

**AGENDA**  
**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**March 28, 2012**  
**District Office Board Room**  
**3401 CSM Drive, San Mateo, CA 94402**

**NOTICE ABOUT PUBLIC PARTICIPATION AT BOARD MEETINGS**

*The Board welcomes public discussion.*

- *The public's comments on agenda items will be taken at the time the item is discussed by the Board.*
- *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 should 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) 358-6753.*
- *Regular Board meetings are tape recorded; tapes are kept for one month.*

*Government Code §54957.5 states that public records relating to any item on the open session agenda for a regular board meeting should be made available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to the members of the Board. The Board has designated the Chancellor's Office at 3401 CSM Drive for the purpose of making those public records available for later inspection; members of the public should call 650-358-6753 to arrange a time for such inspection.*

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**6:00 p.m.      ROLL CALL**

**Pledge of Allegiance**

**DISCUSSION OF THE ORDER OF THE AGENDA**

**MINUTES**

12-3-1      [Minutes of the Study Session of March 14, 2012](#)

**STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES**

**BOARD SERIES PRESENTATION – INNOVATIONS IN TEACHING, LEARNING AND SUPPORT SERVICES**

12-3-2C      [Creating Active Learning Environments: Teaching with Classroom Response Systems \(iClicker2\)](#)

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

**NEW BUSINESS**

12-3-2A      [Approval of Personnel Actions: Changes in Assignment, Compensation, Placement, Leaves, Staff Allocations and Classification of Academic and Classified Personnel](#)

**Other Recommendations**

12-3-1B      [Approval of Curricular Addition – College of San Mateo](#)

- 12-3-2B Vote to Elect Members to the California Community College Trustees (CCCT) Board
- 12-3-100B Adoption of Resolution No. 12-4 Regarding Board Absences
- 12-3-101B Adoption of Resolution No. 12-5 Authorizing the Issuance and Sale of 2012 General Obligation Refunding Bonds in the Principal Amount of Not to Exceed \$150,000,000
- 12-3-102B Approval of Revisions to District Rules and Regulations: Policies 1.02, Organization of the Board; 1.30, Compensation of Board Members; 1.35, Board Member Conduct; 1.45, Agendas for Meetings; 1.60, Rules of Order for Board Meetings; 2.02, Chancellor of the District; 2.03, College Presidents; 2.40, Public Records; 7.01, Eligibility Requirements for Admission of Students; 7.43, Student Financial Aid Programs; 8.06, Investment of District Funds; 8.13, Public Safety on District Property; 8.16, Construction Bids – Prequalification of Bidders; 8.27, Records Management; 8.30, Property Management, Inventory and Transfer; 8.51, Report of Injuries; 8.60, Telephone Services
- 12-3-103B Approval to Execute an Agreement with a Third Party Supplier for Purchase of Natural Gas – Districtwide
- 12-3-104B Continuing Discussion of District and At-Large Elections

### **INFORMATION REPORTS**

### **COMMUNICATIONS**

### **STATEMENTS FROM BOARD MEMBERS**

### **RECESS TO CLOSED SESSION**

1. Closed Session Personnel Items
  - A. Public Employee Discipline, Dismissal, Release
2. Conference with Labor Negotiator  
Agency Negotiator: Harry Joel  
Employee Organizations: AFSCME, AFT and CSEA

### **CLOSED SESSION ACTIONS TAKEN**

### **ADJOURNMENT**

**Minutes of the Study Session of the Board of Trustees  
San Mateo County Community College District  
March 14, 2012  
San Mateo, CA**

**The meeting was called to order at 6:13 p.m.**

**Board Members Present:** President Dave Mandelkern, Vice President Helen Hausman, Trustees Richard Holober, Patricia Miljanich and Karen Schwarz, Student Trustee Patiane Gladstone

**Others Present:** Chancellor Ron Galatolo, Executive Vice Chancellor Kathy Blackwood, College of San Mateo President Michael Claire, Cañada College President Jim Keller and District Academic Senate President Fermin Irigoyen

**Pledge of Allegiance**

**DISCUSSION OF THE ORDER OF THE AGENDA**

None

**MINUTES**

It was moved by Trustee Holober and seconded by Trustee Schwarz to approve the minutes of the February 22, 2012 meeting of the Board. President Mandelkern asked that the minutes be amended to state that Les Williams was awarded a Congressional Gold Medal rather than the Congressional Medal of Honor. The motion to approve the minutes as amended carried, all members voting "Aye."

