



**Compton Community College
Board of Trustees Agenda – August 6, 2002**

Consent Agenda

All matters listed under the Consent Agenda will be acted upon by one motion affirming the action recommended on the agenda. There will be no separate discussion on these items prior to voting unless members of the board or staff request specific items be removed from the Consent Agenda for separate action.

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CLOSED SESSION

- A. Closed Session pursuant to Government Code Section 54957
- B. Closed Session pursuant to Government Code Section 54956.9:
 - 1. Conference with legal counsel – anticipated litigation: Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: three potential cases

RECONVENE TO OPEN SESSION

- A. Report out of Closed Session pursuant to Government Code Section 54957.1

ADJOURNMENT



Compton Community College
Board of Trustees Agenda – August 6, 2002
Department Consent Items

To the Board of Trustees:

Department

Agenda Item

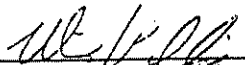
Secretary

1A

Subject: Professional Service Agreements for Bond Measure

It is requested that the Board of Trustees authorize the Superintendent/President to negotiate and execute professional service agreements in connection with the general obligation Bond measure.

A. Financial Advisory Service

Submitted by:	Recommended by:
	
	Ulis C. Williams, Superintendent/President



**Compton Community College
Board of Trustees Agenda – August 6, 2002
Department Consent Items**

To the Board of Trustees:

Department

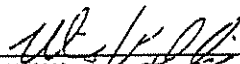
Agenda Item

Secretary

1B

Subject: Resolution to Place Bond Measure on Ballot

It is recommended that the Board of Trustees approve a resolution requesting that the Los Angeles County Registrar of Voters conduct an election under the provisions of Proposition 39. The date of said election is to be November 5, 2002.

Submitted by:	Recommended by:
	
	Ulis C. Williams, Superintendent/President

RESOLUTION NO. 8-6-02RESOLUTION OF THE BOARD OF TRUSTEES OF COMPTON
COMMUNITY COLLEGE DISTRICT ORDERING AN
ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE
ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") has determined that certain properties and equipment within the Compton Community College District (the "District"), within Los Angeles County ("Los Angeles County") need to be repaired, acquired, constructed, improved, and equipped to enable the District to enhance the job and educational opportunities of the students in the District as well as their ability to transfer to a four-year college; and

WHEREAS, the Board has determined that it will be less expensive to upgrade and repair its college buildings now while interest rates are low, and that if the Board does not take action now, the facility problems of the District will only get worse and become more costly to fix; and

WHEREAS, notwithstanding ongoing efforts to obtain sufficient facility money from the State of California (the "State"), the State has been unable to provide the District with enough money for the District to adequately provide facilities to create an optimal learning environment for all students; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional facility funding for such needs by means of a general obligation bond; and

WHEREAS, Proposition 46, approved by the voters of the State on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIII A of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those *ad valorem* taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000 the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, reduced the voter threshold for *ad valorem* tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a community college district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board hereby determines that the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for administrative salaries or other operating expenses of the District be strictly enforced by the Citizens Oversight Committee; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 5, 2002, and to request the Los Angeles County Registrar of Voters to perform certain election services for the District;

NOW THEREFORE, THE BOARD OF THE COMPTON COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the Los Angeles County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount not to exceed \$100,000,000 (the "Bonds") shall be issued and sold to raise money for the purposes described in Exhibits A and B hereto.

Section 2. That the date of the election shall be November 5, 2002.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit "A" is subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including teacher and administrator salaries and other school operating expense;

(b) that the Board, in establishing the projects set forth in Exhibit "B", evaluated the safety, class size reduction and information technology needs of the District;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys get expended for the college projects identified in Exhibit "B" hereto;

(d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board will cause the appointment of a Citizens Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Elections Code Section 15274; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed \$25 per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Sections 5322 of the Education Code.

Section 6. That the Los Angeles County Registrar of Voters and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2002 within the District.

Section 7. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to the Los Angeles County Registrar of Voters no later than August 7, 2002.

Section 8. That the maturity of any Bonds issued pursuant to Section 15264 *et seq.* of the Education Code hereto shall have a maturity not exceeding twenty-five (25) years, and Bonds issued pursuant to Section 53506 of the Government Code shall have a maturity of not exceeding forty (40) years. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

Section 10. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Los Angeles County is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Los Angeles County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 6th day of August, 2002.

