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 (Update provided by Laura Ecklin, Dean, Human Resources):
- **Organization representing faculty:** NVCFA/CTA/NEA
- **Organization representing classified:** NVC-ACP/SEIU
- **Organization representing administrative/confidential:** NVC Administrative Senate

With respect to every item of business to be discussed in closed session pursuant to Section 5497, PUBLIC EMPLOYMENT

**Titles:**
1) Contract Modification: Superintendent/President

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 **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)
- **October 23, 2010 Special Meeting** (9:00 a.m. public session; 12:30 closed session)
- **November 18, 2010, Regular Meeting**
- **December 9, 2010, Regular Meeting**
- **January Special Meeting with Napa Valley College Foundation** (date to be determined)

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 September 9, 2010** (See backup pages 1 through 8)

5.2 **Approval of Minutes of September 16, 2010 Special Meeting** (See backup page 9)

6.0 **CONSENT AGENDA**
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 September, 2010**

6.1.1 **Approval of Warrants for September, 2010**
- General Fund $1,097,104.12
- Child Care Fund $4,206.82
- Capital Outlay Projects Fund
  - NVC Bldg. Fund/Series C (BOND) $714,333.04

6.1.2 **Approval of Total Gross Payroll for September, 2010** $2,139,794.86

6.2 **Approval of Personnel Document of October 7, 2010**

6.3 **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 orders 41, 58, 70, 71 and 73 as given in attached Proposed Change Order Log dated 9/21/10. The net INCREASE for these proposed change orders is $16,455.65. See backup pages 10 through 14.
Construction Percent Complete:  100%
Contingency on Original Contract:  7%
Actual Contingency Used:  7.39%

6.4  **Proposed Change Orders – Building 800**
It is recommended that the Board of Trustees ratify acceptance of JDS Builders proposed change orders 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38 as given in the attached Proposed Change Order Log dated 9/21/10. The net INCREASE for these proposed change orders is $52,718.33. See backup pages 15 through 18.
Construction Percent Complete:  99.76%
Contingency on Original Contract:  10%
Actual Contingency Used:  15.2%

6.5  **Proposed Change Orders – Performing Arts Center**
It is recommended that the Board of Trustees ratify acceptance of Broward Builders, Inc. proposed change orders 84, 120, 137, 138, 139, 141, 142, and 143 as given in the attached Proposed Change Order Log dated 9/21/10. The net DECREASE for these proposed change orders is ($19,257.45.) See backup pages 19 – 28.
Construction Percent Complete:  99.78%
Contingency on Original Contract:  7%
Actual Contingency used:  2.7%

6.6  **Ratification of Print Shop Relocation Project Bid Award**
Bids were opened in public on September 29, 2010 for the Print Shop Relocation Project. This project will reconstruct a portion of the Shipping/Receiving Warehouse to house the Print Shop. Completion of this work and the relocation of the Print Shop is required prior to the remodeling of Building 1500. Bay West Construction of Santa Rose submitted the lowest responsive bid of $259,000. See backup pages 29.

6.7  **Ratification of Notice of Completion and Acceptance of Project as Complete – Building 3700**
The project to renovate the 3700 Building is complete. A Notice of Completion was filed with the County Recorder’s Office on September 10, 2010. See backup pages 30 and 31.

6.8  **Ratification of Notice of Completion and Acceptance of Project as Complete – Building 800**
The project to renovate the 800 Building is complete. A Notice of Completion was filed with the County Recorder’s Office on October 5, 2010. See backup pages 32 and 33.

6.9  **Approval of Salary Advancement Projects 2010 - 2011**
The District provides opportunities for salary advancements as an expression of its commitment to reward improved competence and/or performance of its certificated staff. Criteria are stated in order to define conditions that must be met for the approval of a salary advancement request proposal. See backup pages 34 through 36.
6.10 Approval of Agreement CCAP-0059 with the California Department of Education for Child Development Services
It is recommended that the Board of Trustees approve agreement number CCAP-0059 with the California Department of Education for Child Development Services. The term of the agreement is from July 1, 2010 through June 30, 2011. The District will be reimbursed in accordance with the Determination of Reimbursable Amount Section of the FT&C up to a maximum amount of $1,288.00.

6.11 Approval of Project #ET10-0304 with the Employment Training Panel (ETP) for the Purpose of Entrepreneurial Training
It is recommended that the Board of Trustees approve project #ET10-0304 with the Employment Training Panel (ETP) and the Small Business Development Center for the purpose of entrepreneurial training. This is an amendment to the original agreement entered on November 20, 2009. The term of this agreement has been extended for one year through November 19, 2011. The maximum amount of funding available from this program is $12,025.00.

6.12 Approval of Grant Sub-Agreement for Youth Entrepreneurial Career Pathways Program
The agreement between Napa Valley College and Rancho Santiago College is from the period of October 15, 2010 through March 31, 2011 in the amount of $20,000. The funds are to be utilized to continue to implement the “Youth Entrepreneur Project” in our district. These funds will allow us to continue providing entrepreneurial training and programs to high school and college students and faculty in business and entrepreneurship.

6.13 Approval of Transfer of Ten (10) Surplus Personal Computers to Vintage High School
It is recommended that the Board of Trustees approve the transfer of ten (10) surplus personal computers for classroom use as requested by the principal of Vintage High School.

