

M I N U T E S



SANTA MONICA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

TUESDAY,
NOVEMBER 3, 2009

Santa Monica College
Board Room (Business Building Room 117)
1900 Pico Boulevard
Santa Monica, California

*The complete minutes may be accessed on the
Santa Monica College website:*

<http://www.smc.edu/admin/trustees/meetings/>

Written requests for disability-related modifications or accommodations, including for auxiliary aids or services that are needed in order to participate in the Board meeting are to be directed to the Office of the Superintendent/President as soon in advance of the meeting as possible.

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 3, 2009

MINUTES

A meeting of the Board of Trustees of the Santa Monica Community College District was held in the Santa Monica College Board Room (Business Building Room 117), 1900 Pico Boulevard, Santa Monica, California, on Tuesday, November 3, 2009.

The agenda included the following items: (Items for action - recommendations - are listed numerically; items for information are listed alphabetically).

I. ORGANIZATIONAL FUNCTIONS

- A Call to Order
- B Roll Call
- C Public Comments on Closed Session Items

II. CLOSED SESSION

- Conference with Labor Negotiators (Government Code Section 54957.6)
Agency Designated Representatives: Marcia Wade, Vice-President, Human Resources
Robert Myers, Campus Counsel
Employee Organization: CSEA Chapter 36
- Public Employee Discipline/Dismissal/Release (Government Code Section 54957)
- Conference with Legal Counsel – Initiation of Litigation (Government Code Section 54956.9(c))
One case
- Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9)
Name of Case: PERB Case No. LA-SV-160-E
- Real Property (Government Code Section 54956.8)
Property Address: Santa Monica College Olympic Shuttle Lot/3400-3500 Airport Avenue
Under Negotiation: Terms and Conditions of Land Swap with City of Santa Monica
College Negotiators: Dr. Chui L. Tsang and Charlie Yen
City of Santa Monica's Representative: Lamont Ewell, City Manager

III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS

- D Pledge of Allegiance
- E Closed Session Report (if any)
- F Public Comments

IV. **SUPERINTENDENT'S REPORT**

- Recognition of Interior Architectural Design Student
- Community College Facility Coalition's 2009 Professional Design Awards presented to SMC
- Management Association Update
- Updates:
 - Associated Students Report
 - Accreditation
 - Facilities Master Plan – Community Meetings
 - Transfer Rates
 - Legislative Agenda, 2009-10

V. **ACADEMIC SENATE REPORT**

VI. **MAJOR ITEMS OF BUSINESS**

- G Report: Accountability Reporting for Community Colleges (ARCC)
- H Report: Student Services/Administration Building Project
- #1 Agreement for Program and Construction Management Services
- #2 Amended 2009-2010 Nonresident Tuition Fee and Adoption of Fee Waiver
- #3 2009-2010 Quarterly Budget Report/Budget Outlook
- #4 Appointment of Personnel Commissioner
- #5 Resolution Authorizing Issuance of Not to Exceed \$111,000,118.40 of SMCCD General Obligation Bonds

VII. **CONSENT AGENDA**

Any recommendation pulled from the Consent Agenda will be held and discussed in Section VIII, Consent Agenda – Pulled Recommendations

Approval of Minutes

- #6 Approval of Minutes: October 6, 2009 (Regular Meeting)

Grants and Contracts

- #7 Contracts and Consultants
 - 7-A Contract for Credit Card Processing Services
- #8 Ratification of Contracts and Consultants

Human Resources

- #9 Academic Personnel
- #10 Classified Personnel – Regular
- #11 Classified Personnel – Limited Duration
- #12 Classified Personnel – Non Merit

Facilities and Fiscal

- #13 Facilities
 - 13-A Change Order No. 3 – Gym Bleacher Replacement
- #14 Acceptance of Donation from KCRW Foundation, Inc.
- #15 Budget Augmentation for TRIO Student Support Services
- #16 Budget Transfers
- #17 Gann Limit, 2009-2010
- #18 Resolution Relating to Appointments to the SCCCCD Joint Powers Agency
- #19 Commercial Warrant Register
- #20 Payroll Warrant Register
- #21 Auxiliary Payments and Purchase Orders
- #22 Direct, Benefit and Student Grant Payments
- #23 Purchasing
 - 23-A Award of Purchase Orders
 - 23-B Declaration and Donation of Surplus Athletic Equipment
 - 23-C Award of Bid – Schedule of Classes

- VIII. **CONSENT AGENDA – *Pulled Recommendations***
Recommendations pulled from the Section VII. Consent Agenda to be discussed and voted on separately. Depending on time constraints, these items might be carried over to another meeting.

IX. **INFORMATION**

- I Citizens' Bond Oversight Committee Meeting, October 21, 2009

X. **BOARD COMMENTS AND REQUESTS**

XI. **ADJOURNMENT**

The next regular meeting of the Santa Monica Community College District Board of Trustees will be **Tuesday, December 8, 2009** at 7 p.m. (5:30 p.m. if there is a closed session) Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

- APPENDIX A: Executive Summary, 2009-10 ARCC Report
APPENDIX B: 2009-10 Quarterly Budget Report
APPENDIX C: Resolution Authorizing Issuance of Not to Exceed \$111,000,118.40
of General Obligation Bonds

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 3, 2009

I. ORGANIZATIONAL FUNCTIONS

A CALL TO ORDER

B ROLL CALL

Louise Jaffe, Chair - Present
David Finkel, Superior Court Judge (Ret.), Vice-Chair - Present
Dr. Susan Aminoff - Present
Dr. Nancy Greenstein - Present
Dr. Margaret Quiñones-Perez – Excused Absence
Rob Rader - Present
Dr. Andrew Walzer - Present
Seth Smith, Student Trustee – Present (*for public session*)

C PUBLIC COMMENTS ON CLOSED SESSION ITEMS

II. CLOSED SESSION

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Robert Myers, Campus Counsel
Employee Organization: CSEA Chapter 36
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Under Negotiation: Terms and Conditions of Land Swap with City of Santa Monica
College Negotiators: Dr. Chui L. Tsang and Charlie Yen
City of Santa Monica's Representative: Lamont Ewell, City Manager

III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS

- D PLEDGE OF ALLEGIANCE – Mitra Moassessi**
- E CLOSED SESSION REPORT (if any)**
- F PUBLIC COMMENTS**
William Nault

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 3, 2009

III. SUPERINTENDENT'S REPORT

- Recognition of Interior Architectural Design Student: The Board of Trustees presented a certificate of recognition to SMC interior architectural design student JiYoung Bae for winning first place in the 2009 Saul M. Goldin Memorial Lighting Design Competition, organized by the Los Angeles Section of the Illuminating Engineering Society of North America.
- Community College Facility Coalition's 2009 Professional Design Awards: Statewide awards for the Quad and Performing Arts Center were presented to SMC Tuesday in Sacramento. The Quad won the Award of Excellence in the Specialized Facility category of the Community College Facility Coalition's 2009 Professional Design Awards. The Performing Arts Center won the Award of Honor in the Campus Completion category, which is given for a facility a college did not previously have but should be considered a complete community college campus.
- Management Association Update: SMC Management Association President Erica LeBlanc reported that Fiscal Services Director Chris Bonvenuto and his team are the recipients of the "Applause Award" for October.
- Associated Students Report: Goals and Objectives for 2009-10 were distributed.
- Accreditation: All four standards of the draft Accreditation Self-Study report have been posted on the SMC web page and that feedback from employees is crucial as work continues to shape the final draft.
- Facilities Master Plan: SMC held three community meetings on the SMC's Career and Educational Facilities Master Plan 2009 Update. Main issues of concern revolved around noise and air pollution from demolition and construction projects; traffic congestion; noise and air pollution from increased bus service around the main campus; and beautification of Pearl Street.
- Transfer Rates: Just-released figures show that SMC is again No. 1 in transfers for 2009-10 to the University of California, University of California-California State University systems combined, USC and Loyola Marymount University. It was also No. 1 in transfers of African American students to the UC system and was No. 2 in transfers of Latino students to UC.
- Legislative Agenda, 2009-10: SMC will be pursuing state legislation that would change the formula for out-of-state student tuition to make it predictable and for increases to be incremental. A bill has been introduced in Congress that would implement President Obama's community college initiative, allocating anywhere from \$600 million to \$900 million to the 1,200 community colleges nationwide. The first round of funding from the bill, which will be based on competitive grants, is expected to come in fall 2010.

V. ACADEMIC SENATE REPORT

Eric Oifer, Academic Senate President

BOARD OF TRUSTEES	INFORMATION
Santa Monica Community College District	November 3, 2009

MAJOR ITEMS OF BUSINESS

INFORMATION ITEM G

SUBJECT: **ACCOUNTABILITY REPORTING FOR COMMUNITY COLLEGES**

SUBMITTED BY: Superintendent/President

SUMMARY: Teresita Rodriguez, Vice-President of Enrollment Development, and Caroline Sheldon, Dean of Institutional Research, presented an overview of the Accountability Reporting for Community Colleges (ARCC).

Accountability Reporting in the Community Colleges (ARCC) contains seven measures of student progress and achievement as they relate to the broad mission of the California Community Colleges to support transfer, degree and certificate completion, and basic skills. The measures developed for ARCC reflect a refinement of some of the measures from previous accountability initiatives, such as the Partnership for Excellence (PFE), as well as an expansive consultation process with education scholars and community college practitioners from the field.

The legislation for Accountability Reporting in the Community Colleges (ARCC) requires that a college's local Board of Trustees annually review the college's ARCC report. No action is required by the Board; review of the narrative, and the selection of material contained in Appendix A, fulfills this legislative requirement.

BOARD OF TRUSTEES	INFORMATION
Santa Monica Community College District	November 3, 2009

MAJOR ITEMS OF BUSINESS

INFORMATION ITEM H

SUBJECT: **STUDENT SERVICES/ADMINISTRATION BUILDING PROJECT**

SUBMITTED BY: Superintendent/President

SUMMARY: Steinberg Architects made a brief presentation on the Student Services and Administration Building project as part of the information item.

BACKGROUND: As part of the 1998 Facilities Master Plan, the need was established for a facility to consolidate all the major student services functions in a single facility to better serve students. One of the goals of the Master Plan was to establish the front entry of the campus from Pearl Street to Pico Boulevard. Since the Student Services Building was conceived as a gateway to the campus, the Master Plan located the building on Pico at the northeast corner of the campus. For funding, the project was first included in the Measure U Bond that was approved by the voters in 2002. In 2004 Measure S was passed which included funding for additional parking facilities. In July 2005, the District submitted a funding proposal to the state, which was approved for \$17,544,868 with funding starting in the 2007-2009 year.

Key Board Approvals

- At the May 2007 meeting, the Board of Trustees contracted with the architect to begin formal design work on the building.
- At the February 2008 meeting, the Board of Trustees adopted Final Initial Study/Mitigated Negative Declaration clearing the way for the start of construction.
- At the November 2008 meeting, the Board of Trustees awarded the contract for Phase I-Site Preparation of the project, which included the demolition of the Amphitheater, Concert Hall and Music Building along with the excavation and shoring of the underground parking garage site.

Current Status

Site work for *Phase I-Site Preparation* began in December 2008. After demolition of the Concert Hall, Music Complex and Amphitheater, the site was cleared for excavation. Shoring piles have been driven and mass excavation is underway. The District has been able to perform a major demolition and excavation project, with over 5,000 truck trips with minimal impact on students or the neighboring community. The site work project is on schedule with an anticipated substantial completion date of spring 2010.

In September 2009, the District submitted construction documents for the Student Services and Administration Building project to the Division of the State Architect (DSA) for review. These documents were the result of more than 80 meetings with the building users, college administration, Board of Trustees and campus facilities staff. There was a slight delay in submitting the plans because the District had decided to incorporate the latest seismic safety code in the structural design of the building. The project is scheduled to begin Phase II construction (Parking garage and Student Services and Administration Building) by the fall of 2010, with an anticipated construction completion date of summer 2013.

