GOVERNING BOARD AGENDA
CONTRA COSTA COMMUNITY COLLEGE DISTRICT

Regular Meeting

March 28, 2012

Open Session 6:00 p.m.

George R. Gordon Education Center
500 Court Street
Martinez, California 94553

925.229.1000 Phone
925.370.2019 Fax

www.4cd.edu
CONTRA COSTA COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD AGENDA
Board Room, George R. Gordon Education Center
500 Court Street, Martinez, California

March 28, 2012
Regular Meeting: 6:00 p.m.

TABLE OF CONTENTS

I. ATTEND NEWLY TENURED FACULTY RECEPTION AND RECOGNIZE CLASSIFIED EMPLOYEE OF THE YEAR – APPROXIMATELY 5:00 P.M.

II. CALL TO ORDER – 6:00 P.M.
   • Call regular meeting to order. Notation of Board member(s) absent under provisions of Board Report No. 30-F, 2.12.86.

III. CLOSED SESSION* 
   A. 1. Denial of claims 
   a. Claimant: Irving Griffin
   Agency claimed against: Contra Costa Community College District
   b. Claimant: Anthony Beaver
   Agency claimed against: Contra Costa Community College District
   B. Public employee discipline/dismissal/release
   C. Conference with legal counsel – existing litigation
   D. Conference with labor negotiator

IV. PUBLIC SESSION - APPROXIMATELY 6:00 P.M.
   • Announcement of reportable actions taken by Governing Board in closed session

V. PLEDGE OF ALLEGIANCE TO U.S. FLAG

VI. PUBLIC COMMENT
   According to Government Code Section 54954.2(a), when responding to public comment, Governing Board members and staff may respond as summarized below:
   • briefly respond to statements made or questions posed by persons making public comment;
   • ask questions for clarification or make a brief announcement;
   • provide a reference to staff or other resources for factual information;
   • request staff to report back to the body at a later meeting; or
   • direct staff to place the matter on a future agenda.

VII. SPECIAL REPORT – 2012 BOND MEASURE VOTER OPINION POLLING RESEARCH
   • Dr. John al-Amin, Vice Chancellor, Administrative Services; Alex Evans, Principal, EMC Research; Eugene Clark-Herrera, Partner, and John Palmer, Associate, Public Finance, Orrick, Herrington & Sutcliffe LLP

VIII. REPORTS – CONSTITUENCY LEADERS
   A. District Governance Council
   • Alex Silva, Chairperson
   B. Employee organizations
   1. Academic Senate
   • Laurie Lema, Diablo Valley College
   2. Classified Senate
   • Linda Kohler, Los Medanos College
3. United Faculty  
   - Dr. Jeffrey Michels, President
4. Local 1  
   a. Mike West, President  
   b. Kasmir Zaratkiewicz, Business Agent
5. Management Council  
   - Bruce Cutler, Chairperson

IX. CONSENT AGENDA - ACTION ITEMS

Time will be provided before the vote for clarification questions on any item under the Consent Agenda. Clarification questions may be asked without removing an item from the Consent Agenda. By single motion, the Governing Board approves the following items or actions which reflect application of Board Policy and California Education Code. Any items marked consent may be moved from the list at the option of a Board member, or with Board consent, the Chancellor or a member of the public and acted on separately.

X. A. MINUTES – Recommend approval of:  
   Minutes of regular meeting February 22, 2012
B. FINANCE AND ADMINISTRATION BOARD REPORTS - Recommend approval of:  
   58-A Ration of payroll for month ended February 29, 2012  
   58-B Ration of vendor payments for month ended February 29, 2012  
   58-C Denial of claims
C. PURCHASING BOARD REPORTS - Recommend approval of:  
   59-A Agreements and amendments to agreements  
   59-B Purchase orders and change orders
D. HUMAN RESOURCES BOARD REPORTS - Recommend approval of:  
   60-A Employment and change of status of management/supervisory/confidential employees  
   60-B Employment and change of status of contract academic employees  
   60-C Employment and change of status of temporary academic employees  
   60-D Employment and change of status of classified employees
E. EDUCATION AND TECHNOLOGY BOARD REPORT – Recommend approval of:  
   61-A No report