6.14 Approval of Board Resolution with the California Department of Rehabilitation
It is recommended that the Board of Trustees approve a board resolution for the purpose of authorizing the superintendent/president to sign and execute all documents required by the Department of Rehabilitation (DOR). The term of the current contract with the DOR is from July 1, 2009 through June 30, 2012, and this resolution will remain in effect until the contract expires or the resolution is revoked by the board. There is no cost to the district.

7.0 CONSTITUENT GROUP REPORTS
- Classified Association Report
- Classified Senate Report
- Administrative Senate Report
- Napa Valley College Associated Students Report
- Academic Senate Report
- Faculty Association Report

8.0 APPROVAL OF QUARTERLY FINANCIAL STATUS REPORT (CCFS-311Q)
9.0 INFORMATION ITEMS

9.1 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.

9.2 Student Right to Know
The Student Right to Know Report is an annual report required by the Department of Education. It outlines specific security policies and procedures and the occurrence of specified crimes. Oscar DeHaro, Vice President, Student Services will answer questions. Copies are available in the President’s Office.

9.3 Napa Valley Police Department Annual Report
The Napa Valley Police Department Annual Report provides a summary of its activity, accomplishments, and challenges. Oscar DeHaro, Vice President, Student Services, will answer questions.

10.0 ACTION ITEMS

10.1 Acceptance of Annual Report Measure N Independent Citizens’ Oversight Committee
At its last meeting on September 13, 2010, the Measure N Independent Citizens’ Oversight Committee reviewed a draft of its annual report and discussed wording modifications. Following the meeting, committee recommendations were incorporated into the revised draft for email distribution and approval, as agreed upon by committee members present at the meeting. Committee Chair Skip Keyser will attend the meeting to present the Annual Report of the Measure N Independent Citizens’ Oversight Committee for the period of April, 2009 through March, 2010. The report has been distributed to the trustees and will be available at the meeting.

Recommendation: It is recommended that the Board of Trustees accept the Annual Report of the Measure N Independent Citizens’ Oversight Committee for the period of April, 2009 through March, 2010.

10.2 Approval of Napa Sanitation District License to Enter and Construct Recycled Water Underground Pipeline Project
In 2007, the Board agreed to grant Napa Sanitation District (NSD) a permanent utility easement for the purposes of constructing a 24” transmission pipeline to provide recycled water to NSD’s customers. The easement will run along the edge of the main campus vineyard.

NSD is prepared to begin construction on or around April 1, 2011. To prepare for that work, an agreement permitting access to the District’s property for the purposes of construction has been placed before the board. See backup pages 40 through 49.

A draft version of the License to Enter and Construct Certain Portion of NSH (Napa State Hospital) Recycled Water Underground Pipeline Project is attached. This draft has been reviewed by college counsel and is under review by NSD. Execution of the final easement is
contingent on the District and NSD reaching mutually agreeable terms and conditions, including compensation for replacing one vine row and reduced drop yield.

**Recommendation:** It is recommended that the Board of Trustees approve the License to Enter and Construct Recycled Water Underground Pipeline Project with Napa Sanitation District, contingent on execution of terms and conditions.

10.3  **Adoption of 2010 – 2011 Final Budget**

10.3.1 **Public Hearing on the 2010 – 2011 Final Budget** (approx. 8:00 p.m.)
This hearing is held to allow for public comment on the proposed budget as required by California Title 5 Administrative Regulations, Section 58191. The proposed budget is available for public inspection in the President’s Office during normal business hours after October 7, 2010 and has been distributed to trustees.

10.3.2 **Adoption of the 2010 – 2011 Final Budget**
The proposed 2010 – 2011 Final Budget will be distributed to trustees, budget center managers, and constituent group presidents. The plan and budget were developed by the Planning and Budget Committees and were reviewed in various drafts at several forums on campus.

**Recommendation:** It is recommended that the Board of Trustees adopt the 2010 – 2011 Final Budget.

10.4  **Approval of Revision of Board Policy 2715: Code of Ethics/Standards of Practice**
This is a revision of Board Policy 2715: Code of Ethics/Standards of Practice. It has been reviewed by legal counsel. See backup pages 50 through 52.

**Recommendation:** It is recommended that the Board of Trustees approve the revision of Board Policy 2715: Code of Ethics/Standards of Practice.

10.5  **Approval of Revision of Board Policy 2720: Communication for Trustees**
This is a revision of Board Policy 2720: Communication Policy for Trustees. It has been reviewed by legal counsel. See backup pages 53 through 55.

**Recommendation:** It is recommended that the Board of Trustees approve the revision to Board Policy 2720: Communication for Trustees.

10.6  **Authorization to Advertise for a Position**
This is a request for authorization to advertise the following one-semester, full-time leave replacement position: respiratory therapy instructor.

This authorization allows the Office of Human Resources to finalize the job announcement and begin advertising the position for a Spring, 2011 state date. This position is required in order to address program needs and accreditation standards.
**Recommendation:** It is recommended that the Board of Trustees authorizes the Office of Human Resources to advertise for the following full-time leave replacement position: respiratory therapy instructor.

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

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

12.0 **FUTURE AGENDA ITEMS**

   12.1 Online Education at Napa Valley College (November meeting)

13.0 **ADJOURNMENT**