

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT BOARD AGENDA  
STUDY SESSION**

**July 13, 2005**

**District Board Room  
3401 CSM Drive, San Mateo**

**NOTICE ABOUT PUBLIC PARTICIPATION AT BOARD MEETINGS**

*The public's comments on agenda items will be taken at the time the item is discussed by the Board.  
The Board welcomes public discussion.*

*To comment on items not on the agenda, a member of the public may address the Board under "Statements from the Public on Non-Agenda Items"; at this time, there can be discussion on any matter related to the Colleges or the District, except for personnel items. No more than 20 minutes will be allocated for this section of the agenda. No Board response will be made nor is Board action permitted on matters presented under this agenda topic.*

*If a member of the public wishes to present a proposal to be included on a future Board agenda, arrangements need to be made through the Chancellor's Office at least seven days in advance of the meeting. These matters will be heard under the agenda item "Presentations to the Board by Persons or Delegations". A member of the public may also write to the Board regarding District business; letters can be addressed to 3401 CSM Drive, San Mateo CA 94402.*

*Persons with disabilities who require auxiliary aids or services will be provided such aids with a three-day notice. For further information, contact the Executive Assistant to the Board at (650) 574-6550.*

*Regular Board meetings are taped; tapes are kept for one month.*

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**4:30 p.m. CONVENE JOINT MEETING WITH MEMBERS OF SAN MATEO CITY COUNCIL**

**ROLL CALL**

**TOUR OF CSM CONSTRUCTION PROJECT SITES**

**APPROXIMATELY 5:15**

**TOUR OF COLLEGE VISTA CONSTRUCTION SITE**

**ASSEMBLE IN BOARD ROOM**

**STUDY SESSION**

05-7-1C Discussion of CSM activities, initiatives and other items of interest to the San Mateo City Council

**BRIEF RECESS**

**STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

**NEW BUSINESS**

05-7-1A Approval of personnel actions: changes in assignment, compensation, placement, leaves, staff allocations and classification of academic and classified personnel

05-7-100B Approval of contract for bond counsel services

**STUDY SESSION CONTINUED**

O5-7- 2C Discussion of unmet capital facilities needs and potential new bond measure

**RECESS TO CLOSED SESSION**

1. Closed Session Personnel Items

A. Public Employment

1. Employment: **Cañada College** – Dean, Science and Technology Division; Instructor, Science and Technology Division; Office Assistant I, Upward Bound/Humanities; Division; **College of San Mateo** – Instructor (3), Language Arts Division, Mathematics and Science Division, Social Science Division; **Skyline College** – Instructor (2), Language Arts Division; Science, Math and Technology Division; Counselor, Student Services; Security Officer, Office of the Vice President of Student Services/Operations

2. Post Retirement Contract – **College of San Mateo** – Mathematics and Science Division

B. Public Employee Discipline, Dismissal, Release

2. Conference with labor negotiator

Agency negotiator: Harry Joel

Employee organizations: AFSCME, AFT, CSEA

**CLOSED SESSION ACTIONS TAKEN**

**ADJOURNMENT**

**BOARD REPORT NO. 05-7-1C**

**Discussion of CSM activities, initiatives and other items of interest  
to the San Mateo City Council**

**There is no printed report for this agenda item.**

**BOARD REPORT NO. 05-07-1A**

TO: Members of the Board of Trustees  
FROM: Ron Galatolo, Chancellor-Superintendent  
PREPARED BY: Harry W. Joel, Vice-Chancellor,  
Human Resources and Employee Relations, (650) 358-6767

**APPROVAL OF PERSONNEL ACTIONS**

Changes in assignment, compensation, placement, leaves, staff allocations and classification of academic and classified personnel:

**A. Reassignment**

Cañada College

1. **Kathy Kerwin** Instructional Aide II University Center and Academic Support Services

Reassignment from Career Resources/Counseling Aide, effective July 1, 2005.

Chancellor's Office

1. **Kevin Chak** Bookstore Manager Administrative Services

Reassignment from Senior Bookstore Buyer, effective July 1, 2005.

College of San Mateo

1. **John Avakian** Director, Ed Net Multimedia Initiative Office of the Vice President of Instruction

Recommend approval to continue reassignment as Director, Ed Net Multimedia Initiative, categorically funded from July 1, 2005 through June 30, 2006.