Financing

With 85,000 square feet on three floors, plus three levels of underground parking, this is the largest project the District has undertaken. Due to the scope of the project several sources of funding are being used including the State of California, our own local bond funds and District capital funds.

The District has been able to maintain the budget at the same levels that have previously been presented to the Board, even though there was an increase in structural costs due to the use of the latest seismic safety codes.

Due to the economic conditions now facing the construction industry there is a more favorable bidding climate for projects such as this than there has been in several years. These conditions are expected to last through next year when the District will be bidding this project.

The following budget shows the project costs and the sources of funding.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. I

SUBJECT: **AGREEMENT FOR PROGRAM AND CONSTRUCTION
MANAGEMENT SERVICES FOR DISTRICT BOND
CONSTRUCTION PROGRAM**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees approve an agreement for Program and Construction Management Services with LPI, Inc. for a period of three years, through June 30, 2012; for program management, construction management, project management, and labor compliance monitoring services; at the rate of \$75 to \$140 per hour, plus Project Management Software costs, not to exceed \$1,900,000, plus reimbursable expenses, through June 30, 2010; with second and third year maximums to be established annually by Board action.

SUMMARY: This contract provides program and construction management services for the District's bond construction program. Program management includes assisting District staff with budgeting and scheduling bond projects, managing the design process, and maintaining effective communications internally and externally. Construction management includes the bidding process, construction administration, and project closeout of bond projects.

LPI, Inc. is currently providing these services under a Board-approved contract that ends June 30, 2010. Under this contract, LPI, Inc. is also providing DSA (Division of State Architects) inspection services. The District will begin a selection process for DSA inspection services subsequent to this action on the selection of program management. LPI, Inc. will provide DSA inspection services in the interim under the terms of the existing agreement.

FUNDING SOURCE: Measures U, S, AA / District Capital Funds / State Construction Grants

STAFF REPORT:

Selection Process

On July 22, 2009, the District requested Statements of Qualifications for project and construction management for the District's bond construction program. The request for Statements of Qualifications was advertised on the District's website, in the local newspaper of record, and e-mailed to a distribution list of interested construction management firms. Over 30 firms expressed interest and received a copy of the RFP. Over 50 people attended an on-campus informational meeting on August 6. A total of 16 firms submitted the Statements of Qualifications. A committee of faculty, classified staff and managers screened the proposals from August 24 to September 3. Selection criteria included experience on similar projects, staffing efficiency, technical competence, understanding of the project's scope, approach to the work, contract dispute experience, qualification of proposed staff, and the ability to meet required time frames.

The top four firms were invited to interview with the District, in an interview process that included the Superintendent/President and other senior administrators. LPI, Inc. is the top ranked firm and the lowest cost proposer.

LPI, Inc. is recommended as the best proposer to provide program management and construction management services. LPI, Inc. has relevant experience working on over 110 capital improvement projects for the District. District staff contacted reference agencies and all respondents reported that the firm provided exceptional program and construction management services.

Project Background

With the passage of Measure AA the District has added \$295 million dollars in bond funds to its capital construction program. With current Measure U and Measure S funds and potential federal, state and local funding funds, the bond program under management for modernization and renovation of District facilities is approximately \$450 million.

The District has an excellent track record in initiating, managing, and completing capital improvement projects on time, within budget, and with exceptionally low administrative overhead. It is worth noting that the District acquired its expertise of capital project management in the mid-1990s, in the aftermath of the Northridge earthquake. This was a period of limited capital resources and great need. As a result, the District developed a highly refined and tightly integrated task management and document management system that was built around a core District staff and highly efficient outside construction administration. LPI, Inc. has been integral to the District program since 1993, and has worked on and completed more than 110 District projects, including such award-winning projects as the Science Building, Library, Bundy Campus, Broad Stage, and Campus Quad.

Cost Comparison

In addition to qualifications, costs were examined. Each firm submitted staff projections and hourly rates for key personnel. The cost comparison for all firms submitting is shown below:

<u>Company</u>	<u>Program Director</u>	<u>PM/CM</u>
Arcadis/Cumming	\$195.00	\$174.00
C.W. Driver		
Cordoba Corporation	\$193.80	\$169.10
Gateway Science & Engineering	\$197.58	\$148.10
gkkworks/Vanir*	\$195.00	\$150.00
Harris & Associates		
Heery International	\$198.70	\$153.68
LPI, Inc.*	\$140.00	\$135.00
Lundgren Management	\$158.00	\$142.00
Maas/Gilbane	\$177.00	\$149.00
Pacifica Services*	\$185.00	\$155.00
Parsons	\$170.00	\$145.00
Parsons Brinckerhoff/Yang	\$193.75	\$162.88
Seville Construction Services*	\$175.05	\$164.44
Swinerton	\$185.00	\$175.00
URS Corporation	\$165.00	\$152.00

The four finalists were Seville Construction Services, Pacifica Services, gkkworks/Vanir, and LPI, Inc. and are marked with an asterisk. The firms submitting included a range of small firms and large national corporations.

District Review

In conducting the selection for program and construction management, District administration identified the need to augment services in several areas, including the pre-planning of projects and the post-construction training needed to properly operate and maintain the built facilities. District administrative staff has met with LPI, Inc. and has reviewed LPI, Inc. staff capabilities in these areas. District staff has concluded that LPI, Inc. is well qualified and prepared to provide these augmented services.

DSA Inspection

The District will begin a selection process for DSA inspection services, subsequent to this Board action on the selection of program and construction management. Under existing practice, the District has integrated construction management with DSA inspection since many of the day-to-day reporting tasks are similar. This practice has provided significant cost savings to the District and has provided the District with overall quality control. The practice is also used by the City of Santa Monica. However, many agencies separate the two functions, especially when there are multiple complex projects. The District intends to separate the two functions with the goal of achieving additional benefits and efficiencies from enhanced program management and superior quality control. District project budgets will be adjusted appropriately to reflect the new services.

Request for more information and motion to table recommendation until next meeting

MOTION MADE BY:	Nancy Greenstein
SECONDED BY:	Susan Aminoff
STUDENT ADVISORY:	Aye
AYES:	6
NOES:	0
ABSENT:	1 (Quiñones-Perez)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 2

SUBJECT: **AMENDED 2009-2010 NONRESIDENT TUITION FEE AND ADOPTION OF FEE WAIVER**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees authorize the District to charge a nonresident tuition fee of \$221 per semester unit beginning Winter 2010 to all nonresident students. This fee includes an amount of \$190 per semester unit required by State law plus \$31 per semester unit as authorized by Section 76141 of the Education Code.

It is further recommended that the Board adopt the following fee waiver as required by Education Code Section 76141:

Any student who can demonstrate economic hardship, or who is a victim of persecution or discrimination in the country in which the student is a citizen and resident, is exempt from the fee authorized by Education Code Section 76141.

For purposes of this exemption, economic hardship shall be established if the person is: (a) a recipient of benefits under the Temporary Assistance for Needy Families program described in Part A of Title IV of the Social Security Act (42 U.S.C. Secs. 601 et seq.); (b) a recipient of benefits under the Supplemental Income/State Supplementary Program, (c) a recipient of benefits under the general assistance program; or (d) has financial circumstances similar to a person who is a recipient of such programs in the County of Los Angeles.

SUMMARY: Assembly Bill 947 (Brownley, 2009-10) has been approved by the legislature and signed into law. This act amends Section 76141 of the Education Code, relating to nonresident tuition. The effective date of the act is January 1, 2010. The effect of the act is to extend the charge of the capital portion of the nonresident tuition fee to all nonresident students and to establish an exemption for the capital portion of the fee for all nonresident students.

Existing law requires a community college district to charge a nonresident tuition fee to nonresident students, with certain exceptions. Existing law requires the fee to be set according to a formula that, with other modifications, divides the expense of education in the district by the number of full-time equivalent students, as defined, attending in the district in the preceding fiscal year.

Existing law also authorizes a community college district to charge an additional fee in addition to the nonresident tuition fee to nonresident students who are both citizens and residents of a foreign country. The additional fee may be as high as the amount that was expended by the district for capital outlay in the preceding fiscal year divided by the total full-time equivalent students of the district in the preceding year, so long as the fee does not exceed 50% of the nonresident tuition fee.

The act authorizes a community college district to charge the additional fee to any nonresident student by deleting the condition that the nonresident be a citizen and resident of a foreign country.

The act establishes an exemption for the additional fee for any student who can demonstrate economic hardship, or who is a victim of persecution or discrimination in the country in which the student is a citizen and resident.

The governing board of each community college district that chooses to impose the fee authorized by Section 76141 shall adopt a definition of economic hardship that encompasses the financial circumstances of a person who is a recipient of benefits under the Temporary Assistance for Needy Families program described in Part A of Title IV of the Social Security Act (42 U.S.C. Secs. 601 et seq.), the Supplemental Income/State Supplementary Program, or a general assistance program.

Revenue from any fee charged pursuant to Section 76141 shall be expended only for purposes of capital outlay, maintenance, and equipment.

MOTION MADE BY:	Rob Rader
SECONDED BY:	David Finkel
STUDENT ADVISORY:	Aye
AYES:	6
NOES:	0
ABSENT:	1 (Quiñones-Perez)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 3

SUBJECT: **2009-2010 QUARTERLY BUDGET REPORT/BUDGET OUTLOOK**

SUBMITTED BY: Superintendent/President

REPORT: On July 28, 2009, the Governor signed into law revisions to the 2009-2010 State Budget that reduced the general funding for the California Community College System by \$235,600,000. This reduction in general fund revenue took the form of a “work load reduction” that was meant to match funded enrollment with available funding. The effect of this workload reduction to the District was a reduction in funded credit Full-time Equivalent Students of approximately 809.33 FTES or \$3,694,450. The budget revision also reduced categorical program funding for the District by approximately \$1,703,350 from the 2008-2009 base with the assumption that the Community College System would receive \$140 million in federal ARRA funding. On October 6, 2009, the District was informed that the Community College System would only receive \$35 million of the anticipated \$140 million in federal ARRA funding increasing the Districts cut to categorical funding to approximately \$2,625,945 from the 2008-2009 base. Staff will give a brief overview of the major changes to the budget which includes:

1. An increase of \$1 million backfill to categoricals from general funds to offset reduced ARRA funding. The increase is distributed among the various expenditure line items.
2. A reduction of \$1.07 million in health care expenditure is also included as a result of CALPERS’ “premium holiday” whereby the District is anticipated to receive a break in our premium for this year.

As a result of the above and other changes, the Districts projected deficit for the year has been reduced from approximately \$1.8 million to approximately \$1.5 million.

REQUESTED ACTION: It is recommended that the Board of Trustees acknowledge receipt of the 2009-2010 Quarterly Budget Report, as of September 30, 2009 (Appendix B).

COMMENT: The Board of Trustees is presented on a quarterly basis with a set of financial statements for the general fund along with the quarterly 311Q report required by the Chancellor’s Office.

MOTION MADE BY: Andrew Walzer
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Aye
 AYES: 6
 NOES: 0
 ABSENT: 1 (Quiñones-Perez)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 4

SUBJECT: **APPOINTMENT OF PERSONNEL COMMISSIONER**

SUBMITTED BY: Chair and Vice-Chair, Board of Trustees

REQUESTED ACTION: It is recommended that the Board of Trustees reappoint Joe Metoyer to the SMC Personnel Commission for a three-year term that commences December 1, 2009 and expires November 30, 2012.

SUMMARY: The process of filling a position on the Personnel Commission requires that two members be appointed by Board of Trustees; two members be appointed by the classified employees of the District; and the fifth member is appointed by the four appointed commissioners. There were two applicants for the Board-appointed position currently held by Joe Metoyer. It is being recommended that Commissioner Metoyer be appointed for another three-year term.

Personnel Commission Deborah Jansen's term also expires on December 1, 2009. CSEA is reappointing her to the position.

