



Board Agenda

**Compton Community College District
1111 E. Artesia Blvd., Compton, CA 90221**

ORDER OF BUSINESS SPECIAL MEETING Tuesday, April 7, 2009

**District Board Room
1111 E. Artesia Boulevard
Compton, California 90221**

Pursuant to Education Code Section 72129 and Government Code Section 54956, the Board of Trustees of the Compton Community College District will hold a Special Meeting Tuesday, April 7, 2009 at 1111 East Artesia Blvd., Compton, California 90221, commencing at 6:00 p.m. in the District Board Room.

- I. Call to Order at 4:00 p.m.
- II. Roll Call
- III. Requests to Address the Special Trustee – Special Agenda Items Only
- IV. Recess to Closed Session for Discussion and/or Action on the following items in accordance with the Brown Act, Government Code Section 54950 et seq., the Education Code, and pursuant to Government Code Section 54954.5.
 - A. **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
PURSUANT TO GOVERNMENT CODE SECTION 54957(B):**

(One Matter)
- V. Reconvene to Open Session at 6:00 p.m.
- VI. Roll Call
- VII. Flag Salute
- VIII. Report of Actions Taken in Closed Session (Pursuant to Government Code Section 54957.1)

- IX. Information/Presentation – Chief Executive Officer
 - 1) Budget Presentation – Mr. James Grivich
 - 2) Audit Discussion – Mr. James Grivich

- X. Discussion/Action Agenda
 - A. Special Trustee
 - CEO1 Compton Community College District Foundation

 - B. Business Services
 - Action Calendar
 - BSD 1 Purchase Orders Over 90 Days
 - Consent Calendar
 - BSD 2 Agreements/Contracts
 - BSD 3 Amendment to Bergman & Dacey, Inc. Agreement
 - BSD 4 Budget Transfer

- X. **Next Regularly Scheduled Meeting Date: Tuesday, April 21, 2009**
 - Closed session begins at 4:00 noon
 - Open session begins at 6:00 p.m.

XI. Adjournment

*Please note: If you would like a copy of any of the support documents/attachments, please contact Paula VanBrown at (310) 900-1600, Ext. 2274.
Thank you!*

Agenda for the Compton Community College District Board of Trustees
from
Provost/CEO
Lawrence Cox, Ph.D., Provost/CEO

XIV. REPORT / DISCUSSION / ACTION

CEO 1 COMPTON COMMUNITY COLLEGE DISTRICT FOUNDATION

It is recommended that the Special Trustee approve the Removal of the Compton Community College District Foundation from the list of auxiliary organizations in good standing with the Compton Community College District.

CEO 1



**Serving the Communities of
Carson, Compton, Lynwood
North Long Beach, Paramount
and Willowbrook**

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LAWRENCE M. COX, PhD
CEO/Provost

PETER J. LANDSBERGER
Special Trustee

February 27, 2009

Dr. G. G. Washington
Compton Community College District Foundation
C/O Washington Chiropractic & Sports Injury Clinic
2047 W. Manchester Avenue
Los Angeles, California 90047

RE: Notice of Removal of Compton Community College District
as Auxiliary Organization in Good Standing

Dear Dr. Washington:

Please be advised that I believe grounds may exist for the removal of the Compton Community College Foundation (the "Foundation") from the list of auxiliary organizations in good standing with the Compton Community College District (the "District").

The grounds for removal of the Foundation as an auxiliary organization in good standing with the District include, but are not limited to the following:

1. The Foundation has not submitted its program and budget for each fiscal year to the District for approval and has not submitted annual audit reports to the District, in accordance with the Education Code, the Title V Regulations and with the terms of the Foundation's Master Agreement.
2. The Foundation has not complied with Internal Revenue Service ("IRS") requirements for filing Form 990s and/or has not timely filed its Form 990s, which may jeopardize the Foundation's status as a 501(c)(3) organization.
3. The Foundation has not been operating in accordance with the California Corporations Code, in that it has purportedly taken board action at meetings at which a quorum of directors was not present.

Pursuant to the California Code of Regulations, Title V ("Title V"), Section 59263, this letter serves as written notice to the Foundation that a conference will be held at 5:00 p.m. on Tuesday, March 10, 2009 in the Compton Community College District Boardroom to determine whether grounds do in fact exist for the removal of the Foundation from the District's auxiliary organization good standing list. Pursuant to Title V, the members of the Foundation's board of directors are entitled to be present and to be heard at this conference.