**B. Changes in Staff Allocation**

College of San Mateo

1. Recommend approval of an increase in staff allocation to add one .48 Instructional Aide II in the Language Arts division/Foreign Language and Speech department, eleven (11) months per year, effective date July 14, 2005. The new allocation will provide assistance and support to faculty and students.



**D. Short-Term, Non-Continuing Assignments**

The following is a list of requested classified short-term, non-continuing services that require Board approval prior to the employment of temporary individuals to perform these services, pursuant to Assembly Bill 500 and its revisions to Education Code 88003:

<i>Location</i>	<i>Division/ Department</i>	<i>No. of Pos.</i>	<i>Date Start</i>	<i>Date End</i>	<i>Services to be performed</i>
1. Cañada	Humanities	1	07/14/05	08/05/05	Instructional Aide I: to assist with Upward Bound summer instruction.
2. CSM	Technology/FIRE	6	07/14/05	06/30/06	Instructional Aide II: to assist Fire Technology Instructors during manipulative skills exercises during the Firefighter I Academy, assist EMT instructors during skills practice and testing in the EMT course and assist the Recruit Firefighter Academy directors/instructors for the county academy.
3. CSM	VP of Instruction	2	07/14/05	03/14/06	Instructional Aide I: to tutor high school students in variety of Math and Science courses at the San Mateo Middle College High School. (Math tutor and Science tutor).
4. CSM	PE/Athletics	2	08/15/05	06/30/06	Athletic Trainer: to provide part-time assistance when there are multiple athletic events hosted by College of San Mateo, and full-time trainer is unable to provide services at all locations or when large events are held, and one trainer is insufficient to provide needed services.
5. CSM	PE/Athletics	28	08/15/05	06/30/06	Instructional Aide II: to assist coaching, recruiting, practice planning/implementation, record keeping, filming practices/games or assisting student-athletes in transferring to four-year colleges and universities.
6. District Office	Information Technology Services (ITS)	1	07/14/05	06/30/06	Assistant Registrar: to assist with special projects including Imaging, Ad Astra and Banner support.
7. Skyline	Student Services/Security	1	07/14/05	12/31/05	Security Officer: to perform foot patrols of all campus buildings, enforce smoking regulations and record safety violations while securing students and staff. The employee will also enforce all parking rules and regulations while preventing theft and vandalism.

**BOARD REPORT NO. 05-7-100B**

TO: Members of the Board of Trustees  
FROM: Ron Galatolo, Chancellor  
PREPARED BY: Jim Keller, Executive Vice Chancellor  
358-6790

**APPROVAL OF CONTRACT FOR BOND COUNSEL SERVICES**

In anticipation of the District's need for bond counsel services for a variety of future financing instruments, the District requested Statements of Qualifications from law firms interested in providing bond counsel and related services for the District's long- and short-term debt financing transactions. Law firms demonstrating an ability to meet the District's needs at competitive rates would be placed in a pool of pre-qualified firms that may be appointed to serve as bond counsel, provide disclosure document services, and provide other related services for bonds, tax revenue anticipation notes (TRANS), certificates of participation (COPs) and other debt obligations issued by the District. The firms may also be engaged for related legal and advisory services not provided by County Counsel as the need might arise.

The District received four competitive proposals from firms that have previously provided services for the District or for other schools and community colleges. The administration has determined that each firm is qualified to provide bond counsel services at competitive prices and may be selected to provide specific services. These firms are:

Jones Hall  
Orrick Harrington  
Stradling, Yocca, Carlson & Rauth  
Lofton & Jennings

The District anticipates that it will need the services of bond counsel regarding the possible refinancing of an existing bond issuance; a Series C bond issuance for the 2001 bond authorization; and with regard to review of material presented to the Board of Trustees on other future bond issuances. The most competitive rate with regard to the services has been proposed by Jones Hall. This firm provided the disclosure document services for the District's most recent issuance of its Series B bonds. Therefore, the administration presents to the Board of Trustees for its approval the attached contract with Jones Hall to provide a variety of bond counsel services.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the attached contract between the District and Jones Hall to act as the District's bond counsel and provide a variety of related services as might be needed. These services include the issuance of bonds for a minimum fee of \$25,000 and a maximum fee of \$37,000 depending upon the size of debt obligation; and include reimbursable expenses not to exceed \$2,500 and bond disclosure document preparation fee not to exceed \$25,000.

