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 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 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**

3.6 **Announcement of Future Meetings** (5:30 p.m. closed session, 6:30 p.m. public session)
   - **September 10, 2009 Regular Meeting**
   - **October 20, 2009 Regular Meeting** (rescheduled to coincide with Accreditation Site Visit)
   - **November 12, 2009 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 five-minute presentation.

5.0 **APPROVAL OF MINUTES OF June 18, 2009**
See backup pages 1 through 10

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**

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
- 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
- Child Care Fund $3,733.89
- Capital Outlay Projects Fund
- NVC Bldg. Fund/Series B (BOND) $4,325,961.20
- NVC Bldg. Fund/Series C (BOND) $670.00

6.1.4 **Approval of Total Gross Payroll**
- $2,128,216.07
for July, 2009

6.2 Approval of Personnel Document of August 6, 2009

6.3 Proposed Change Orders – Library and Learning Resource Center
It is recommended that the Board of Trustees ratify 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. See backup pages 11 – 19.

6.4 Proposed Change Orders – North Gym
It is recommended that the Board of Trustees ratify 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. See backup page 20 and 21.

6.5 Proposed Change Orders – New Ceramics Building
It is recommended that the Board of Trustees ratify 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. See backup pages 22 – 25.

6.6 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 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. See backup pages 26 – 29.

6.7 Approval of an Agreement with the City of Albany for Paramedic Student Field Experience
It is recommended that the Board of Trustees approve 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
It is recommended that the Board of Trustees approve 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 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
It is recommended that the Board of Trustees approve an agreement with the Golden Living Nursing Facility for health occupations students to receive experience in a variety of clinical
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
It is recommended that the Board of Trustees approve 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 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 County Redevelopment Agency for Small Business Training
It is recommended that the Board of Trustees approve an agreement with Napa State Hospital for the provision of adult education classes. The term of this agreement is from July 1, 2009 through June 30, 2010. NVC is responsible for providing instructors and all instructional materials for the program and can claim all FTES generated by the program.

6.12 Approval of an Agreement with Marin Community College District for Program Development related to Green Technologies
It is recommended that the Board of Trustees approve 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
It is recommended that the Board of Trustees approve 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
It is recommended that the Board of Trustees approve 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
It is recommended that the Board of Trustees approve 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**

It is recommended that the Board of Trustees approve 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**

It is recommended that the Board of Trustees approve 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**

It is recommended that 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**

It is recommended that the Board of Trustees approve 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**

It is recommended that the Board of Trustees approve 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 Finances.

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 and John Nahlen will be appointed as his alternate. It is recommended that the Board of Trustees adopt the resolution to appoint John Nahlen, Vice President of Business & Finance, as alternate NCCCSIA JPA meeting attendee. See backup page 30.

6.22 **Approval of Resolution to Establish Temporary Interfund Transfers**

It is recommended that the Board of Trustees approve 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. See backup page 31 and 32.

7.0 CONSTITUENT GROUP REPORTS

- Academic Senate Report
- Faculty Association Report
- Classified Association Report
- 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
Phil Alwitt, Senior Account Executive at SPG Solar, Inc. will give a PowerPoint presentation on the benefit of implementing a photovoltaic system at the Upper Valley Campus.

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.

8.3 Community College Update
Board members will share information on matters including, but not limited to: accreditation, legislative issues, conference/training information, and CCCT issues and priorities.

8.4 Review Calendar of Upcoming Campus Events
The board will review upcoming campus events and identify which board members will attend to ensure effective communication and visibility. As appropriate, the board will also be informed of relevant community events.

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. (The reports have been forward to board members and are available in the President’s Office.)
Recommendation: It is recommended that the Board of Trustees accept the 2007 – 2008 Measure N Financial Audit and the 2007 – 2008 Measure N Performance Audit.

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.

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.

Recommendation: It is recommended that the Board of Trustees 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. This is a second reading. See backup pages 33 through 35.

Recommendation: It is recommended that the Board of Trustees 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
- Vice President, Business and Finance
- Vice President, Student Services
- Vice President, Instruction

10.2 Superintendent/President's Report

10.3 Reports from Board Members
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