



# SANTA MONICA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

REGULAR MEETING
MONDAY, NOVEMBER 5, 2001

Santa Monica College 1900 Pico Boulevard Santa Monica, California

5:00 p.m. - Closed Session Business Building Room 111

7:00 p.m. - Public Meeting Board Room Business Building Room 117

The complete agenda may be accessed on the Santa Monica College website: http://www.smc.edu/admin/trustees/meetings/

## PUBLIC PARTICIPATION ADDRESSING THE BOARD OF TRUSTEES

Members of the public may address the Board of Trustees by oral presentation concerning any subject that lies within the jurisdiction of the Board of Trustees provided the requirements and procedures herein set forth are observed:

1. Individuals wishing to speak to the Board at a Board of Trustees meeting during Public Comments or regarding item(s) on the agenda must complete an information card with name, address, name of organization (if applicable) and the topic or item on which comment is to be made.

Five minutes is allotted to each speaker per topic. If there are more than four speakers on any topic or item, the Board reserves the option of limiting the time for each speaker. A speaker's time may not be transferred to another speaker.

General Public Comments and Consent Agenda

- The card to speak during Public Comments or on a Consent Agenda item must be submitted to the recording secretary at the meeting **before** the Board reaches the Public Comments section in the agenda.
- Five minutes is allotted to each speaker per topic for general public comments or per item in the Consent Agenda. The speaker must adhere to the topic. Individuals wishing to speak during Public Comments or on a specific item on the Consent Agenda will be called upon during Public Comments.

Major Items of Business

- The card to speak during Major Items of Business must be submitted to the recording secretary at the meeting **before** the Board reaches that specific item in the Major Items of Business in the agenda.
- Five minutes is allotted to each speaker per item in Major Items of Business. The speaker must adhere to the topic. Individuals wishing to speak on a specific item in Major Items of Business will be called upon at the time that the Board reaches that item in the agenda.
- 2. No uncivil or disorderly conduct shall be permitted at any Board of Trustees meeting. Persistence in displaying such conduct shall be grounds for summary termination and/or removal of the person from the meeting by the Chair.
- 3. No oral presentation shall include charges or complaints against any employee of the District, regardless of whether or not the employee is identified in the presentation by name or by another reference which tends to identify the individual. Charges or complaints against employees shall be submitted to the Board of Trustees under provisions of Board Policy Section 9421. Any employee against whom charges or complaints are to be made must be given 24 hours advanced notice and may request any such charges or complaints are heard in closed session.
- 4. Exceptions: This policy does not apply to individuals who address the Board at the invitation or request of the Board or the Superintendent.

No action may be taken on items of business not appearing on the agenda

Reference: Board Policy Section 1570

Education Code Section 72121.5

Government Code Sections 54954.2, 54954.3, 54957.9

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## AGENDA

A meeting of the Board of Trustees of the Santa Monica Community College District is scheduled be held in the Santa Monica College Board Room (Business Building Room 117), 1900 Pico Boulevard, Santa Monica, California, on Monday, November 5, 2001.

> 5:00 p.m. - Closed Session 7:00 p.m. - Public Meeting

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

## **ORGANIZATIONAL FUNCTIONS**

Page No.

Call to Order

1

В Roll Call

- **CLOSED SESSION** (Scheduled for 5:00 p.m.)
  - Collective Bargaining, Pursuant to Government Code Section 54957.6
  - Existing Litigation,

Pursuant to Government Code Section 54956.9 Santa Monica College Faculty Association vs. Santa Monica Community College District, et al. LASC Case No. BC 236666

- Public Employee: Employment, Discipline, Dismissal, Release Pursuant to Government Code Section 54957
- Conference with Real Property Negotiators Property located at 3171 Centinela Avenue, Los Angeles Pursuant to Education Code Section 54956.8

#### **PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS** (Continued) III.

Pledge of Allegiance

Approval of Minutes: October 1, 2001

October 15, 2001 (Special Meeting/Public Hearing)

#### IV. SUPERINTENDENT'S REPORT

 Associated Students Recognition Awards Luis Berrera. Student Sue Ann Pinner, Faculty Tri Le, Staff

V.	ACA	ADEMIC SENATE REPORT	Page No.
VI.	CLA	SSIFIED SENATE REPORT	
VII.	CON	MMUNICATIONS OR PUBLIC COMMENTS	
VIII.	BOA	ARD REPORT AND COMMENTS	
IX.	CON	(All items considered in one motion unless pulled for discussion later in the meeting	
	<u>Plan</u>	nning and Development	
	#2 #3	Acceptance of Grants Contracts and Consultants	4
		<ul> <li>A Contracts for Teacher and Reading Development Partnership (TRDP)</li> <li>B Amendment of Contract with Center for Educational Advancement – Weeke</li> </ul>	5 end
		Science Program	6
		C Agreement for Knitwear Technician Program D Community Relations Consultant	6 7
		E Consultant for Federal Assistance	7
		F Consultant for Program Production – Mary Pickford Speaker Series	8
		G Musicians for Art Gallery Openings	8
	<u>Aca</u>	demic and Student Affairs	
	#4	Instructional Facilities	
		A Emeritus College Facilities, Winter and Spring, 2002	9
	#5	B Physical Education Off-Campus Facility Community Services/Extension Seminars/Courses, Winter 2002	9 9
	#6	Contracts and Consultants	3
		A Consultant for Disabled Students	10
		B Contract with Broadband Multimedia	10
		C Consultant for Admissions and Records	10
	<u>Hun</u>	nan Resources	
	#7	Contracts and Consultants	11
	#8	Academic Personnel	11
	#9 #10	Classified Personnel – Establish/Abolish Positions Classified Employee Layoff	12 12
	#10	Classified Personnel – Regular	13
		Classified Personnel – Limited Duration	15
	#13	Classified Personnel – Non Merit	16
	<u>Bus</u>	iness and Administration	
	#1⊿	Contracts and Consultants	
	n: 1 <b>T</b>	A Amendment to Food Service Agreement	17
		B Agreement for Advertising Trash Receptacles	17
		C Pre-Payment for Worm Farm	17

	<u>Bus</u>	<u>iness and Administration</u> (continued)	<u>Page No.</u>
	#15	KCRW	-
		A Consultants	18
		B Grants	18
		C Site Lease	18
	#16	Facilities	
		A Award of Bid, Replacement of Exhaust Unit, Business Building	19
		B Award of Bid, Asbestos Abatement/Replacement of Flooring and	
		Windows, Business Building	19
		C Award of Bid, Replacement of HVA/C System, Letters and	
		Science Building	20
		D Award of Bid, Replacement of Chiller Unit, Technology Building	20
		E Award of Bid, Asbestos Abatement/Flooring and Window Replacement	
		Project, Counseling Building, "Old" Admissions & Records Complex	21
		F Amendment to Agreement for Architectural Services for Remodel of	
		Former Administration Complex (Admissions & Records) – Phase 2	21
		G Grant of Easement to Southern California Edison	22
	#17	Commercial Warrant Register	23
		Payroll Warrant Register	23
		Payments from Auxiliary Operations	23
		Direct Payments	23
		Purchasing	23
			24
			24 24
		B Designation of Sole Source for Security and Fire Alarm Systems C Approval of Payment for Security and Fire Alarm Systems	
		C Approval of Payment for Security and Fire Alarm Systems	25
Χ.	CON	ISENT AGENDA – Pulled Items	
XI.	MAJ	OR ITEMS OF BUSINESS	
	#22	Memorandum of Understanding – Military Leave	26
	#23	Resolution of the Order of Bond Election of Sections 15100 and 15120	
		of the Education Code and Specifications of the Election Order	27
	#24	Facilities Project List to be Financed from Tax-Exempt Obligations	34
	#25	Resolution on the Financing of Certain Facilities and Declaring	
		Intent to Reimburse Certain Expenditures from Tax-Exempt Obligations	35
	#26	Agreement for Bond Underwriting Services	38
	#27	Resolution on the Financing of Certain Facilities and Declaring	
		Declaring its Intent to Reimburse Certain Expenditures from Taxable	
		Obligations	39
	#28	Agreement for Legal Services	41
XII.	INFO	DRMATION - No Action Required	
	D	Review of District Investments	42
	Ē	2001-2002 Quarterly Budget Report	45
	F	Submittal of Grants	<del>-13</del>
	•	Cubinitial of Grants	51

## XIII. ADJOURNMENT:

The next regular meeting of the Santa Monica Community College District Board of Trustees will be Monday, December 3, 2001 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. This is the annual organizational meeting of the Board of Trustees.