**Jones Hall,**  
a professional law corporation  
attorneys at law

**AGREEMENT**

**BY AND BETWEEN THE SAN MATEO COUNTY  
COMMUNITY COLLEGE DISTRICT AND  
JONES HALL, A PROFESSIONAL LAW CORPORATION,  
FOR BOND COUNSEL SERVICES AND DISCLOSURE COUNSEL SERVICES  
IN CONNECTION WITH  
GENERAL OBLIGATION BOND PROCEEDINGS**

THIS AGREEMENT is entered into this \_\_\_\_ day of July, 2005, by and between the SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT, (the "District") and JONES HALL, A PROFESSIONAL LAW CORPORATION, San Francisco, California ("Attorneys");

**WITNESSETH:**

**WHEREAS**, the District is considering the issuance of further general obligation bonds (the "Bonds") pursuant to Sections 15264 *et seq.* of the California Education Code;

**WHEREAS**, in connection with such proceedings the District requires the advice and assistance of bond counsel;

**WHEREAS**, the District has determined that Attorneys are qualified by training and experience to perform the services of bond counsel, and Attorneys are willing to provide such services; and

**WHEREAS**, the public interest, economy and general welfare will be served by this Agreement;

**NOW, THEREFORE, THE PARTIES HERETO MUTUALLY AGREE AS FOLLOWS:**

**Section 1. Duties of Attorneys as Bond Counsel.** To the extent requested by the District, Attorneys shall do, carry out and perform all of the services described in Section II. A of the District's May 16, 2005 Request for Qualifications and Fee Proposals for Bond Counsel and Related Services (the "**Request**") as are necessary for the issuance of the Bonds.

Attorneys will not be responsible for: (i) representing the District in any litigation proceedings challenging the validity of the Bonds or any proceedings taken in connection therewith, without separate agreement between the District and Attorneys; (ii) monitoring or assuring compliance with the rebate requirements applicable under federal tax law to the

Bonds, other than to render advice as to the legal interpretation of such requirements as set forth in the Resolution or Indenture relating to the Bonds; or (iii) advising the District with respect to legal requirements applicable to the construction of the improvements to be financed from the proceeds of the Bonds.

**Section 2. Duties of Attorneys as Disclosure Counsel.** To the extent requested by the District, Attorneys shall do, carry out and perform all of the services described in Section II. B of the Request (although Attorneys shall perform the services described in II.B.4.b rather than II.B.4.a) as are necessary for the issuance of the Bonds.

**Section 3. Compensation.** For the services of Attorneys listed in Section 1, the District will pay Attorneys as follows:

A fee, per issue, calculated as one percent of the first \$1,000,000 plus one quarter of one percent (1/4 of 1%) of the next \$5,000,000, plus one-tenth of one percent (1/10 of 1%) of the principal amount over \$6,000,000, subject to a minimum fee of \$25,000 and a maximum fee of \$37,000.

In addition, the District shall reimburse Attorneys for all direct out-of-pocket expenses for travel outside California, messenger and delivery service, closing costs (including transcript preparation) and other financing-related expenses, in an amount not to exceed \$2,500 (excluding out-of-state travel expenses).

For the services of Attorneys listed in Section 2, the District will pay Attorneys a flat fee of \$25,000 per issue.

**Payment of fees and expenses to Attorneys shall be due upon the issuance of Bonds and the delivery of the proceeds thereof to the District, and said fees and expenses shall be payable solely from the proceeds of the Bonds and from no other funds of the District.**

**Section 3. Responsibilities of the District.** The District shall cooperate with Attorneys and shall furnish Attorneys with certified copies of all proceedings taken by the District, or other documents deemed necessary by Attorneys to render an opinion upon the validity of such proceedings. All costs and expenses incurred incidental to the actual issuance and delivery of Bonds, including the cost and expense of preparing certified copies of proceedings required by Attorneys in connection with the issuance of the Bonds, the cost of preparing the Bonds for execution and delivery, all printing costs and publication costs, and any other expenses incurred in connection with the issuance of Bonds, shall be paid from Bond proceeds.

**Section 4. Termination of Agreement.** This Agreement may be terminated by the District at any time by giving written notice to Attorneys with or without cause. In the event of termination, all finished and unfinished documents shall, at the option of District, become its property and shall be delivered to it by Attorneys.

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**BOARD REPORT NO. 05-7-2C**

**Discussion of unmet capital facilities needs and  
potential new bond measure**

**There is no printed report for this agenda item.**