NOTE: This meeting date is a Wednesday.

Napa Valley Community College District

THE REGULAR MEETING OF THE BOARD OF TRUSTEES

April 28, 2010

4:30 p.m. Closed Session

6:00 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 4:30 p.m.

2.0 CLOSED SESSION (4:30 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, PUBLIC EMPLOYMENT, Consideration of Disciplinary Action for Academic Employees

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Appeal to Administrative Determination Regarding an Unlawful Discrimination Complaint Against a Member of the Faculty (5:00 p.m.)

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: NVCFCA/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
With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT
Title:
a) Interim Associate Dean, Associate Degree Nursing Program

3.0 RETURN TO PUBLIC SESSION (6:00 p.m.)

3.1 Recognition of Classified Professionals
Each year, Napa Valley College honors its classified staff. This year, the focus will be on the classified staff members who will be retiring at the end of June, 2010. Twelve retiring classified staff have been invited to attend. Their supervisors, who have also been invited to attend, will comment on their valued service to their departments and to the college. Staff will receive thanks and congratulations from the Board of Trustees.

3.2 Roll Call

3.3 Pledge of Allegiance

3.4 Introduction of Visitors, Guests, and New Staff

3.5 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.

3.6 Adoption of Current Agenda

3.7 Announcement of Future Meetings (5:30 p.m. closed session, 6:30 p.m. public session)
May 13, 2010 Regular Meeting
June 10, 2010 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
5.1 APPROVAL OF MINUTES OF MARCH 11, 2010
See backup pages 1 through 8.
5.2 APPROVAL OF MINUTES OF MARCH 24, 2010
See backup pages 9 through 17.

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 December, 2009
General Fund $1,103,403.35
Child Care Fund $24,031.93
Capital Outlay Projects Fund
NVC Bldg. Fund/Series B (BOND) $3,234,524.59
NVC Bldg. Fund/Series C (BOND)

6.1.2 Approval of Total Gross Payroll for March, 2010 $2,345,003.24

6.2 Approval of Personnel Document of April 21, 2010

6.3 Proposed Change Orders for the Library and Learning Resource Center
It is recommended that the Board of Trustees ratify acceptance of Edge Development, Inc. proposed change orders numbered 71, 137, 151R1, 163R2, 194, 206R1, 213, 218R1, 219R1, 222R1, 236, 237, 239R1, 240, 241, 242R2, 243, 244R1, 254, 255 as given in the attached Proposed Changed Order Log dated April 16, 2010. The net INCREASE for those proposed change orders is $59,775.00. See backup pages 18 – 33.
Construction Percent Complete: 89%
Contingency on Original Contract: 7%
Actual Contingency Used: 3.83%

6.4 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 29, 41, 54, 55, 61, 85, 88, 89, 90R, 104, 107, 108, 109R, 111, 112, 113, 115, 116, 117, 118, 121, and 122 as given in the attached Proposed Change Order Log dated April 16, 2010. The net INCREASE for these proposed change orders is $146,825.56. See backup pages 34 – 41.
Construction Percent Complete: 91%
Contingency on Original contract: 5%
Actual Contingency Used: 2.4%

6.5 Proposed Change Orders – Bldg. 3700 Art Center Remodel Phase 1
It is recommended that the Board of Trustees ratify acceptance of SW Allen Construction, Inc. proposed change order 26 as given in the attached Proposed Change Order Log dated April 16, 2010. The net INCREASE for these proposed change orders is $5,758.00. See backup pages 42 through 44.
Construction Percent Complete: 20%
Contingency on Original Contract: 5.0%
Actual Contingency Used: 2.4%

6.6 Proposed Change Orders – North Gym
It is recommended that the Board of Trustees ratify acceptance of Broward Builders, Inc. proposed change orders 38 and 47R2 as given in the attached Proposed Change Order Log dated April 16, 2010. The net INCREASE for these proposed change orders is $11,008.53. See backup pages 45 through 48.
Construction Percent Complete: 99%
Contingency on Original Contract: 5.0%
Actual Contingency Used: 2.2%