MOTION MADE BY: Andrew Walzer
 SECONDED BY: Susan Aminoff
 STUDENT ADVISORY: Aye
 AYES: 5
 NOES: 0
 ABSTAIN: 1 (Rader)
 ABSENT: 1 (Quiñones-Perez)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 5

SUBJECT: **RESOLUTION AUTHORIZING ISSUANCE OF NOT TO EXCEED \$111,000,118.40 OF SANTA MONICA COMMUNITY COLLEGE DISTRICT GENERAL OBLIGATION BONDS**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees approve the following resolution to authorize issuance of not to exceed \$111,000,118.40 of Santa Monica Community College District General Obligations Bonds, 2002 Election, 2009 Series E, and general obligation bonds, 2008 Election, 2009 series A and ordering certain actions in connection therewith (see Appendix C)

SUMMARY: The issuance of \$11,000,118.40 from 2002 Election (Measure U) is for Student Services building. The \$100,000,000.00 from 2008 Election (Measure AA) is for the Media and Technology Complex–Academy Site, PE/Health/Fitness Dance building, Information Technology relocation, Environmental Performance-Central Plant, Madison East Wing seismic upgrade, and Bundy Campus West Building classroom completion.

RBC Capital will be the lead underwriter and will be working with co-manager Estrada, Hinojosa Investment Bankers to implement the sale of bonds.

MOTION MADE BY: Andrew Walzer
SECONDED BY: Susan Aminoff
STUDENT ADVISORY: Absent
AYES: 6
NOES: 0
ABSENT: 1 (Quiñones-Perez)

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 3, 2009

VII. CONSENT AGENDA

Any recommendation pulled from the Consent Agenda will be held and discussed in Section VIII, Consent Agenda – Pulled Recommendations

RECOMMENDATION

The Board of Trustees take the action requested on Consent Agenda Recommendations #6-#23

Recommendations pulled for separate action and discussed in
Section VIII, Consent Agenda – Pulled Recommendations: #8, #13-A

Action on Consent Agenda, except for #8 and #13-A

MOTION MADE BY: Nancy Greenstein
 SECONDED BY: Rob Rader
 STUDENT ADVISORY: Aye
 AYES: 6
 NOES: 0
 ABSENT: 1 (Quiñones-Perez)

VIII. CONSENT AGENDA – Pulled Recommendations

Recommendation No. 8 – Ratification of Contracts and Consultants

MOTION MADE BY: Rob Rader
 SECONDED BY: Andrew Walzer
 STUDENT ADVISORY: Aye
 AYES: 6
 NOES: 0
 ABSENT: 1 (Quiñones-Perez)

Recommendation No. 13-A – Change Order No. 3 – Gym Bleacher Replacement

MOTION MADE BY: David Finkel
 SECONDED BY: Rob Rader
 STUDENT ADVISORY: Aye
 AYES: 6
 NOES: 0
 ABSENT: 1 (Quiñones-Perez)

RECOMMENDATION NO. 6 APPROVAL OF MINUTES

Approval of the minutes of the following meeting of the Santa Monica Community College District Board of Trustees:

October 6, 2009 (Regular Meeting)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: GRANTS AND CONTRACTS

RECOMMENDATION NO. 7 **CONTRACTS AND CONSULTANTS**

7-A **CONTRACT FOR CREDIT CARD PROCESSING SERVICES**

Provider:	Official Payments Corporation
Service Fee:	2.25% of charged or debited transactions
Term of Contract:	January 1, 2010 through December 31, 2010
Funding Source:	Fiscal Services Budget
Service:	Hardware, software and merchant services related to the District's processing of telephone and internet credit and debit card payments for enrollment and related Bursar's Office fees.
Comment:	Official Payments Corporation (OPS) is the District's current credit card processor for the District's telephone and web based transactions. OPS has worked closely with District staff over the years to ensure smooth processing of online and telephone payments for both the students and District. Official Payments Corporation is a Cardholder Information Security Program (CISP) compliant service provider which offers students the highest level of confidence in their transaction with the District. This is the last option for extension under the current multi-year contract. The District intends to rebid these services during the next year.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: GRANTS AND CONTRACTS

RECOMMENDATION NO. 8 RATIFICATION OF CONTRACTS AND CONSULTANTS

Approved by: *Chui L. Tsang, Superintendent/President*

Requested Action: *Ratification*

The following contracts for goods, services, equipment and rental of facilities, and acceptance of grants in the amount of \$50,000 or less have been entered into by the Superintendent/President and are presented to the Board of Trustees for ratification.

Authorization: Board Policy Section 6255, Delegation to Enter Into and Amend Contracts

Approved by Board of Trustees: 9/8/08

Reference: Education Code Sections 81655, 81656

Provider/Contract	Service	Term/Amount	Funding Source
Lea Associates Property Economics	Appraisal services for land (2909 Exposition Boulevard and potential replacement properties).	October 9, 2009 – June 30, 2010 \$10,600 plus reimbursable expenses plus any additional services not to exceed \$375 per hour	Measure S
Extreme Entrepreneurship Tour	As part of the Small Business Development Center's Youth Entrepreneurship Program, the Extreme Entrepreneurship Tour will provide SMC students with entrepreneurial based content through inspirational keynote speakers, workshops, a panel discussion and on-going mentoring. The purpose of the event is to promote entrepreneurship as a career path.	October 22, 2009 \$8,000	CTE Core & CTE WIP Grant Funds
Urban Mapping	An interim consultant to host the Arts, Media and Entertainment (AME) Industry Sector Leadership Project asset map and dynamically respond to customized requests from users. This company bought Placebase, the consultant approved for this function, and agreed to support this function until a new provider is located.	July 1 – October 31, 2009 \$2,500	Arts, Media and Entertainment (AME) Industry Sector Leadership Grant

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: GRANTS AND CONTRACTS

RECOMMENDATION NO. 8 **RATIFICATION OF CONTRACTS AND CONSULTANTS**

(Continued)

Provider/Contract	Service	Term/Amount	Funding Source
Reinvestment Fund	Consultant will provide a multiple user subscription to Policy Map, a dynamic asset map that can respond to customized requests from users (the AME field) and add new and updated content to the map.	October 1, 2009 – June 30, 2010 \$3,750	Arts, Media and Entertainment (AME) Industry Sector Leadership Grant
Imagistic	Consultant is designing the project web page and creating navigation and linkages to other relevant sites across the state to increase the information available to users from different sectors.	2009-2010 \$35,009 (this is an increase from the previously approved amount of \$16,500)	Arts, Media and Entertainment (AME) Industry Sector Leadership Grant
Russel Mulock	Consultant will serve as the web project manager and webmaster.	2009-2010 \$5,100	Arts, Media and Entertainment (AME) Industry Sector Leadership Grant

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 9 ACADEMIC PERSONNEL

Requested Action: Approval/Ratification
Reviewed by: Sherri Lee-Lewis, Dean, Human Resources
Approved by: Marcia Wade, Vice-President, Human Resources

ELECTIONS

EFFECTIVE DATE

Administrative

Hanna Alford, Director of Matriculation Research

11/16/09

Adjunct

Approval/ratification of the hiring of adjunct faculty.
(List on file in the Office of Human Resources)

Deceased

Robert W. Taylor, F/T Faculty, Physical Education Dept. & Football Coach

10/22/09

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 10 CLASSIFIED PERSONNEL – REGULAR

Requested Action: Approval/Ratification

Reviewed by: Sherri Lee-Lewis, Dean, Human Resources

Approved by: Marcia Wade, Vice-President, Human Resources

Approval/ratification of the establishment of classified positions, and other actions involving classified personnel including hiring, promoting, changing work shifts, working out of classification, and advanced step placements. All personnel assigned into authorized positions will be elected to employment (Merit System) in accordance with District policies and salary schedules.

ESTABLISH NEW CLASSIFICATION

EFFECTIVE DATE

Student Services Specialist- Financial Aid
Salary Allocation: Range 30

11/04/09

Bookstore Sales Clerk
Salary Allocation: Range 18

11/04/09

Supervising Personnel Analyst
Salary Allocation: Range M 18

11/04/09

ESTABLISH

Bookstore Sales Clerk (2 positions)
Bookstore, 12 mos, 40hrs

11/04/09

Bookstore Sales Clerk (2 positions)
Bookstore, 12 mos, 20hrs

11/04/09

Student Services Specialist- Financial Aid, (1 position)
Financial Aid, 12 mos, 40hrs

11/04/09

Supervising Personnel Analyst, (1 position)
Personnel Commission, 12 mos, 40hrs

11/04/09

System Administrator (1 position)
Network Services, 12 mos, 40 hrs/VH

11/04/09

Technology User Support Specialist, (1 position)
Academic Computing, 12 mos, 40hrs

11/04/09

ELECTIONS

PROMOTION

Gilden, Joan

11/01/09

Fr: Accountant, Fiscal Services

To: Accounting Manager, Fiscal Services

De La Rosa, Taryn

11/01/09

Fr: Student Services Clerk

To: Student Services Specialist – Financial Aid

WORKING OUT OF CLASSIFICATION

Ponce, Robert

10/19/09 – 12/23/09 (48 days)

From: Skilled Maintenance Worker I, Maintenance, 12mos, 40 hrs

To: Journeyman Trade – Painter, Maintenance, 12 mos, 40 hrs

PERMANENT EMPLOYEE WITH LIMITED TERM ASSIGNMENT – SUBSTITUTE

Rodriguez, Rogelio

09/15/09 –

Fr: Groundskeeper/Gardener, Grounds, 12 mos, 40hrs/VH

until incumbent returns

To: Gardener- Equipment Operator, Grounds, 40hrs/VH

RETITLE

Fr: Journeyman Trade – Painting, Maintenance, 12 mos, 40hrs (1 position)

11/04/09

To: Journeyman Trade – Painter, Maintenance, 12 mos, 40hrs (1 position)

Fr: Student Services Specialist, Financial Aid, 12 mos, 40hrs (6 positions)

11/04/09

To: Student Services Specialist-Financial Aid, Financial Aid, 12 mos, 40hrs (6 positions)

Fr: Student Services Specialist- Fin. Aid G & W, Financial Aid, 12 mos, 40hrs (1 pos)

11/04/09

To: Student Services Specialist- Financial Aid, Financial Aid, 12 mos, 40hrs (1 pos)

RECLASSIFICATIONS (thru Personnel Commission Process)

McLeod, Damon

11/01/09

Fr: Student Services Assistant, Financial Aid, 12 mos, 40hrs

To: Student Services Specialist- Financial Aid, Financial Aid, 12 mos, 40hrs

EDUCATIONAL PAY DIFFERENTIAL

Esmaili, Akram, Instructional Assistant-Math, Math Dept.

1.5%

11/01/09

Le, Ann, Accountant, Fiscal Services

.75%

11/01/09

Kerce, Kathryn CC Police Dispatcher, Campus Police

1.5%

11/01/09

Pederson, Evelyn, Administrative Assistant III, Enrollment Serv.

.75%

11/01/09

Singleton, Clyde, Journeyman – HVAC, Maintenance

.75%

11/01/09

Singleton, Clyde, Journeyman – HVAC, Maintenance

.75%

11/01/09

Williams, Anthony, Custodian, Operations

.75%

11/01/09

Williams, Anthony, Custodian, Operations

.75%

11/01/09

Willoughby, Debra W., Human Resources Specialist, HR

.75%

11/01/09

ADVANCE STEP PLACEMENT

Reynolds, Chloe, Administrative Assistant II, Madison Theatre, Step B

09/28/09

VOLUNTARY REDUCTION IN HOURS/TEMPORARY

Duran, Francine

09/28/09 – 12/23/09

From: Administrative Assistant I, Admissions and Records, 12 mos, 40 hrs

To: Administrative Assistant I, Admissions and Records, 12 mos, 30 hrs

SEPARATIONS

LEAVES OF ABSENCE WITHOUT PAY/PERSONAL

Gettleman, Carl, Academic Computing Instructional Spec., Academic Computing 09/28/09–10/27/09

LEAVE OF ABSENCE WITH PAY/MILITARY LEAVE

Echeverria, Alberto C., CC Police Officer, Campus Police

11/02/0 –09/30/10

RESIGNATION

Weaver, Andrew J., Athletic Equipment Specialist, Athletics

10/28/09

RETIREMENT

Yoder, John, Web Svc Coord., Academic Computing (19 years/1 month)

11/18/09

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 11 CLASSIFIED PERSONNEL – LIMITED DURATION

Requested Action: Approval/Ratification

Reviewed by: Sherri Lee-Lewis, Dean, Human Resources

Approved by: Marcia Wade, Vice-President, Human Resources

All personnel assigned to limited term employment (Merit System) will be elected in accordance with District policies and salary schedules. No limited term assignment shall exceed 120 working days per fiscal year.

