NOTE: The meeting will be held in American Canyon at the Fairfield Inn, Meeting Room A, 3800 Broadway Street.

Napa Valley Community College District
THE REGULAR MEETING OF THE BOARD OF TRUSTEES
December 11, 2008
6:00 p.m. Closed Session
6:30 p.m. Return to Public Session
Fairfield Inn, 3800 Broadway Street
American Canyon, CA 94503

Regular meetings of the Napa Valley Community College District Board of Trustees are held the second Thursday 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. In compliance with Government code section 54954.2 (a) Napa Valley College will, on request, make this agenda available in appropriate alternative format or who need a disability-related modification or accommodation in order to participate in the meeting should contact the President’s Office, 2277 Napa Vallejo Highway, Napa, California, (707) 253-3365.

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 6:00 p.m.

2.0 CLOSED SESSION (6:00 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, Kevin Luckey, 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, Contract Renewal
Vice President, Student Services
With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT

Titles:
1) Academy Director, Criminal Justice Training Center (academic administrator)
2) Director, Career Technical Education Programs (grant-funded, classified administrator)

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT
Title:
1) Police Officer (1.0 FTE)

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 Resolution of Re-Election of Trustees JoAnn Busenbark, Steve Reinbolt, Tom Andrews, and Brenda Knight
By resolution, the re-election of JoAnn Busenbark to District 6, Steven Reinbolt to Area 1, Tom Andrews to Area 7, and Brenda Knight to Area 3 is declared and certified pursuant to California Education Code sections 5326 and 5328 as the only candidate and sole qualified person for the office of each area.

3.5 Swearing-in of Re-Elected Trustees JoAnn Busenbark, Steve Reinbolt, Tom Andrews, and Brenda Knight

3.6 Acknowledgement of Dan TerAvest and Scott Miller
Dan TerAvest, Director of Campus Planning and Construction, was selected to receive Napa County Green Award for his work spearheading the building of the college solar field and for “ecology and earth stewardship due to his leadership in greening the campus.” Scott Miller, Vice President, Business and Finance, was named the Walter Star Robie Award winner for 2008 – 2009 by the Chief Business Officers of the California Community Colleges, the top honor given to a CBO by their professional organization. Mr. TerAvest and Mr. Miller will receive the acknowledgement of the Board of Trustees.

3.7 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.

3.8 Adoption of Current Agenda

3.9 Announcement of Future Meetings (5:30 p.m. closed session, 6:30 p.m. public session January 15, 2009)
February 12, 2009
March 12, 2009

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 five-minute presentation.

5.0  APPROVAL OF MINUTES OF NOVEMBER 13, 2008  (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 October, 2008
6.1.1  Approval of Warrants
General Fund $886,999.97
Child Care Fund $5,684.74
Capital Outlay Projects Fund $786.06
NVC Bldg. Fund/Series B (BOND) $2,943,752.02

6.1.2  Approval of Total Gross Payroll
$2,628,929.01

6.2  Approval of Personnel Assignments Dated December 4, 2008

6.3  Approval of Agreement with AT & T for Telephone Services
It is recommended that the Board of Trustees approve an agreement with AT & T for telephone services. This is a contract sponsored by the State of California. The District has participated in this program for a number of years. The contract rates are substantially lower than what non-state agencies pay. The term of the contract is for five years from contract approval. The costs are as specified in the contract.

6.4  Approval of Agreement with SRJC for a Career Technical Education Community Collaborative Partnership in Digital Media/Multimedia, Arts and Entertainment Career Pathway
It is recommended that the Board of Trustees approve the above-referenced grant. The college will work with local high schools and NVC instructors to align curriculum development, work with industry professionals to analyze industry numbers and perform many other related activities. The term of the agreement is from July 1, 2008 to December 31, 2009. The total possible income to NVC is $179,598.

6.5  Approval with Epler Company for GASB Actuarial Valuation Study
The new GASB statements 43 and 45 require that an actuarial valuation study be completed every two years. This is the first year the District will fall under these GASB statements. The Epler Company proposed the last actuarial valuation that was completed in April, 2006. The term of the agreement is from December 11, 2008 to June 30, 2009. The total fee is $6,000. The report will be presented to the Board of Trustees once it is completed.
6.6 **Approval of an Agreement with the State of California Department of Developmental Services, Sonoma Developmental Center for Educational Services**

It is recommended that the Board of Trustees approve an agreement with the referenced organization for the agreement specifics that NVC will provide a HEOC 100 Basic Anatomy and Physiology course to Sonoma Developmental Center employees. The term of the agreement is from July 1, 2008 through June 30, 2010. The maximum amount of the agreement is $18,000.

6.7 **Approval of Agreement with Sutter Solano Medical Center for a Student Clinical Preceptorship Program**

It is recommended that the Board of Trustees approve an agreement with Sutter Solano Medical Center for students to obtain practical experience at the hospital through participation in a clinical preceptorship program. The term of the agreement is from January 1, 2009 through December 31, 2012. There is no compensation for either party.