6.7 **Proposed Change Orders – Mechanical Equipment Enclosures Replacement**
It is recommended that the Board of Trustees ratify acceptance of Bell Products, Inc. proposed change orders 5.1R, 6.1R, and 8 as given in the Attached Proposed Change Order Log dated April 16, 2010. The net DECREASE for these proposed change orders is ($5,584.00). See backup pages 49 through 50.
Construction Percent Complete: 18%
Contingency on Original Contract: 6.5%
Actual Contingency Used: -0.4%

6.8 **Disposal of Surplus Library Furnishings and Equipment**
As the LLRC moves to the new facility, much of the existing furniture and equipment will no longer be needed for the library. Staff requests that the Board of Trustees declare the old library furnishings and equipment surplus. The disposal process would include 1) offer the furniture and equipment to other departments, 2) the remaining furniture and equipment shall then be offered by the District to school districts within the County of Napa and other public entities in the area consistent with Education Code Section 81450.5, and 3) District staff shall determine the fair value of any remaining furniture. If the value of the surplus property does not exceed $5,000, authorize staff to dispose of the property in the best way possible within the limits of Education Code Section 81452. If in excess of $5,000, the matter will be brought back to the Trustees for further consideration.

6.9 **Approval of an Agreement with the Sonoma Valley Fire Rescue Authority for the Purpose of Providing NVC Paramedic Students Field Internship Opportunities**
It is recommended that the Board of Trustees approve an agreement with the Sonoma Valley Fire Rescue Authority for the purpose of providing field internship opportunities for paramedic students. The term of the agreement is from March 1, 2010 until terminated by either party. There is no cost to the District.

6.10 **Approval of an Agreement with the Veterans Home of California – Yountville for the Purpose of Providing NVC Nursing Students Clinical Nursing Experience**
It is recommended that the Board of Trustees approve an agreement with the Veterans Home of California – Yountville to provide clinical training to NVC nursing students in all areas of practice and/or observational nursing experience at the Veterans Home. The term of the agreement is from July 1, 2010 through June 30, 2011. There is no cost to the District.

6.11 **Approval of an Agreement with the John Muir Medical Center, Concord Campus for the Purpose of Providing NVC Nursing and Paramedic Students Clinical Learning Experiences**
It is recommended that the Board of Trustees approve an agreement with the John Muir Medical Center, Concord Campus for the purpose of providing clinical experiences for NVC nursing and paramedic students. The term of this agreement is from April 1, 2010 through March 31, 2020. There is no cost to the District.
6.12 Approval of Amendment to an Affiliation Agreement with the Regents of the University of California for the Purpose of Providing NVC Nursing Students Clinical Learning Experiences

It is recommended that the Board of Trustees approve Letter of Amendment No. 6 to Agreement No. 01-00712A with the Regents of the University of California for the purpose of providing UC Davis Health System facilities to the NVC Nursing Program to provide clinical learning experiences to NVC students. The term of this agreement will be extended through April 30, 2012. There is no cost to the District.

6.13 Approval of an Agreement with Stop the Hate, Campus Pride, Inc.

It is recommended that the Board of Trustees approve an agreement with Stop the Hate, Campus Pride, Inc. for the purpose of establishing a partnership with the Napa Valley College Criminal Justice Training Center to provide national program coordination, training and other services to facilitate the successful delivery of the “Stop the Hate” national educational program for bias and hate crime prevention efforts at colleges and universities. The term of this agreement is from July 1, 2010 through June 31, 2012. The agreement provides funding for both coordination activities and reimbursement for other expenses related to the program.

6.14 Approval of Grant Agreement with the Board of Governors, California Community Colleges, Chancellor’s Office

It is recommended that the Board of Trustees approve Grant Agreement Number 10-311-038 with the Board of Governors, California Community Colleges, Chancellor’s Office. The Grant is a 2010-11 Business Entrepreneurship Centers Grant that will provide cooperative funding for the operation of the North Bay Business Entrepreneurial Center. Napa Valley College is currently the lead agency of the Center that is currently housed at the Napa Chamber of Commerce offices in downtown Napa. The Center is scheduled to be moved to the NVC campus in January 2011. The term of the grant is from July 1, 2010 to June 30, 2011. The total amount of funding available from this grant is $205,000.