This is the annual organizational meeting of the Board of Trustees. The agenda will include the following organizational functions:

- · Election of officers
- Seating of the Board of Trustees
- Election of Trustee Liaisons
- · Authorized Signature Resolutions

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## I. ORGANIZATIONAL FUNCTIONS

A. <u>CALL TO ORDER</u> – 5:00 p.m.

## B. ROLL CALL

Annette Shamey, Chair Dr. Patrick Nichelson, Vice-Chair

Dr. Nancy Cattell-Luckenbach Carole Currey Dr. Dorothy Ehrhart-Morrison Herbert Roney Dr. Margaret Quiñones

Eric Yoshida, Student Trustee

## II. CLOSED SESSION

- Collective Bargaining, Pursuant to Government Code Section 54957.6
- Existing Litigation, pursuant to Government Code Section 54956.9 Santa Monica College Faculty Association vs. Santa Monica Community College District, et al. LASC Case No. BC 236666
- Public Employee: Employment, Discipline, Dismissal, Release Pursuant to Government Code Section 54957
- Conference with Real Property Negotiators
   Property located at 3171 Centinela Avenue, Los Angeles
   Pursuant to Education Code Section 54956.8

## III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS

C. PLEDGE OF ALLEGIANCE - Elena Garate, Dean of International Education

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## **ORGANIZATIONAL FUNCTIONS**

## RECOMENDATION NO. 1 APPROVAL OF MINUTES

It is recommended that the minutes from the following meeting of the Santa Monica Community College District Board of Trustees be approved:

October 1, 2001 (Regular Meeting)
October 15, 2001 (Special Meeting/Public Hearing)

MOTION MADE BY: SECONDED BY: STUDENT ADVISORY: AYES: NOES:

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## **CONSENT AGENDA**

It is recommended that the Board of Trustees approve/ratify the Consent Agenda, Recommendations #2-#21.

Recommendations pulled for separate action:

Action on Consent Agenda

MOTION MADE BY: SECONDED BY: STUDENT ADVISORY: AYES: NOES:

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 2 ACCEPTANCE OF GRANTS

Title of Grant: TRIO Student Support Services Supplemental Grant

Granting Agency: US Department of Education

Requested Funding: \$27,754

Matching Funds N/A

Performance Period: October 2001 – September 2002

Summary: Santa Monica College will award 50 grants to 26 first-year

students and 24 second-year students enrolled in the TRIO Student Support Services Project. The average award will

be \$555.00

Budget Augmentation: Expenditures

7000 \$27,754

Income

8000 \$27,754

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 3 CONTRACTS AND CONSULTANTS

## 3-A CONTRACTS FOR TEACHER AND READING DEVELOPMENT PARTNERSHIP (TRDP)

1. WEST LOS ANGELES COLLEGE to participate jointly in the recruitment of teacher candidates, develop/implement new curriculum to motivate aspiring teachers, and maintain a future teachers club in partnership with SMC's Teacher and Reading Development Partnership (TRDP) program from November 6, 2001, through June 12, 2002, for an amount not to exceed \$17,000.

Comment:

Santa Monica College was awarded the TRDP grant in partnership with West Los Angeles College. SMC is obligated to provide funding to assist WLAC in meeting its TRDP goals. This is the second year of a five-year partnership.

2. NANCY MARIE HOGAN to provide on-site assistance supervising students enrolled in ENGL 94, Tutoring K-3<sup>rd</sup> Grade Elementary Students in Reading. The period of the contract is November 5, 2001, through June 12, 2002, for an amount not to exceed \$1,000.

Comment:

Ms. Hogan is a full-time secretary for Brentwood Science Magnet School. She is available to assume the task of monitoring the on-site attendance of SMC tutors and act as a liaison between SMC and Brentwood Science Magnet School.

 Culver City Police Department to provide live-scan fingerprinting and background check services to 100 SMC students enrolled in the Teacher and Reading Development Partnership (TRDP) tutoring program (ENGL 94) at local public schools, in the amount of \$5,200.

Comment:

Santa Monica College was awarded the TRDP grant to recruit, promote and support aspiring teachers. ENGL 94 provides SMC students the opportunity to experience a classroom environment and provide tutoring to K-third grade students in local public schools. Both the college and local school districts require a live-scan fingerprinting and background check prior to students being assigned at a local school. The Culver City Police Dept. requires prepayment in order to do the fingerprinting and background checks. A reconciliation per semester of background checks done vs. background checks paid for will be done by TRDP staff and the Culver City Police Department.

Funding Source: Governor's Grant, Teacher and Reading Development Partnership (TRDP)

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 3 CONTRACTS AND CONSULTANTS (continued)

## 3-B AMENDMENT OF CONTRACT WITH CENTER FOR EDUCATIONAL ADVANCEMENT - WEEKEND SCIENCE PROGRAM

Amendment of the contract with the Center for Educational Achievement (CEA) to include reimbursement for expenses encumbered for the period of the contract which began in July, 2001 and ends June 30, 2002.

Funding Source: 2001-2002 Budget/Office of Planning & Development

Comment: CEA has assisted the District in developing and implementing

a plan to increase the enrollment of students into the Weekend Science Program. Starting with 23 students in the 2001 Spring Semester, the program now has 67 students in the Fall 2001 Semester. Given the dramatic increase in enrollment, it was recommended that the original contract in the amount of \$20,000 be amended to include the reimbursement for expenses. CEA's responsibilities have included (1) community outreach and recruitment to students from Santa Monica and the Westside, South Central and East Los Angeles, at the middle and senior high schools; (2) establishment of partnerships with the health industry; (3) development to support the on-going activities in the program.

## 3-C AGREEMENT FOR KNITWEAR TECHNICIAN PROGRAM

Agreement with French Rags to provide a site for the newly-designed Knitwear Technician Program at 11500 Tennessee Avenue. A classroom facility will be provided by French Rags beginning on November 7, 2001 at no cost to the District.

Funding Source: N/A

Comment: The Knitwear Technician Program is a newly-designed, non-

credit program that will train students to develop the technical skills and competencies to operate knitwear machinery and technologies. French Rags has been collaborating with the District to develop a state-of-the art program that is relevant to workplace needs and partnerships with the knitwear industry.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 3 CONTRACTS AND CONSULTANTS (continued)

## 3-D COMMUNITY RELATIONS CONSULTANT

Renewal of an agreement with DENNIS ZANE dba URBAN DIMENSIONS as a community relations consultant in the amount of \$3,500 per month plus expenses for the period of November, 2001 through June 30, 2002 to assist the District with the Madison project.

Funding Source: 2001-2002 Budget/Madison Project

Comment: Mr. Zane will continue to assist the District in developing a

program of community outreach and public comment on the planned construction of an educational theater at the Madison

site.

## 3-E CONSULTANT FOR FEDERAL ASSISTANCE

Agreement with the Cassidy Companies, Inc. to provide representation in Washington, D.C. so that the District can participate in funding opportunities at the federal level, for the period of November 5, 2001 through October 31, 2003, for an amount of \$15,000 per month, plus expenses.

Funding Source: First Year – 2001-2002 SMC Foundation Budget

Second Year – 2002-2003 Budget/Planning and Development

Comment: The Cassidy Companies, Inc. have the experience and staff to

provide the District with the best opportunities for federal

funding for a number of District projects.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 3 CONTRACTS AND CONSULTANTS (continued)

## 3-F CONSULTANT FOR PROGRAM PRODUCTION- MARY PICKFORD SPEAKER SERIES

Agreement with BARBARA JACOBS for program production services of the Mary Pickford Speaker Series in the amount of \$10,000 for the period ending June 30, 2002.

Funding Source: 2001-2002 Budget/Public Programs

Comment: The Mary Pickford Speaker Series is presented at the Academy of

Entertainment and Technology.

## 3-G MUSICIANS FOR ART GALLERY OPENINGS

Agreement with Kurt Erik MacInnis for an amount of \$200 to do a musical performance at the Pete and Susan Barrett Art Gallery opening on November 9, 2001.

Funding Source: 2001-2002 Budget/Public Programs

Comment: This will enhance the Art Gallery openings for the community

by providing a musical performance.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## CONSENT AGENDA: ACADEMIC AND STUDENT AFFAIRS

## RECOMMENDATION NO. 4 INSTRUCTIONAL FACILITIES

#### 4-A EMERITUS COLLEGE FACILITIES, WINTER AND SPRING, 2002

Off-campus facilities for Emeritus College classes for Winter Session and Spring Semester 2002. For those facilities charging a fee, payment per class session is stated on the list kept on file in the Academic Affairs and Emeritus College offices.

Funding Source: 2001-2002 Emeritus College Budget

Comment: The list of facilities is on file in the offices of Academic Affairs

and Emeritus College.

