NOTE: Closed session begins at 5:30 p.m. and
Public session begins at 6:30 p.m.

Napa Valley Community College District

THE REGULAR MEETING OF THE BOARD OF TRUSTEES
January 17, 2007
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

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, Employee Evaluation
1) Evaluation of Superintendent/President

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:
1) Chemistry Instructor (tenure-track)
2) Medical-surgical Nursing instructor (tenure-track)
3) Counseling Instructor/Counselor (leave replacement for spring, 2007)
4) Child and Family Studies Instructor (leave replacement for spring, 2007)
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:

1) Corrections Academy Coordinator (grant-funded, academic administrator)

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 Staff:

1) Secretary III, Health Occupations
2) Secretary II, Business and Computer Studies/Social Sciences

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, Salaried Professionals:

1) Project Coordinator, Hospitality and Tourism Management (grant-funded)
2) Project Coordinator, Hospitality Institute Training Program (.5 FTE) (grant-funded)

With respect to every item of business to be discussed in closed session pursuant to Section 54957, CONSIDERATION OF INITIATION OF DISMISSAL PROCEEDINGS AGAINST A PERMANENT CLASSIFIED EMPLOYEE

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 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.

3.5 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.

3.6 Announcement of Future Meetings (5:30 p.m. closed session, 6:00 p.m. public session)
   February 8, 2007 Regular Meeting
   March 8, 2007 Regular Meeting
   April 12, 2007 Regular Meeting

4.0 ACTION ITEMS

4.1 Appointment of Provisional Trustee for District 3
Currently, a vacancy exits on the Napa Valley College governing board for the District 3 seat. The winner of the November, 2006 election to fill the vacancy originally created by the resignation of long-time trustee Joan Bennett declined the office. Rather than call for a special election, the board decided at its November 30, 2006 Special Meeting to make a provisional appointment to the District 3 seat.

At the January 16, 2007 special board meeting, the board interviewed applicants for the provisional appointment to the District 3 seat on the board. The individual selected will hold office until the next regularly scheduled election of the district governing board in November, 2008.

5.0 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.

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 Ratification of Financial Documents for December, 2006
6.1.1 Approval of Warrants
General Fund $1,027,027.80
Child Care Fund $2,173.36
Capital Outlay Projects Fund
NVC Bldg. Fund/Series B (BOND) $1,225,054.40

6.1.2 Approval of Total Gross Payroll
$2,121,945.79

6.2 Approval of Personnel Assignments Dated January 10, 2007

6.3 Approval of Agreement with Sonoma State University
It is recommended that the Board of Trustees approve and agreement with Sonoma State University, agreement number GC 103242. Napa Valley College will provide academic and support services for the College Assistance Migrant Program (CAM) for Sonoma State University. The term of this agreement is September 1, 2006 through June 30, 2007. The total amount is $30,000.

6.4 Approval of Proposed Change Orders – Central Chiller Plant
It is recommended that the Board of Trustees ratify acceptance of Bell Products, Inc. change orders numbered 2, 3, and 4, as given in attached Proposed Change Order Log dated January 5, 2007. The net credit for these proposed change orders is $7,328.

6.5 Approval of Proposed Change Orders – Historic Tulucay Creek Restoration
It is recommended that the Board of Trustees ratify acceptance of John Benward Company, Inc. proposed change orders numbered 13 and 15, as given in attached Proposed Change Order Log dated January 5, 2007. The net cost of these proposed change orders if $16,791.04.

6.6 Approval of Proposed Change Orders – New Tennis Courts
It is recommended that the Board of Trustees ratify acceptance of John Benward Company, Inc. Proposed change orders totaling $56,207.01 and are numbered 1, 2, 3, 4, 5, 6, 7, 9, 9A, 10, 13R, 15, 17R, 20, 23, 25, 26, 29, 31, 35, 40, 41, 42, 43, 44, 45, and 46. Proposed change orders related to project enhancements total $53,961.37 and are numbered 8, 16, 22, 30, 36, and 39. Proposed change orders that cover staging for future work total $161,359.36 and are numbered 14R, 18, 19, 19A, 21, 24, 28, 32, 33R, 34, 37, and 38. All proposed change orders are listed on the attached Proposed Change Order Logs dated January 5, 2007.

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 FINANCIAL REPORTS

8.1 Quarterly Financial Status of Income and Expenditures for the Period Ending September 30, 2006
(will be mailed separately and distributed at the meeting)

9.0 INFORMATION ITEMS

9.1 Introduction of New Vice President, Instruction
Sue Nelson was selected as new Vice President, Student Services in November, 2006. This will be her first board meeting, and she will be welcomed by the Napa Valley College Board of Trustees and college staff.

Sonia Wright, Executive Director, Napa Valley College Foundation, will present the Foundation Annual Financial Report for the period July 1, 2005 through June 30, 2006. The report will be distributed at the meeting and is available in the President’s Office.

9.3 Status Report on Governor’s Budget for 2007 – 2008
Dr. McCarthy and Scott Miller will summarize the provisions of the Governor’s spending plan for the 2007 – 2008 year and review its implications for Napa Valley College.

10.0 ACTION ITEMS (Continued)

10.1 Approval of Institutional Level Student Learning Outcomes
The new standards of the Accrediting Commission for Community and Junior Colleges require colleges to establish and measure student learning outcomes (SLOs) at the institutional level, program level, and course level. Napa Valley College will be required to meet those standards in its next accreditation cycle in 2008 – 2009. Therefore, Napa Valley College is currently developing SLOs at all levels.

