Napa Valley Community College District
SPECIAL MEETING OF THE BOARD OF TRUSTEES
March 30, 2011
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 54956.9(b) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION & STATUS OF MEDIATION: Potential exposure to litigation predicated on progress of mediation.

2.1 Approval of Settlement Agreement with Edge Development and TLCD Architecture
Following discussion of potential litigation in Closed Session, the Board may proceed with approval of a Settlement Agreement related to defective windows in the Library Learning Resource Center.

2.2 Direct Edge Development to Proceed Under Protest
Following discussion of potential litigation in Closed Session, the Board may direct the general contractor on the Library Learning Resource Center project, Edge Development, to proceed with corrective work on defective windows while noting their protest as to liability for same.

TEXT IN RED WILL NOT BE INCLUDED ON THE FINAL AGENDA.

3.0 RETURN TO PUBLIC SESSION (6:30 p.m.)
3.1 Roll Call

3.2 Pledge of Allegiance

3.3 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.

3.4 Adoption of Current Agenda

4.0 ACTION ITEMS

4.1 Approved Partial Notice of Completion and Release of a Portion of Retention Funds
Board may direct staff to release a portion of retention funds to the general contractor on the Library Learning Resource Center project, Edge Development, following the filing of a Notice of Completion with Napa County. The Notice of Completion to reflect areas of unfinished work.

Recommendation: It is recommended that the Board of Trustees direct staff to file a Notice of Completion for some percentage of the work and release equivalent retention funds to Edge Development.

5.0 ADJOURNMENT