**Governing Board** 

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

Chancellor Helen Benjamin, Ph.D.



College Presidents
Contra Costa College
Daniel Henry (Interim)
Diablo Valley College
Peter Garcia
Los Medanos College
Richard Livingston (Interim)

# 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 925.370.2019

Phone Fax

www.4cd.edu

# CONTRA COSTA COMMUNITY COLLEGE DISTRICT GOVERNING BOARD AGENDA

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

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

## TABLE OF CONTENTS

- I. <u>ATTEND NEWLY TENURED FACULTY RECEPTION AND RECONGIZE CLASSIFIED</u> 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
- 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 Ratification of payroll for month ended February 29, 2012
    - 58-B Ratification 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. <u>EDUCATION AND TECHNOLOGY BOARD REPORT</u> Recommend approval of: 61-A No report
- XI. ACTION ITEMS REMOVED FROM CONSENT AGENDA

# XII. NONCONSENT AGENDA - ACTION ITEMS

- A. <u>FINANCE AND ADMINISTRATION BOARD REPORT</u> Recommend approval of: 62-A Measure A Bond Oversight Committee member replacements
- B. <u>HUMAN RESOURCES BOARD REPORT</u> Recommend approval of: 63-A No report
- C. <u>EDUCATION AND TECHNOLOGY BOARD REPORT</u> 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, <u>Uniform Employment</u> 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

*	Location	Pos	<u>sition</u>
Resignations	Contra Costa College	•	College Human Resources Assistant
		•	Police Services Officer
Retirement	Los Medanos College	•	Counselor
Leaves of absence	Diablo Valley College	•	Mathematics Instructor
5		•	Science Laboratory Coordinator

- 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 Costa 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

<u>Absent</u>

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

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Minutes of March 28, 2012

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.

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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

# Research Objective

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

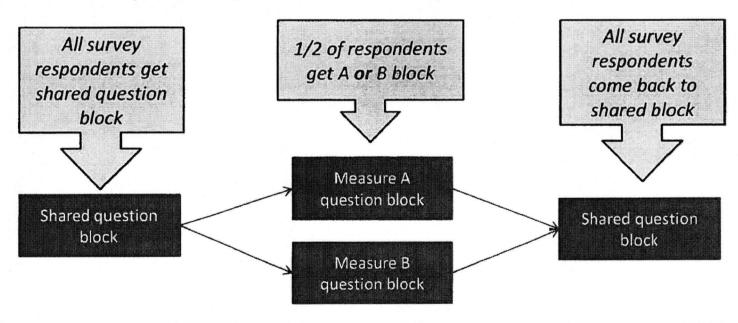
# Measure types to evaluate:

- 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 <u>split-sample methodology</u>, 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.

	Interviews	Margin of Error
Bond measure	600	<u>+</u> 4.0
Parcel tax measure	400	<u>+</u> 4.9



# 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.

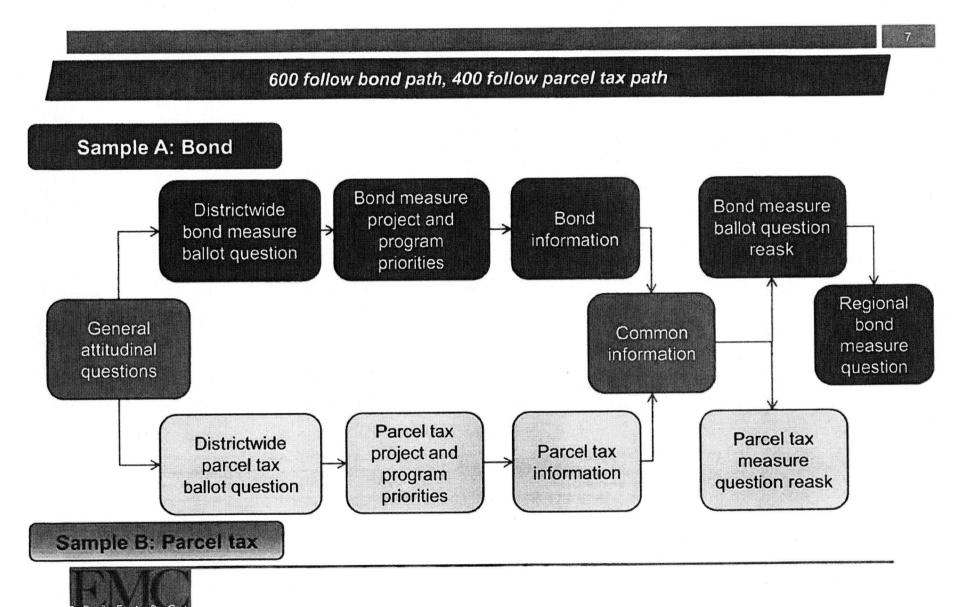
	Districtwide	Contra Costa College service area	Diablo Valley College service area	Los Medanos College service area
Bond measure	600	200	200	200
Parcel tax measure	400	<u>-</u> 1	-	

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 <u>+</u> 6.9 points.