One of the objectives in the 2005 – 2011 NVC Strategic Plan is for the college, its programs and services to identify SLOs. At the spring semester, 2006 Flex Day, the college community began the discussion of college level SLOs with assistance from Napa Valley College’s Title III grant from the U.S. Department of Education. Representatives from the Planning Committee will present the institutional level student learning outcomes that were prepared by the Planning Committee with input from the college community. See backup page 1.

10.2 Softball Field Parking Lot Expansion Lighting Bid Award
This project includes the installation of night lighting at the ballfield parking lot and paths of travel to the campus center. As a cost savings measure, this project was split into two phases. A separate contract was previously awarded for the parking lot pavement expansion that included all infrastructure for the lighting. Bids were opened in public on December 19, 2006. W. Bradley Electric, Inc. of Novato provided the lowest responsive bid of $140,868. The contractor has agreed to negotiate value engineering options upon award of bid. The minimum estimated savings is approximately $25,000.

Recommendation: It is recommended that the Board of Trustees award the Softball Field Parking Lot Expansion Lighting project to W. Bradley Electric, Inc. for $140,868.

10.3 Approval of Agreement with TLCD Architecture for New Library and Learning Resource Center
It is recommended that the Board of Trustees approve an agreement with TLCD Architectural design and other services related to the new Library and Learning Resource Center building. The contract will include design services from construction documents through construction administration as well as for furniture and equipment, audiovisual, acoustics, and security. The not-to-exceed fee for these services is $2,055,893.00, including $25,000 reimbursable expenses, of which $1,893,616 is state supportable (50% funded).

Recommendation: It is recommended that the Board of Trustees approve an agreement with TLCD Architecture for $2,055,893.00.

10.4 Approval of Proposals from Kurt Hirtzer Inspection Services for Inspector of Record Services
It is recommended that the Board of Trustees approve two agreements with Kurt Hirtzer Inspection Services for certified Inspector of Record services as mandated by the Department of the State Architect (DSA). The contracts each propose not-to-exceed fees for Inspector of Record services for the Central Chiller Plan and the new Life Science buildings. The not-to-exceed fees for these services are $112,000 and $135,000 respectively. (The Central Chiller Plant construction bid was awarded to Bell Products for $7.4 million. The new Life Sciences construction bid was awarded to McCrary Construction for $8.9 million.)
**Recommendation:** It is recommended that the Board of Trustees approve two proposals from Kurt Hirtzer Inspection Services totaling $247,000.

10.5 **Establishment of the 2007 – 2008 Nonresident Tuition Fee**

Education Code Section 76140 requires the governing board to establish the non-resident tuition fee for 2007 – 2008 by February 1, 2007. The fee may be established by using a variety of methods, including (1) the District’s 2005 - 2006 current expense of education per FTES, adjusted for inflation, or (2) the statewide average current expense of education per FTES, adjusted for inflation, or (3) no more than the rate established by a contiguous District.

Comparison of fees per semester unit, based on the options above, is as follows:

<table>
<thead>
<tr>
<th>Option</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) District Current Expense</td>
<td>$189.00</td>
</tr>
<tr>
<td>b) Statewide Average Expense</td>
<td>$173.00</td>
</tr>
<tr>
<td>c) Contiguous District (Solano College)</td>
<td>$173.00</td>
</tr>
</tbody>
</table>

The worksheet for the nonresident tuition fee is reprinted on the backup packet page 2.

In addition to the District rate computed above, the Education Code Section 76141 authorizes each district to charge nonresident students who are both citizens and residents of a foreign country an amount not to exceed the funds expended for capital outlay in 2005-2006 divided by the actual FTES. Any fee charged for capital outlay should not exceed 50 percent of the nonresident tuition fee established by the District. In addition, any fee collected pursuant to ECS 76141 must be expended for capital outlay projects. The fee for the additional amount charged to foreign students is computed to be $7 per unit.

The fees charged by the District for 2006 - 2007 are as follows:

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-resident Tuition Fee</td>
<td>$173.00</td>
</tr>
<tr>
<td>Additional Charge for Foreign Students</td>
<td>$7.00</td>
</tr>
</tbody>
</table>

**Recommendation:** It is recommended that the Board of Trustees set the District’s 2007–2008 Nonresident tuition fee at $173 per semester unit. In addition, foreign students should be charged an additional $7.00 per unit, pursuant to Education Code Section 76141.

10.6 **Approval of Appointment of Board Members to the Napa Valley College Viticulture and Winery Technology Foundation**

At the December 14, 2006 board meeting, two board members were appointed by the board to serve on the Napa Valley College Viticulture and Winery Technology Foundation. Mr. Meng, the board member who made the motion to approve the appointment of the two members, has requested that the agenda item be re-opened at this meeting.

Mr. Meng has indicated that it has come to his attention that there were three candidates for the two positions and that he had interpreted the agenda item as meaning there were only two candidates. He has recommended that, after appropriate discussion of qualifications by candidates and trustees, the board would vote for two candidates. As another option, Mr. Meng suggested increasing the number of board members represented on the Foundation board be increased to three. That would require a change in the by-laws of the Napa Valley College Viticulture and Winery Technology Foundation, and a revision of those by-laws would be made at a future board meeting.
11.0 OTHER REPORTS: Note that no action can be taken regarding any report item.

11.1 Superintendent/President's Report
11.2 Reports from Board Members

12.0 ADJOURNMENT