NOTE: This is a Wednesday meeting.

Napa Valley Community College District
THE REGULAR MEETING OF THE BOARD OF TRUSTEES
December 9, 2009
5:30 p.m. Closed Session
6:30 p.m. Return to Public Session
Room 1340 McPherson Administration Building
Napa Valley College, Napa, California

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: Armond Phillips
Name or organization representing employees: NVC Administrative Senate

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)
January 14, 2009 Regular Meeting
February 11, 2009 Regular Meeting
March 11, 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 NOVEMBER 12, 2009 (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

6.1.1 Approval of Warrants for November, 2009
General Fund $696,700.03
Child Care Fund $1,624.46
Capital Outlay Projects Fund
NVC Bldg. Fund/Series B (BOND)
NVC Bldg. Fund/Series C (BOND) $3,602,104.65

6.1.2 Approval of Total Gross Payroll for November, 2009 $2,446,767.01

6.2 Approval of Personnel Document of December 2, 2009

6.3 Ratification of Notice of Completion and Acceptance of Project As Complete – New Ceramics Building
The project to construct the new Ceramics building is complete. A Notice of Completion was filed with the County Recorder on October 29, 2009.

6.4 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 70R2, 119, 121, 153, 156, 165, 166, 168, 172, and 173 as given in attached Proposed Change Order Log dated November 24, 2009. The net INCREASE for these proposed change orders is $30,371.00. See backup pages 10
through 20.
Construction Percent Complete: 73%
Contingency on Original Contract: 7%
Actual Contingency Used: 3.0%

6.5 Proposed Change Orders – the Performing Arts Center
It is recommended that the Board of Trustees ratify acceptance of Broward Builders, Inc. proposed change orders numbered 52R, 63R, 67, 69, 70, 71, 72, 73R, and 76 as given in attached Proposed Change Order Log dated November 24, 2009. The net INCREASE for these proposed change orders is $18,956.57. See backup pages 21 through 26.
Construction Percent Complete: 83%
Contingency on Original Contract: 5%
Actual Contingency Used: 1.3%

6.6 Approval of Agreement with Tulocay Funeral Home
It is recommended that the Board of Trustees approve an agreement with Tulocay Funeral Home for the purpose of providing internships to eligible students in the Human Resources Program. The term of the agreement is from October 28, 2009 until terminated by either party. There are no financial obligations for either party.

6.7 Approval of Agreement with Alameda County Medical Center
It is recommended that the Board of Trustees approve an agreement with Alameda County Medical Center regarding nursing and paraprofessional students obtaining broader clinical learning experiences and clinical experience. The term of this agreement is from January 1, 2010 through December 31, 2012 or until terminated by either party. There are no financial obligations for either party.

6.8 Approval of Agreement with Commission on Peace Officer Standards and Training (P.O.S.T)
It is recommended that the Board of Trustees approve an agreement with Commission on Peace officer Standards and Training (P.O.S.T.) for the purpose of integrating Homeland Security DVDs into the lineup training program for the Commission on Peace Officers Standards and Training (P.O.S.T.) The term of the agreement is from January 1, 2010 through December 31, 2010. The maximum amount of the agreement is $180,000.

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 Report on the Viticulture and Winery Technology Program
Steve Krebs, Program Coordinator of the Viticulture and Winery Technology Program, and instructor/winemaker Bryan Avila will give the board an update on the Viticulture and Winery Technology Program.

8.2 Recognition of Napa Valley Cooking School Scholarship Winners
At the recent graduation of the Napa Valley Cooking School, three graduates were recognized for excellence and were awarded with scholarships: Jody Pfaff (American Institute of Wine and Food Scholarship); Jeannette Webber (Orange County Wine Scholarship); Patty Ramos (Belle Rhodes Scholarship and Napa Valley Culinary Alliance Scholarship). All three scholarship recipients are from American Canyon and will be introduced by the trustee from American Canyon, Brenda Knight.

8.3 Napa Valley College Foundation Annual Report 2008 - 2009
Sonia Wright, Executive Director, Napa Valley College Foundation, will present the Foundation Annual Financial Report for the period July 1, 2008 through June 30, 2009. The report is available in the President’s Office and in the Foundation Office and will be distributed at the meeting.

8.4 Update on Presidential Search Process
The Napa Valley College Board of Trustees is in the process of conducting a search for a new superintendent/president of the college. The board is committed to an open, inclusive process and will take under careful consideration all input/suggestions. To that end, there will be a standing item on the agenda to support the open communication, transparency, and inclusivity that are critical to a successful search. The board will provide an update on the process at this time. Any member of the public or the campus community will be given the opportunity to speak, make comments, suggestions, or ask questions.

8.5 Report on Public Property Development – North Corner
At its board meeting of October 9, 2008, the board discussed its interest in agendizing a standing informational item over upcoming months regarding the development of college property, including land at the corner of Imola and Soscol Avenues.

8.6 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.

8.7 Review Calendar of Upcoming Campus and Community 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 **Mechanical Equipment Enclosures Replacement Project Bid Award**

Bids were opened in public on December 3, 2009 for this project to replace the rooftop structures and HVAC equipment on Buildings 900, 1100, 1300, 1400, 1500 and 1600.

**Recommendation:** It is recommended that the Board of Trustees award the bid to the lowest responsible bidder as presented.

9.2 **Approval of Board Policy 5500: Speech: Time, Place and Manner (Second Reading)**

Chief of Police Ken Arnold presented this policy at the November board meeting. The policy outlines the expectations that those on campus must conduct their expressive activities in a manner that promotes education and maintains the ideals of respect, equality, diversity and freedom from harassment. This policy, provided by the Community College League Policy and Procedure Service, was reviewed by college counsel. See backup page 27.

**Recommendation:** It is recommended that the Board of Trustees approve Board Policy 5500: Speech: Time, Place, and Manner (Second Reading).

9.3 **Approval of Credit Curriculum for Fall, 2009**

Changes in the curriculum have been made during the Fall, 2009 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, 2009, 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, 2009.

9.4 **Adoption of Calendar of 2010 Board Meetings**

The proposed calendar for the 2010 regularly scheduled board meetings appears on backup page 28. Regular meetings are scheduled for the second Thursday of each month, with public session beginning at 6:30 p.m.

9.5 **Election of Board Officers for 2010**

Consistent with Board Policy B8110: Election of Officers, the slate of officers for 2009 was established at the November meeting as follows: Charles Meng, president; Tom Andrews, vice president; Brenda Knight, clerk.

**Recommendation:** It is recommended that the Board of Trustees approve the 2010 slate of officers: Charles Meng, president; Tom Andrews; vice president; Brenda Knight, clerk.

9.6 **Approval of Agreement to Lease Real Property for a Period of Five Days to Five Years**

The original lease proposal included an initial three-year term. In an effort to keep all options open for this property, the District had asked the individual who submitted the proposal if he
would accept a lease modification to a 7-month lease beginning May 15, 2009 with an option to renew for additional one-year periods and he accepted that modification. The rent has been decreased from $150 to $50 per month upon renewal of this lease.

**Recommendation:** It is recommended that the Board of Trustees approve an agreement with Robert J. Fitzgerald for the lease of the property described as AP#009-070-021-000 located at 1088 College Avenue, St. Helena, CA for a rental of $50 per month and a one-year term from November 15, 2009 through November 14, 2010.

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 **Development of Corner Property/Housing**

12.0 **RESOLUTION IN HONOR OF OUTGOING BOARD PRESIDENT JOANN BUENBARK**

13.0 **ADJOURNMENT**