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

President Mandelkern said a request was received from Trustee Chris Stampolis of the West Valley-Mission Community College District to distribute a written communication to the Board at tonight's meeting. The communication shares the draft recommendations of the "Task Force on Developing Community College and pre-K-12 Trustee Relations," which is a task force of the Board of the California Community College Trustees. This communication will be part of the official record of this meeting and copies may be obtained by contacting the secretary of the Board. Trustee Stampolis requested that the Board review the draft recommendations. The Board agreed to table the discussion until Board members have time to review the material.

**NEW BUSINESS**

**APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (12-3-1A)**

It was moved by Trustee Holober and seconded by Vice President Hausman to approve the actions in Board Report No. 12-3-1A. The motion carried, all members voting "Aye."

**STUDY SESSION**

**CONTINUING DISCUSSION OF AT-LARGE AND DISTRICT ELECTIONS (12-3-1C)**

Chancellor Galatolo said this topic was discussed at two previous Board meetings and the Board recommended that experts be brought in to address the issue. He introduced William Tunick of the law firm Dannis Woliver Kelley and Paul Mitchell of Redistricting Partners. Mr. Mitchell works through the Community College League of California to assist community colleges with this issue. Mr. Tunick and Mr. Mitchell made a PowerPoint presentation, which is attached to the official minutes of record and provides a detailed explanation of the issue. A summary of the presentation follows.

Mr. Tunick and Mr. Mitchell explained that the issue revolves around the California Voting Rights Act (CVRA) which prohibits a method of election from being "imposed or applied in a manner that impairs the ability of a

protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class. . .”

The CVRA applies to at-large elections in which (a) Board members are elected by all voters within the district, such as the SMCCCD Board of Trustees, and (b) in which Board members are required to reside in a geographic subdivision of the district, but are elected by all voters within the district (“from-trustee area elections”), such as the San Mateo County Board of Supervisors. The CVRA does not apply to “by-trustee” elections in which Board members must reside within a geographic subdivision of the district and are elected only by the voters residing in that area.

A protected class includes any race, color or language minority group. Racially Polarized Voting (RPV) exists where there is a difference in the voting patterns of voters based on their membership in a protected class. The pending lawsuit against the County of San Mateo, which challenges the way voters elect the Board of Supervisors, is based on the size of Latino and Asian populations; the lawsuit included examples of racially polarized voting within the County. The two strongest methods of analysis that can be used to determine RPV are homogenous precinct analysis, which looks at precincts that are dominated by one ethnicity to determine election trends, and regression analysis, which shows how the vote changes as the ethnic population of a precinct changes and provides a mathematical equation that can predict vote outcome. Methods of determining ethnicity include Census data and voter registration. If ethnicity is not specified, other methods are used, such as analysis of surnames.

CVRA challenges can be brought by any voter; most are being brought by the Lawyers’ Committee for Civil Rights. A challenge usually begins with a request for information or a demand letter. Examples of pending challenges were provided. A successful challenger can recover his or her attorneys’ fees even if the case settles. Courts have broad authority to fashion “remedies” for violations, which can include an injunction against elections, drawing of trustee area boundaries and ordering of alternative voting systems.