XI. ACTION ITEMS REMOVED FROM CONSENT AGENDA

XII. NONCONSENT AGENDA - ACTION ITEMS
A. FINANCE AND ADMINISTRATION BOARD REPORT - Recommend approval of:  
   62-A Measure A Bond Oversight Committee – member replacements
B. HUMAN RESOURCES BOARD REPORT - Recommend approval of:  
   63-A No report
C. EDUCATION AND TECHNOLOGY BOARD REPORT - Recommend approval of:  
   64-A No report
D. FACILITIES PLANNING BOARD REPORTS - Recommend approval of:  
   65-A Facilities planning agreements and amendments to agreements  
   65-B Resolution Giving Notice of Intention to Convey Property and Dedicate an Easement to the City of Pleasant Hill – ROLL CALL VOTE REQUIRED
E. MISCELLANEOUS BOARD REPORT – Recommend approval of:  
   66-A California Community College Trustee (CCCT) Board Election - 2012

XIII. GENERAL AGENDA ITEMS - INFORMATION/DISCUSSION
A. Update on workforce and economic development initiatives
B. Proposed Resolution in Support of the Government Performance and Accountability Act
C. Report on grants for 2010-11
D. Fiscal trends report for the period ended January 31, 2012
E. Proposed revisions to Human Resources Procedure 1010.02, Uniform Employment Selection Guide, (first reading)
F. Receipt and Public Hearing on District and Public Employees Union, Local 1’s Initial Joint Proposal for Contract Reopeners for the Period 2012-13
G. New course offerings: Contra Costa College (ENG-102; ESL-48; ESL-112; ESL-114; ESL-118) and Diablo Valley College (ARCHI-144; ARCHI-215; ART-114; ART-116; HIST-161)
H. Resignations, retirements, 39-month reemployment and/or leaves of absence

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<tr>
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<td>Resignations</td>
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<td>• Police Services Officer</td>
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<td>Retirement</td>
<td>Los Medanos College</td>
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<td></td>
<td>• Counselor</td>
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<td>Leaves of absence</td>
<td>Diablo Valley College</td>
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<tr>
<td></td>
<td>• Mathematics Instructor</td>
</tr>
<tr>
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<td>• Science Laboratory Coordinator</td>
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XIV. REPORTS – COLLEGE PRESIDENTS, GOVERNING BOARD, AND CHANCELLOR

XV. GOVERNING BOARD SUGGESTIONS FOR FUTURE AGENDA TOPICS

XVI. RECESS TO CLOSED SESSION

XVII. SIGN DOCUMENTS

XVIII. ADJOURN

More detailed information about each agenda item is contained in the Governing Board reports, copies of which are available upon request at the office of the Chancellor and at each college President’s office. The Contra Cost Community College District will provide reasonable accommodations for disabled individuals planning to attend Governing Board meetings. For information and arrangements call the Executive Coordinator to the Governing Board at 925 229-1000, ext. 1204.

*If business is not concluded by 6:00 p.m., the Board will reconvene to the regular meeting and recess to closed session at the end of the regular meeting.*
DATE: March 28, 2012

PURPOSE: 2012 Bond Measure Voter Opinion Polling Research

In the July 27, 2011, meeting of the Board, initial discussions began regarding the facility needs of the District, how to fund those needs, and whether an additional bond measure should be considered. This subject was discussed again at the January 11, 2012, special Board meeting, where it was recommended by staff that the Board should initiate polling for community support of a new bond measure. The Board agreed with that recommendation and also stated that a bond measure should be placed on the November 6, 2012, ballot.

This report is being presented to the Board in order to discuss bond polling research that will help determine which type of general obligation bond (i.e., countywide or school facilities improvement district) and/or tax measure (i.e., parcel tax) should be presented to the general public for consideration on the November 6, 2012, ballot.