## 4-B PHYSICAL EDUCATION OFF-CAMPUS FACILITY

Agreement with Bally Total Fitness for the rental of space and equipment to conduct specific anaerobic exercise classes at a cost of \$50 per participating student for the period of August 27, 2001 through June 30, 2002.

Funding Source: No cost to the District (costs completely covered by

student fee)

Comment: Education Code section 26395 authorizes districts to impose a fee

on participating students for the additional expenses incurred when physical education courses are required to use non-district facilities. At the present time, the District does not have the equipment necessary for these particular anaerobic exercise

classes.

## RECOMMENDATION NO. 5 COMMUNITY SERVICES/EXTENSION SEMINARS/COURSES, WINTER 2002

Seminars/courses for Santa Monica College Community Services and Extension for Winter 2002.

Funding Source: All costs will be covered by the registration fees charged.

Comment: The list of Community Services seminars and courses is on file

in the Office of Academic Affairs and Community Services.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

#### CONSENT AGENDA: ACADEMIC AND STUDENT AFFAIRS

## RECOMMENDATION NO. 6 CONTRACTS AND CONSULTANTS

## 6-A CONSULTANT FOR DISABLED STUDENTS

Consultant contract with Irene Wolt will provide technical support related to universal access to technology and information from November 16 through June 30, 2002, for an amount not to exceed \$30,450.

Funding Source: 2001-2002 Budget/Disabled Students

Comment: The recently amended Section 508 of the Americans with

Disabilities Act requires that electronic and information technology purchased or used must be accessible for use by persons with disabilities. The consultant's responsibilities will include researching captioning projects. She will prepare and coordinate production of information in alternate formats,

including Braille, electronic text and large-print.

## 6-B CONTRACT WITH BROADBAND MULTIMEDIA

Agreement with BROADBAND MULTIMEDIA for the period of November 12, 2001 through January 15, 2002, in an amount not to exceed \$30,000, to research, plan, and design a set of software tools that will facilitate and enable ADA Section 508 compliance for multimedia products produced by SMC.

Funding Source: Title III and Virtual Multimedia grants

Comment: The recently amended Section 508 of the Americans with

Disabilities Act requires that electronic and information technology purchased or used must be accessible for use by persons with disabilities. SMC continues to invest in technology and to ensure that webpage distributed information is ADA compliant. However, due to the escalating production of multimedia utilizing several high end software products in one production, achieving ADA compliance can be extremely complicated. The design of this set of software tools will facilitate and enable ADA compliance to be

an integral part of the multimedia production process.

## 6-C CONSULTANT FOR ADMISSIONS AND RECORDS

Consultant contract with Joan Goldsmith to provide training for the Admissions and Records staff on team building, customer services and leadership development on November 13, 15, and 16, 2001, for an amount not to exceed \$2,000.

Funding Source: 2001-2002 Budget/Matriculation

Comment: The consultant will provide team building training.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 7 CONTRACTS AND CONSULTANTS

- 1. JOAN GOLDSMITH from the Center for Dispute Resolution to facilitate discussions with California School Employees Association, Chapter 36 for a fee of \$2,000 per day plus expenses not to exceed \$6,000.
- 2. KEN CLOKE from the Center for Dispute Resolution to facilitate discussions and resolution concerning the 50 percent law and collective bargaining with the Faculty Association for a fee of \$2,000 per day plus expenses not to exceed \$6,000.

Funding Source: 2001-2002 Budget/Human Resources

3. DR. FRANCES E. KENDALL to provide diversity training to the administrators, managers, and department chairs for an amount not to exceed \$1,000.

Funding Source: 2001-2002 Budget/Human Resources/Diversity Funds

## RECOMMENDATION NO. 8 ACADEMIC PERSONNEL

All personnel will be properly elected in accordance with District policies, salary schedules, and appropriate account numbers.

**EFFECTIVE DATE** 

## **ELECTIONS**

**ADMINISTRATIVE** 

Krentzman, Gregory Project Manager, Launch Pad 11/05/01 – 05/01/02 (50% assignment)

**ADJUNCT** 

(List on file in the Office of Human Resources - Academic)

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 9 CLASSIFIED PERSONNEL ESTABLISH/ABOLISH POSITIONS

The following positions will be established/abolished in accordance with District policies and salary schedules.

**EFFECTIVE DATE** 

## **ESTABLISH**

Computer Lab Supervisor (1 position)
Academic Computing, 12 mos, 40 hrs

11/06/01

## **ABOLISH**

Assistant Computer Lab Supervisor (2 positions) Academic Computing, 12 mos, 40 hrs 11/06/01

## RECOMMENDATION NO. 10 CLASSIFIED EMPLOYEE LAYOFF

It is recommended that the Board of Trustees determine that the following classified management position be abolished for lack of work and/or lack of funds:

Director, Mini Career Center (1 position)

It is further recommended that the Board of Trustees authorize the following:

- Due to a lack of funds and lack of work, the number of classified employees shall be reduced by layoff as specified above, pursuant to Education Code Sections 88014, 88017 and 88127.
- 2. The Superintendent/President is directed to give notice of layoff to the affected classified employee pursuant to the requirements of the law;
- 3. The employee laid off pursuant to this resolution shall be eligible for reemployment pursuant to Education Code section 88117.

## Comment:

The Los Angeles County Department of Public and Social Services has notified the District that the grant will not be renewed after December 31, 2001; therefore, the position of Director, Mini-Career Center will no longer be funded.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 11 CLASSIFIED PERSONNEL – REGULAR

All personnel assigned into authorized positions will be elected to employment (Merit System) in accordance with District policies and salary schedules.

**EFFECTIVE DATE** 

## **ELECTIONS**

#### PROBATIONARY

Johnston, Steven, Electrician I, Maintenance 10/01/01 Williams, Doris, Administrative Assistant II, Superintendent/Pres. Office 09/24/01

## RECLASSIFICATION (Per Personnel Commission Action)

Pena, Cherie 09/01/01

Fr: Computer Lab Instructional Specialist, Academic Computing, 12 mos, 40 hrs
To: Academic Computing Instructional Spec, Academic Computing, 12 mos, 40 hrs

## **CHANGE IN WORKSHIFT/PERMANENT**

Toth (Saunders), Danielle 09/10/01

Fr: Library Assistant III/Day, Learning Resource Center, 12 mos, 40 hrs Library Assistant III/NS-1, Learning Resource Center, 12 mos, 40 hrs

## PERMANENT EMPLOYEE WITH PROVISIONAL ASSIGNMENT

Peterson, Steve, Acting Computer Lab Supv/Evening, Academic Computing11/06/01 - 03/15/02 12 mos, 40 hrs

## PERMANENT EMPLOYEE WITH LIMITED TERM ASSIGNMENT

Sicilia, Fernando, Van Driver, Transportation 10/15/01 - 11/01/01

## WORKING OUT OF CLASSIFICATION

Oseguera, Ismenia 08/06/01 - 09/07/01

Fr: Custodian/Day, Operations, 12 mos, 40 hrs

To: Acting Lead Custodian, Operations, 12 mos, 40 hrs

#### WORKING OUT OF CLASSIFICATION (Additional Responsibilities)

Bays, Charles, Cam Pol Sgt, Coll Police, 12 mos, 40 hrs +2.5% 07/09/01 - 07/27/01 Trump, Kurt, Camp Pol Sgt, Coll Police, 12 mos, 40 hrs +2.5% 07/09/01 - 07/27/01 Vaval, Mimi, Emp Benefits Asst, Risk Mgnt, 12 mos, 40 hrs +4.0% 08/29/01 - 11/05/01

## **EDUCATIONAL PAY DIFFERENTIAL**

Arenales, Alfredo, Parking Security Officer, College Police	+1.5%	11/01/01
DeSalles, Albert, Media & Graphic Srvs. Mgr., Media Center	+1.5%	11/01/01
Peterson, Steven, Assist. Computer Lab Supv., Academic Comp	+1.5%	11/01/01
Ramos, Angelita, Administrative Assistant I, Admissions & Rec	+1.5%	11/01/01
Ramos, Garrett, Financial Aid Clerk, Financial Aide	+1.5%	11/01/01
Reytblat, Leonid, Personnel Technician, Personnel Commission	+1.5%	11/01/01
Rojas, Dan, Computer Network Analyst, Network Services	+.75%	11/01/01
Sugianto, Bambang, Telecommunications Tech. I, Telecom	+1.5%	11/01/01

## **SEPARATIONS**

## **RESIGNATION**

Solis, Angelica, Department Secretary I, Scholars (Interdisciplinary)	10/11/01
Tabor, Cara, Library Assistant III, Learning Resource Center	10/12/01

The Board hereby accepts immediately the resignations of the above listed personnel to be effective as indicated.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

#### **RECOMMENDATION NO. 12 CLASSIFIED PERSONNEL – LIMITED DURATION**

District policies and salary schedules. No limited term assignment shall exceed 120 working days per fiscal year.