PROVISIONAL: Temporary personnel who meet minimum qualifications and are assigned to work 90 working days; who have not come from an eligibility list.

Covington, Jeri-Denalle, Cash Receipts Clerk, Bursar's Office	12/07/09-01/15/10
Cruse, Mitchell, Shuttle Driver, Transportation	10/20/09-02/22/10
Daugherty, Grady, Shuttle Driver, Transportation	10/20/09-01/13/10
Lee, Grace, Disabled Student Services Assistant, DSC	10/20/09-03/12/10
McGranahan, Amy, Disabled Student Services Assistant, DCS	10/20/09-03/12/10
Morginsky, Nicole A., Disabled Student Services Assistant, DSC	10/20/09-03/12/10
Osipova, Yelena, Accompanist-Dance, Dance	09/28/09-02/17/10
Robinson, Dewain, Theatre Tech Specialist, SMC Performing Arts	08/24/09-01/11/10
Schaffner, Polly, Accompanist-Voice, Music	09/30/09-02/19/10

RECOMMENDATION NO. 12 CLASSIFIED PERSONNEL - NON MERIT

Requested Action: Approval/Ratification

Reviewed by: Sherri Lee-Lewis, Dean, Human Resources

Approved by: Marcia Wade, Vice-President, Human Resources

All personnel assigned will be elected on a temporary basis to be used as needed in accordance with District policies and salary schedules.

STUDENT EMPLOYEES

CalWORKS, \$8.00/hr	02
College Student Assistant, \$8.00/hr (STHP)	70
College Work-Study Student Assistant, \$8.00/hr (FWS)	110

SPECIAL SERVICE

Art Model, \$18.00/hr	03
Art Model with Costume, \$21.00/hr	01
Community Services Specialist II, \$50.00/hr	06

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 13 FACILITIES

Requested Action: *Approval/Ratification*
 Requested by: *Greg Brown, Director, Facilities and Planning*
 Approved by: *Robert Isomoto, Vice-President, Business/Administration*

13- A CHANGE ORDER NO. 3 – GYM BLEACHER REPLACEMENT

Change Order No. 3 – AJ STEVENS CONSTRUCTION, INC on the Gym Bleacher Replacement project in the amount of \$13,697:

Original Contract Amount	\$540,642
Previously Approved Change Orders	84,023
Change Order No. 3	<u>13,697</u>
Revised Contract Amount	\$638,362
Original Contract Time	100 days
Previous Time Extensions	<u>0 days</u>
Revised Contract Time	100 days
Time Extension this Change Order	<u>0 days</u>
Current Revised Contract Time	100 days

Funding Source: Measure S

Comment: Change Order No. 3 provides for demolishing, removing and replacing (6) damaged existing volleyball pole support sleeves and the sanding and refinishing of the existing wood flooring in Gym Room # 4 (Basement).

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 14 **ACCEPTANCE OF DONATION FROM KCRW FOUNDATION, INC.**

Requested by: Cheryl Gee, Radio Station Services Assistant
 Approved by: Don Girard, Senior Director, Government Relations/Institutional Communications
 Requested Action: Approval/Ratification

Provider: KCRW Foundation, Inc
 Donated Equipment: PBX phone system, Avaya software
 Value of Donation: \$180,776.50
 Effective date: June 30, 2009
 Summary: This equipment is no longer used by the KCRW Foundation and is being donated to the District. It is a donation of equipment only and does not commit the District to a service contract.

RECOMMENDATION NO. 15 **BUDGET AUGMENTATION FOR TRIO STUDENT SUPPORT SERVICES**

Requested by: Chris Bonvenuto, Director, Fiscal Services
 Approved by: Robert G. Isomoto, Vice-President, Business/Administration
 Requested Action: Approval/Ratification

The 2009-2010 Adopted Budget will be amended to reflect the following budget augmentations.

Granting Agency: U.S. Department of Education
 Appropriated Funding: \$2,722
 Matching Funds: Not applicable
 Performance Period: September 1, 2009-August 31, 2010
 Summary: The District qualifies for an additional \$2,722 specifically for student aid in TRIO Student Support Services funding.
 Budget Augmentation: Revenue:
 8000 Revenue \$2,722
 Expenditures:
 7000 Student Aid \$2,722

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 16 BUDGET TRANSFERS

Requested by: Chris Bonvenuto, Director, Fiscal Services
Approved by: Robert G. Isomoto, Vice-President, Business/Administration
Requested Action: Approval/Ratification

16-A FUND 01.0 – GENERAL FUND - UNRESTRICTED

Period: September 15 through September 30, 2009

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	0
2000	Classified/Student Salaries	-10,000
3000	Benefits	0
4000	Supplies	0
5000	Contract Services/Operating Exp	17,000
6000	Sites/Buildings/Equipment	27,000
7000	Other Outgo/Student Payments	-34,000
Net Total:		0

16-B FUND 01.3 – GENERAL FUND - RESTRICTED

Period: September 15 through September 30, 2009

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	0
2000	Classified/Student Salaries	1,210
3000	Benefits	576
4000	Supplies	-1,736
5000	Contract Services/Operating Exp	-25,600
6000	Sites/Buildings/Equipment	25,550
7000	Other Outgo/Student Payments	0
Net Total:		0

Comment: The Adopted Budget needs to be amended to reflect the totals of the departmental budgets. The current system of the Los Angeles County Office of Education requires Board approvals each month for budget adjustments. Only the net amount of the transfers in or out of the object codes is shown. In addition to the budget adjustments, transfers result from requests by managers to adjust budgets to meet changing needs during the course of the year.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 17 GANN LIMIT, 2009-2010

Requested by: *Chris Bonvenuto, Director, Fiscal Services*
Approved by: *Robert G. Isomoto, Vice-President, Business/Administration*
Requested Action: *Approval/Ratification*

Adopt the 2009-2010 Gann Appropriations Limit for the Santa Monica Community College District as \$135,697,644 and the 2009-2010 Appropriation Subject to Limitation as \$94,439,822.

Comment: Proposition 4 (November 1979, Special Election) added Article XIII B to the State Constitution to place limitations of the expenditures of State and local governments. The calculation of the GANN Limit was completed using the method and worksheets prescribed by the Chancellor's Office and approved by the Department of Finance

The Gann Limit figures are based on the prior year limit amended by a State formula. The Appropriation Subject to Limitation is based on the Adopted Budget for 2009-2010.

The idea of the Gann is to limit the growth of government by only allowing expenditures that are tax driven to grow by a certain amount each year (Fund 01.0 only). There are two parts in the calculation: The Appropriations Limit and the Appropriations Subject to Limit. The Appropriations Limit is the maximum amount that the District can budget from tax driven revenue. (Essentially the Gann Limit). This is calculated based on previous years Gann Limit, growth in FTES and an inflation factor determined by the Department of Finance. For 2009-2010, the Appropriations Limit is \$135,697,644.

The second factor, the Appropriations Subject to Limit, is how much the District has budgeted that is from tax driven revenues. This essentially is the tax driven revenue (General Apportionment, Taxes, etc) less the budget of any mandated programs (DSPS fund 01.0). For 2009-2010 the Appropriations Subject to Limit is \$94,439,822.

As long as the Appropriations Limit is more than the Appropriations Subject to Limit, the District is in compliance. For 2009-2010 there is \$41,257,822 left in the GANN Limit. This "extra" will be transferred to other Districts in the state that are over their limit. The transfer will be handled by the System Office.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 18

**RESOLUTION RELATING TO APPOINTMENTS TO
THE SOUTHERN CALIFORNIA COMMUNITY
COLLEGE DISTRICT JOINT POWERS AGENCY**

Requested by: Cozetta Wilson-Carlton, Risk Manager
 Approved by: Robert G. Isomoto, Vice-President, Business/Administration
 Requested Action: Approval/Ratification

WHEREAS, the Santa Monica Community College District is a member of the Southern California Community College District Joint Powers Agency (JPA); and

WHEREAS, in accordance with Article II of the Bylaws of the JPA each member shall be entitled to appoint to the Board of Directors of the JPA one representative and one alternate who shall be designated in writing; and

WHEREAS, the designated representative and alternate must be employees of the member district and shall serve at the pleasure of the member,

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT DOES RESOLVE AS FOLLOWS:

SECTION 1. In accordance with Article II of the Bylaws of the JPA, Cozetta Wilson-Carlton is appointed as the representative and Robert Isomoto is appointed as the alternate to the Board of Directors of the JPA.

SECTION 2. The Board of Trustees delegates to its Superintendent/President the power and authority to make future appointments to the Board of Directors of the JPA.

COMMENT: The Santa Monica Community College District is a member of the Southern California Community College District Joint Powers Agency (JPA). Each member of the JPA is entitled to appoint to the Board of Directors of the JPA one representative and one alternate who shall be designated in writing. It is recommended the following resolution be adopted appointing Cozetta Wilson-Carlton as the representative and Robert Isomoto as the alternate to the Board of Directors of the JPA. The resolution also delegates to the Superintendent/President the authority to make future appointments, which can only from employees of the District.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 19 **COMMERCIAL WARRANT REGISTER**

Requested by: *Robin Quaile, Accounts Payable Supervisor*
 Approved by: *Robert G. Isomoto, Vice-President, Business/Administration*
 Requested Action: *Approval/Ratification*

September 1 – September 30, 2009 3718 – 3758 \$6,562,393.18

Comment: The detailed Commercial Warrant documents are on file in the Accounting Department.

RECOMMENDATION NO. 20 **PAYROLL WARRANT REGISTER**

Requested by: *Ian Fraser, Payroll Manager*
 Approved by: *Robert G. Isomoto, Vice-President, Business/Administration*
 Requested Action: *Approval/Ratification*

September 1 – September 30, 2009 C1B – C2C \$9,054,422.05

Comment: The detailed payroll register documents are on file in the Accounting Department.

RECOMMENDATION NO. 21 **AUXILIARY PAYMENTS & PURCHASE ORDERS**

Requested by: *George Prather, Director of Auxiliary Services*
 Approved by: *Robert G. Isomoto, Vice-President, Business/Administration*
 Requested Action: *Approval/Ratification*

It is recommended that the following Auxiliary Operations payments and Purchase Orders be ratified. All purchases and payments were made in accordance with Education Code requirements and allocated to approve budgets in the Bookstore, Trust and Other Auxiliary Funds.