The voters of Contra Costa County have already passed two facility bond measures. Measure A 2002 passed on March 5, 2002, and Measure A 2006 passed on June 6, 2006. Both bond measures have enabled the District to refurbish and/or replace aging facilities in order to address enrollment growth and provide needed technological and seismic upgrades. There are, however, unfunded capital outlay and deferred maintenance projects Districtwide which will require additional bond funding in order to complete the project.

Further, the District is actively searching for new and potentially ongoing funding that can be used to support its general operations budget which has been negatively impacted through the loss of state apportionment funding. A parcel tax is a viable option that can provide the District with a stable source of limited or long-term revenue to help offset the loss of state apportionment funding.

EMC Research has been selected to gather the data required for the Board to determine which bond and/or tax measure options would best address the current and future funding needs of the District. This report will also present strategies to help the Board determine how the District can leverage bond and tax options over time to meet ongoing facility and operational needs.

Alex Evans, EMC Research, and Eugene Clark-Herrera and John Palmer, Orrick, Herrington and Sutcliffe, LLP, will present this report.

John Al-Amin
MINUTES OF THE GOVERNING BOARD
OF THE CONTRA COSTA COMMUNITY COLLEGE DISTRICT

Regular Meeting

Date: March 28, 2012

Time: 6:00 p.m. – Open Session
      8:42 p.m. – Closed Session

Place: George R. Gordon Education Center
       500 Court Street
       Martinez, California 94553

Presiding Officer: Tomi Van de Brooke, President

ROLL CALL

Present

Tomi Van de Brooke, President
John E. Márquez, Vice President
Sheila A. Grilli, Secretary
Robert Calone
Francisco Hinojosa

Absent

John T. Nejedly

Those present constituted a quorum.

CALL TO ORDER

Ms. Van de Brooke called the meeting to order at 6:18 p.m. The absence of Mr. Nejedly was noted under the provisions of Board Report No. 30-F, 2.12.86. Ms. Van de Brooke then led the Pledge of Allegiance to the U.S. flag.

PUBLIC COMMENT

Diablo Valley College (DVC) student Hakeem Montes said he was a returning community college student. Mr. Montes asked that the Board keep his family in mind as they make decisions regarding the budget cuts they will make. Mr. Montes commended the Governing Board for all the work they do.

SPECIAL REPORT

2012 Bond Measure Voter Opinion Polling Research

In the July 27, 2011, meeting of the Board, initial discussions began regarding the facility needs of the District, how to fund those needs, and whether an additional bond measure should be considered. This subject was discussed again at the January 11, 2012, special Board meeting, where it was recommended by staff that the Board should initiate polling for community support of a
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EMC Research was selected to gather the data required for the Board to determine which bond and/or tax measure options would best address the current and future funding needs of the District.

Vice Chancellor, Administrative Services John al-Amin introduced Alex Evans, principal, EMC Research, and Eugene Clark-Herrera, partner and John Palmer, associate, public finance, Orrick, Herrington & Sutcliffe LLP. Together, they summarized the attached reports.

Ms. Van de Brooke suggested that the priority of projects should be listed on the attached bond project list so that the Board could see the priority order. Mr. Pyle said the bond listing provided to the Board included the prioritized list for DVC and LMC. He said CCC would provide their prioritized listing at a later time. Dr. Benjamin reminded the Board that each college has facilities and educational master plans that aid in establishing their particular bond project lists.

Mr. Márquez said the people should be polled for both a parcel tax and a bond so that they can decide what is most important to them. Ms. Van de Brooke questioned whether the bond measure could be used for capital improvements only, noting the parcel tax could be used to make capital and operational improvements as well as for the School Facilities Improvement District (SFID). Chief Facilities Planner Ray Pyle said the SFID could utilize bond and parcel taxes. Chancellor Benjamin said a SFID is not a funding mechanism but a way to divide the District into sections for funding either a parcel tax or a bond. She noted that bonds are limited to construction only, while the parcel tax is not.