6.8 **Approval of Resolution for Employer Pick-Up of Classified Employees Cal PERS Benefits**

The District has been providing an employer contribution of 5.187 percent of the employees CalPERS contribution since 1984. A recent IRS ruling states that an organization that may not have formally adopted this IRS provision has until December, 2008 to clarify the issue for all past contributions. Legal counsel has advised that the safest course of action is to formally adopt a resolution, even if an action was taken in the past. Therefore, a resolution was developed for adoption by the Board for classified employees.

6.9 **Approval of Resolution for Employer Pick-Up of Administrative/Confidential Employer CalPERS Benefits**

The District has been providing an employer contribution of 5.187 percent of the employees CalPERS contribution since 1990. As stated in the previous item, the resolution for this item protects all the contributions that have been made for this employee group.

6.10 **Approval of Agreement with the Chancellor’s Office California Community Colleges for an Entrepreneurship Career Pathways Project Grant Number 08-172-02**

It is recommended that the Board of Trustees approve an agreement with the Chancellor’s Office for an Entrepreneurship Career pathways Project grant. This project will assist students and young entrepreneurs in developing business plans to start their own businesses. The term of the agreement is from December 1, 2008 to January 31, 2010. The total possible compensation for the college is $50,000.

6.11 **Proposed Change Orders – Library Learning Resource Center**

It is recommended that the Board of Trustees ratify acceptance of Edge Development, Inc. proposed change orders numbered 14, 19, 26 and 27 as given in attached Proposed Change Order Log dated December 3, 2008. The net decrease for these proposed change orders is ($6,046.00). See backup page 10 -12.

6.12 **Proposed Change Orders – Instructional Center for the Performing Arts**

It is recommended that the Board of Trustees ratify acceptance of Broward Builders, Inc.
Proposed change order number 21 as given in attached Proposed Change Order Log dated December 1, 2008. The net DECREASE for this proposed change order is ($2,250.00). See backup page 13 and 14.

6.13 Proposed Change Orders – North Gym
It is recommended that the Board of Trustees ratify acceptance of Broward Builders, Inc. Proposed change order number 3 as given in attached Proposed Change Order Log dated December 1, 2008. The net increase for this proposed change order is $2,179.90. See backup page 15.

6.14 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 Carbone’s Custom Painting, Inc. for the originally listed subcontractor; River city Painting, Inc. Edge Development states that the originally listed contractor has failed to execute a written contract. River City Painting, Inc. did not object to the request to substitute subcontractors.

6.15 Acceptance of S. W. Allen Construction, Inc. Request to Substitute Subcontractor
Pursuant to Public Contract Code Section 4107, S. W. Allen Construction, Inc. prime contractor on the Ceramics Building Project, has requested that the District consent to the substitution of Tera-Lite, Inc. for the originally listed subcontractor, R.P. Coatings, Inc. S. W. Allen Construction, Inc. states that the originally listed contractor has failed to execute a written contract. R. P. Coatings, Inc. did not object to the request to substitute subcontractors.

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 APPROVAL OF FINANCIAL REPORTS
8.1 Quarterly Financial Status of Income and Expenditures for the Period Ending September 30, 2008
8.2 Quarterly Financial Statement Report (CCFS311Q)

9.0 INFORMATION ITEMS
9.1 American Canyon Collaborative Development Project Report
In 2007, the United Way of the Bay Area funded the American Canyon Family Resource Center to develop a collaborative effort to build family self-sufficiency in the American Canyon community. The goal was to create a public-private service collaborative that helps families move towards self-sufficiency by developing innovative economic development programs and filling gaps in services and streamlining referrals. Sherry Tennyson, Director, American Canyon Family Resource Center, will provide an update on the project and answer questions.

9.2 **Update on Outreach Efforts to American Canyon**
Assistant Registrar Robyn Tornay and counselor Nicole Corcoran will make a presentation on the collaborative outreach efforts and activities NVC has organized and participated in for American Canyon residents.

9.3 **Update on Umoja Program**
The Umoja Program, a learning community that provides an accelerated English component that focuses on African American literatures and issues, officially started in Fall, 2008. The program is open to all students and provides excellent transfer, academic and personal counseling tools that help students make a smooth transfer to a four-year university or college. Tia Madison, Umoja coordinator, will make a brief presentation and answer questions.

9.4 **Update on First Responder and Paramedic Training Program**
This year, the college added a first responder and paramedic training to its EMS Program. Students can now receive entry-level first responder training through advanced paramedic training at the college. The EMS industry has strongly supported the program in its growth. Dr. Amy LaPan, Dean, Health Occupations, will provide an update on these new options and answer questions.

9.5 **Napa Valley College Foundation Annual Report 2007 – 2008**
Sonia Wright, Executive Director, Napa Valley College Foundation, will present the Foundation Annual Financial Report for the period July 1, 2007 through June 30, 2008.

10.0 **ACTION ITEMS**

10.1 **ADA Transition Plan Addendum #1**
In October and November of 2004, the Napa Valley Community College District held two Public hearings and adopted a Final ADA Transition Plan. The plan identified objectives to full ADA compliance on campus and ranked them by priority. Staff worked with TLCD Architecture of Santa Rosa to update the plan to reflect the current status of each objective. Dan Ter'Avest will present information on Addendum 1 to the ADA Transition Plan.

