training Facility. The term of this agreement is from September 1, 2009 to June 30, 2010. The cost of this agreement is based on the following daily rates on an as-needed basis: Range Full Day $400, Range Half Day $300; Mat Room Full Day $200, Mat Room Half Day $125.

6.11 Approval of Amendment to an Agreement with the Napa Community Redevelopment Agency for Small Business Training
The Board of Trustees approved Amendment 5 to an agreement with the Napa Community Redevelopment Agency for small business counseling, training, and technical assistance. This amendment extends the agreement from July 1, 2009 to June 30, 2010 and allocates a not-to-exceed amount of $7,500 for the services provided.

6.13 Approval of Agreement with the California Department of Education for a Preschool Program
The Board of Trustees approved an agreement with the California Department of Education for a preschool program. The term of this agreement is from July 1, 2009 to June 30, 2010. The total amount of potential payment to the college is $510,690.

6.14 Approval of an Agreement with the California Department of Education for General Child Care and Development Programs
The Board of Trustees approved an agreement with the California Department of Education for general child care and development programs. The term of this agreement is from July 1, 2009 to June 30, 2010. The total amount of potential payment to the college is $260,832.

6.15 Approval of Agreement with the Camp Parks Fire Department for Paramedic Instruction
The Board of Trustees approved an agreement with the Camp Parks Fire Department for the purpose of providing paramedic instruction to Camp Parks personnel. The term of this agreement is from the first day of the academic term following the District’s receipt of all necessary accreditation for the paramedic program and shall continue for three years. Camp Parks is responsible for the majority of instructional costs, including instructor salaries. The District can claim all FTES generated by the program.

6.16 Approval of Amendment 8 to an Agreement with the University of California, Davis for Nursing Student Clinical Experience
The Board of Trustees approved amendment #8 to an agreement with the University of California, Davis for nursing student clinical experience. The term of this agreement is from July 1, 2009 to June 30, 2012. There is no cost to either party for this agreement.

6.17 Approval of Agreement with Lozano Smith for Legal Services
The Board of Trustees approved an agreement with the law firm of Lozano Smith for legal services. The term of this agreement is from July 1, 2009 to June 30, 2010. The District will be billed for services at the rates specified in the agreement.

6.18 Approval of Agreement with School and College Legal Services of California for Legal Services
The Board of Trustees approve an agreement with School and College Legal Services of California for legal services. The term of the agreement is from July 1, 2009 to June 30, 2010. The District will be billed for services at the rates specified in the agreement.

6.19 Approval of an Memorandum of Understanding to an Agreement with Sonoma State University for an ADN to BSN or MSN Collaborative
The Board of Trustees approved an agreement with Sonoma State University for an ADN to BSN or MSN Collaborative. Napa Valley College received funding from the State to develop this program as a statewide model for other collaboratives. The Board had previously approved the grant terms and amounts. This MOU specifies the process that will be used to complete the grant.

6.20 Approval of Resolutions: Signing Authority for John Nahlen
The Board of Trustees approved a resolution that authorizes the following staff member to sign documents on behalf of the District from July 1, 2009 through June 30, 2010: vice president, Business and Finance.

6.21 Approval of Resolution of the Napa Valley Community College District to Appoint John Nahlen, Vice President of Business & Finance, as Alternate NCCCSIA JPA Meeting Attendee
The bylaws of the Northern California Community College Self-Insured Authority (NCCCSIA) entitles each member District to appoint an official alternate to attend NCCCSIA JPA meetings. Dan TerAvest is the official representative. The Board of Trustees adopted the resolution to appoint John Nahlen, Vice President of Business & Finance, as alternate NCCCSIA JPA meeting attendee.

6.22 Approval of Resolution to Establish Temporary Interfund Transfers
The Board of Trustees approved a resolution to establish temporary interfund transfers as a means of addressing the severe State budget cuts. The governing board of any community college district may direct the monies held in any fund or account may be temporarily transferred to another fund or account of the district for the payment of obligations. The transfer shall be accounted for as a temporary borrowing between funds or accounts and shall not be available for appropriation or be considered income to the borrowing fund account. The authorization is for fiscal year 2009 – 2010 and would allow transfer from the Retiree Medical Benefits Fund and Capital Outlay Projects Fund to the General Fund.
M/S/C (Ketron/Reinbolt) to approve the Resolution to Establish Temporary Interfund Transfers for fiscal year 2009 – 2010.