Sincerely,

Lawrence M. Cox, PhD
CEO/Provost
Compton Community College District

c: Foundation Board of Directors
Dr. Peter Landsberger, Special Trustee

Agenda for the Compton Community College District Board of Trustees
from
Administrative Services
Jim Grivich, Interim CBO

Action Calendar

BSD 1 Purchase Orders Over 90 Days

Consent Calendar

BSD 2 Agreements/Contracts

BSD 3 Amendment to Bergman & Dacey, Inc. Agreement

BSD 4 Budget Transfer

**Agenda for the Compton Community College District Board of Trustees
from
Administrative Services
Jim Grivich, Interim CBO**

**BSD 1 PURCHASE ORDERS AND BLANKET PURCHASE ORDERS
OVER 90 DAYS FOR MARCH 2009**

**Compton Community College District
BOARD OF TRUSTEES PURCHASE ORDER LISTING**

Board of Trustees Policy No. 6330 requires that all purchases be ratified within 90 days. The above purchases exceed the 90 day limit and therefore require special approval to suspend the Board Policy to authorize payment.

| P.O. Number | Vendor Name | Site Name | Description | P.O.Cost |
|---|--------------------|-----------------------|------------------------|-----------------|
| Fund 01 Unrestricted-Compton Ed Center | | | | |
| P0201452 | Reimbursement | Transfer Center | Conference Attendance | \$ 60.00 |
| P0201784 | Home Depot | Maint & Operations | Misc Hardware Items | \$1,381.26 |
| Fund 01 Total: 2 | | | | \$1,441.26 |
| P0202111 | Airgas West | Industrial Tech | New Equipment | \$7,492.86 |
| P0202153 | Office Depot | Business & Management | Instructional Supplies | \$ 318.01 |
| Fund 10 Total: 2 | | | | \$7,810.87 |
| Grand Total: 4 | | | | \$9,252.13 |

BACKGROUND

- P0201452 - Delayed due to submission of backup (Receipts) required to process payment
- P0201784 - Insufficient funding in account to process purchase order (Budget transfer executed)
- P0202111 - Delayed by vendor due to inability to locate requested items & secure stable pricing
- P0202153 - Delayed due to reopening of account with vendor & clearing credit check (Participating in Chancellor's Office agreement for reduced pricing for Community Colleges)

**Agenda for the Compton Community College District Board of Trustees
from
Administrative Services
Jim Grivich, Interim CBO**

BSD 2 AGREEMENTS/CONTRACTS

- 1. Agreement with Terry A. Hayes Associates LLC aka TAHA Environmental Planners, Contractor to Prepare the CEQA Document for the Infrastructure Improvements at Compton Community College District**

AGREEMENTS/CONTRACTS

- 1. AGREEMENT WITH TERRY A. HAYES ASSOCIATES LLC AKA TAHA ENVIRONMENTAL PLANNERS, CONTRACTOR TO PREPARE THE CEQA DOCUMENT FOR THE INFRASTRUCTURE IMPROVEMENTS AT COMPTON COMMUNITY COLLEGE DISTRICT**

CONSULTANT: TERRY A. HAYES ASSOCIATES LLC AKA TAHA
 ENVIRONMENTAL PLANNERS

SERVICES: To prepare the CEQA document for the infrastructure improvements at
 Compton Community College District

REQUESTING DEPT: MAINTENANCE AND OPERATIONS

DATES: 04/08/09 – 10/08/09

NTE: \$8,000.00

**Agenda for the Compton Community College District Board of Trustees
from
Administrative Services
Jim Grivich, Interim CBO**

BSD 3 AMENDMENT TO BERGMAN & DACEY, INC. AGREEMENT

BACKGROUND

Amendment to the original agreement with Bergman & Dacey, Inc., approved September 28, 2004, to increase the budget amount of the contract from \$50,000 to \$910,280.

The September 16, 2008 Amendment to Bergman & Dacey, Inc.'s January 4, 2005 contract for legal services with the District requires that any expenditures in excess of \$50,000.00 per year requires the Special Trustee to approve budgets submitted by Bergman & Dacey, Inc. and to pay out monies in excess of \$50,000.00 only on approved budgets.