# Questionnaire structure



# 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



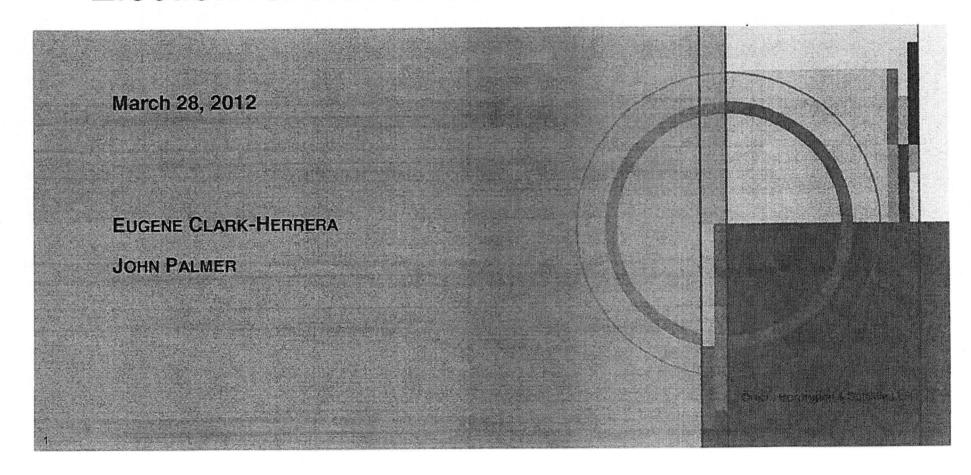
# Timeline

- 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

ORRICK



# **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.

#### ·Mav:

 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.

#### •Augus

- . 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 Ballots Requested
- Sample Ballot mailing period ends.

#### •November

Election!

#### \*December

 Certification and Declaration of Election Results.



# Timeline Including SFID Formation

- March
- Conduct polling
- Anni
- Evaluate politica regults
- present results to Board;
- Daciston whether to proceed.
- · Decision whether to form SFID based on polling.
- 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.
- Lerbs
- . Board holds public hearing and forms SFID(s).
- . Board calls election by adopting resolution.
- August 10, 2012:
- . Last day to file resolution with County.

- Augus
- · Last day to amend or withdraw is August 15.
- File Arguments and Rebultals 10 days following.
- Examination period begins
- September
- Examination period ends.
- Sample Ballot mailing period begins
- October
- · Absentee Ballots 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 overpromising.

ORRICK

# Fine-Tuning the 75 Word Summary

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



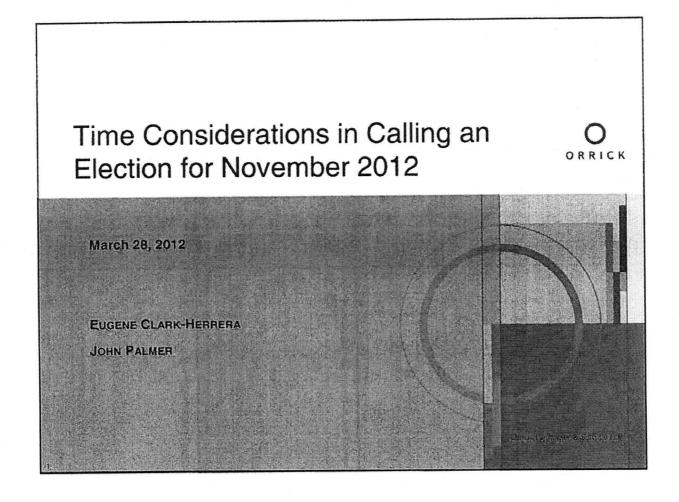
# **Timing**

- 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.



ORRIC

# Take-Awaŷ The sooner we start, the better!



board members to sponsor ballot arguments.

Friday

Last day for Clerk of Governing Board of District to file Resolution and Tax Rate Statement August 10 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 - 202

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 2 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.

Fn. - 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. 95

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.

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.) More Detailed Election Calendar

RRIC

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# **INITIAL DRAFT**

Selected I	Projects, Various Master Plan Phases, Estimated Costs		
ccc	(CCC priority pending)		
C1	New Science and Allied Health	\$	71,250,000
C2	Renovate Biological Science for Art	\$ \$ \$ \$ \$ \$ \$ \$	15,000,000
C3	Art Building Replacement for Operations	\$	7,500,000
C4	Renovate Physical Science	\$	5,000,000
C5	Renovate Gym and Locker Rooms	\$	15,000,000
C6	Purchase Armory and Demo Buildings	\$	8,000,000
C7	Infrastructure/Site Improvements	\$	6,000,000
C8	Building Systems/Siesmic Repairs	\$	10,000,000
	Subtotal	\$	137,750,000
DVC	(In DVC priority order)		
D1	New Art Building	\$	33,750,000
D2	New Learning Center Complex	\$	75,840,000
D3	Renovate Physical Education Complex	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$	26,250,000
D4	Renovate or Construct New Music Building	\$	24,500,000
D5	Renovate or Construct New Performing Arts Bldg.	\$	28,000,000
D6	Renovate or Construct Family Life Complex	\$	12,250,000
D7	Renovate or Construct Administration Building	\$	17,500,000
D8	San Ramon Center Library Expansion	\$	13,125,000
D9	Infrastructure/Site Improvements	\$	10,000,000
D10	Building System Projects		20,000,000
	Subtotal	\$	261,215,000
LMC	(In LMC priority order)		
L1	New Brentwood Center	\$	38,000,000
L2	College Complex Renovations	* * * * * * * * *	22,750,000
L3	New PE/Fitness Building	\$	16,800,000
L4	New Student Activities Building	\$	15,750,000
L5	New Classroom Building	\$	11,600,000
L6	Gym Renovation	\$	3,500,000
L7	New Performing Arts Center	\$	15,000,000
L8	Infrastructure/Site Improvements	\$	3,000,000
L9	Building System Projects	\$	5,000,000
	Subtotal	\$	131,400,000
DO			
DO1	Seismic Repairs	\$	8,750,000
DO2	Building System Projects	\$	2,000,000
	Subtotal	\$	10,750,000
Program	Program Management Costs	\$	16,500,000
. 10810111	Financing/Studies/Admin	\$ \$	6,250,000
	Program Contingency	Ś	12,500,000
	Subtotal	\$	35,250,000
Total		\$	576,365,000

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