	Payments	Purchase Orders
September 1 – September 30, 2009	\$1,992,796.17	\$462,867.21

Comment: The detailed Auxiliary payment documents are on file in the Auxiliary Operations Office.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 22 DIRECT, BENEFIT & STUDENT GRANT PAYMENTS

Requested by: *Robin Quaile, Accounts Payable Supervisor*
Approved by: *Robert G. Isomoto, Vice President, Business/Administration*
Requested Action: *Approval/Ratification*

Payments were authorized upon delivery and acceptance of the items ordered, or performance of the service. All payments were made in accordance with Education Code requirements and allocated to approved budgets. List on file in Business Office

September 1 – September 30, 2009

D000386 – D000516	\$ 289,076.23
B000119 – B000183	\$1,202,112.86
ST00041 – ST00052	\$ 906.00

D – Direct Payments
B – Benefit Payments (health insurance, retirement, etc.)
S – Student Payments

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	November 3, 2009

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 23 PURCHASING

Requested by: *Charlie Yen, Acting Director, Purchasing*
Approved by: *Robert G. Isomoto, Vice-President, Business/Administration*
Requested Action: *Approval/Ratification*

23-A AWARD OF PURCHASE ORDERS

Establish purchase orders and authorize payments to all vendors upon delivery and acceptance of services or goods ordered. All purchases and payments are made in accordance with Education Code requirements and allocated to approve budgets. Lists of vendors on file in the Purchasing Department

September 1 – September 30, 2009 \$794,421.78

23-B DECLARATION AND DONATION OF SURPLUS ATHLETIC EQUIPMENT

Declare as surplus a Basketball Rebounder and authorize the District to donate this piece of equipment to Centennial High School in the Compton Unified School District because it has been determined to be of insufficient value to defray the cost to sell.

Comment: This action is in accordance with SMC Board Policy 6531 and Education Code Section 81452.

23-C AWARD OF BID – SCHEDULE OF CLASSES

Award of Bid for printing services of Spring 2010 through Fall 2010 academic and continuing education schedules to the lowest responsive bidder.

<u>Bidder</u>	<u>Amount</u>
Trend Offset Printing	\$116,837.00 (first year)
Southwest Offset Printing	Non-responsive to Bid Requirements

Funding Source: Marketing Budget

Comment: Bids were solicited by newspaper advertising in compliance with Ed Code 81641 and the Bid was conducted in accordance with Public Contracts Code 20651.

BOARD OF TRUSTEES	INFORMATION
Santa Monica Community College District	November 3, 2009

INFORMATION ITEM I

CITIZENS' BOND OVERSIGHT COMMITTEE MEETING – OCTOBER 21, 2009

A meeting of the Santa Monica Community College District Citizens' Bond Oversight Committee was held on Wednesday, October 21, 2009 at Santa Monica College, Business Building Room 111, 1900 Pico Boulevard, Los Angeles, California.

I. CALL TO ORDER - 8:07 a.m.

2. ROLL CALL

Sylvia Rose, Chair – Present
Ben Allen – Present
Deborah Arvesen – Present
Clarence Chapman - Absent
Ralph Erickson – Present
Cameron Henton - Present
Ilda Jimenez y West - Absent
Paul Leoni – Present
Bruce Sultan - Present
Christine Thornton - Present

Others Present:

Greg Brown, Director of Facilities and Planning
Don Girard, Senior Director, Government Relations/Institutional Communications
Lee Paul, LPI Inc.
Lisa Rose, Committee Coordinator
Charlie Yen, Director, Events and Contracts

3. APPROVAL OF MINUTES – July 15, 2009

Motion was made by Paul Leoni and seconded by Clarence Chapman to approve the minutes of July 15, 2009, as amended.

Motion made by:	Paul Leoni
Seconded by:	Christine Thornton
Ayes:	5
Noes:	0
Absent:	5

4. APPOINTMENT OF NEW MEMBER

At its meeting on October 6, 2009, the SMCCD Board of Trustees appointed the following member to the Citizens' Bond Oversight Committee, for a one-year term, 2009-10:

Cameron Henton, student representative

5. OVERVIEW OF THE FACILITIES MASTER PLAN

Most of the construction projects in the 1998 Facilities Master Plan have been completed with Measures U and S funds. The Student Services Building, which is currently in Phase I (excavation and shoring), is the last project. The objective of the Facilities Master Plan Update is to incorporate Measure AA projects.

The overview of the Facilities Master Plan (the same presentation made at a series of community meetings on the update for the Facilities Master Plan) included the following:

Overview of the projects on the main campus

- Information Technology
- Health/Physical Education/Fitness
- Central Plant
- Drescher Hall Modernization/Pico Promenade
- Math/Science Extension/Replacement
- Corsair Stadium

Overview of the projects at the Academy of Entertainment and Technology

- Expansion for Communications Department
- KCRW

Olympic Shuttle Lot

Performing Arts Campus

- Music Academy
- The Broad Stage

Projects Timeline

6. REPORTS and DISCUSSION

Update on Malibu Site

Funding for an educational site/facility in Malibu will come from Measure S. The District is working cooperatively with the City of Malibu to find a suitable location. The City of Malibu would like the site to be in the Civic Center area, but there is only a limited amount of property available. In the meantime, the District contracted with retired Dean Maggie Hall to begin some programs in Malibu in borrowed, rented and/or leased space. The Santa Monica-Malibu Unified School District will probably provide an interim solution to the problem.

Update on Olympic Shuttle Lot

The City of Santa Monica will be disclosing a staff report regarding the potential loss of the SMC shuttle lot at Exposition and Olympic to the Expo Authority to be used as a maintenance facility and the potential land swap.

Bond Sales/Expense Report

- Measure U, S and AA budgets and expenditure reports were included with the agenda.
- \$675,000 of Measure U funds and \$1.33 million of Measure S funds were expended during the last quarter.
- A question was raised about the District's earlier refinancing of bonds that resulted in a savings to the taxpayers and enabled the District to bring in \$8.5 million more which was placed back into funds for Measure S projects. Since then, the Attorney General presented an opinion that refunding is no longer an option for the California Municipal Bond market in the future unless it is taken to the voters. It was mentioned that there are many factors involved, but it was agreed that future refunding be researched.

Project Update

- ♦ Most Measure U projects are completed. The major project in progress is the Student Services Building which will be completed in 2013. Phase I (excavation and shoring) will be completed by January 2010; Phase 2 (construction) will probably start in summer, pending DSA (Department of State Architect) approval.
- ♦ Completed Measure S projects include the Bundy driveway and gym.
- ♦ Measure AA projects were reviewed in the Facilities Master Plan Update.

8. SCHEDULE OF MEETINGS, 2009-2010

Wednesdays at 8 a.m.

January 20, 2010

April 21, 2010

9. PUBLIC COMMENTS – None

10. ADJOURNMENT: 9:17 a.m.

The next meeting of the Citizens' Bond Oversight Committee will be held on Wednesday, January 20, 2010 at 8 a.m. at a Santa Monica College location.

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 3, 2008

XI. **BOARD COMMENTS AND REQUESTS**

XII. **ADJOURNMENT** – 10:34 p.m.

The meeting was adjourned in memory of **Robert Taylor**, SMC football coach for 15 years.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on **Tuesday, December 8, 2009** at 7 p.m. (5:30 p.m. if there is a closed session) in the Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

The agenda for the next meeting will include the following:

- Election of Officers
- Seating of the Board
- Authorization of Signatures
- Acceptance of Accreditation Report

Santa Monica Community College District
Board of Trustees Meeting
November 3, 2009

Appendix A

EXECUTIVE SUMMARY
2009-10 ARCC REPORT

This report is divided into two sections. The first section presents the overview of ARCC and college performance on the ARCC measures. The second section presents information on local efforts to assess institutional effectiveness.

Synopsis of 2009-10 ARCC Performance

The 2009-10 ARCC report shows that Santa Monica College consistently demonstrates above average performance in relation to the state on four of the seven ARCC performance indicators. These indicators include: the student progress and achievement rate, the percent of students earning 30 units, the fall to fall persistence rate, and the improvement rate for ESL courses. When compared to previous performance, the college exhibits improved performance over the baseline year in the fall to fall persistence rate and the successful course completion rate in basic skills courses. The percentage of students successfully completing basic skills courses improved 1.1 percentage points over the baseline year. A slight increase, .4 percentage points, in fall to fall persistence was also observed.

Overall, college performance over the period can be characterized as relatively stable. The college continues to outperform the state on the majority of ARCC measures. The college continues to focus its attention on understanding and improving performance in two key areas: vocational education and basic skills.

Local Assessment of Institutional Effectiveness

Issues uncovered with the data informing the ARCC measures have led to the college furthering its understanding of its institutional effectiveness by using a comprehensive three component strategy which includes monitoring, impact assessment, and development. Each of these components works in concert with one another to provide a complete picture of the impact of programs and services on student outcomes.

Development is dependent upon building evaluation capacity among program stakeholders (i.e. providing program stakeholders with the tools they need to increase their understanding, interpretation, and utilization of data at the program level for the purpose of program improvement).

Monitoring, the act of tracking trends in effectiveness at the institutional level through reporting on key indicators, allows the institution to understand and describe trends in summary indicators over time and in relation to various benchmarks. This activity describes overall performance on measures of interest but does not directly connect program goals and activities with outcomes; it allows the institution to quickly summarize its performance and identify areas of strength as well as areas of improvement.

Impact assessment, or program evaluation, directly connect program goals and activities with program outcomes. As such, it represents a key component of a comprehensive institutional effectiveness strategy at SMC. Program monitoring and program impact activities work together to provide a complete picture of institutional performance.

Summary

At SMC, the presentation of ARCC measures as well as local measures of effectiveness have served as a starting point for engaging the campus community in dialogue about the meaning of performance measures and the effects of our local efforts to improve outcomes for all students. Discussions about instruction, support services, and the integration of support services and instruction have occurred across the campus. Specifically, these discussions have taken place and will continue to take place in the Career and Technical Education committee, the Basic Skills committee, the Program Review committee, the Student Learning Outcomes committee, and the Academic Senate, in addition to others. Local reports of effectiveness scheduled to begin in Fall 2010 and better connecting outcomes assessment with program review will more fully complete the cycle of inquiry with respect to student outcomes at SMC.

At SMC, the three-part institutional effectiveness strategy which includes performance monitoring, impact assessment, and developing evaluation capacity can be viewed as a mechanism that drives inquiry, understanding, and improvement. It has inspired understanding through the development of more in-depth and localized analyses, measures, and benchmarks that will more completely assess and describe the effects of programs and services. SMC is committed to continuing the process of understanding and improving student outcomes through its comprehensive three component institutional effectiveness strategy. As part of this process, the college will continue to develop, as needed and appropriate, supplemental data sources, analyses, and reporting mechanisms, the results of which will be used in an ongoing and systematic effort to improve programs and services that support student learning and achievement.

Santa Monica Community College District

Board of Trustees Meeting
November 3, 2009

Appendix B

2009-10 Quarterly Budget Report
as of September 30, 2009

311 Q Report

UNRESTRICTED GENERAL FUND 01.0 REVENUE BUDGET

ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL REVENUE	2009-2010 PROJECTED REVENUE
FEDERAL			
FIN AID ADM ALLOWANCES	125,639	3,025	125,639
OTHER FEDERAL REVENUE	-	-	-
TOTAL FEDERAL	125,639	3,025	125,639
STATE			
PRINCIPAL APPORTIONMENT	84,184,986	18,778,261	84,184,986
HOMEOWNERS EXEMPT	94,810	-	94,810
STATE LOTTERY REVENUE	2,910,974	-	2,983,440
OTHER STATE	646,926	181,131	705,608
TOTAL STATE	87,837,696	18,959,392	87,968,844
LOCAL			
SECURED TAX	9,726,071	-	9,726,071
SUPPLEMENTAL TAXES	136,362	34,077	136,362
UNSECURED TAX	408,589	343,545	408,589
PRIOR YRS TAXES	500,147	328,764	500,147
PROPERTY TAX - RDA PASS THRU	317,365	-	317,365
RENTS	69,960	9,770	69,960
INTEREST	373,099	-	373,099
ENROLLMENT FEES	10,142,144	5,539,829	10,142,144
STUDENT RECORDS	305,867	-	305,867
NON-RESIDENT TUITION/INTENSIVE ESL	20,687,624	9,694,153	20,687,624
OTHER STUDENT FEES & CHARGES	132,539	78,425	132,539
F1 APPLICATION FEES	108,580	46,318	108,580
OTHER LOCAL	486,556	81,368	486,556
I. D. CARD SERVICE CHARGE	787,368	467,956	787,368
LIBRARY CARDS	500	-	500
LIBRARY FINES	20,000	-	20,000
PARKING FINES	280,000	56,878	280,000
TOTAL LOCAL	44,482,771	16,681,083	44,482,771
TOTAL REVENUE	132,446,106	35,643,500	132,577,254
TRANSFER IN	219,140	10,565	219,140
TOTAL REVENUE AND TRANSFERS	132,665,246	35,654,065	132,796,394

