Note: Public Session Begins at 7:00 p.m.

Napa Valley Community College District

THE REGULAR MEETING OF THE BOARD OF TRUSTEES
March 8, 2007
5:30 p.m. Closed Session
7:00 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, CONSIDERATION OF PLACING PART-TIME, HOURLY CREDIT INSTRUCTOR ON UNPAID LEAVE

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT
1) Corrections Academy Coordinator

With respect to every item of business to be discussed in closed session pursuant to Section 54957, CONSIDERATION OF NON-RENEWAL OF CONTRACT FOR ACADEMIC ADMINISTRATORS
With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT
1) Student Services Specialist

3.0 RETURN TO PUBLIC SESSION (7:00 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, 6:30 p.m. public session)
   April 12, 2007, Regular Meeting
   May 10, 2007, Regular Meeting (may need to be rescheduled)
   May 25, 2007, Commencement Ceremony

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 FEBRUARY 8, 2007
   See backup pages 1 through 9.

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 February, 2007
   6.1.1 Approval of Warrants
      General Fund $1,026,756.70
      Child Care Fund $2,696.64
      Capital Outlay Projects Fund
      NVC Bldg. Fund/Series B (BOND) $1,967,928.56
   6.1.2 Approval of Total Gross Payroll $1,973,661.39
6.2 Approval of Personnel Assignments Dated March 1, 2007

This is an annual, routine approval of the status document that lists each academic employee by Contract status, salary step, and anniversary date. The document recommended for approval is printed on backup packet page 10 through 13.

6.4 Approval of Special Privileges for Nonresident Foreign Student
The administrative regulations to Board Policy S6210 Tuition, relate to the non-resident Foreign Student Tuition Waiver. The regulations state that the Napa Valley College Board of Trustees authorizes tuition waivers for no more than 10 per cent of the non-resident foreign students enrolled at the college each semester. The waiver is to be used in unusual and extraordinary situation. The waiver is granted for one semester, subject to renewal each semester, up to a maximum of four semesters. The student’s circumstances must meet three criteria, including: the student’s financial situation has changed beyond his/her control; 2) failure to grant the waiver would cause the student undue hardship; and 3) the president recommends approval of the waiver. Ms. Villegas is an international student from the Philippines and is requesting a waiver of the nonresident tuition fee for the Spring, 2007 semester. This is the third semester she is requesting a waiver.

6.5 Approval of Extension of Agreement with Marin General/Novato Community Hospitals
The Hospital Agreement format for Marin General/Novato Community Hospitals is currently being revised. They have requested an agreement extension until the revisions are completed. This extension will provide a new expiration date of July 31, 2007. This will continue an agreement that will provide practical experience at hospital facilities for our students.

6.6 Proposed Change Orders -- Central Chiller Plant
It is recommended that the Board of Trustees ratify acceptance of Bell Products, Inc. proposed change orders numbered 6, 8, 9, and 10, as given in attached Proposed Change Order Log dated February 13, 2007. The neat increase for thee proposed change orders is $935.00. See backup pages 14 and 15.

6.7 Proposed Change Orders -- Life Sciences Building
It is recommended that the Board of Trustees ratify acceptance of McCrary Construction Company, Inc. proposed change orders numbered 1, 2, 3, 4, 5, 9 11, 12, 13, 14, 15R, 18, and 19, as given in attached Proposed Change Order Log dated February 22, 2007. The net increase for these proposed change orders is $33,858.00. See backup pages 16 through 18.

6.8 Proposed Change Orders – Softball Field Parking Lot Expansion
It is recommended that the Board of Trustees ratify acceptance of John Benward Company, Inc. proposed change orders numbered 2, 3, 4, 7, and 9, as given in attached Proposed Change Order Log dated February 22, 2006. The net increase for this proposed change order is $51,501.50. See backup pages 19 and 20.

6.9 Proposed Change Order – Signage and Wayfinding
It is recommended that the Board of Trustees ratify acceptance of Garnett Sign Company, Inc. proposed change order number 2, as given in attached Proposed Change Order Log dated February 26, 2007. The net increase for this proposed change order is $15,888.000. See backup page 21.

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 12/31/07 (sent separately)
8.2 Quarterly Financial Statement Report (CCFS 311Q)

9.0 INFORMATION ITEMS
9.1 Accountability Reporting for the Community Colleges (ARCC)
The 2007 ARCC Report will be issued to the State Legislature on March 19. Dr. Robyn Wornall, Director of Institutional Research, will review the ARCC data tracking NVC’s performance as well as the college’s self-assessment reflecting on the ARCC data. The backup packet includes the NVC data (pages 401 - 405 of the ARCC draft), the peer group identification (pages 584 – 589 of the ARCC draft), and the college’s self-assessment. See backup page 22 – 33.