#### All personnel assigned to limited term employment (Merit System) will be elected in accordance with **EFFECTIVE DATE ELECTIONS PROVISIONAL** Colton, Bertha, Accompanist-Performance, Emeritus 09/11/01 - 12/15/01 Emma, Danielle, Vocational Tutoring Asst. I, CalWorks 09/20/01 - 01/31/02 Haston, Claire, Counseling Aide, Matriculation 07/25/01 - 07/27/01 Gutierrez, Estela, Art Gallery Installer, Art 10/01/01 - 12/20/01 Kondo, Jimmy, Multimedia Computer Lab Specialist, AET 09/24/01 - 12/21/01 Miyazaki, Yuki, Multimedia Computer Lab Specialist, AET 09/24/01 - 12/21/01 Radford, Peter, Lab Technician-Phy Sci, Physical Science 10/01/01 - 01/31/02 Starr, Ellen, Art Gallery Installer, Art 10/01/01 - 12/20/01 Violin, Kevin, HVAC Specialist, Maintenance 10/08/01 - 12/21/01 Walker, David, Instructional Asst-ESL, ESL 09/06/01 - 12/18/01 Walker, Fred, Accompanist-Dance, Dance 08/27/01 - 12/20/01 Watkins, Deanna, Accompanist-Dance, Dance 08/27/01 - 12/20/01 LIMITED TERM Brown, Carla, Registration/Information Clerk, OSR 10/15/01 - 06/30/02 Cabrera-Saldana, Carmen, Registration/Information Clerk, OSR 10/15/01 - 06/30/02 Centeno, Deborah, Sign Language Interpreter III, DSC 09/27/01 - 12/21/01 Dunham, William, Registration/Information Clerk, OSR 10/15/01 - 06/30/02 Ellison, Monti, Accompanist-Percussion, Dance 08/27/01 - 12/20/01 Ferek, Carolyn, Department Secretary II, Cosmetology 10/01/01 - 12/21/01 Greco, Gina, Department Secretary I, Fiscal Services 10/01/01 - 12/21/01 Holliday, Angel, Counseling Aide, Black Collegians Program 10/01/01 - 06/30/02 Jucha, Lisa, Sign Language Interpreter II, DSC 09/17/01 - 12/21/01 Logvinskiy, Leonid, Accompanist-Dance, Dance 08/27/01 - 12/20/01 Mendes, Silvia, Registration/Information Clerk, OSR 10/15/01 - 06/30/02 Moss, Lisa, Department Secretary I, Personnel Comm (ext) 11/01/01 - 12/21/01 Murphy, William, Sign Language Interpreter II, DSC 09/12/01 - 12/21/01 Neidorf, Helena, Instructional Asst-English, Latino Center 08/27/01 - 06/30/02 Patterson, Frederic, Instructional Asst-Math, Latino Center 09/17/01 - 06/30/02 Perez, Maricela, Registration/Information Clerk, OSR 10/15/01 - 06/30/02 Reed, Jeffrey, Accompanist-Percussion, Dance 08/27/01 - 12/20/01 Rogers, Cheryle, Department Secretary II, Operations (ext) 11/01/01 - 12/21/01 Sexton, Robert, Accompanist-Dance, Dance 08/27/01 - 12/20/01 Terney, Lindsey, Department Secretary II, Student Life 09/01/01 - 09/14/01 Wagner, JoAnn, Department Secretary I, Personnel Comm (ext) 10/01/01 - 11/02/01 Woolen, Keyana, Counseling Aide, AA Collegian Center 10/18/01 - 06/30/02 Limited Term (Substitute) Donohue, Nancy, Department Secretary I, Women's College 09/24/01 - 10/27/01 Kidd, Lisa, College Police Dispatcher, Police 09/17/01 - 12/31/01

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## **RECOMMENDATION NO. 13**

## **CLASSIFIED PERSONNEL - NON MERIT**

All personnel assigned to non-merit employment will be elected on a limited term basis to be used as needed in accordance with District policies and salary schedules.

## **ELECTIONS**

STUDENT EMPLOYEES CalWORKS Student Assistant \$7.00/hr	7
College Student Assistant \$7.00/hr	200
College Work-Study Student Assistant \$7.00/hr	87
SPECIAL SERVICES Art Model \$14.00/hr	3
Art Model /Costume \$17.00/hr	12
Community Services Specialist I \$27.40/hr	2
Community Services Specialist II \$38.00/hr	1
Tutorial Aide \$10.50	5

## PROFESSIONAL EXPERT

Seeds, Bob - Professional Expert, Personnel Commission 11/01/01 - 12/21/01 Amount not to exceed \$8,472

List(s) available in the Human Resources Office and attached to permanent minutes.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 14 CONTRACTS AND CONSULTANTS

## 14-A AMENDMENT TO FOOD SERVICE AGREEMENT

Amendment to the combined lease agreement with EM GROUP for the operation of the Coffee Spot, TCBY and a coffee/snack cart service. The lease agreement shall be extended for a five year period commencing with the completion of the new Coffee Spot site with a two-year renewal option. EM GROUP agrees to hold the District harmless for any and all losses during the reconstruction and relocation of the Coffee Spot. Monthly payments from EM GROUP to the District on the combined lease will be \$3,551.25 until the completion of the new Coffee Spot site. Thereafter, EM GROUP will pay the District \$4,201.25 per month for the first full year of the extended agreement. Beginning the second full year of the extended agreement it will increase every year by the Orange County, Riverside, Los Angeles CPI rate.

Comment:

The addition to Parking Structure C required the relocation of the Coffee Spot. The District has agreed to amend the dates of the agreement with EM GROUP due to the delay in the start of the parking structure construction and the time required to obtain DSA approval for the new Coffee Spot. The amended agreement also includes the operation of a coffee/snack cart service which currently serves the north side of campus.

## 14-B AGREEMENT FOR ADVERTISING TRASH RECEPTACLES

Agreement with STEPHEN L. PERRONE dba CENTER POINT MEDIA to place advertising trash receptacles in District parking structures/lots for a five-year period commencing on December 1, 2001. Center Point Media will pay the District 20% of net advertising revenue.

## 14-C PRE-PAYMENT FOR WORM FARM

Authorization for remainder of pre-payment to Vermitech for the purchase of a worm farm for trash recycling in the amounts of \$11,620 as a pre-shipment installment and \$6,972 as the completion of installation installment.

Funding Source: 2001-2002 Budget/Grounds/City of Santa Monica

Comment: The worm farm is part of the District's recycling program. The

total cost of the worm farm is \$49,719.48 with various prepayment schedules. The City of Santa Monica has committed \$25,000 to

this recycling effort.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 15 KCRW

## 15-A CONSULTANTS

Agreements with the following KCRW consultant for the period ending June 30, 2002.

Raul Campos: for program services, "NOCTURNA;" as Guest Host for various music programs. Payable at \$75 per program, "NOCTURNA;" payable at varying rates for other music programs; amended total not to exceed \$11,000.

Candace Moyer: for promotional support for KCRW's music projects, "KCRW PRESENTS," "SOUNDS ECLECTIC," etc. Payable at \$1,125 per month; amended total not to exceed \$13,500.

Dickstein Shapiro Morin & Oshinsky LLP: FCC attorneys for KCRW. Payable at varying rates for a total not to exceed: \$50,000.

Funding Source: KCRW donations

## 15-B GRANTS

California Arts Council: for Organizational Support grant, for period of November 1, 2001 through September 30, 2002, totaling \$28,527 to be used for outreach and performance.

Corporation for Public Broadcasting: for Community Service Grant for October 1, 2001 through September 30, 2002, in the amount of \$981,642 to be used for programming fees from National Public Radio and Public Radio International.

Comment: KCRW raises all operating and capital expenses of the station.

## 15-C SITE LEASE

Authorization of a lease agreement for KCRW with PINNACLE TOWERS INC. for the antenna site known as San Miguel for the period of November 1, 2001 through October 31, 2006 and subject to renewal of three additional period of five years each. Annual lease of \$5,100 payable in monthly installments of \$425; lease to increase 4 percent per year.

Funding Source: KCRW donations

Comment: KCRW raises all operating and capital expenses of the station.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 16 FACILITIES

## 16-A AWARD OF BID, REPLACEMENT OF EXHAUST UNIT, BUSINESS BUILDING

Award the bid for the Replacement of Exhaust Unit, Business Building project to the lowest responsive bidder.