**Recommendation:** It is recommended that the Board of Trustees adopt Addendum 1 of the ADA Transition Plan.

10.2 **Telephone Cabling Upgrade Bid Award**
This project will add and replace telephone cable throughout the main campus to meet current requirements for telephone lines. The project was advertised for bid on
November 1, 2008 and bids will be opened in public on December 4, 2008. Project completion is scheduled for March of 2009.

**Recommendation:** It is recommended that the Board of Trustees award the telephone cabling upgrade project to the lowest responsive bidder as presented.

10.3 **Approval of Lease Purchase Agreement for College Computer Network Upgrades**

The Board of Trustees approved a purchase order to AT & T Capital Services, Inc. for CISCO networking Equipment for $1,187,141 at its September 11, 2008 meeting. The equipment has been ordered and the project is moving forward. District staff was able to arrange a better lease agreement through Cisco using their financial lender, Key Government Financial, Inc. The new lease agreement is still a five-year agreement but the total cost is $1,144,196.

**Recommendation:** It is recommended that the Board of Trustees approve a lease agreement with Key Government Finance, Inc. for the purchase of Cisco network equipment for a total of $1,144,196.

10.4 **Approval of Agreement with the TDS Group for 403(b) Compliance Program**

The District currently offers a tax shelter annuity program under the guidelines of the IRS Code, Section 403(b). The IRS has amended the 403(b) Tax Code and has included many new requirements, including requirements to engage in the audit of 403(b) plans. It is necessary for the District to develop appropriate procedures to conduct a compliance review, followed by an ongoing compliance initiative, and to install the necessary controls to insure that the 403(b) plan is operated in conformance with the code.

TDS is currently the common remitter for our 403(b) program. They accept previous payments for our employee TSA contracts and distribute those payments to the appropriate organizations. TDS normally charges $0.25 per participating employee per month to perform all the necessary new services. However, since we already use them as our common remitter, they will perform all the necessary services at no additional charge.

The agreement will be effective January 1, 2009 and can be terminated by either party for any reason with 90 days notice.

TDS will provide all compliance resources, including the written plan document, 403(b) loan administration, hardship requests, over contributions and corrections, plan to plan transfers, contract exchanges, in-service distributions, post employment benefits, and retiree exit interviews.

**Recommendation:** It is recommended that the Board of Trustees approve an agreement with TDS Group for a 403(b) compliance program and authorize the superintendent/president or his designee to complete all the necessary documentation to put the program in place.

10.5 **Approval of Increase to Purchasing Card Account**

The Board of Trustees approved the use of purchasing cards and authorized the establishment of a purchasing card account with an initial deposit of $100,000 at the January 30, 1997 board meeting. This account is used to pay the credit card company with the allotted timeframe.
Once all the documentation is received from the cardholders the chargers are distributed to
the appropriate district account and the purchasing card account is replenished.
Because of the time needed to collect all the documentation, there are times when two
payments are outstanding at one time, and the $100,000 authorization level is being exceeded.
It is requested that the Board of Trustees increase the authorized level to $150,000 to
eliminate this problem.

**Recommendation:** It is recommended that the Board of Trustees increase the purchasing
card account to $150,000 and authorize the vice president, Business and Finance to transfer
an additional $50,000 to the account.

### 10.6 Approval of Credit Curriculum for Fall, 2008
Changes in the curriculum have been made during the Fall, 2008, 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 Approval of Summary of Progress on Grand Jury Recommendations
The Napa County Grand Jury is in the process of following up on recommendations made by
last year’s Grand Jury in its final report on Napa Valley College. The Grand Jury has
requested a brief written update on the college’s implementation of several recommendations
included in its initial report. The summary report will be distributed at the meeting.

### 10.8 Adoption of Calendar of 2009 Board Meetings
The proposed calendar for the 2009 regularly scheduled board meetings appears on backup
page x. Regular meetings are scheduled for the second Thursday of each month, with public
session beginning at 6:30 p.m.  See backup page 16.

### 10.9 Election of Board Officers for 2009
Consistent with Board Policy B8110: Election of Officers, board members who are
scheduled to move into officer positions for 2009 are: JoAnn Busenbark, president; Charles
Meng, vice president; and Steven Reinbolt, clerk.

**Recommendation:** It is recommended that the Board of Trustees approve the 2009 slate of
Officers: JoAnn Busenbark, president; Charles Meng, vice president; and Steven Reinbolt,
clerk.

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

#### 11.1 Staff Reports
Dean, Human Resources
Vice President, Business and Finance
Vice President, Student Services
Vice President, Instruction

11.2 Superintendent/President’s Report
11.3 Reports from Board Members

12.0 FUTURE AGENDA ITEMS

12.1 Board Listening Session
12.2 Update on Bonding of College Winery and Viticulture and Winery Technology Program

13.0 ADJOURNMENT