CVRA applies to SMCCCD since it uses at-large elections. The District’s options are (1) continue to use at-large elections, (2) conduct a comprehensive study to help determine whether there is a need to change the current method of election, and (3) transition to by-trustee area elections. A comprehensive study would provide important information and could indicate little risk of a successful challenge; however, the County of San Mateo lawsuit suggests a basis for potential challenge. If a challenge is successful, the District could be liable for attorneys’ fees and the court could draw trustee areas. A transition to by-trustee elections could immunize the District from any liability under the CVRA. AB 684 provides a streamlined procedure for transition; the District Board adopts transition and draws the trustee areas, and the Board of Governors approves the transition. A district has the option to have between five and nine seats and/or a “top two” primary. If SMCCCD opted for a five-member board, the population would be 136,000 to 150,000 per trustee areas. With a seven-member board, the population would be 97,000 to 107,000 per trustee area. Line drawing follows traditional redistricting criteria and incumbency can be considered as a factor in the name of stability. There would be no impact on current Board members, who would serve their remaining terms. The new election system would take effect at the next election (November 2013) beginning with those facing re-election. Incumbent Board members who are up for re-election would need to reside within their trustee area.

In response to Board questions and comments, the following information was provided by Mr. Tunick and Mr. Mitchell:

- The approximate number of community college districts in the state which are CVRA compliant is 20.
- While the “multi-racial” category is growing, it is still a very small percentage within each ethnic group.
- It is feasible to move to at-trustee elections in time for the 2013 election.
- With by-trustee elections, the threshold to be elected changes to 50% (currently lower if more than one candidate is running).
- CVRA is not outcome-based, so incumbents could continue to be elected even if they are not in a protected class.
- The complaint against the County of San Mateo includes eight to ten examples of RPV. It is important to also look at data plaintiffs would use around the State.
- By virtue of Board discussions, including this meeting, it would be difficult for a plaintiff to bring a successful challenge forward at this time.

Vice President Hausman said there is a possibility that a candidate who campaigns for office in a small area rather than the entire County would be less likely to consider the entire County when serving on the Board. President Mandelkern said that, while it is beneficial to be exposed to the varied areas in the county, there are also barriers to running Countywide. Mr. Mitchell said he does not believe there is a correlation between the method of election and the functionality of governing boards. Trustee Miljanich added that, regardless of functionality, there is a potential for a lawsuit, particularly in San Mateo County.

Dan Kaplan, AFT Executive Secretary, asked how “structural disenfranchisement” is defined. Mr. Mitchell said it is the inability to effectively campaign or win elections. He said it could include misinformation, newspaper endorsements and other, more subtle actions. It would be up to the courts to interpret whether an action rose to the level of structural disenfranchisement.

President Mandelkern thanked Mr. Tunick and Mr. Mitchell for their excellent presentation. He said the Board now must consider the options listed above.

Trustee Holober said he believes there are significant differences between the methods used to elect San Mateo County Supervisors vs. the District Board of Trustees, with the District’s method being more democratic. However, he does not have a strong sense that the District’s current method of at-large elections is so much better than the by-trustee method that keeping it would be worth risking a lawsuit.

Trustee Miljanich said she believes the issue is broader than the need to avoid a lawsuit. She noted that the County is diverse and yet there have not been any Latino or Asian Board members, while these groups are politically active and winning elections in certain areas.

Trustee Schwarz said she is concerned that candidates with more money to spend on an election are the ones who win. She said there have been candidates of different ethnicities who have run for office but have not won and they might have a better chance in a by-trustee election. She said it is a difficult issue and her main concern is the good of the District.

President Mandelkern said he believes the District is in a highly targeted situation because of the lawsuit against the County. He said that from a pragmatic point of view, changing to by-trustee elections might not actually help members of protected classes get elected, but will protect the District from the any risk of a lawsuit and give the District the opportunity to be in control of its destiny.

There was discussion regarding whether it would be beneficial to conduct a comprehensive study, given that information is available from the pending lawsuit against the County. Responding to a question from Vice President Hausman, Mr. Mitchell said he believes a study is not imperative and would not be particularly helpful in drawing the trustee areas. Mr. Mitchell said that, without a comprehensive study, the District can presume that RVP exists and hire experts to help with the drawing of lines for by-trustee election areas. Those experts would use different sets of criteria and present different options to the Board for their input and eventual agreement. The Board would make a commitment to changing to by-trustee elections only after seeing the lines that are drawn. Trustee Holober said this is an issue which must be Board-driven rather than staff-driven. He said there will likely be different iterations of drawings and he suggested that the Board appoint a subcommittee of the Board whose members would meet with the experts to review and refine the iterations and would report back to the full Board. Vice President Hausman said the Board should be careful in the appointment of subcommittee members as the selection could have an impact on the Board and the community. Trustee Miljanich noted that a subcommittee would not have authority to make decisions and would rely on experts for statistics.