Bidder:
Broadway Air Conditioning, Inc.
ACCO
Bid Amount:
\$ 25,980.00
38,304.00

Funding Source: State 00/01 Scheduled Maintenance & Special Repairs

Program/District

Comment: This project provides for the replacement of the exhaust unit

for the Cosmetology facility within the Business Building. This project is 50% funded by the State 00/01 Scheduled

Maintenance & Special Repairs Program

## 16-B AWARD OF BID, ASBESTOS ABATEMENT/REPLACEMENT OF FLOORING AND WINDOWS, MUSIC BUILDING

Award the bid for the Asbestos Abatement/Replacement of Flooring and Windows, Music Building project to the lowest responsive bidder.

Bidder:	Bid Amount:
Janus Corp.	\$ 69,269.00
Angeles Contractors	85,230.00
EMMA Corp.	89,546.00
Tri Span, Inc.	91,000.00
Matrix Industries, Inc.	114,300.00

Funding Source: State 98/99 Hazardous Substance Program

Comment: This project provides for the removal of asbestos containing

flooring and window putty/caulking, the replacement of flooring, and the restoration or replacement of window assemblies. This project is 100% funded by the State 99/00

Hazardous Substances Program.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 16 FACILITIES (continued)

## 16-C AWARD OF BID, REPLACEMENT OF HVA/C SYSTEM, LETTERS & SCIENCE BUILDING

Award the bid for the Replacement of HVA/C System, Letters & Science Building to the lowest responsive bidder.

Bidder:Bid Amount:Broadway Air Conditioning, Inc.\$67,800ACCO\$219,081

Funding Source: State 98/99 Scheduled Maintenance & Special Repairs

Program/District

Comment: This project will provide for the replacement of the HVA/C

System serving the Communication Radio Lab and Studio areas within the Letters & Science Building. This project is 50% funded by the State 98/99 Scheduled Maintenance &

Special Repairs Program.

## 16-D AWARD OF BID, REPLACEMENT OF CHILLER UNIT, TECHNOLOGY BUILDING

Award the bid for the Replacement of Chiller Unit, Technology Building to the lowest responsive bidder.

Bidder:Bid Amount:Air Mechanical, Inc.\$210,815Pardess Air, Inc.250,000ACCO259,596Rusher Air Conditioning, Inc.\$324,575

Funding Source: State 01/02 Scheduled Maintenance & Special Repairs

Program/District

Comment: This project provides for the replacement of the main chiller

unit serving the Technology Building. This project is 50% funded by the State 01/02 Scheduled Maintenance & Special

Repairs Program.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

#### **RECOMMENDATION NO. 16**

FACILITIES (continued)

# 16-E AWARD OF BID, ASBESTOS ABATEMENT/FLOORING AND WINDOW REPLACEMENT PROJECT, COUNSELING BUILDING, "OLD" ADMISSIONS & RECORDS COMPLEX

Award the bid for the Asbestos Abatement/Flooring and Window Replacement Project, Counseling Building, "Old" Admissions & Records Complex to the lowest responsive bidder.

Bidder:Bid AmountMatrix Industries\$ 68,200Angeles Contractors152,000

Funding Source: State 98/99 Hazardous Substance Program

Comment: This project provides for the removal of asbestos containing

flooring and window assemblies, and for the replacement of flooring and window assemblies with new, non-asbestos containing assemblies. This project is 100% funded by the

State 98/99 hazardous Substance Program.

## 16-F AMENDMENT TO AGREEMENT FOR ARCHITECTURAL SERVICES FOR REMODEL OF FORMER ADMINISTRATION COMPLEX (ADMISSIONS & RECORDS) – PHASE 2

Amend the agreement with MEYER & ALLEN ASSOCIATES for architectural services associated with the Remodel of the Former Administration Complex (Admissions & Records) – Phase 2 for an additional amount not to exceed \$4,500 plus reimbursable expenses.

Funding Source: 2001-02 Budget/Partnership for Excellence

Comment: The agreement provides for architectural services for the

remodel of Buildings B, C, & E of the former administration complex to house Financial Aid, EOPS, Station C and D, TRIO and Student Affairs. The amendment is for District requested changes to size and location of Station C, Financial Aid,

EOPS.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

#### **RECOMMENDATION NO. 16**

**FACILITIES** (continued)

## 16-G GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON

Authorize the District to grant to SOUTHERN CALIFORNIA EDISON (SCE), its successors and assigns, an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time, underground electrical supply systems and communication systems in, on, over, under, across and along that certain real property in the County of Los Angeles, State of California, described as follows:

THE SOUTHEASTERLY FIVE (5) FEET OF THE NORTHEASTERLY FIVE(5) FEEL OF LOT 1 IN BLOCK 41 OF THE EAST SANTA MONICA, AS PER MAP RECORDED IN BOOK 17, PAGE 95 THROUGH 98, INCLUSIVE, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Comment:

The granting of this easement to SCE for the five foot square of property at 1410 Pico Blvd. will allow WISE to install a new electric service to their facility being constructed adjacent to our property.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 17 COMMERCIAL WARRANT REGISTER

September 1 – September 30, 2001 4596 – 4614 \$5,133,699.67

Comment: The detailed commercial warrant documents are on file in the

Accounting Department.

## RECOMMENDATION NO. 18 PAYROLL WARRANT REGISTER

September 1 – September 30, 2001 C1B-C – C2C-N \$4,369,015.56

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

Department.

## RECOMMENDATION NO. 19 PAYMENTS FROM AUXILIARY OPERATIONS

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 in the Bookstore fund, Trust fund and other Auxiliary funds.

September 1 – September 30, 2001 80013 - 80779 \$3,174,740

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

Operations Office.

## RECOMMENDATION NO. 20 DIRECT PAYMENTS

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.

October 1 – October 31, 2001 D35423 – D35613 \$643,863.94

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## RECOMMENDATION NO. 21 PURCHASING

## 21-A AWARD OF PURCHASE ORDERS

Ratification and authorization of the following purchase orders be ratified and payment be authorized upon delivery and acceptance of the items ordered. All orders are placed in accordance with Education Code requirements and allocated to approved budgets.

Purchase Orders - FY 2001/02	<u>Total</u>
A) P. O. 811415 – 81640	\$1,361,542.32
B) Telephone Orders	\$470,419.42
C) Change Orders	\$170,312.17
D) Auxiliary Orders E4814 – E4837	\$44,994.57
E) Auxiliary Change Orders	\$6,700.00

Comment: Lists of orders placed or amended between September 15 and

October 22, 2001 are part of records on file in Purchasing

Department

## 21-B DESIGNATION OF SOLE SOURCE FOR SECURITY AND FIRE ALARM SYSTEMS

The Board of Trustees makes a finding and adopts the position that the District would recognize no benefit nor realize any profit through bidding for security and fire alarm systems.

Therefore, SIEMENS BUILDING TECHNOLOGIES is designated as "sole source" for security and fire alarm systems.

#### Comment:

The Siemens systems communicate both data and video over the existing campus data network without modifications using standard data transmissions rather than a proprietary communications link, offering greater security of our data. The Siemens systems interface with equipment already installed in the Library and the Administration complex at 2714 Pico.

This is in compliance with the case of Graydon vs. Pasadena Redevelopment Agency (1980) 104 Cal. App. 3d 631 which substantiates this action: "Therefore, it has been held that where competitive proposals work an incongruity and are unavailing as affecting the final result, or where it is practically impossible to obtain what is required to observe for such, competitive bidding is not applicable."

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	November 5, 2001

## **RECOMMENDATION NO. PURCHASING** (continued)

## 21-C APPROVAL OF PAYMENT FOR SECURITY AND FIRE ALARM SYSTEMS

Payment of purchase orders to SIEMENS BUILDING TECHNOLOGIES as follows:

Purchase Order	Amount
76642	\$16,672
76643	\$26,941
76633	\$26,725
76904	\$ 5,167
77031	\$49,427
80817	\$20,523

Funding Source: 2001-2002 Budget, Telecommunications & Partnership

for Excellence

Comment: The purchase orders have been written for separate buildings to

identify the cost for the funding grants. Siemens is a sole source for the proprietary software and parts for the alarm systems. The negotiated cost is within the planned budget allowing the District to replace alarm systems that were not part of an integrated system with components that can now be linked together and

monitored by College Police.

BOARD OF TRUSTEES	Action
Santa Monica Community College District	November 5, 2001

## **MAJOR ITEMS OF BUSINESS**

## <u>RECOMMENDATION NO. 22</u> <u>MEMORANDUM OF UNDERSTANDING –</u> MILITARY LEAVE

It is recommended that the Board of Trustees approve a Memorandum of Understanding with the SMC Faculty Association and Classified School Employees Association Chapter 36 that would extend full District pay and paid benefits for a period of at least seven months for any employee ordered into military service.