Mr. Calone said he would like input from each college president concerning the list of projects that were presented to the Board. Chancellor Benjamin said the list provided contains projects in priority order, with the exception of CCC. Mr. Calone said seismic improvements should be a priority for CCC. Mr. Evans told the Board this will not be the last bond measure that will be proposed to the voters. He also said the District proposed bond measures in "off years" the last two times it placed measures on the ballot. Mr. Evans said the November 2012 election is a better year
Minutes of March 28, 2012

to place a bond measure on the ballot, due to the fact the District can take advantage of a higher voter turnout.

Ms. Van de Brooke asked Board members whether they supported polling for a parcel tax and bond measure. She said she supported polling for both items. Ms. Grilli said parcel taxes are not very popular right now. Mr. Márquez questioned the cost difference for polling both areas. Mr. Evans estimated such a polling would cost approximately $40,000.00. Ms. Grilli questioned whether people understood the difference between a parcel tax and a bond. Mr. Evans said parcel tax language on ballots is much clearer than bond language. Chancellor Benjamin said polling should be done in both areas, and she also stated this would be a good investment in order to obtain accurate polling data for future measures. United Faculty (UF) President Michels also said polling both areas would be the correct approach. He further stated UF would very aggressively support this campaign and that passage of a parcel tax could translate into more class sections for students.
Contra Costa Community College District
2012 Voter Opinion Research

Survey planning document
March 28, 2012

EMC Research, Inc.
436 14th Street, Suite 820
Oakland, CA 94612
(510) 844-0680
EMC #08-3893
Provide the Contra Costa Community College District with statistically valid data regarding the opinions of voters on potential revenue measures for the November 2012 ballot and beyond.
Research Elements

- **Research areas will include:**
  - Type of measure or measures most likely to meet with success
  - Districtwide approach versus regional measures within college service areas
  - Appropriate bond and/or parcel tax amounts
  - Best timing for a measure or measures, including sequencing and timing
  - Types of projects that are most important to those who will vote
  - Themes and messages that will assist in reaching a successful outcome
  - Suggested areas for public education and community outreach

- **Measure types to evaluate:**
  - Districtwide general obligation bond measure
  - Districtwide parcel tax measure
  - Smaller area bond measures for individual college service areas
Split-Sample Survey Design

- Bias-free evaluation of multiple measure types sometimes necessitates consideration of employing a split-sample methodology, where the survey sample is split into smaller groups, each representative of the whole survey universe, and asked about a single ballot measure.
- The more measures evaluated, the larger the necessary sample size to ensure adequate sample within each sample split.
Proposed Survey Design

- A 15 minute survey of 1,000 likely voters in the Contra Costa Community College District can meet the outlined objectives.
- A split-sample methodology will be employed to allow us to measure both the bond and parcel tax scenarios in an unbiased way.
  - All respondents will get questions about the district in general, the need for funding, the economy, general attitudes about taxes, and demographic background.
  - 600 respondents will hear a set of questions about a bond measure, with evaluation of specific bond amounts, facility needs, and other bond-specific questions.
  - The remaining 400 will hear a set of questions about a parcel tax measure, with evaluation of specific tax amounts, operations needs, and other parcel tax-specific questions.

<table>
<thead>
<tr>
<th></th>
<th>Interviews</th>
<th>Margin of Error</th>
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<tbody>
<tr>
<td>Bond measure</td>
<td>600</td>
<td>$\pm 4.0$</td>
</tr>
<tr>
<td>Parcel tax measure</td>
<td>400</td>
<td>$\pm 4.9$</td>
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</table>
Detailed Survey Design

- Parcel tax measure interviews would be distributed across the entire county proportionally.
- The 600 bond interviews would be distributed evenly across the three college service areas, to allow for in-depth evaluation of a local measure scenario in each area.

<table>
<thead>
<tr>
<th></th>
<th>Districtwide</th>
<th>Contra Costa College service area</th>
<th>Diablo Valley College service area</th>
<th>Los Medanos College service area</th>
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<tbody>
<tr>
<td>Bond measure</td>
<td>600</td>
<td>200</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>Parcel tax measure</td>
<td>400</td>
<td>-</td>
<td>-</td>
<td>-</td>
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</tbody>
</table>

Within each college service area, bond measure respondents would be a subset of the districtwide bond measure respondents.

