Napa Valley Community College District

THE REGULAR MEETING OF THE BOARD OF TRUSTEES

December 14, 2006

5:30 p.m. Closed Session
6:30 p.m., Return to Public Session

Room 1340, McPherson Administration Building
Napa Valley College, Napa, California

AGENDA

Regular meetings of the Napa Valley Community College District Board of Trustees are held the second Tuesday of each month. Special meetings may be called by the president of the board, by the board at a regular meeting or by the president of the board at the request of a majority of the board members. The agenda is mailed to trustees, the news media, legal counsel, college administration, and heads of college constituent groups; it is also posted on campus and at the Upper Valley Campus. All regular and special meetings are open to the public, whose interest is encouraged and appreciated. The district adheres to the Americans with Disabilities Act. Should a member of the public require special accommodations or more information about accessibility, please contact the Office of Special Services, 253-3080, no later than 24 hours before the meeting. All efforts will be made for reasonable accommodation.

In addition to time provided for public comments under Roll Call, any member of the audience wishing to address the board regarding an agenda item should go to the podium when the item is under consideration and, after being recognized by the Board President, give his/her name and address and state any comments or questions. To give all interested parties an opportunity to speak, comments should be brief and be limited to the specific subject under discussion. Time shall be limited at the discretion of the President of the Board of Trustees. Items marked with an asterisk (*) require a roll call vote. Any member of the board may request a roll call vote on any item.

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: Scott Miller, Sue Nelson, 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 Titles, Classified Positions:
1) Secretary II, Business & Computer Studies/Social Sciences Division
2) Construction Project Coordinators (2 positions)
Titles, Salaried Professional Positions:
1) Project Coordinator, Hospitality and Tourism Management Programs
2) Project Coordinator, Hospitality Institute Training Program

Titles, Faculty:
1) Economics Instructor (Full-time, temporary leave replacement for Spring, 2007)
2) Nursing Instructor

Titles, Administrative/Confidential:
1) Regional Simulation Laboratory Director (grant-funded)
2) Interim Dean, Occupational Education and Workforce Development (contract extension)
3) Interim Dean, Instructional Services

With respect to every item of business to be discussed in closed session pursuant to section 54957, PUBLIC EMPLOYMENT, Consideration of Reassignment of Administrative/Confidential Employee

With respect to every item of business to be discussed in closed session pursuant to Section 54956.95, LIABILITY CLAIMS
   Claimant: Lucas Boucher
   Agency Claimed Against: Napa Valley Community College District

With respect to every item of business to be discussed in closed session pursuant to Ed. Code Section 72122, Resolution of Nursing Student Grievance

With respect to every item of business to be discussed on closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Employee Evaluation
1) Evaluation of Superintendent/President

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

3.1 Roll Call

3.2 Pledge of Allegiance

3.3 Introduction of Visitors, Guests, and New Staff

3.4 Swearing-in of Re-Elected Trustees Charles Meng, Michael Baldini, Bruce Ketron, and Appointed Trustee Steven Reinbolt

3.5 Resolution Honoring Outgoing Board President Tom Andrews

3.6 Announcement of Items from Closed Session
   *As required by Government Code Section 54957.1, a roll call vote is required for any personnel decision coming out of closed session to appoint, employ, or dismiss an employee.
3.7 **Adoption of Current Agenda**

Items will be heard following 5.0 (Public Comments). Other items may be moved, at the discretion of the board president.

3.8 **Announcement of Future Meetings** (5:30 p.m. closed session, 6:30 p.m. public session)

- January 18, 2006 – Regular Meeting
- February 8, 2006 – Regular Meeting
- March 8, 2006 – Regular Meeting

4.0 **PUBLIC COMMENTS — GENERAL**

At this time, the board will devote a total of up to fifteen minutes for comments to the Board of Trustees regarding any subject NOT APPEARING AS AN AGENDA ITEM FOR THIS MEETING but over which the board has jurisdiction. The public may ask the board to place an item on a future board agenda. No action or discussion will occur at this time on such items. Individuals will be limited to a three-minute presentation.

5.0 **APPROVAL OF MINUTES OF NOVEMBER 9, 2006**

(Minutes will be distributed separately).