AYES: Ketron, Reinbolt, Knight, Baldini, Holst, Andrews, Meng
NOES: None
ABSENT: Busenbark

7.0 CONSTITUENT GROUP REPORTS

- Academic Senate Report
  Academic Senate President Shawna Bynam reported that faculty are excited to be back and appreciated Flex Day activities.
- Faculty Association Report
  Diane Van Deusen said she was delighted that Shawna Bynum is the new Academic Senate president.
- Classified Association Report
  Kathy Baird said she attended a classified membership meeting and classified staff are expressing concern over jobs and compensation.
- Classified Senate Report
- Administrative Senate Report
- Napa Valley College Associated Students Report

8.0 INFORMATION ITEMS

8.1 Photovoltaic System at the Upper Valley Campus
Dr. Chris McCarthy said that a photovoltaic system at the Upper Valley Campus was planned for installation by SPG Solar, Inc. at no cost to the college. However, the project was dependent upon the size of the solar installation, estimated based on a 10-foot easement on the property. As the easement is now understood to be larger than 10 feet, SPG Solar does not want to go forward with the project. Dr. McCarthy said other options for moving forward with the project will be pursued by the Campus Planning and Construction Office, and other investors are being sought.

8.2 Report on Public Property Development – North Corner
At its board meeting of October 9, 2008, the board discussed its interest in agendizing an informational item over upcoming months regarding the development of college property, including ideas for development of college property, including land at the corner of Imola and Soscol Avenues. No one was present to make comments.

8.3 Community College Update
This is a new standing item the board agreed upon at the continuation of its self-evaluation on August 1, 2009 in order to provide board members an opportunity to share information on matters including, but not limited to: accreditation, legislative issues, conference/training information, and CCCT issues and priorities.

Dr. McCarthy gave an update on the accreditation site visit scheduled for October 19-22. He thanked everyone for their diligent work on the Accreditation Self-Study. He announced that
Jerry Patton will be the team chair and will come to the college on September 10 for a meeting to set up the visit, review the hotel accommodations and other details of the site visit. Brenda Knight asked for consideration of hotel accommodations in American Canyon, but Dr. McCarthy explained that the college had already finalized arrangements for accommodations in Napa at an excellent rate, with the help of the Director of the Small Business Development Center.

Trustee Charles Meng was elected by community college boards across the state to the CCCT board (California Community College Trustees). Mr. Meng explained that the Community College League of California provides training and services and has a CEO board and a trustee board. The two boards work together on issues affecting the California Community Colleges, its 72 districts and 110 colleges. Mr. Meng explained that communication is a major theme for the CCCT board this year. He distributed an overview of the CCCT Board Communication Plan for 2010 and reviewed the responsibilities of board members. Each trustee has been assigned a number of colleges, and prior to CCCT meetings, trustees will make contact with assigned board chairs to see if there are issues to be addressed by the League and CCCT board. CCCT board members will also contact trustees in their assigned region to urge attendance at League conferences and as major issues emerge. The goal is to keep everyone fully informed.

Dr. McCarthy confirmed that the more colleges than in the past have experienced difficulty in the accreditation process, noting the key issues for those difficulties come from: program review, outdated planning, assessment, and board functioning issues. Dr. McCarthy stated the Napa Valley College is in excellent shape in all those areas. The level of accreditation concern include: “warning;” “show cause;” “probation,” and “loss of accreditation.”

8.4 **Review Calendar of Upcoming Campus Events**

The board reviewed upcoming campus events and identified the Academy Graduation and the Fine and Performing Arts production of *Great Books* as events someone should attend. Brenda Knight announced Music Festival on September 12 in American Canyon asked that there be a college presence there. Betty Malmgren said that she would follow up on that request.

9.0 **ACTION ITEMS**

9.1 **Acceptance of Bond Audit Reports for Fiscal Year 2007 - 2008**

In June 2002, the voters approved Measure N, which provided $133,800,000 of funds for campus improvements. The bond was passed under the procedures approved in Proposition 39. One of the requirements of a proposition 39 bond is that the Board authorize a separate financial audit and performance audit for Measure N bond funds each year. The reports were completed in late May, 2009 and were provided to the Measure N Independent Citizens’ Oversight Committee at its June meeting.


9.2 **Approval of New Audit Contract with Matson and Isom**
The District is required to have an audit performed each year by an independent audit firm. The District is also required to have a financial audit and a performance audit completed for Proposition 39 bond funds. Matson and Isom has submitted a contract to provide auditing services for the 2008 - 2009 fiscal year. The total fee for all three audits, including expenses, is a not-to-exceed amount of $73,900.

Tom Andrews noted the desirability of changing auditors from time to time as good practice. It has been discussed in the past, but a number of significant changes, such as Datatel, suggested delaying the change. John Nalhen, new Vice President, Business and Finance, noted that he had discussed this with Scott Miller. He explained that, at a future time, an open bid process to hire a new auditor would be undertaken.