- Under this design, the margin of error on bond interviews within each college service area would be ± 6.9 points.
Questionnaire structure

600 follow bond path, 400 follow parcel tax path

Sample A: Bond
- Districtwide bond measure ballot question
  - General attitudinal questions
  - Districtwide parcel tax ballot question
  - Bond measure project and program priorities
    - Parcel tax project and program priorities
    - Parcel tax information
  - Bond information
    - Common information
  - Bond measure ballot question reask
    - Regional bond measure question

Sample B: Parcel tax

EMC RESEARCH
Next Steps

- Hear input on survey design
- Discuss survey timing
- Draft ballot questions to test
- Refine project and program list for both bond and parcel tax measures
- Craft messages
Timeline

- March 28: Hear survey direction from Board
- March 29 – April 6: Draft questionnaire & circulate with team for review and edit
- April 9: Questionnaire approval
- April 11 – 19: Survey field period
- April 23: Draft topline results available
- April 27: Draft presentation of results available
- May, June available to establish SFIDs, if needed
- August 10: County filing deadline for November 2012 ballot
Time Considerations in Calling an Election for November 2012

March 28, 2012

EUGENE CLARK-HERRERA

JOHN PALMER
Important Considerations

- Districtwide Election Timeline
- Election Timeline including SFIDs.
- Developing the Bond Project List.
- Fine Tuning the 75 Word Summary.
- Timing.
- Take-Away.

Districtwide Election Timeline

- March
  - Conduct polling
- April
  - Evaluate polling results;
  - Present results to Board;
  - Decision whether to proceed.
- May:
  - Develop Bond Project List and 75 word summary.
- June
  - Prepare resolution calling election.
- July
  - Board calls election by adopting resolution.
- August 10, 2012:
  - Last day to file resolution with County.
- August
  - Last day to amend or withdraw is August 15.
  - File Arguments and Rebuttals 10 days following.
  - Examination period begins.
- September
  - Examination period ends.
  - Sample Ballot mailing period begins
- October
  - Absentee Ballot Requested
  - Sample Ballot mailing period ends.
- November
  - Election
- December
  - Certification and Declaration of Election Results.
Timeline Including SFID Formation

- March
  - Conduct polling
- April
  - Evaluate polling results;
  - present results to Board;
  - Decision whether to proceed;
- May
  - Develop Bond Project List and 75 word summary.
  - Create maps showing SFID boundaries.
- June
  - Prepare resolution calling election;
  - Adopt Resolution of Intent to Form SFID,
  - Publish Resolution of Intent to Form SFID.
- July
  - Board holds public hearing and forms SFID(s);
  - Board calls election by adopting resolution;
- August 10, 2012:
  - Last day to file resolution with County.
- August
  - Last day to amend or withdraw is August 15.
  - File Arguments and Rebuttals 10 days following;
  - Examination period begins
- September
  - Examination period ends.
  - Sample Ballot mailing period begins
- October
  - Absentee Ballot Requested
  - Sample Ballot mailing period ends.
- November
  - Election
- December
  - Certification and Declaration of Election Results.

Developing the Bond Project List

Actions
- Contemplate facilities needs and the unexpected.
- Incorporate lessons from polling into drafting of the list.

Goals
- A Bond Project List that achieves the ideal balance between specificity and flexibility.
- Incorporate voters' priorities without over-promising.
Fine-Tuning the 75 Word Summary

- Most voters stop here.
- Important to provide a fair summary of the full text of the measure.

Timing

- Final Board meeting before August 10 deadline is July 25.
- The Board will adopt an intent resolution for an SFID at an earlier meeting if it decides to proceed with the SFIDs.
- The Bond Project List and the 75-word summary are very important.
- Bond Project list needs to have specificity
- 75-word summary needs to fairly summarize the full text of the measure
- The more time we and District Staff have to craft these, the better the finished product.
Take-Away

The sooner we start, the better!
Time Considerations in Calling an Election for November 2012

March 28, 2012

EUGENE CLARK-HERRERA
JOHN PALMER
2012

Tuesday, Aug. 7
Governing Board of District adopts Resolution Ordering Election. Resolution also requests consolidation with other elections, approves a tax rate statement, and authorizes board members to sponsor ballot arguments.