6.0 **CONSENT CALENDAR**

The following items listed on the consent calendar are considered to be routine matters requiring approval or ratification by the board. They are accepted or approved by a single motion without discussion. Any item(s) may be removed from the consent calendar for discussion or other reasons at the request of a board member.

6.1 **Approval of Financial Documents for November, 2006**

6.1.1 **Approval of Warrants**

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6.1.2 **Approval of Total Gross Payroll**

$2,174,092.34

6.2 **Approval of Personnel Documents Dated December 7, 2006**

6.3 **Proposed Change Orders – Historic Tulecay Creek Restoration**

It is recommended that the Board of Trustees ratify the acceptance of John Benward Company, Inc., proposed change orders numbered 6, 9, 10, 11, and 12, as given in attached Proposed Change Order Log dated December 4, 2006 on pages 1 and 2. The net cost of these proposed change orders is $17,532.23.

6.4 **Proposed Change Orders – Pond Dredge and Rehabilitation**

It is recommended that the Board of Trustees ratify the acceptance of waterworks, Inc., proposed change order log dated November 14, 2006. See backup page 3. The net cost of this proposed change order is $3,227.65.

6.5 **Proposed Change Orders – Signage and Wayfinding**
It is recommended that the Board of Trustees ratify the acceptance of Garnett Sign Company, Inc., proposed change order number 1, as given in attached Proposed Change Order Log dated November 7, 2006 on page 4. This change in cost was primarily to accommodate additional porcelain colors and additional sign frame types. The net cost of this proposed change orders is $34,269.40.

7.0 CONSTITUENT GROUP REPORTS
- Academic Senate Report
- Faculty Association Report
- Classified Association Report
- Classified Senate Report
- Administrative Senate Report
- Associated Student Body Report

8.0 QUARTERLY FINANCIAL STATEMENT REPORT (CCFS311Q)

9.0 DISCUSSION ITEMS

9.1 Bond Project Update
Dan TerAvest of Campus Planning and Construction will update the committee on the status of bond projects and expenses to date. Board members have received copies of two reports prepared by the Planning and Construction Office: the Bond Implementation Plan Update and Master Budget. Copies are available in the President’s Office.

10.0 ACTION ITEMS

10.1 Application for Exemption from 50 Percent Law

10.1.2 Public Hearing on the Application for an Exemption from the 50 Percent Law (approximately 7:00 p.m.)
This hearing is to allow interested parties an opportunity to comment on the District’s application for an exemption from the 50 Percent Law, as required by Education Code 84362 (50% Law) regarding the expenditure of funds for instructional purposes. The District did not comply with this requirement for the 2005-2006 fiscal year. The Board of Trustees is considering an application for an exemption from a portion of this requirement (see below).

10.1.2 Approval of Application for Exemption from the 50 Percent Law
The District is required to comply with Education Code Section 84362 (50% Law) regarding the expenditure of funds for instructional purposes. The District did not comply with this requirement for the 2005 – 2006 fiscal year. District staff have prepared a proposal CCFS-350B Application, Findings of the Local Governing Board Regarding Provisions of Education Code Section 84362 (50% Law). Staff will review the basis for these findings at the board meeting.

Recommendation: It is recommended that the Board of Trustees approve the Proposed CCFS-350B Application as presented at this meeting.
10.1 **Approval of Contract for Financial Advisor Services for Bond Sales**

The Board of Trustees approved the refinancing of the Series B bonds and the early issuance of Series C bonds at the September 14, 2006 board meeting. The Series C bonds are different from the other bonds that have been issued so far, since it is being issued early. As a result, these will be taxable bonds that have different tax rules from the previous bonds. In addition, this sale will require significant coordination efforts with the County Treasurer. Previously, the County Treasurer and bond counsel have both encouraged the District to utilize an independent financial advisor to assist with the bond sales.

The District contracted with California Financial Services for the original sale of the Series B bond. Staff is recommending that the District contract with California Financial Services again. The total cost of these services will not exceed $70,000. These services will be included as part of the bond sale process and will be paid from the proceeds of the sale.

**Recommendation:** It is recommended that the Board of Trustees approve an agreement with California Financial Services to provide financial advisor services for the refinancing of Series B and the sale of Series C bonds. The total cost of these services will not exceed $70,000.