9.2 Review of Options to Address Construction Shortfalls for Bond Facilities Projects
Rising construction costs have impacted the college’s ability to complete all the projects originally outlined in the ballot language of Measure N voters passed in 2002. Although building costs were estimated in 2002 to rise 3 percent per year, the effects of a building boom in China and Hurricane Katrina have raised the costs of steel, petroleum projects, glass and other materials by 12-20 percent per year. Over ten years of construction, this compounds to a projected $70 million shortfall in funds needed to complete all projects originally planned.

The college has brought in additional state money to supplement local funds, mounted a fundraising campaign, and taken advantage of favorable bond rates, thereby adding another $44 million to the bond funds and reducing by seven years the length of time taxpayers will be paying for Measure N.

The board will review various options the college may consider to address the construction costs shortfall, including:
1) A future bond
2) Tax Extension
3) Certificate of Participation

The board may also set a date for a retreat at which these options would be discussed more fully.

10.0 ACTION ITEMS

10.1 Public Hearing on Resolution to Dedicate Real Property (Permanent Easements) to Napa Sanitation District

Napa Sanitation District has requested a utility easement along the eastern edge of college property, parallel to Highway 221, for the purpose of constructing a 24” transmission pipeline to provide reclaimed water to the Napa Sanitation District’s customers. They have also requested a separate easement along the eastern edge of the ballfield parking lot for the purpose of constructing an 8” pipeline to provide the college sports fields with reclaimed water. The resolution of intent that was ratified in the February meeting of the Board of Trustees was the first step in notifying the community of the college’s intent to grant permanent easements over public property. See backup pages 34 and 35.

10.1 Public Hearing on Resolution to Grant Permanent Easement to Napa Sanitation District

This hearing is held to allow for public comment on the proposed resolution, as required by law. The hearing will be held at approximately 7:30 p.m.

10.2 Approval of Resolution to Grant a Permanent Easement to Napa Sanitation District

Recommendation: It is recommended that the Board of Trustees approve the resolution to grant a permanent easement to Napa Sanitation District.

10.2 Approval of Resolution Related to Issuance and Sale of 2007 – 2008 Tax and Revenue Anticipation Notes

For the past several years, the District has issued tax and revenue anticipation notes (TRANS) to provide cash flow until property taxes and other revenues are received. The projected cash flow for 2007 – 2008 will again require issuance of TRANS to meet our ongoing obligations. The notes must be repaid before the end of the fiscal year 2007 – 2008. The TRANS will be issued through a statewide financial program sponsored by the Community College League of California.

The resolution (to be distributed at the meeting) authorizes the issuance by the District of tax and revenue anticipation notes (TRANS) in an amount not to exceed $5,000,000. The resolution authorizes the Superintendent/President or Vice President, Business and Finance to sign financing documentation in connection with the issuance of the TRANS. The resolution appoints the law firm of Stradling, Yocca, Carlson and Rauth as bond counsel to the District. Stradling is a regional law firm that specializes in municipal bond law.

Recommendation: It is recommended that the Board of Trustees approve the resolution to authorize the issuance of Tax and Revenue Anticipation Notes for 2007 – 2008.
10.3  **Approval of Purchase Order to Hershey System, Inc. for Digital Archiving Software**
The District has been using a data archiving system for quite some time. The system is outdated and does not integrate well with Datatel. The District went out with a Request for Proposal in Spring, 2006 for an updated digital imaging system. Four proposals were received, and through a thorough review process involving several different departments, a recommendation was developed to go with the Hershey Systems, Inc. system. The total cost of the proposed software and training package is $135,425. This was not the lowest cost package. The least expensive proposal was submitted by the current District vendor, Laserfiche. However, none of the departments was satisfied with the current support provided for this product. In addition, they never provided a complete solution proposal for one of the required areas of functionality.

Education Code section 81645 allows a community college district to contract with any of the three lowest responsible competitive proposals. The proposal from Hershey Systems, Inc. was the second lowest proposal.

**Recommendation:** It is recommended that the Board of Trustees approve a purchase order with Hershey Systems, Inc. for a total price of $135,425 for digital imaging software, maintenance and training.

10.4  **Approval of Purchase Order to Dell Computer Corporation for Virtual Server Hardware and Software**
The District currently has approximately 32 servers to meet a variety of software and storage requirements. Most of these servers are not being fully utilized, some have utilization as low as five to ten percent. Several of these servers need to be replaced.