President Mandelkern asked Mr. Mitchell about the cost of expert services. Mr. Mitchell said a contract with his firm which includes a comprehensive study and the drawing of lines has a cost of \$35,000. A contract for the drawing of lines only has a cost of \$25,000. Trustee Holober asked if a legal review is included in the cost. Mr. Mitchell said he would work with the District’s counsel. The Board agreed that legal counsel would need to be retained. The Board also agreed that at the March 28 Board meeting, they will consider entering into a professional services contract with a firm having expertise in the area of drawing boundaries for district voting areas. The Board will also consider the appointment of a subcommittee as described above.

**RECESS TO CLOSED SESSION**

President Mandelkern said that during Closed Session, the Board will (1) consider the personnel items listed as 1A and 1B on the printed agenda, (2) hold a conference with Agency Labor Negotiator Harry Joel; the employee organizations are AFSCME, AFT and CSEA, and (3) hold a conference with legal counsel regarding one case of existing litigation as listed on the printed agenda.

The Board recessed to Closed Session at 8:40 p.m.

The Board reconvened to Open Session at 10:10 p.m.

**CLOSED SESSION ACTIONS TAKEN**

President Mandelkern reported that at the Closed Session just concluded, the Board voted 5-0 to approve the items listed as 1A and 1B on the printed agenda.

**ADJOURNMENT**

It was moved by Trustee Miljanich and seconded by Trustee Holober to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 10:15 p.m.

Submitted by

Ron Galatolo  
Secretary

Approved and entered into the proceedings of the March 28, 2012 meeting.

Helen Hausman  
Vice President-Clerk



# President's Report to the Board of Trustees

**Dr. Regina Stanback Stroud**  
**March 28, 2012**

## **President's Breakfast a Huge Success**

Over 350 of our closest friends joined us for breakfast yesterday as we launched the Skyline College President's Breakfast, event aimed at raising funds for the President's Innovation Awards. Each year faculty and staff are invited to apply for the funds in order to create innovative approaches to serving the students and community. This year projects include The Asian Studies Center project, Business Technology Speaker Series, Dare to Dream, Expression Through Black Music Research and Performance Project, Heart Wrenchers, Prep for PEP, Skyline Performing Arts Showcase, Skyline College Photography Team, Spring Musical Project, Sustainable Campus Initiative, and the Youth Entrepreneurial Program.

Associated Student President, Heidi Hansen, opened the event with her welcome remarks. Breakfast Co-Chairs Teresa Proaño and J.P. Verzosa went on to acknowledge diversity and strength at the college as evident in the different strands that woven together create a vibrant and vivid tapestry – that make Skyline Shine. These strands includes students, faculty, staff, past presidents, local/state and nationally elected officials, the SMCCCD Foundation, the President's Council and Advisory Board, the Breakfast Committee and last but not least, the donors.



Special mention went to our **Innovation Patrons at the \$2,500 level**: Bank of the West, Kaiser Permanente, LPAS, Inc., Serramonte Shopping Center, and the Seton Medical Center. We were fortunate to have new sponsors in the **Innovation Partner \$5,000 level**: The Career Ladders Project and the Associated Student body of Skyline College. Our on-going partner, Pacific Gas & Electric Company, hosts this year's breakfast at the \$7,500 **Innovation Benefactor level**.

The big news was that we were pleased to announce our \$10,000 **Premiere Innovation Sponsor** – The Auxiliary Services of Skyline College! Vice Chancellor of Auxiliary Services and Enterprise Operations, Tom Bauer share many kind words about the college, its leadership and the excellent team of



classified and student staff at the Bookstore, led by Kevin Chak and the team at Sky Café, managed by Hugo Ramos and Rick McMahon of Pacific Dinning. The teams' focus on providing exceptional service to the students, staff and faculty of Skyline College made the gift possible.