Friday
August 10
Last day for Clerk of Governing Board of District to file Resolution and Tax Rate Statement with the Registrar of Voters and Clerk of the Board of Supervisors of the County.

Registrar of Voters publishes notice of deadline to file ballot arguments.

Registrar of Voters sends copy of Bond Measure to County Counsel for analysis.

Sat. - Mon.
August 11 - 20
Period for public examination of Bond Measure.

Wednesday
August 15
Last day for Governing Board of District to amend or withdraw Bond Measure.

Monday
August 20
Last day for interested parties to submit ballot argument favoring Bond Measure to Registrar of Voters.

Last day for County Counsel to submit impartial analysis of Bond Measure to Registrar of Voters.

Fri. - Sun.
Aug. 31 - Sep. 9
Ten-day period for public examination of primary arguments and impartial analysis.

Thursday
August 30
(If negative argument submitted)
Last day for author of ballot argument to submit rebuttal to argument against Bond Measure to Registrar of Voters.

Fri. - Sun.
Aug. 31 - Sep. 9
Ten-day period for public examination of rebuttal arguments, if any are submitted.

Mid-Sep.*
District reviews ballot pamphlet proofs prepared by Registrar of Voters.

Thursday
September 27
Registrar of Voters may begin mailing sample ballots and materials.

Monday
October 8
First day voters may request one-time absentee ballot.

Monday
October 22
Last day eligible voters may register to vote.

Tuesday
October 30
Last day to request absentee ballot.

Tuesday
November 6
ELECTION DATE

Thurs. - Tues.
Nov. 8 - Dec. 4
Registrar of Voters canvasses election returns, and certifies canvass to Governing Board of District.

Any data after
December 4
Governing Board of District declares election results; certifies all election proceedings to Board of Supervisors of the County.

2013

Monday
July 29
Last day for Governing Board of District to submit report of elections to County Superintendent. (In practice, this is accomplished by certification of all election proceedings, above.)
## INITIAL DRAFT

Selected Projects, Various Master Plan Phases, Estimated Costs

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<th>Project Description</th>
<th>Estimated Cost</th>
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<td>C1</td>
<td>New Science and Allied Health</td>
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<td>C2</td>
<td>Renovate Biological Science for Art</td>
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<td>C3</td>
<td>Art Building Replacement for Operations</td>
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<td>C4</td>
<td>Renovate Physical Science</td>
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<td>Renovate Gym and Locker Rooms</td>
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<td>D1</td>
<td>New Art Building</td>
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<td>New Learning Center Complex</td>
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<td>Renovate Physical Education Complex</td>
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<td>Renovate or Construct New Music Building</td>
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<td>Renovate or Construct Administration Building</td>
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<td>D8</td>
<td>San Ramon Center Library Expansion</td>
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<td>New Brentwood Center</td>
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<td>College Complex Renovations</td>
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<td>New PE/Fitness Building</td>
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<td>New Student Activities Building</td>
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<td>L5</td>
<td>New Classroom Building</td>
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<td>L6</td>
<td>Gym Renovation</td>
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<td>L7</td>
<td>New Performing Arts Center</td>
<td>$15,000,000</td>
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<tr>
<td>L8</td>
<td>Infrastructure/Site Improvements</td>
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<td>L9</td>
<td>Building System Projects</td>
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<tr>
<td><strong>Subtotal</strong></td>
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<td><strong>$131,400,000</strong></td>
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<th>Estimated Cost</th>
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<tr>
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<td>Financing/Studies/Admin</td>
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**Total** |                                    | **$576,365,000**

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Include: Site, Security, and Safety Upgrades?

C:\\Documents and Settings\\rpyle470\\My Documents\\P-034 2012 Bond planning\\P-034 2012 local bond project list 2012-03-28.xlsx