Staff has proposed moving to a virtual server system. In simple terms, the virtual system makes software operate as if it were housed on a shared server. This allows the servers to operate more efficiently, provides added redundancy, and provides for more efficient use of storage. It is hoped that this initial procurement will replace approximately ten to fifteen servers, with the potential to replace more as needed at a lower cost. In addition, this system provides added storage and more efficient storage, with the capability to expand the storage at a reasonable cost.

PG&E is currently offering rebates for server virtualization and server reduction projects. The District is hoping to qualify for rebates ranging from $25,000 to $50,000, depending on what servers are eliminated.

This purchase is being made utilizing a bid prepared by the Western States Contracting Alliance. This Alliance was created by the State purchasing directors of fifteen Western states. The main purpose was to increase joint purchasing power to leverage cost-effective purchasing. Legal counsel has reviewed WSCA number A63307 and has approved its use by Napa Valley College.

The total purchase price is $258,035.27. The college will utilize funding provided by State one-time funds allocated in the 2006 – 2007 fiscal year. This purchase is outside of the 50 percent law calculation.
Recommendation: It is recommended that the Board of Trustees approve a purchase order to Dell Computer Corporation as outlined in quote number 349837005 under WSCA Agreement number A63307 for a total of $258,035.27 for computer hardware, software, installation services, support and maintenance.

10.5 **Approval of Proposal for a Joint Occupancy Lease Agreement for the Teaching Winery and Related Property**

The District has been working towards bonding the teaching winery for several years. As part of that process, the District must lease the property to be bonded to the newly created Foundation, since the District cannot hold the bonds. Staff is working with legal counsel to develop the best method for moving forward with developing a lease. At the time board items were due, the best option appeared to require that the Board adopt a resolution setting forth the basic terms and conditions for the basic lease. Once the Board adopts a resolution, it must wait for a minimum of 90 days before holding an open meeting to review any proposals received. Since time is critical for the bonding process, this agenda item was prepared to address a resolution, or whatever method was deemed best for moving forward to develop a lease. District staff will provide a recommendation at the meeting.

10.6 **Approval of Academic Calendar, 2007 - 2008**

The proposed academic calendar has been established to coincide with the semester break scheduled by Napa Valley Unified School district. The calendar has been agreed upon in a memo or understanding with the Faculty Association. See backup pages 36 and 37.

**Recommendation:** It is recommended that the Board of Trustees approve the proposed academic calendar.

10.7 **Approval of Napa Valley College Viticulture and Winery Technology Foundation as an Auxiliary Organization**

The Napa Valley Viticulture and Winery Technology Foundation held its first meeting on February 12. At this meeting, bylaws were adopted and officers were elected. Other action items approved included an application to the Napa Valley College Board of Trustees for auxiliary organization status.

**Recommendation:** It is recommended that the Board of Trustees authorize the NVC Viticulture and Winery Technology Foundation as an auxiliary organization.

10.8 **Request to Add an Accountant Position to the Classified Employee Group and to Authorize Advertising for this Position**

In order to ensure effective oversight of Measure N funds, the administration is requesting the addition of an Accountant II classified position to monitor the ongoing expenses related to bond implementation. This position would be located in the Campus Planning and Construction Office.

This additional position is necessary because of the increased workload related to projects coming online. This position will be funded out of Measure N funds, in accordance with existing legal regulations, and it will have no impact on district financing. The Napa Valley
College Association of Classified Professionals (NVC-ACP) supports the addition of this position.

**Recommendation:** It is recommended that the Board of Trustees approve the addition of an Accountant II classified position and authorize the advertising of this position.

10.9 **Authorization to Advertise for Faculty Position for 2007 – 08**

This is a request for authorization to advertise for one additional faculty position for 2007 – 2008. This authorization allows the Office of Human Resources to finalize a job announcement, plan for job fairs, and begin advertising the position.

1) Photography Instructor

10.10 **Approval of Sabbatical Leave Recommendations for 2007 – 2008**

The Academic Senate Professional Development Committee forwarded to the Office of Instruction one recommendation for a sabbatical leave for 2007 – 2008. David Angelovich has requested a one-semester sabbatical leave for Spring, 2008. See backup page 38.

**Recommendation:** It is recommended that the Board of Trustees approve a one-semester sabbatical for David Angelovich for Spring, 2008.

10.11 **Approval of Resolution of Recognition for the America500 Birthday**

The college has received a request for support of a resolution of recognition for the America500 Birthday Extravaganza. The request comes from the Napa Valley Golden State History Project and focuses on the 500th birthday of the geographical naming of North and South American as separate land masses. “The goal is to unite local resources, animate community spirit and create a worldwide forum for education and peace.” See backup pages 39 through 42.

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

11.1 **Reports from Vice Presidents**

11.2 **Superintendent/President’s Report**

11.3 **Reports from Board Members**

12.0 **ADJOURNMENT**