*President's Council President, Jessica Evans and Dr. Regina Stanback Stroud looks on as Vice Chancellor Tom Bauer announces the donation of \$10,000.*

SMCCCD Board President David Mandelkern thanked the room for their support, not only for PIF at Skyline College, but for passing bonds and measures such as Measure G that give much needed infusion of program funds and for building new improved facilities. He went on to say, "March as you know is also Women's History Month and the theme this year is: Women's Education – Women's Empowerment - it would seem that Skyline College President's office serves as a poster child for Women's History month! The College has been so fortunate to be led by strong women Presidents for many years now. I would like to acknowledge the three who have preceded our current President– Ms. Linda Salter, Dr. Fran White and Dr. Vicki Morrow." President Mandelkern went on to extend words of welcome and introduction to the current president, Dr. Regina Stanback Stroud.



*President Stanback Stroud and Trustee President Dave Mandelkern chat a few minutes before the event.*



*Kathleen Gamba (second from left), of Peninsula Works is talking with student speaker, Jamela Brown and Dr. William Watson, Director of the Skyline College SparkPoint.*

Dr. Stanback Stroud, President of Skyline College, acknowledged that Skyline College is indeed the center of intellectual and artistic creativity and innovation due in a large part to the President's Innovation Fund. She stated, "The President's innovation fund is a symbol of this community's commitment to and belief in Skyline College. It is the community's way of saying to the faculty and staff, "we believe in your ideas, your hopes and your

dreams. We believe in your aspirations and they are worth our investment." After acknowledging the current PIF grant recipients, Dr. Stroud invited the guest to view the video which will also be shown at the opening day ceremony.

Afterwards, Skyline College Students Jamela Brown and Richard Nelson of the Green and Sustainable Programs told the audience of the tremendous impact the program had on their lives. Each of them struggled making ends meet after a layoff or while receiving public assistance. Each of the students went on to share their success story about their educational advancement and the improvement in their economic status. The audience was visibly moved by their stories and President Council Chair Jessica Evans took the opportunity to make the ask and invite the guest to give and support programs like the one the students mentioned.

Though not officially tallied, we know that the donations exceeded our goal of \$70,000. The last unofficial tally is a bit over \$75,000! If you are interested in giving to the PIF it is not too late! You may do so by check made out to SMCCCF or in the case of employees, you may also use payroll deduction.

Special thanks go to all of the donors including Ambius-Interior Landscaping for the plants, Ron Degrand, California Catering for the delicious hot breakfast, KM2 Communications for the video production, and Sandra O'Tool and Irma Page of the South San Francisco Conference Center.

Additionally, thanks go to the staff, breakfast committee members and council members who help make the event so enjoyable. Thank you Theresa Tentés, Sherri Prasad, Golda Margate, Leah Gagne, Christianne Marra, Cherrie Napier, Susan Brisseden-Smith, Linda Bertellotti, Amber Steele and the Spring Musical Performers, Joe Morello and the Skyline College Men's Basketball team, the Skyline College Women's Volleyball team, Jessica Evans, Teresa Proaño, J.P. Verzosa, Greg Cochran, Barbara Lamson, Kirsten Pinochi, Chancellor Ron Galatolo, and the SMCCCD Board of Trustees.

*(Article provided by Dr. Regina Stanback Stroud. Photos provided by Christianne Marra and Student Journalist from the Skyline View.)*

## WOW! Voices Now a Success at Skyline College on March 10, 2012



WOW! Voices Now welcomed poet Camille T. Dungy and novelist Jean Hegland to Skyline College on Saturday, March 10, 2012. An attentive, enthusiastic crowd of 80 women, men, and children listened closely and participated in a lively dialogue with the award winning authors and also enjoyed readings of poetry and prose from eleven Women on Writing (WOW) community members on the theme of "Roots and Resources."

WOW Founder Marijane Datson presented ISA Scholar Awards to two of Skyline College's outstanding creative writing students, Samantha Alayo and Devin Meneely, who read their original poems to the appreciative crowd. Audience members also took home copies of *Talisman*, the student literary magazine, where more of Samantha and Devin's work appears.