10.2 **Approval of Planning Priorities for 2007 – 2008**

In accordance with the Planning and Budget Policy, representatives from the Planning Committee will meet with the Board of Trustees to discuss planning priorities for the next fiscal year. The Planning Committee has prepared a draft of priorities for 2007 – 2008. See backup page 5.

**Recommendation:** It is recommended that the Board of Trustees approve the 2007 – 2008 College Planning Priorities.

10.3 **Adoption of 2007-2008 Budget Parameters**

In accordance with the planning and budget policy, a representative of the Budget Committee will meet with the Board of Trustees to discuss parameters that the president has approved. See backup page 6 and 7.

**Recommendation:** It is recommended that the Board of Trustees approve the 2006 – 2007 budget parameters.

10.4 **Approval of Appointment of Board Members to Napa Valley College Viticulture And Winery Technology Foundation**

At its December 8, 2005 meeting, the Board of Trustees authorized the superintendent/president to establish a public benefit nonprofit corporation to function as an auxiliary organization. It will be the entity that holds the bond, and its single function will be selling the wine produced from the college program. At its November 9, 2006 meeting, the board discussed appointing Michael Baldini and Steven Reinbolt to serve. Mr. Ketron suggested that because Mr. Baldini will serve as board president in 2007, perhaps another should serve in his place. Mr. Ketron offered to serve. The board will review and finalize the appointments at this meeting.
10.5 **Notice of Completion and Project Acceptance – Pond Dredge and Rehabilitation**
The project to harvest and dredge the pond as a component of the District’s storm water management system is complete. A Notice of Completion was filed with the County Recorder on November 1, 2006.

**Recommendation:** It is recommended that the Board of Trustees ratify the Notice of Completion for the Pond Dredge and Rehabilitation project and accept the project as complete.

10.6 **Approval of Credit Curriculum for Fall, 2006**
Changes to the curriculum have been made during the Fall, 2005, semester. Those changes have been carefully reviewed and approved by each appropriate division, division chairperson, and the Curriculum Committee. The Academic Senate and the District have reached mutual agreement on those changes and recommend them for board approval. The curriculum packet for Fall Semester, 2006, is available in the President’s Office.

**Recommendation:** It is recommended that the Board of Trustees approve the changes to the credit curriculum for Fall Semester, 2006.

10.7 **Adoption of Calendar of 2007 Board Meetings**
The proposed calendar for the 2007 regularly scheduled board meetings appears in backup page 8. Regular meetings are scheduled for the second Thursday of each month, with public session beginning at 6:00 p.m.

**Recommendation:** It is recommended that the Board of Trustees adopt the 2007 calendar of board meetings.

10.8 **Election of Board Officers for 2007**
Consistent with Board Policy B8110: Election of Officers, board members who are scheduled to rotate into officer positions for 2007 are: Michael Baldini, president; Bruce Ketron, vice president, and Charles Meng, clerk.

**Recommendation:** It is recommended that the Board of Trustees approve the 2007 slate of officers: Michael Baldini, president; Bruce Ketron, vice president; and Charles Meng, clerk.

10.9 **Acceptance of Statement of Vote for the Napa County November 7, 2006 Consolidated General Election**
John Tuteur, Registrar of Voters, presented the Statement of Vote for the Napa County November 7, 2006 Consolidated General Election at the November 30, 2006 Special Board Meeting. As there was no appropriate item on the agenda, the board could not take action at that meeting to accept the Statement of Vote. The board has received copies of the Statement of Vote for the Napa County November 7, 2006 Consolidated General Election. Copies are available in the President’s Office upon request.

**Recommendation:** It is recommended that the Board of Trustees accept the Statement of Vote for the Napa County November 7, 2006 Consolidated General Election.
10.10 Approval of Revised Pay Scale for Student Employees
As of January 1, 2007, the State of California is increasing the minimum wage by $0.75 to $7.50. On January 1, 2008, the rate will increase again to $8.00. As a result, the salary matrix for student employees is being adjusted to reflect the increase. While the lowest pay rate on the matrix is $7.75, we are closer to the $8.00 rate that will be in effect next January. The new rates are also more competitive in the local labor market. See backup page 9 for the Student Help Pay Scale.

**Recommendation:** It is recommended that the Board of Trustees approve the revised Student Help Pay Scale.

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

10.1 Reports from Vice Presidents

10.2 Superintendent/President’s Report

10.3 Reports from Board Members

11.0 ADJOURNMENT