#### Comment:

The California Military and Veterans Code provides many rights for employees called into active military service such as absolute right of an employee to return to their same classification. However, the statute only provides employees ordered into military service with 30 days of paid leave. After 30 days, the employee is only entitled to an unpaid leave. Under normal circumstances, the employee would also lose their paid health benefits and in order to maintain their health benefits, they would have to pay the premium.

In anticipation that some classified and academic employees would be called into active military duty, the District initiated discussions with the Faculty Association and CSEA which resulted in a Memorandum of Understanding concerning a continuation of pay for all employees ordered into military service.

MOTION MADE BY: SECONDED BY: STUDENT ADVISORY: AYES: NOES:

BOARD OF TRUSTEES	Action
Santa Monica Community College District	November 5, 2001

## MAJOR ITEMS OF BUSINESS

**RECOMMENDATION NO. 23** 

RESOLUTION FOR THE ORDER OF BOND
ELECTION UNDER SECTIONS 15100 AND 15120 OF
THE EDUCATION CODE AND SPECIFICATIONS OF
THE ELECTION ORDER

SECTION 1. WHEREAS:

- 1. Educational program demands upon the Santa Monica Community College District (the "District") have caused its existing facilities to become inadequate and obsolete;
- 2. The District currently needs to increase the capacity of and otherwise improve its existing facilities in order to accommodate students and to provide for certain other educational program and safety needs;
- 3. Section 1(b) of Article XIIIA of the California Constitution excepts from the general one percent (1%) of full cash value limitation those *ad valorem* taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds (2/3) of the votes cast by voters on the proposition, or as an alternate, in accordance with Proposition 39 ("Proposition 39"), passed at the election held on November 7, 2000, to pursue authorization of such bonds by a 55% vote of the electorate in accordance with the requirements of Proposition 39:
- 4. The Board of Trustees of the District (the "Board") requests the Los Angeles County Superintendent of Schools to call an election in the County on March 5, 2002, on the question whether bonds shall be issued and sold for purposes set forth below; and
- 5. A Notice of Bond Election, containing specification of the order for such bond election, is attached hereto as Exhibit "A," and by this reference incorporated herein and with all the contents thereof by this reference made a part hereof as if fully set forth in this Resolution.
- SECTION 2. NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED BY THE BOARD OF TRUSTEES OF SANTA MONICA COMMUNITY COLLEGE DISTRICT OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, AS FOLLOWS:
  - 1. All of the foregoing recitals are true.
- 2. This Board of Trustees does hereby order and request that the Superintendent of Schools (herein called the "County Superintendent") of the County of Los Angeles (in the performance of his duties and in the exercise of his power, alone, or by and through contract with the Clerk of the County Board of Supervisors (the "County Clerk")) on the question of whether bonds of the District shall be issued and sold for the purpose of raising money in the amount and for the purposes specified in the attached and incorporated formal Notice of School Bond Election. The County Superintendent shall call said election for the District pursuant to and in accordance with this Resolution and the specification of the election order in said Exhibit "A," the authority for which Resolution and specifications is found in Education Code Sections 5322, 5324, 15100, 15120 and 15266 and Article XIIIA of the Constitution.

- 3. The purpose of said Bond Election shall be for the voters of the District to vote on the following proposition (the "Bond Measure") which is to appear on the card notice of election and upon the ballot as follows:
  - "Shall Santa Monica Community College District increase educational opportunities and raise student achievement; replace or repair deteriorating buildings and related facilities; construct, furnish, and equip classrooms, laboratories, learning resources, and related facilities; upgrade computer technology and energy saving equipment; improve campus safety, fire security, parking and lighting; improve or acquire real property; and complete earthquake retrofitting by issuing, at interest rates within legal limits, \$160 million in bonds with citizens' oversight and annual performance and financial audits?"
- 4. In accordance with Proposition 39, which is hereby determined to cover this order for a March 5, 2002, Bond Election, the Bond Measure is subject to the following requirements and determinations:
  - (i) proceeds of the general obligation bonds to be issued by the District under the Bond Measure (the "Bonds") shall be used only for construction, rehabilitation, and equipping of District facilities, or the acquisition or lease of real property for District facilities;
  - (ii) a specific list of District projects to be funded by the Bonds under the Bond Measure shall be prepared by District officials prior to the Bond Election and shall be approved by this Board, and the Board shall evaluate safety, class size reduction and information technology needs in developing the list;
  - (iii) the Board shall conduct annual, independent financial and performance audits until all Bond proceeds have been spent to ensure that the proceeds of the Bonds shall have been used only for the projects listed in the Bond Measure;
  - (iv) the tax rate levied as the result of the approval of the Bond Measure at the Bond Election shall be no more than \$25 per \$100,000 of taxable property value within the District; and
  - (v) the Board shall appoint a citizens' oversight committee to inform the public concerning the spending of the proceeds of the Bonds.
- 5. Pursuant to Section 1258 of the Education Code, the Superintendent of the District is hereby authorized to contract with the County Clerk for the performance of any or all duties incident to the holding or conducting of said Bond Election. The County Clerk is hereby requested and authorized to perform such duties as may be required by law, necessary or useful, or customary and appropriate in the conduct of said Bond Election.
- 6. The precincts, polling places for said precincts in the County, and persons appointed and designated to serve as election officers for said Bond Election will be those determined, designated, and appointed pursuant to state law by the County Clerk.
- 7. The County Superintendent, the County Clerk and the Board of Supervisors of the County of Los Angeles are requested and hereby authorized to consent to and order the consolidation of said Bond Election with such other elections as may be held on March 5, 2002, under state law within the territory of the District.

- 8. The County Counsel for the County is requested to prepare an analysis of the measures and to supply it to the County Clerk for use in the sample ballot.
- 9. Pursuant to Section 22003 of the California Elections Code (the "Elections Code"), the Board of Supervisors is requested to permit the County Clerk to render all services relating to the election, for which services the District agrees to reimburse the County, such services to include the publication of the Formal Notice and a Tax Rate Statement containing the information required in Section 5300-5304 of the Elections Code.
- 10. This Board finds and determines that the action herein taken is categorically exempt from the provisions in the California Environmental Quality Act ("CEQA") pursuant to Sections 15061(b)(3) and 15378(b)(4) of Title 14 of the California Administrative Code. The District Superintendent shall cause the Notice of Exemption attached as Exhibit "B" to be filed with the County Clerk, pursuant to CEQA and said Title 14.
- 11. The Superintendent of the District shall, not later than 88 days prior to the date of the Bond Election, cause a certified copy of this Resolution to be mailed or delivered to the following officers in the County of Los Angeles:
  - 1) Registrar-Recorder, Elections Division
  - (2) County Counsel
  - (3) County Superintendent of Schools
- 12. The District hereby confirms the hiring of consultants to provide for special services in connection with the proposed issue(s) of Bonds which may be authorized at the Election, to wit, the firm of Sutro & Co. Incorporated as Underwriter for the District (the "Underwriter") and the law firm of Fulbright & Jaworski L.L.P, as Bond Counsel to the District, upon conditions as may be set forth in fee agreements heretofore negotiated and executed on behalf of the District by the Superintendent. Payments of the fees and expenses of the Underwriter and Bond Counsel shall be paid from the proceeds of the Bonds of the District which may be authorized following a successful Bond Election, and not otherwise, unless this Board shall take further action.

MOTION MADE BY: SECONDED BY: STUDENT ADVISORY: AYES: NOES: ABSENT: ABSTAIN:

## **CERTIFICATION OF RESOLUTION**

As Chair of the Board of Trustees of the Santa Monica Community College District,
Los Angeles County, State of California, I hereby certify that the following Resolution,
proposed by Member, seconded by
Member, was duly passed and adopted
by said Board of Trustees at a regular meeting thereof held on November, 2001, at
p.m., California time, in the regular meeting room of said District, County of Los
Angeles, State of California, by the following vote, to wit:
MOTION MARE RV
MOTION MADE BY:
SECONDED BY:
AYES:
NOES:
STUDENT ADVISORY:
ABSENT:
ABSTAIN:
Given by my hand this day of November, 2001, at the City of Santa Monica, County of Los Angeles, State of California.
<del></del>
Chair of the Board of Trustees of the Santa Monica Community College District
of Los Angeles County, State of California

#### **EXHIBIT "A"**

# NOTICE OF SCHOOL BOND ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of Santa Monica Community College District of Los Angeles County, State of California, that in accordance with law, an election will be held on Tuesday, the 5th day of March, 2002, in said District, between the hours of 7:00 a.m. and 8:00 p.m., during which period and between hours the polls shall remain open, at which election there will be submitted the question of:

Issuing and selling bonds of said District in the principal amount of not to exceed One Hundred Sixty Million Dollars. The need for the issuance of such bonds and the purposes for which it is intended that the proceeds of the bond issue will be expended are: renovations, modernization, replacement and addition of new classroom and other educational facilities, the preparation of site plans and related environmental support, infrastructure improvements including heating, lighting, walkways, boulevard improvements and fire, safety and lighting, earthquake retrofits, land acquisition for future needs of the District, including parking, the construction of facilities at satellite campuses and related demolition and environmental remediation, as necessary.