The District is currently engaged in several civil actions and arbitrations with two former contractors to the District, the contractors' surety companies, and others regarding the Learning Resource Center project.

Bergman & Dacey, Inc. has submitted projected budgets for these matters for the Special Trustee's consideration and approval. The total amount of each budget is not expected to be used before the end of the contract on September 27, 2009. It is likely that there will be a need to prepare a new contract for the period after September 27 and remaining funds may be reallocated at that point. The budgets contain attorney client privileged communications and attorney work product, and as such, while the aggregate dollar amount of each budget can be made part of the public record, the text of the budgets should remain confidential, privileged and protected, and not be made part of the public record or disclosed in any way. The total budget for the Tower Glass case is \$563,080 and for the Mc Mahon case is \$347,200.

RECCOMENDATION

Staff recommends that the Special Trustee approve both of the budgets submitted as part of this Agenda item. Should additional funds be required, Staff will submit revised budget projections for approval.

BACKUP INFORMATION

BSD12 9/16/08

BSD4 9/28/04

Bergman & Dacey, Inc. Agreement 1/04/05

Exhibit "C"

Projected Budgets (**Privileged Confidential Attorney Client Communication*Protected Attorney work Product**)

RESOURCE PERSON

Frederick J. Sturner

**Agenda for the Compton Community College District Board of Trustees
from
Administrative Services
Jim Grivich, Interim CBO**

BSD 4. BUDGET AUGMENTATION/TRANSFERS

- I. It is requested that the Special Trustee approve a Budget Augmentation to increase the budget in General Fund Unrestricted to account for unbudgeted revenues and expenditures in regards to Community Services-Facilities Usage.**
- II. It is requested that the Special Trustee approve a Budget Transfer required by administration to effect changes to the program budgets. The adjustments do not adversely affect the total District budget. It is also requested that the administrator so designated be authorized to complete the transfer document(s).**

I.

- (a) Budget Augmentation in Unrestricted General Fund 01 for Community Services - Facilities Usage in the amount of \$170,000 as listed:

| <u>Major Object</u> | <u>Description</u> | <u>Amount</u> |
|---------------------|---|------------------|
| 8800 | Local Revenue | \$ 170,000 |
| | | |
| <u>Major Object</u> | <u>Description</u> | <u>Amount</u> |
| 2000 | Classified and Other Nonacademic Salaries | \$ 90,000 |
| 3000 | Employee Benefits | \$ 9,630 |
| 4000 | Supplies and Materials | <u>\$ 70,370</u> |
| | | \$ 170,000 |

II.

- (a) Budget Transfers in the Unrestricted General Fund 01 for M&O and Business Affairs departments in the amount of \$763,265 as listed:

From: Employee Benefits

| <u>Major Object</u> | <u>Description</u> | <u>Amount</u> |
|---------------------|--------------------|---------------|
| 3000 | Employee Benefits | \$ 763,265 |

To: Supplies and Materials, Other Operating Expenses and Services, Capital Outlay

| <u>Major Object</u> | <u>Description</u> | <u>Amount</u> |
|---------------------|------------------------|---------------|
| 4000 | Supplies and Materials | \$ 12,000 |

| | | |
|------|---------------------------------------|-------------------|
| 5000 | Other Operating Expenses and Services | \$ 651,265 |
| 6000 | Capital Outlay | <u>\$ 100,000</u> |
| | | \$ 763,265 |

(b) Budget Transfer in the Unrestricted General fund 01 for Student Services in the amount of \$10,000 as listed:

From: Other Operating Expenses and Services, Capital Outlay

| <u>Major Object</u> | <u>Description</u> | <u>Amount</u> |
|---------------------|---------------------------------------|-----------------|
| 5000 | Other Operating Expenses and Services | \$ 5,100 |
| 6000 | Capital Outlay | <u>\$ 4,900</u> |
| | | \$ 10,000 |

To: Classified and Other Nonacademic Salaries, Supplies and Materials, Other Operating Expenses and Services

| <u>Major Object</u> | <u>Description</u> | <u>Amount</u> |
|---------------------|---|-----------------|
| 2000 | Classified and Other Nonacademic Salaries | \$ 2,000 |
| 4000 | Supplies and Materials | <u>\$ 8,000</u> |
| | | \$ 10,000 |