BOARD OF TRUSTEES OF THE COMPTON
COMMUNITY COLLEGE DISTRICT

By _____
President

Attest:

Secretary

STATE OF CALIFORNIA)
)ss
LOS ANGELES COUNTY)

I, _____, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, which was duly adopted by the Board of Trustees of the Compton Community College District at meeting thereof held on the 6th day of August, 2002, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By _____
Secretary

EXHIBIT A

“To better prepare local students for jobs and four-year colleges, shall Compton Community College District repair and renovate academic classrooms and job training facilities; upgrade safety/security systems, electrical capacity, computer technology, energy efficiency, and leaky roofs; relieve student overcrowding; and repair, renovate, construct, acquire and equip classrooms, facilities and sites; by issuing \$100,000,000 of bonds at legal rates, appointing a Citizens Oversight Committee and performing annual audits to ensure no bond money is used for administrators’ salaries?”

Bonds - Yes

Bonds - No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION OF THE COMPTON COMMUNITY COLLEGE DISTRICT BOND MEASURE ELECTION NOVEMBER 5, 2002

The following is the full proposition presented to the voters by the Compton Community College District.

“To better prepare local students for jobs and four-year colleges, shall Compton Community College District repair and renovate academic classrooms and job training facilities; upgrade safety/security systems, electrical capacity, computer technology, energy efficiency, and leaky roofs; relieve student overcrowding; and repair, renovate, construct, acquire and equip classrooms, facilities and sites; by issuing \$100,000,000 of bonds at legal rates, appointing a Citizens Oversight Committee and performing annual audits to ensure no bond money is used for administrators' salaries?”

In developing the Project List, College faculty, staff and students have prioritized key health and safety needs so the most critical needs are addressed. The Project List was developed with the input of faculty, community and business leaders who determined that if these needs were not addressed now, the problems would only get worse. They advised the Board of Trustees that it would be less expensive to upgrade and repair aging community college buildings and classrooms now, than in the future.

The Board of Trustees of the Compton Community College District has evaluated safety, class size reduction, and information technology needs in developing the scope of school facility projects to be funded, as outlined in the District's Master Plan, approved and as shall be amended from time to time and on file with the Public Information Office of the Compton College, including the following:

PROJECT LIST

- Repair and renovate academic classrooms and job training facilities;
- Site improvements for Safety and Access including: Americans with Disabilities Act (ADA) compliance, asbestos and lead abatement;
- Upgrade roadways, walkways, grounds, pathways, and parking lots for safety;
- Acquire furnishings and equipment for all classroom and facility repair, renovation, improvement and/or new construction projects;
- Upgrade/acquire of information technology equipment;
- Upgrade lighting, heating and cooling systems, gas, electrical, water systems, and storm drains, campus wide;

- Remodel stadium/track facilities;
- Demolish obsolete facilities;
- Refinance lease obligations for classrooms, vehicles and technology equipment and facilities;
- Reconstruct, reconfigure, repair and renovate existing classrooms, science and computer labs, job training facilities, instructional support space, and other facilities;
- Construct a new Library to replace the 50-year old structure now housing the Library;
- Construct new Performing Arts Center and Fine Arts Centers with classrooms and other instructional space, and a new Student Union Building to house student support services such as Admissions, counseling, etc.

The bond program is designed to provide facilities which will serve current and expected enrollment. In the event of an unexpected slowdown in development or enrollment of students, certain of the projects described above will be delayed or may not be completed. In such case, bond money will be spent on only the most essential of the projects listed above. The District will work with the Citizen Oversight Committee on prioritizing those projects in the event factors beyond the District's control require that projects be reconsidered.

The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. The budget for each project is an estimate and may be affected by factors beyond the District's control.

Fiscal Accountability. No Money for Administrators' Salaries. The expenditure of bond money on projects on the Project List is subject to tough financial accountability requirements. Performance and financial audits will be performed annually, and all bond expenditures will be monitored by an independent, Citizens Oversight Committee to ensure that funds are spent as promised and specified in the Project List. No money can be spent on administrators' or staff salaries. By law, all funds can only be spent on repair and improvement projects.