Said bonds proposed to be issued and sold shall bear interest at a rate or rates not exceeding the legal maximum of twelve percent (12%) per annum, payable annually for the first year the bonds are outstanding, and semiannually thereafter. The maturity of the bonds shall not exceed the maximum established by law for general obligation bonds of a California community college district, which is currently forty (40) years from the dated date of the said bonds.

All of the foregoing purposes and provision enumerated herein shall be voted upon as one proposition to appear on the ballot as follows:

"Shall Santa Monica Community College District increase educational opportunities and raise student achievement; replace or repair deteriorating buildings and related facilities; construct, furnish, and equip classrooms, laboratories, learning resources, and related facilities; upgrade computer technology and energy saving equipment; improve campus safety, fire security, parking and lighting; improve or acquire real property; and complete earthquake retrofitting by issuing, at interest rates within legal limits, \$160 million in bonds with citizens' oversight and annual performance and financial audits?"

The polls for this election shall open at 7:00 a.m. and close at 8:00 p.m. The precincts, places for holding the election, and officers appointed to conduct the election shall be those determined, specified or appointed by the County Clerk pursuant to state law.

. 2001.

Dated this

dav of

SUPERINTENDENT OF SCHOOLS OF THE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

# NOTICE OF EXEMPTION

TO:	_/	Secretary for Resources
	_/	County Clerk County of Los Angeles
FROM	1:	Santa Monica Community College District
Projec		Election (Education Code Sections 15100 and 15120)
•		onSpecific: A Community College District
	t Locati Santa M	on onica County: Los Angeles
Descri	ption of	Nature, Purpose, and Beneficiaries of Project:
educa infrast and find District	tional f ructure re, safe t, inclu	modernization, replacement and addition of new classroom and other acilities, the preparation of site plans and related environmental support, improvements including heating, lighting, walkways, boulevard improvements by and lighting, earthquake retrofits, land acquisition for future needs of the ding parking, the construction of facilities at satellite campuses and related dienvironmental remediation, as necessary.
Name	of Publ	ic Agency Approving Project:
	Santa	Monica Community College District
Name	of Pers	on or Agency Carrying Out Project:
		Santa Monica Community College District
		Exempt Status:(Check One) Ministerial (Sec. 15073) Declared Emergency (Sec. 15071(a) Emergency Project (Sec. 15071(b) and (c)  X Categorical Exemption. State type and section number:
		Title 14. Cal. Admin. Code 15378 (b)(4) CEQA Form 3

# EXHIBIT "B"

Reasons why project is	exempt:	
a. Bond elections have	categorical exempt	ion
Contact Person: Thomas J. Donner, V.P  If filed by applicant:	Area Code: . <u>(310)</u>	
		exemption finding. een filed by the public agency approving the
Yes	No	
Date Received for Filing	<b>)</b> :	Signature
		Title

CEQA Form 3

BOARD OF TRUSTEES	Action
Santa Monica Community College District	November 5, 2001

# RECOMMENDATION NO. 24 FACILITIES PROJECTS LIST TO BE FINANCED FROM TAX-EXEMPT OBLIGATIONS

It is recommended that the Board of Trustees approve the Facilities Projects List proposed for financing with the proceeds of the District's general obligation bonds.

The Facilities Projects List proposed for financing with the proceeds of the District's general obligation bonds includes the following capital projects: development and implementation of facilities master plans and related requirements such as environmental impact reports and soils testing; demolition of temporary and/or obsolete facilities; installation and/or upgrading of emergency lighting, fire alarm, and security systems; roadways, walkways, grounds, parking lots and garages, and entrance improvements; signage for safety and public information; modernization and/or construction of new restrooms; financing/refinancing of real property acquisition and improvement; acquiring related furnishings and equipment for all modernization, renovation, improvement, and/or new construction project components; the relocation and/or acquisition of temporary facilities during the modernization, renovation, improvement and/or new construction of project components as necessary to maintain educational programs in operation during construction; acquiring and/or refinancing real property for future classroom, student service, child care and/or other uses; and acquiring land including but not limited to contiguous parcels, making site improvements thereon and/or constructing additional facilities thereon, for the purpose of expanding instructional programs to meet future educational demands of District students.

Specific projects include: Site plan and infrastructure development; Central Utility Plant and distribution system; Technology improvements at existing campus and satellite buildings; Construction of campus perimeter enhancements and campus north-south pedestrian walkway; Construction of new Student Services & Administration Center, campus north side Plaza, and underground parking; Demolition of earthquake-damaged Liberal Arts Building and replacement with new Liberal Arts facility; Construction of underground parking for new Liberal Arts facility; Construction of new Literacy Center building; Construction of off-site warehouse and related land acquisition; Replacement and additional off-site parking, related land acquisition, and construction of off-site parking garages; Emeritus College facility replacement and related land acquisition; Renovation of campus Main Stage Theater to meet modern teaching standards; Construction of new addition to Science Complex for Nursing, Environmental Sciences, Earth Sciences, Math and related programs; Construction of parking ramp and recessed entrance to complete replacement of earthquake-demolished Parking Structure B; Modernization and renovation of Student Activities Building; Replacement or repair of Letters and Science Building.

MOTION MADE BY: SECONDED BY: AYES: NOES: STUDENT ADVISORY: ABSENT: ABSTAIN:

BOARD OF TRUSTEES	Action
Santa Monica Community College District	November 5, 2001

#### **RECOMMENDATION NO. 25**

RESOLUTION ON THE FINANCING OF CERTAIN
FACILITIES AND DECLARING INTENT TO REIMBURSE
CERTAIN EXPENDITURES FROM TAX-EXEMPT
OBLIGATIONS

WHEREAS, the Board of Trustees (the "Board") of Santa Monica Community College District (the "District") has determined the need to plan for and make various capital improvements to its facilities located in Los Angeles County, California (collectively, the "Project"), using the proceeds of tax-exempt obligations (the "Obligations") to be issued by or on behalf of the District; and

WHEREAS, this Board has determined that the Project is necessary and advisable for its educational and other public purposes, and it now appears that the Board will need to expend some of its moneys (the "Reimbursable Expenditures") prior to the date of delivery of any Obligations; and

WHEREAS, Section 1.150-2 of the Treasury Regulations requires the Board to declare its reasonable official intent to reimburse such Reimbursable Expenditures for the Project with proceeds of such tax-exempt Obligations which the Board reasonably expects will be issued to finance the costs of the Project incurred prior to said date of issuance and that certain of the proceeds of such tax-exempt Obligations in the amount of not to exceed \$160 million, a portion of the proceeds of which will be used to reimburse the Reimbursable Expenditures;

NOW, THEREFORE, the Board of Trustees of Santa Monica Community College District does hereby resolve as follows:

Section 1. All of the foregoing Recitals are true and correct.

Section 2. The Board hereby declares its reasonable official intention to use a portion of the proceeds of the Obligations to reimburse itself for the Reimbursable Expenditures.

Section 3. The Board presently intends and reasonably expects to issue tax-exempt Obligations within 18 months of the date of the expenditure of moneys on the Project or the date upon which the Project is placed in service or abandoned, whichever is later (but in no event more than 3 years after the date of the original expenditure of such moneys), and to issue tax-exempt Obligations in an amount not to exceed \$160 million, a portion of the proceeds of which will be used to reimburse the Reimbursable Expenditures in connection with the Project. All of the Reimbursable Expenditures covered by this Resolution were made not earlier than 60 days prior to the date this Resolution was adopted.

Section 4. This Resolution is adopted for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This Resolution does not bind the Board to make any expenditure, incur any indebtedness, or proceed with the financing, acquisition, equipping or construction of the Project.

Section 5. All actions heretofore taken by the officers, or their respective designees, employees and agents of the Board and the District in connection with the financing of the Project are hereby ratified and confirmed. The officers and their designees, the employees and agents of the Board and the District are hereby authorized to take any and all actions in connection with the financing of the Project and as may be necessary and consistent with the purposes of this Resolution.

This Resolution shall take effect from and after its adoption.