UNRESTRICTED GENERAL FUND 01.0 EXPENDITURE BUDGET			
ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL EXPENDITURES	2009-2010 PROJECTED EXPENDITURES
INSTRUCTION	23,056,664	2,728,132	23,056,664
ACADEMIC MANAGERS	5,169,423	863,518	5,169,423
NON-INSTRUCTION	5,695,451	631,674	5,695,451
HOURLY INSTRUCTION	24,888,904	5,833,944	24,888,904
HOURLY NON-INSTRUCTION	3,108,687	747,865	3,108,687
BACKFILL FOR CATEGORICAL FUNDS	261,302	-	475,808
TOTAL ACADEMIC	62,180,431	10,805,133	62,394,937
CLASSIFIED REGULAR	19,818,881	3,098,597	19,638,497
CLASSIFIED MANAGERS	3,697,351	621,848	3,600,036
CLASS REG INSTRUCTION	3,083,831	404,557	3,120,903
CLASSIFIED HOURLY	1,556,805	262,176	1,556,805
CLASS HRLY INSTRUCTION	832,287	99,586	832,287
VACANT POSITIONS	270,616	-	1,054,507
VACANCY SAVINGS	(67,654)	-	(659,067)
BACKFILL FOR CATEGORICAL FUNDS	93,652	-	166,409
TOTAL CLASSIFIED	29,285,769	4,486,764	29,310,377
STRS	4,153,228	691,971	4,153,228
PERS	3,293,805	540,254	3,267,336
OASDI/MEDICARE	2,953,845	548,835	2,935,437
H/W	12,424,340	170,688	12,424,340
CALPERS PPO PREMIUM HOLIDAY	-	-	(1,070,268)
RETIREEES' H/W	2,081,322	348,290	2,081,322
SUI	336,787	48,944	336,065
WORKERS' COMPENSATION	1,289,890	211,797	1,258,112
ALTERNATIVE RETIREMENT	525,000	92,952	525,000
BENEFITS RELATED TO VACANT POSITIONS	54,123	-	210,901
BENEFITS RELATED TO VACANCY SAVINGS	(13,531)	-	(131,813)
BACKFILL FOR CATEGORICAL FUNDS	34,113	-	85,066
TOTAL BENEFITS	27,132,922	2,653,731	26,074,726
SUPPLIES	1,070,210	155,758	1,070,210
BACKFILL FOR CATEGORICAL FUNDS	38,190	-	73,685
TOTAL SUPPLIES	1,108,400	155,758	1,143,895
CONTRACTS/SERVICES	9,788,992	2,237,510	9,788,992
INSURANCE	756,100	714,540	756,100
UTILITIES	3,266,011	646,495	3,266,011
BACKFILL FOR CATEGORICAL FUNDS	152,753	-	440,937
TOTAL SERVICES	13,963,856	3,598,545	14,252,040
BLDG & SITES	46,600	474	46,600
EQUIPMENT	154,830	8,615	154,830
LEASE PURCHASES	81,489	210	81,489
BACKFILL FOR CATEGORICAL FUNDS	165,319	-	165,319
TOTAL CAPITAL	448,238	9,299	448,238
TOTAL EXPENDITURES	134,119,616	21,709,230	133,624,213
OUTGOING TRANSFER/FINANCIAL AID	244,847	54,140	244,847
BACKFILL FOR CATEGORICAL FUNDS	106,346	-	444,451
TOTAL TRANSFERS/FINANCIAL AID	351,193	54,140	689,298
TOTAL EXPENDITURES & TRANSFERS	134,470,809	21,763,370	134,313,511

UNRESTRICTED GENERAL FUND 01.0 FUND BALANCE BUDGET			
ACCOUNTS	2008-2009 ADOPTED BUDGET	September 30, 2009 ACTUAL FUND BALANCE	2009-2010 PROJECTED FUND BALANCE
TOTAL REVENUE AND TRANSFERS	132,665,246	35,654,065	132,796,394
TOTAL EXPENDITURES AND TRANSFERS	133,375,580	21,763,370	133,057,576
BACKFILL FOR CATEGORICAL FUNDS	851,675	-	1,851,675
VACANT POSITIONS WITH PAYROLL RELATED BENEFITS	324,739	-	1,265,408
VACANT SAVINGS WITH PAYROLL RELATED BENEFITS	(81,185)	-	(790,880)
OPERATING SURPLUS/(DEFICIT)	(1,805,563)	13,890,695	(2,587,385)
ONE-TIME SAVINGS:			
CALPERS PPO PREMIUM HOLIDAY	-	-	1,070,268
OPERATING SURPLUS/(DEFICIT) WITH ONE-TIME ITEMS	(1,805,563)	13,890,695	(1,517,117)
BEGINNING BALANCE***	17,408,758	17,408,758	17,408,758
ENDING FUND BALANCE***	15,603,195	31,299,453	15,891,641
FUND BALANCE RATIO TO TTL EXPENSES & TRANSFERS **	11.60%	143.82%	11.83%
** Chancellor's Office recommended ratio is 5%. Please see ADDENDUM for Designated Reserves.			
*** Fund Balance reflects designated reserves.			

RESTRICTED GENERAL FUND 01.3 REVENUE BUDGET

ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL REVENUE	2009-2010 PROJECTED REVENUE
FEDERAL			
VTEA-VOCATIONAL AND TECHNICAL EDUCATION ACT	592,344	-	592,344
FWS-FEDERAL WORK STUDY	661,641	1,104	661,641
RADIO GRANTS	1,939,980	-	1,939,980
TANF-TEMPORARY ASSISTANCE FOR NEEDY FAMILIES	60,327	10,668	60,327
TECH PREP	67,750	-	67,750
FEDERAL CARRYOVERS	1,489,988	234,151	1,489,988
OTHER FEDERAL	1,408,755	101,050	1,408,755
TOTAL FEDERAL	6,220,785	346,973	6,220,785
STATE			
LOTTERY	697,359	697,357	697,359
SFAA-STUDENT FINANCIAL AID ADMIN	646,061	195,861	699,502
EOPS-EXTENDED OPPORTUNITY PROG & SERV	1,184,114	240,599	954,561
CARE-COOP AGENCIES RESOURCES FOR EDUCATION	82,163	16,433	63,264
DSPTS-DISABLED STUDENTS PROGRAM & SERVICES	1,270,700	205,804	834,362
NON-CREDIT MATRICULATION	45,654	6,311	24,892
MATRICULATION	953,649	136,900	716,330
MATRICULATION-TRANSFER RELATED	59,905	59,905	59,905
STAFF/FACULTY DIVERSITY	18,815	3,246	10,396
CALWORKS	264,023	46,115	174,370
ENROLLMENT GROWTH	235,732	-	394,770
TRANSFER AND ARTICULATION	2,720	-	2,720
STATE CARRYOVERS	3,481,992	3,140,477	3,481,992
OTHER STATE	1,131,496	150,864	1,034,965
TOTAL STATE	10,074,383	4,899,872	9,149,388
LOCAL			
PICO PARTNERSHIP	153,750	-	153,750
HEALTH FEES	1,086,287	819,150	1,086,287
PARKING FEES	1,665,550	1,085,598	1,665,550
DONATIONS-KCRW	4,958,513	561,596	4,958,513
COMMUNITY SERVICES	862,850	442,182	862,850
COUNTY CALWORKS	64,000	13,370	64,000
CONSOLIDATED CONTRACT ED-LOCAL	-	2,400	2,400
LOCAL CARRYOVERS	805,858	796,099	805,858
OTHER LOCAL	2,504,530	868,944	2,504,530
TOTAL LOCAL	12,101,338	4,589,339	12,103,738
TOTAL REVENUE	28,396,506	9,836,184	27,473,911

RESTRICTED GENERAL FUND 01.3 EXPENDITURE BUDGET

ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL EXPENDITURES	2009-2010 PROJECTED EXPENDITURES
INSTRUCTION	221,913	33,113	221,913
MANAGEMENT	1,530,353	264,940	1,530,353
NON-INSTRUCTION	1,253,231	182,535	1,253,231
HOURLY INSTRUCTION	130,204	38,459	130,204
HOURLY NON-INSTRUCTION	1,751,096	468,602	1,536,590
TOTAL ACADEMIC	4,886,797	987,649	4,672,291
CLASSIFIED REGULAR	2,478,657	433,388	2,478,657
CLASSIFIED MANAGERS	383,407	62,019	383,407
CLASS REG INSTRUCTION	206,742	-	206,742
CLASSIFIED HOURLY	2,027,978	312,194	1,955,221
CLASS HRLY INSTRUCTION	563,774	54,829	563,774
TOTAL CLASSIFIED	5,660,558	862,430	5,587,801
BENEFITS HOLDING ACCOUNT	2,275,597	-	1,978,909
STRS	-	65,583	65,583
PERS	-	57,581	57,581
OASDI/MEDICARE	-	70,132	70,132
H/W	-	10,674	10,674
SUI	-	5,505	5,505
WORKERS' COMP.	-	24,414	24,414
ALTERNATIVE RETIREMENT	-	11,846	11,846
TOTAL BENEFITS	2,275,597	245,735	2,224,644
TOTAL SUPPLIES	1,205,540	170,517	1,170,045
CONTRACTS/SERVICES	7,402,745	1,187,324	7,191,966
INSURANCE	2,309,530	1,026,350	2,309,530
UTILITIES	232,700	35,887	232,700
TOTAL SERVICES	9,944,975	2,249,561	9,734,196
BLDG & SITES	1,850,050	-	1,850,050
EQUIPMENT/LEASE PURCHASE	1,740,210	381,960	1,740,210
TOTAL CAPITAL	3,590,260	381,960	3,590,260
TOTAL EXPENDITURES	27,563,727	4,897,852	26,979,237
OTHER OUTGO - FINANCIAL AIDS	613,639	63,630	275,534
OTHER OUTGO - TRANSFERS	219,140	10,565	219,140
TOTAL OTHER OUTGO	832,779	74,195	494,674
TOTAL EXPENDITURES & OTHER OUTGO	28,396,506	4,972,047	27,473,911

RESTRICTED GENERAL FUND 01.3 FUND BALANCE BUDGET

ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL FUND BALANCE	2009-2010 PROJECTED FUND BALANCE
TOTAL REVENUE AND TRANSFERS	28,396,506	9,836,184	27,473,911
TOTAL EXPENDITURES AND TRANSFERS	28,396,506	4,972,047	27,473,911
OPERATING SURPLUS/(DEFICIT)	-	4,864,137	-
BEGINNING BALANCE	-	-	-
ADJUSTMENT TO BEGINNING BALANCE	-	-	-
CONTINGENCY RESERVE/ENDING FUND BALANCE	-	4,864,137	-
FUND BALANCE RATIO TO TTL EXPENDITURES & TRANSFERS	0.00%	97.83%	0.00%

CAPITAL OUTLAY FUND 40.0			
ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL	2009-2010 PROJECTED
REVENUE			
INTEREST	60,000	-	60,000
NON-RESIDENT CAPITAL CHARGE	2,692,500	1,021,778	2,692,500
LOCAL INCOME - REDEVELOPMENT	-	-	-
TOTAL REVENUE	2,752,500	1,021,778	2,752,500
EXPENDITURES			
SUPPLIES	54,000	449	54,000
CONTRACT SERVICES	378,500	16,700	378,500
CAPITAL OUTLAY	7,358,256	44,280	7,358,256
TOTAL EXPENDITURES	7,790,756	61,429	7,790,756
OPERATING SURPLUS/(DEFICIT)	(5,038,256)	960,349	(5,038,256)
BEGINNING BALANCE	5,038,256	5,038,256	5,038,256
ENDING FUND BALANCE	-	5,998,605	-