6.15 Approval of Agreement with Buckelew Programs

It is recommended that the Board of Trustees approve an agreement with Buckelew Programs for the purpose of providing off-campus internship sites to eligible students in the Human Services Program. The term of the agreement is from June 22, 2010 until terminated by either party. There is no cost to the District.

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 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.

8.2 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.

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

8.4 Program Evaluation and Planning, 2009 Annual Report
During 2009, eight instructional programs completed the Program Evaluation and Planning Process. Their program data, self-study reports, plans and resource requests were reviewed by verification teams. The annual PEP forum was held on February 19, 2010, where the verification teams summarized their final reports and recommendations. All of the PEP reports are available on the Program Evaluation and Planning page of the NVC website. See backup page 51.

9.0 ACTION ITEMS

9.1 Proposal to Provide Phone Equipment for PAC and LLRC
A Request for Proposal (RFP) for engineering and installation of Voice over Internet Protocol (VoIP) phone system was circulated and proposals were due on March 31, 2010. ExtraTeam, Inc. of Pleasanton, CA was the lowest respondent at $16,150.00. The equipment will be purchased by ExtraTeam through a CMAS group purchasing contract. The total package for the phone system is $102,436.86 ($16,150.00 for engineering & installation and $86,283.86 for equipment) and will be pro-rated between the LLRC and PAC budgets. Other proposals for engineering and installation were received from ams.net for $24,000.00 and Nexusis for $27,400.96. A proposal was requested from ATI, but the firm did not respond.

Recommendation: Approve proposals from ExtraTeam, Inc of Pleasanton, CA totaling $102,436.86.

9.2 Approval of Resolution for the Issuance and Sale of 2010-2011 Tax and Revenue Anticipation Notes
For the past several years, the District has issued tax and revenue anticipation notes (TRANS) to provide funds to meet the District’s cash flow needs until property taxes and other revenues are received. The projected cash flow for 2010-2011 indicates that the District will again require the issuance of TRANS to meet our ongoing obligations. The notes will require repayment prior to the end of fiscal year 2010-2011. The TRANS will be issued through a statewide program sponsored by the Community College League of California.

The resolution authorizes the issuance by the District of tax and revenue anticipation notes (TRANS) in an amount not to exceed $7,000,000. The resolution authorizes the Superintendent/President or Vice President, Business & Finance to sign financing documentation in connection with the issuance of TRANS. The resolution appoints Stradling, Yocca, Carlson and Rauth as bond counsel to the District. The resolution is available in the President’s Office.

**Recommendation:** It is recommended that the Board of Trustees approve a resolution related to the Issuance and Sale of 2010-2011 Tax and Revenue Anticipation Notes (TRANS).

9.3 **Approval of Ethics Policy (First Reading)**
This new Ethics Policy has been reviewed and approved by three staff constituencies, including faculty, administrative/confidential, and classified groups. The Ethics Policy applies to all of these groups. Currently, each group is developing its own administrative regulations, referencing their professional standards. See backup page 52.

**Recommendation:** It is recommended that the Board of Trustees approve the proposed Ethics Policy (first reading).

9.4 **Authorization to Advertise (One Year, Faculty Leave Replacements)**
This is a request for authorization to advertise for up to two additional one-year leave replacements in the Associate Degree Nursing Program for the 2010 – 2011 academic year. The administration has begun the recruitment process for the two leave replacements authorized as part of the Early Retirement Incentive Program adopted by the board at its March 11, 2010 meeting. Due to anticipated leaves of absence, the District projects that two additional faculty may be needed in order for the program to meet mandated staff-student ratios.

**Recommendation:** It is recommended that the Board of Trustees authorize advertising for two additional one-year leave replacements in the Associate Degree Nursing Program for the 2010 – 2011 academic year.

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
   a) Excavation of Site to Determine Site Constraints
11.3 Retiree Medical Benefits

12.0 ADJOURNMENT