MOTION MADE BY: SECONDED BY: AYES: NOES: STUDENT ADVISORY: ABSENT: ABSTAIN:

# **CERTIFICATION OF RESOLUTION**

RESOLUTION OF THE BOARD OF TRUSTEES OF SANTA MONICA COMMUNITY COLLEGE DISTRICT IN CONNECTION WITH THE FINANCING OF CERTAIN FACILITIES AND DECLARING ITS INTENT TO REIMBURSE CERTAIN EXPENDITURES FROM TAXEXEMPT OBLIGATIONS

PASSED, APPROVED, AND ADOPTED at a meeting of the Board of Trustees of Santa Monica Community College District on November 5, 2001, by the following vote:

MOTION MADE BY: SECONDED BY: STUDENT ADVISORY: AYES: NOES: ABSENT: ABSTAIN:	
Chair of the Board of Trustees	
ATTEST:	
Clerk of the Board of Trustees	

BOARD OF TRUSTEES	Action
Santa Monica Community College District	November 5, 2001

## RECOMMENDATION NO. 26 AGREEMENT FOR BOND UNDERWRITING SERVICES

It is recommended that the Board of Trustees authorize an agreement with SUTRO & CO. INCORPORATED as underwriter to assist the District with its plans in analyzing financing alternatives available to the District for a potential General Obligation Bond Issue under Proposition 39. Services include sizing the bond issue; review all documents necessary to implement the bond election issue; prepare presentations for rating agencies and/or bond insurance companies; and advise the District on the timing of the sale of bonds. Fees for underwriting shall be 1.00% for each series of bonds. Fees are contingent upon the success of an election and the closing of the first bond issue.

Funding Source: General Obligation Bond

Comment: Sutro & Co. served as underwriter for the District on its previous

general obligations authorization and has worked as an effective team

with the District recommended bond counsel.

MOTION MADE BY: SECONDED BY: STUDENT ADVISORY:

AYES: NOES:

BOARD OF TRUSTEES	Action
Santa Monica Community College District	November 5, 2001

#### **RECOMMENDATION NO. 27**

RESOLUTION ON THE FINANCING OF CERTAIN FACILITIES AND DECLARING INTENT TO REIMBURSE CERTAIN EXPENDITURES FROM TAXABLE OBLIGATIONS

WHEREAS, this Board of Trustees (the "Board") of the Santa Monica Community College District (the "District") has determined the need purchase and improve certain real property and buildings in the District or contiguous with the District, using the proceeds of taxable obligations (the "Obligations") on behalf of the Board; and

WHEREAS, this Board has determined that the Project is necessary and advisable for its educational and other public purposes, and it now appears that the Board will need to expend some of its moneys (the "Reimbursable Expenditures") prior to the date of delivery of any Obligations; and

WHEREAS, Section 1.150-2 of the Treasury Regulations requires the Board to declare its reasonable official intent to reimburse such Reimbursable Expenditures for the Project with proceeds of such taxable Obligations which the Board reasonably expects will be issued to finance the costs of the Project incurred prior to said date of issuance and that certain of the proceeds of such taxable Obligations in the amount not to exceed \$3,000,000 will be used to reimburse the Reimbursable Expenditures;

NOW, THEREFORE, the Board of Trustees of the Santa Monica Community College District does hereby resolve as follows:

- Section 1. All of the foregoing Recitals are true and correct.
- Section 2. The Board hereby declares its reasonable official intention to use proceeds of the Obligations to reimburse itself for the Reimbursable Expenditures.
- Section 3. The Board presently intends and reasonably expects to issue taxable Obligations within 18 months of the date of the expenditure of moneys on the Project or the date upon which the Project is placed in service or abandoned, whichever is later (but in no event more than 3 years after the date of the original expenditure of such moneys), and to allocate an amount not to exceed \$3,000,000 of the proceeds thereof to the Reimbursable Expenditures in connection with the Project. All of the Reimbursable Expenditures covered by this Resolution were made not earlier than 60 days prior to the date of this Resolution.

Section 4. This Resolution is adopted solely for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This Resolution does not bind the Board to make any expenditure, incur any indebtedness, or proceed with the financing, acquisition or construction of the Project.

Section 5. All actions heretofore taken by the officers, or their respective designees, employees and agents of the Board and the County Superintendent of Schools in connection with the financing of the Project are hereby ratified and confirmed. The officers and their designees, the employees and agents of the Board and the County Superintendent of Schools are hereby authorized to take any and all actions in connection with the financing of the Project and as may be necessary and consistent with the purposes of this Resolution.

Section 6. This Resolution shall take effect from and after its adoption.

Comment: This action provides for the reimbursement from the proceeds of a

certificate of participation, any expenses related to the acquisition of real property so that there will be no impact on the District budget for

such expenses.

MOTION MADE BY: SECONDED BY: STUDENT ADVISORY:

AYES: NOES:

BOARD OF TRUSTEES	Action
Santa Monica Community College District	November 5, 2001

#### **RECOMMENDATION NO. 27**

#### **AGREEMENT FOR LEGAL SERVICES**

It is recommended that the Board of Trustees authorize an agreement with FULBRIGHT & JAWORSKI L.L.P. to provide legal services related to the acquisition and financing of real property for the period ending June 30, 2002. Services as special bond counsel not to exceed \$40,000 plus reimbursable expenses. Services as disclosure counsel not to exceed \$20,000 plus reimbursable expenses. Services related to the acquisition of real property not to exceed \$405 per hour.

Funding Source: Certificates of Participation

Comment: This agreement provides legal counsel to the District for the

purchase and financing of real property as one of the possible solutions to student access demands. Any expense will be reimbursed in the financing and will not result in an impact on the

District's budget.

MOTION MADE BY: SECONDED BY: STUDENT ADVISORY:

AYES: NOES:

BOARD OF TRUSTEES	Information
Santa Monica Community College District	November 5, 2001

# INFORMATION ITEM D REVIEW OF DISTRICT INVESTMENTS

The attached statement shows the status of District investments as of September 30, 2001 and is presented for Board review. The report provides information required by California Government Code §53646. The investment portfolio is in compliance with District investment policy and will allow the District Trust Fund to meet expenditure requirements for the next six months. All investments are in government securities and high investment grade bonds and notes.

BOARD OF TRUSTEES	Information
Santa Monica Community College District	November 5, 2001

# <u>INFORMATION ITEM E</u> <u>2001-2002 QUARTERLY BUDGET REPORT</u>

GENERAL FUND BUDGET SUMMARY (as of September 30, 2001)

 Beginning Balance
 \$ 7,047,790

 Income
 118,648,862

 Total Funds Available
 \$125,696,652

Less: Expenses & Transfers 120,861,689

Ending Balance \$ 4,834,963

Comment: On a quarterly basis Business Services provides to the Board of Trustees a

complete set of financial statements for all funds along with the quarterly

311Q report required by the Chancellor's Office.

BOARD OF TRUSTEES	Information
Santa Monica Community College District	November 5, 2001

#### <u>INFORMATION ITEM F</u> <u>SUBMITTAL OF GRANTS</u>

Title of Grant: TRIO Talent Search Program

Granting Agency: US Department of Education

Requested Funding: \$229,043 (first year of a five year grant)

Matching Funds: \$36,672 (source: State-funded School-to-Career Grant)

Performance Period: October 1, 2002 – September 30, 2007

Summary: The proposed Talent Search Project will serve 600 low

income, first generation students from local middle- and high schools (Mark Twain Middle School, John Adams Middle School, Venice High School and Santa Monica High

School).

The program is designed to help these at-risk students finish high school and enroll in programs of postsecondary education. Program services include academic advising, tutoring, financial aid application assistance, postsecondary enrollment assistance (including college tours), referral to GED programs for dropouts and career advisement.

# Title of Grant: Launchpad Middle College High School (Year Five)

Granting Agency: California Community Colleges Chancellor's Office

Requested Funding: \$150,000

Matching Funds: \$150,000 (Source: SMC In-kind and VTEA I-C funds)

Performance Period: July 2001 – June 30, 2002

Summary: The proposed funding will support the continued

development and expansion of the "Launchpad" Middle College High School program. Goals for the 2001/2002 academic year include expanding the high school partners to increase the candidate pool and number of students served by the program and to broaden the scope of learning to incorporate up to two new career tracks.

BOARD OF TRUSTEES	Adjournment
Santa Monica Community College District	November 5, 2001

## **ADJOURNMENT**

The meeting will be adjourned in memory of **Kenneth Edwin Cole**, father of SMC graphic artist Carol Ring.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on Monday, December 3, 2001 at 7 p.m. (5:30 p.m. if there is a closed session) the in Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

This is the annual organizational meeting of the Board of Trustees. The agenda will include the following organizational functions:

- · Election of Officers
- Seating of the Board of Trustees
- Election of Trustee Liaisons
- · Authorized Signature Resolutions