M/S/C (Ketron/Reinbolt) to approve new audit contract with Matson and Isom.

9.3 Approval of New Members of the Measure N Independent Citizens’ Oversight Committee
The District has advertised for new members for the Measure N Independent Citizens’ Oversight Committee to replace outgoing members who have completed their maximum years of service. A subcommittee of the Board of Trustees has reviewed applications for the Measure N Independent Oversight Committee and has forwarded the names of the following individuals for final approval of the board: Lee Broad, Bill Lockhart, and Phil Box.

M/S/C (Andrews/Holst) to approve the following individuals to serve on the Measure N Independent Oversight Committee: Lee Broad, Bill Lockhart, and Phil Box.

9.4 Approval of Mandatory Title V Changes to Board Policy I7320: Course Repetition; I7330: Grading Policy; and Board Policy I7331: Withdrawal Policy (Second Reading)
Per the directive of the Chancellor’s Office, California Community Colleges are required to have in place, by July 1, 2009, mandatory modifications to Course Repetition, Grading, and Withdrawal Policies. The changes were approved at the June 11, 2009 board meeting.

M/S/C (Holst/Knight) to approve the mandated revisions to Board policies I7320: Course Repetition; Board Policy I7330: Grading Policy; and Board Policy I7331: Withdrawal Policy (second reading).

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

10.1 Staff Reports
- Dean, Human Resources
  Laura Ecklin noted the upcoming challenges of the year and said there are very few positions open.
- Vice President, Business and Finance
  John Nahlen thanked Dr. McCarthy and the Board of Trustees for their confidence in him. He thanked the staff and President’s cabinet. He praised his new staff as competent, cooperative, and supportive and thanked everyone for the warm welcome.
- Vice President, Student Services
Oscar De Haro said that next month he planned a presentation given by Victoria Worch on Student Life at Napa Valley College.

- **Vice President, Instruction**
  Sue said Flex Day went well and the Office of Instruction is very busy.

### 10.2 Superintendent/President’s Report
Dr. McCarthy thanked Bruce Ketron for hosting the dinner for Congressman Mike Thompson that provided an opportunity for community leaders to gather. He announced the bequest of Bell and Barney Rhodes that left a sizeable endowment to the Napa Valley College Cooking School. He said he was a participant in the Napa Valley Writers’ Conference for the eighth year in a row and reported that Elizabeth Alexander, inaugural poet, was one of the four poets. He thanked everyone for their work on Flex Day and for their attitude of resolve and resilience in the face of severe budget cuts.

### 10.3 Reports from Board Members
- Robert Holst said he would be extending his office hours as student trustee in order to provide more opportunity for students to communicate with him. He said he would be attending the student trustee orientation tomorrow, on his birthday. He said students understood the fee raises but were experiencing some stress over it.
- Bruce Ketron asked about keeping track of students who did not enroll because of the fee increase. Oscar DeHaro offered that student enrollment is up, in spite of the increased fees and reduction in credit and noncredit course offerings. He said he hosted a Writers’ Conference participant. He said the Mike Thompson Dinner demonstrated cooperation within the community, and a wide range of issues was discussed. He enjoyed the Shakespeare in the Glade performance of *Twelfth Night*.
- Michael Baldini asked about the length of the lease of the UpValley vineyard, and the response was one year. He thanked Jenny Sercu for fundraising efforts, Sue Nelson for facilitating the transfer process, and Bruce Ketron for hosting the Mike Thompson Dinner. He said he hosted Senator Roberts from Kansas at his home.
- Tom Andrews welcomed John Nahlen. He said he hosted a participant in the Writers’ Conference and thanked Brenda for her party.
- Brenda Knight said she celebrated her 57th birthday. She will meet the new principal of the American Canyon High School on Saturday. She announced the American Canyon Arts Foundation Music Festival on September 12, for which she is an event coordinator. She wants a college presence at that event.
- Steve Reinbolt welcomed John Nahlen.
- Charles Meng said he thoroughly enjoyed Brenda Knight’s birthday celebration. He praised the Fine and Performing Arts production of *Twelfth Night* and expressed confidence that the college would come through the budget crisis well.

### 11.0 FUTURE AGENDA ITEMS

#### 11.1 Board Listening Session
11.2 Update on Bonding of College Winery and Viticulture and Winery Technology Program

11.3 Development of Corner Property/Housing

12.0 ADJOURNMENT

Charles Meng adjourned the meeting in honor of John Nahlen, Napa Valley College’s new Vice President, Business and Finance.