EARTHQUAKE FUND 41.0			
ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL	2009-2010 PROJECTED
REVENUE			
FEDERAL/FEMA FUNDING	-	-	-
INTEREST	1,800	-	1,800
TOTAL REVENUE	1,800	-	1,800
EXPENDITURES			
CONTRACT SERVICES	4,515	-	4,515
CAPITAL OUTLAY	3,091,800	-	3,091,800
TRANSFER OUT	-	-	-
TOTAL EXPENDITURES	3,096,315	-	3,096,315
OPERATING SURPLUS/(DEFICIT)	(3,094,515)	-	(3,094,515)
BEGINNING BALANCE	3,094,515	3,094,515	3,094,515
ENDING FUND BALANCE	-	3,094,515	-

MEASURE U FUND 42.2			
ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL	2009-2010 PROJECTED
REVENUE			
OTHER FINANCING SOURCES	11,000,000	-	11,000,000
INTEREST	250,000	-	250,000
TOTAL REVENUE	11,250,000	-	11,250,000
EXPENDITURES			
SUPPLIES	50,000	-	50,000
CONTRACT SERVICES	763,253	3,660	763,253
CAPITAL OUTLAY	22,651,407	776,522	22,651,407
TOTAL EXPENDITURES	23,464,660	780,182	23,464,660
OPERATING SURPLUS/(DEFICIT)	(12,214,660)	(780,182)	(12,214,660)
BEGINNING BALANCE	12,214,660	12,214,660	12,214,660
ENDING FUND BALANCE	-	11,434,478	-

MEASURE S FUND 42.3			
ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL	2009-2010 PROJECTED
REVENUE			
OTHER FINANCING SOURCES	-	-	-
INTEREST	470,000	-	470,000
TOTAL REVENUE	470,000	-	470,000
EXPENDITURES			
SUPPLIES	20,000	-	20,000
CONTRACT SERVICES	814,500	134,824	814,500
CAPITAL OUTLAY	67,153,995	1,339,913	67,153,995
TOTAL EXPENDITURES	67,988,495	1,474,737	67,988,495
OPERATING SURPLUS/(DEFICIT)	(67,518,495)	(1,474,737)	(67,518,495)
BEGINNING BALANCE	67,518,495	67,518,495	67,518,495
ENDING FUND BALANCE	-	66,043,758	-

STUDENT FINANCIAL AID FUND 74.0

ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL	2009-2010 PROJECTED
REVENUE			
FEDERAL GRANTS	18,597,541	3,991,942	18,597,541
CAL GRANTS	927,000	-	927,000
TRANSFER	244,847	54,138	244,847
TOTAL REVENUE	19,769,388	4,046,080	19,769,388
EXPENDITURES			
FINANCIAL AID	19,769,388	4,162,529	19,769,388
TOTAL EXPENDITURES	19,769,388	4,162,529	19,769,388
ENDING FUND BALANCE ***	-	(116,449)	-
***Negative ending balance is a result of a timing difference between financial aid check issuance and deposit of Federal Funds			

AUXILIARY FUND

ACCOUNTS	2009-2010 ADOPTED BUDGET	September 30, 2009 ACTUAL	2009-2010 PROJECTED
BEGINNING BALANCE	2,181,123	2,181,123	2,181,123
ADJ. TO BEG. BALANCE	-	-	-
ADJUSTED BEGINNING BALANCE	<u>2,181,123</u>	<u>2,181,123</u>	<u>2,181,123</u>
REVENUE			
GROSS SALES	7,484,197	2,978,583	7,484,197
LESS: COST OF GOODS	<u>(5,451,637)</u>	<u>(1,932,987)</u>	<u>(5,451,637)</u>
NET	2,032,560	1,045,596	2,032,560
VENDOR INCOME	637,420	164,409	637,420
AUXILIARY PROGRAM INCOME	<u>265,000</u>	<u>41,494</u>	<u>265,000</u>
NET INCOME	2,934,980	1,251,499	2,934,980
INTEREST	<u>56,000</u>	<u>8,019</u>	<u>56,000</u>
TOTAL REVENUE	<u>2,990,980</u>	<u>1,259,518</u>	<u>2,990,980</u>
TOTAL FUNDS AVAILABLE	<u>5,172,103</u>	<u>3,440,641</u>	<u>5,172,103</u>
EXPENDITURES			
STAFFING	1,255,409	237,779	1,255,409
FRINGE BENEFITS	308,000	29,646	308,000
OPERATING	<u>2,030,436</u>	<u>227,708</u>	<u>2,030,436</u>
TOTAL EXPENDITURES	<u>3,593,845</u>	<u>495,133</u>	<u>3,593,845</u>
ENDING FUND BALANCE	<u>1,578,258</u>	<u>2,945,508</u>	<u>1,578,258</u>

ADDENDUM TO UNRESTRICTED GENERAL FUND 01.0 - DESIGNATED RESERVE	
ACCOUNTS	2009-2010 ADOPTED BUDGET
DESIGNATED RESERVE FOR:	
UNFUNDED RETIREE BENEFITS	2,000,000

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

Quarterly Financial Status Report, CCFS-311Q

VIEW QUARTERLY DATA

CHANGE THE PERIOD

Fiscal Year: 2009-2010

Quarter Ended: (Q1) Sep 30, 2009

District: (780) SANTA MONICA

Line	Description	As of June 30 for the fiscal year specified			
		Actual 2006-07	Actual 2007-08	Actual 2008-09	Projected 2009-2010
I. Unrestricted General Fund Revenue, Expenditure and Fund Balance:					
A.	Revenues:				
A.1	Unrestricted General Fund Revenues (Objects 8100, 8600, 8800)	129,659,094	132,456,509	134,609,448	132,577,254
A.2	Other Financing Sources (Object 8900)	100,705	213,913	162,613	219,140
A.3	Total Unrestricted Revenue (A.1 + A.2)	129,759,799	132,670,422	134,772,061	132,796,394
B.	Expenditures:				
B.1	Unrestricted General Fund Expenditures (Objects 1000-6000)	121,902,564	128,566,012	133,921,933	133,624,213
B.2	Other Outgo (Objects 7100, 7200, 7300, 7400, 7500, 7600)	282,272	1,267,030	239,346	689,298
B.3	Total Unrestricted Expenditures (B.1 + B.2)	122,184,836	129,833,042	134,161,279	134,313,511
C.	Revenues Over(Under) Expenditures (A.3 - B.3)	7,574,963	2,837,380	610,782	-1,517,117
D.	Fund Balance, Beginning	8,385,633	15,960,596	18,797,976	19,408,758
D.1	Prior Year Adjustments + (-)	0	0	0	0
D.2	Adjusted Fund Balance, Beginning (D + D.1)	8,385,633	15,960,596	18,797,976	19,408,758
E.	Fund Balance, Ending (C. + D.2)	15,960,596	18,797,976	19,408,758	17,891,641
F.1	Percentage of GF Fund Balance to GF Expenditures (E. / B.3)	13.1%	14.5%	14.5%	13.3%

II. Annualized Attendance FTES:

G.1	Annualized FTES (excluding apprentice and non-resident)	21,684	18,843	23,547	23,547
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III. Total General Fund Cash Balance (Unrestricted and Restricted)		As of the specified quarter ended for each fiscal year			
		2006-07	2007-08	2008-09	2009-2010
H.1	Cash, excluding borrowed funds			11,092,880	33,563,976
H.2	Cash, borrowed funds only			17,500,000	0
H.3	Total Cash (H.1+ H.2)	27,135,519		28,592,880	33,563,976

IV. Unrestricted General Fund Revenue, Expenditure and Fund Balance:

Line	Description	Adopted Budget (Col. 1)	Annual Current Budget (Col. 2)	Year-to-Date Actuals (Col. 3)	Percentage (Col. 3/Col. 2)
I.	Revenues:				
I.1	Unrestricted General Fund Revenues (Objects 8100, 8600, 8800)	132,446,106	132,577,254	35,643,500	26.9%
I.2	Other Financing Sources (Object 8900)	219,140	219,140	10,565	4.8%
I.3	Total Unrestricted Revenue (I.1 + I.2)	132,665,246	132,796,394	35,654,065	26.8%
J.	Expenditures:				
J.1	Unrestricted General Fund Expenditures (Objects 1000-6000)	134,119,616	133,624,213	21,709,230	16.2%
J.2	Other Outgo (Objects 7100, 7200, 7300, 7400, 7500, 7600)	351,193	689,298	54,140	7.9%
J.3	Total Unrestricted Expenditures (J.1 + J.2)	134,470,809	134,313,511	21,763,370	16.2%
K.	Revenues Over(Under) Expenditures (I.3 - J.3)	-1,805,563	-1,517,117	13,890,695	
L	Adjusted Fund Balance, Beginning	19,408,758	19,408,758	19,408,758	
L.1	Fund Balance, Ending (C. + L.2)	17,603,195	17,891,641	33,299,453	
M	Percentage of GF Fund Balance to GF Expenditures (L.1 / J.3)	13.1%	13.3%		

V. Has the district settled any employee contracts during this quarter?

NO

If yes, complete the following: (If multi-year settlement, provide information for all years covered.)

Contract Period Settled (Specify) YYYY-YY	Management		Academic		Classified	
	Permanent		Temporary			
	Total Cost Increase	% *	Total Cost Increase	% *	Total Cost Increase	% *
a. SALARIES:						
Year 1:						
Year 2:						
Year 3:						
b. BENEFITS:						
Year 1:						
Year 2:						
Year 3:						

* As specified in Collective Bargaining Agreement or other Employment Contract

c. Provide an explanation on how the district intends to fund the salary and benefit increases, and also identify the revenue source/object code.

VI. Did the district have significant events for the quarter (include incurrence of long-term debt, settlement of audit findings or legal suits, significant differences in budgeted revenues or expenditures, borrowing of funds (TRANS), issuance of COPs, etc.)?

NO

If yes, list events and their financial ramifications. (Enter explanation below, include additional pages if needed.)

VII. Does the district have significant fiscal problems that must be addressed?

This year?
Next year?

YES
YES

If yes, what are the problems and what actions will be taken? (Enter explanation below, include additional pages if needed.)

Due to reductions in general apportionment and categorical funding resulting from reduced State and ARRA revenue streams the District expects to drawdown on its reserves in both the 2009-2010 and 2010-2011 fiscal years. Additionally the extensive cash deferral mechanism in the State General Apportionment dispersal process will cause the District cash flow issues that may require external borrowing and additional borrowing related expenditures.

Santa Monica Community College District
Board of Trustees Meeting
November 3, 2009

Appendix C

Santa Monica Community College District

**RESOLUTION AUTHORIZING ISSUANCE OF NOT TO EXCEED
\$111,000,118.40 OF SANTA MONICA COMMUNITY COLLEGE DISTRICT
GENERAL OBLIGATION BONDS, 2002 ELECTION, 2009 SERIES E AND
GENERAL OBLIGATION BONDS, 2008 ELECTION, 2009 SERIES A
AND ORDERING CERTAIN ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the issuance of not to exceed \$160,000,000 aggregate principal amount of general obligation bonds (the "2002 Authorization") of the Santa Monica Community College District (the "District"), County of Los Angeles (the "County"), State of California, was authorized at an election (the "2002 Election") held in said District on March 5, 2002, and the issuance of not to exceed \$295,000,000 aggregate principal amount of general obligation bonds (the "2008 Authorization" and together with the 2002 Authorization, the "Authorizations") of the District was authorized at an election (the "2008 Election" and together with the 2002 Election, the "Elections") held in said District on November 4, 2008, the proceeds of which are to be used for the construction and improvement of various parcels of real property and the furnishing and equipping of facilities of the District; and

WHEREAS, the Registrar-Recorder/County Clerk of the County certified to the effect that the official canvass of returns for each of the Elections reflected that more than 55% of the votes cast on the District's bond measure submitted to the voters at the Elections (each, a "Measure") were cast in favor of the Measures, and such results have been entered in the minutes of this Board of Trustees (the "District Board"); and

WHEREAS, the District has previously caused the County to issue and sell \$148,999,881.60, aggregate principal amount of its general obligation bonds under and pursuant to the 2002 Authorization, leaving the amount of \$11,000,118.40 authorized but unissued thereunder; and

WHEREAS, the County has not issued any general obligation bonds on the District's behalf under and pursuant to the 2008 Authorization; and

WHEREAS, Section 15140 of the Education Code of the State of California authorizes the Board of Supervisors of the County (the "County Board") to borrow funds through the issuance of bonds in the name and on behalf of the District, pursuant to a resolution adopted by the District; and

WHEREAS, the District Board has determined that it is necessary and desirable for the issuance and sale of not to exceed \$111,000,118.40 (comprised of not to exceed \$11,000,118.40 of the 2002 Authorization and not to exceed \$100,000,000 of the 2008 Authorization), to be used for the projects approved by the voters at the respective Elections; and

WHEREAS, the District Board hereby determines that such bonds should be offered at this time, in two or more series, and requests the County Board to offer such bonds for sale; and

WHEREAS, the District Board has retained RBC Capital Markets Corporation as representative (the "Representative") of itself and Estrada Hinojosa & Company, Inc., as underwriters (the "Underwriters") and Fulbright & Jaworski L.L.P. as its Bond Counsel ("Bond Counsel") and Disclosure Counsel ("Disclosure Counsel") in connection with the issuance of such bonds; and

WHEREAS, there has been presented to this meeting of the District Board a form of Preliminary Official Statement (the "Preliminary Official Statement") and a form of Contract of Purchase (the "Purchase Contract"), each relating to the marketing and sale of such bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of District, as follows:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Purpose and Authorization. This District Board hereby determines that general obligation bonds of the District in the aggregate principal or issue amount of not to exceed \$111,000,118.40 be offered for sale, in two or more series (the "Bonds"), as more particularly described in Section 4 below, the proceeds of which are to be used for the acquisition and improvement of certain real property, equipping and furnishing of facilities of the District, as set forth in the bond proposition approved at the Election (collectively, the "Projects").

Section 3. Negotiated Sale. Pursuant to Section 15146(b) of the Education Code, the District Board hereby approves of the sale of the Bonds on a negotiated basis to the Underwriters. The District has determined that conditions in the municipal marketplace are sufficiently complex that the increased flexibility the Underwriters can provide in structuring and planning the sale of the Bonds dictates sale on a negotiated basis. The costs of sale of the Bonds, which include bond counsel fees, printing and rating charges, initial paying agent fees, filing agent fees, fiscal agent fees, trustee and dissemination agent fees, municipal data collection and other related fees are estimated at no more than 2.00% of the aggregate principal amount of the Bonds. In addition, municipal bond insurance premium is estimated to be at no more than 0.60% of the aggregate principal amount of the Bonds.

Section 4. Purchase Contract and Terms of Bonds. For the above purposes, this District Board hereby requests the County Board to issue the Bonds and to order such Bonds to be sold to the Underwriters at a negotiated sale in accordance with the Purchase Contract. The Bonds shall be dated their date of delivery (or such other date as may be designated in the Purchase Contract), to bear or accrete interest at rates not to exceed 10.0% per annum, or in the case of taxable bonds issued under the American Recovery and Reinvestment Act of 2009 ("ARRA"), at rates not to exceed 12.0% per annum, payable on any Bonds bearing current interest on the dates as may be set forth in the Purchase Contract, and accreting with respect to any Bonds which are issued as capital appreciation bonds or convertible capital appreciation bonds, payable upon maturity or payable on a current basis following or conversion to current interest Bonds, or, with respect to Bonds issued under applicable provisions of ARRA, including tax credit certificates not having an interest component, shall mature on August 1 of each of the years as set forth in the Purchase Contract, or such other maturity date as may be set forth in the Purchase Contract, through a date no later than 25 years after the date of issuance of the Bonds, or otherwise upon such other terms and conditions as shall be established for the Bonds by the Purchase Contract. The Purchase Contract may provide for Bonds to be issued as current interest bonds, capital appreciation bonds, convertible capital appreciation bonds or Build America Bonds, as authorized under ARRA ("Build America Bonds"), either associated with tax credits or a direct federal subsidy. The Purchase Contract may provide for the purchase of Bonds in any combination of the foregoing structures and shall provide for optional, mandatory sinking fund and other types and terms of redemption for the Bonds as

shall prove most advantageous in marketing said Bonds for the District. The Purchase Contract may provide for the separate sale of tax credits associated with certain Build America Bonds, including by way of a separate, but substantially similar, form of Purchase Contract.

To the extent that the District determines to issue Build America Bonds through the County, the District hereby irrevocably elects to have Section 54AA of the Internal Revenue Code (the "Code") apply to such Bonds. Furthermore, the District hereby covenants and agrees with the County that any direct subsidy of interest paid to the District by the federal government under the provisions of ARRA shall, promptly upon receipt, be deposited into the Debt Service Fund of the District established for payment of the Bonds, and applied as a credit against subsequent tax levies within the District to pay debt service on the Bonds. Prior to each Interest Payment Date (as defined in the Purchase Contract), the District shall submit or cause to be submitted a subsidy reimbursement request to the United States Treasury, in accordance with applicable Federal regulations.

The form of Purchase Contract on file with the District Board is hereby approved and the President of the District (the "President"), the Vice President, Business & Administration of the District (the "Vice President"), or any designee thereof (each, an "Authorized Officer"), and each of them, is hereby authorized to execute the Purchase Contract, with such changes therein, deletions therefrom and modifications thereto as such Authorized Officer may approve, such approval to be conclusively evidenced by the execution and delivery thereof. The District has instructed the Underwriter to establish the terms, series, interest structure and redemption provisions for the Bonds in order to take advantage of financial market conditions prevailing at the date of sale of the Bonds under the Purchase Contract. The purchase price of the Bonds shall reflect an Underwriter's discount of not-to-exceed 1.00% (not including original issue discount) of the principal amount thereof. Final terms of the Bonds shall be as set forth in the Purchase Contract. Depending upon market conditions, the District may elect to purchase bond insurance to secure the payment of principal of and interest on or accreted value of the Bonds, or any series or maturities thereof, following consultation with the Representative and Treasurer and Tax Collector of the County or an authorized deputy thereof (the "Treasurer").

Section 5. Official Statement. The District Board hereby approves the form of Preliminary Official Statement relating to the Bonds, on file with the Secretary of the District Board and to be used and distributed, together with an Official Statement in connection with the sale of the Bonds, in each case with such changes as are approved by the Authorized Officer, and such other officers of the District as may be authorized by the District Board are, and each of them acting alone hereby is, authorized to deliver copies of the Preliminary Official Statement and the Official Statement with such changes therein as such officer shall approve, in his or her discretion, as being in the best interests of the District. Upon approval of such changes by such officer, the Preliminary Official Statement shall be "deemed final" as of its date except for the omission of certain information as provided in and pursuant to Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 (the "Rule"). Any Authorized Officer is hereby authorized and directed to execute such Official Statement with such changes therein, deletions therefrom and modifications thereto as such Authorized Officer may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Notwithstanding the foregoing, in the event that, pursuant to recommendations from the Representative or Bond Counsel, and with the concurrence of the Treasurer and Tax Collector of the County (the "Treasurer"), the Authorized Officer determines that it is in the best interests of the District to prepare and distribute a separate form of Preliminary Official Statement, the Authorized Officer may direct the same, to be used by the Underwriters in the marketing and sale of the Build America Bonds, subject to the finalization and other requirements of the preceding paragraph.

Section 6. Book-Entry System. The Bonds shall be issued in book-entry only form, to be lodged with The Depository Trust Company ("DTC") in New York, New York, which shall be the registered owner of the Bonds issued at the closing in the form of a single certificated Bond for each maturity within a series of the Bonds described in the Purchase Contract. The Underwriters are directed to assist the District and the County in qualifying the Bonds for deposit with DTC.

Section 7. Paying Agent Fees. The initial fees of the paying agent shall be paid from proceeds of the Bonds; any subsequent annual fees, if any, shall be paid by the District.

Section 8. Tax Covenants. The District hereby covenants that it shall not, directly or indirectly, use or permit the use of any proceeds of any of the Bonds, or of any of the property financed or refinanced with the proceeds of the Bonds, or other funds of the District, or take or omit to take any action that would cause the Bonds to be deemed "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). To that end, the District shall comply with all requirements of Section 148 of the Code and all regulations of the United States Department of the Treasury promulgated thereunder to the extent that such requirements are in effect and applicable to the Bonds.

The District further covenants and agrees to comply with the requirements of the Tax Exemption Certificate to be executed and delivered in connection with the delivery of the Bonds to the original purchasers thereof. A separate form of Tax Certificate may be delivered in connection with the issuance of Build America Bonds, if any.

Section 9. Due Authorization; Compliance with Law and the Constitution. The District Board determines that all acts and conditions necessary to be performed by the District Board or to have been met precedent to and in the issuing and sale of the Bonds in order to make them the legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Bonds have been performed and met, in regular and due form as required by law; that the full faith and credit of the District are hereby pledged for the timely payment of the principal of and interest on the Bonds; and that no statutory or Constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 10. Continuing Disclosure. The form of Continuing Disclosure Agreement on file with the District Board prepared in connection with the Bonds and to be dated the date of sale of the Bonds, for the benefit of the registered owners from time to time of the Bonds (the "Owners") is hereby approved and the District Board hereby authorizes the Authorized Officer to execute such Continuing Disclosure Agreement with such changes therein as may be approved by the Authorized Officer. The District hereby covenants and agrees that it will comply with and carry out all of the provisions of such Continuing Disclosure Agreement in order to assist the Underwriter to comply with the requirements of the Rule. Any registered owner of Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the District to comply with its obligations under this Section;

however, noncompliance with this Section shall not constitute a default under or cause the acceleration of the Bonds.

Section 11. Credit Enhancement. Should the Authorized Officer, upon consultation with and advice of the Representative and the Treasurer, determine it is in the best interests of the District to obtain credit enhancement for the Bonds, including municipal bond insurance, to improve their marketability, the Authorized Officer is hereby authorized and directed to sign documents to secure such credit enhancement on such terms and subject to such conditions as may be established by the Authorized Officer, in agreements relating to such credit enhancement.

Section 12. Assistance of County. The County Board is hereby requested to assist the District in the issuance and sale of the Bonds; in order to meet the requirements of law and the procedures of the County with respect to such a request, the President of the District Board is hereby directed to lodge a certified copy of this Resolution with the Clerk of the County Board, together with distribution instructions, and with the Superintendent of Schools of the County promptly following adoption hereof, and the District represents and warrants to the County that annual administrative expenses associated with the Bonds at the time outstanding shall be the sole responsibility of the District and the District shall reimburse the County's costs and expenses incurred in connection with the issuance and sale of the Bonds. The Bonds are the general obligations of the District secured by tax levies and do not constitute an obligation of the County except as set forth in the resolution to be adopted by the County Board authorizing the issuance of the Bonds. The County will bear no responsibility for the acquisition, construction or installation of the Projects, or any part thereof.

Section 13. Special Covenants Respecting Build America Bonds (Tax Credit). In the event that the District elects to issue some or all of the Bonds in the form of Build America Bonds (Tax Credit), the Board hereby directs the proper officers of the District and Members of the District Board to make such special certificates and to execute, as necessary, tax credit certificates associated with such Bonds, as recommended by Bond Counsel.

Section 14. Authorized Officers. Members of the District Board and District officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions as may have heretofore been taken by such officers, officials and staff are hereby ratified, confirmed and approved.

Section 15. Effective Date. This resolution shall take effect immediately upon its adoption.