In addition to a complimentary continental breakfast, WOW participants enjoyed one-on-one conversations with the featured authors during the book signing portion of the program, made or renewed creative connections, and received inspiration and encouragement for writing and reading projects.

*(Article provided by Kathleen McClung. Photos provided by William Nacouzi.)*

## Skyline College Transfer Initiative Forum Kickoff A Great Success

On Wednesday, March 7<sup>th</sup>, Skyline College held its first *Community Discussion on Transfer*. Over forty members from the Skyline College community, including faculty, staff, and administrators, joined in the discussions. The momentum for this meeting was provided by President Regina Stanback Stroud as she

challenged the college to undertake a Culture of Inquiry on Transfer to assess how the college, as a community, is meeting the needs of its transfer students.

To guide its work, the college is using *Completion by Design*, a five-year community college redesign effort created by the Bill & Melinda Gates Foundation designed to increase community college completion rates. Although Skyline College is not one of the colleges participating in the initiative



sponsored by the foundation, it is benefiting from the framework developed by the *Completion by Design* team thanks to Rob Johnstone's willingness to bring the national conversations to Skyline College. The Completion by Design model is unique in that it guides colleges through analysis of the full continuum of the student experience - from Connection (The point at which the student expresses interest in the college to Application), to Entry (The point of enrollment to completion of gatekeeper courses), to Progress (from entry into course of study to 75% requirements completion) and Completion (from the completion of a course of study to entry into the Labor Market).

Using the *Completion By Design* model, the college will conduct a pathway analysis to determine where along the continuum the college is losing its transfer students (loss points), as well as identify activities/strategies that the college is currently engaged in (momentum strategies) that effectively support transfer. The college community is called upon to engage in college-wide discussions to recommend and develop activities, strategies, or interventions that will mitigate the loss points and expand and strengthen the momentum points. The result of this work will be the development of a *Model Transfer Pathway*, one that delineates for students a clear pathway towards achieving their goal of transfer.

This meeting represents the first of several meetings the college will host in the upcoming year as it works as a community to develop a comprehensive transfer pathway.

Thank you to all who provided the support and leadership to move this meeting, and the Transfer Initiative, forward:

- Presenters: Jacquie Escobar, David Ulate, Rob Johnstone
- Behind-the-scene support: Transfer and Career Center Staff - Dina Valdelomar, Nadia Tariq, Lani Sevilla
- Leadership and guidance: Regina Stroud, Joi Blake, Rick Wallace, John Mosby

*(Article provided by Jacquie Escobar. Photo provided by Christianne Marra.)*

## **CITD Hosts the African Union Mission to the United States**

The African Union Mission to the United States is located in Washington, D.C. The mandate of the AU Mission to the United States is to develop, maintain, and consolidate constructive and productive institutional relationships between the African Union and the Government of the United States of America, the Bretton Woods Institutions, non-governmental and academic organizations engaged in Africa issues and policies, and Africans in the Diaspora.



On February 16 - 19, 2012 the Center for International Trade Development (CITD) at Skyline College recently hosted the African Union's (AU) representative to the United States, Ambassador Amina Salum Ali and members of a special Diaspora Committee to discuss the formation of an organization that will identify and create paths for enhanced economic development and alliances between the US and the African continent.

The Honorable Ambassador Ali and the committee arrived at Skyline College at the invitation of the Director of the CITD, Richard Soyombo. Mr. Soyombo is one of the distinguished and accomplished Africans in the Diaspora who have been invited to be part of the AU-sponsored Committee.

In addition to scheduled meetings with several captains of industries in the Bay Area, Ambassador Ali worked with Mr. Soyombo to develop a Memorandum Of Understanding (MOU) between Skyline College/CITD and the African Union Mission to the United States. The MOU will explore joint collaborations in the areas of academic initiatives, trade/economic development initiatives and green industry opportunities. There are plans to bring African Ambassadors to California on a monthly basis. This will expose California companies to trade and investment opportunities in Africa.

On February 17<sup>th</sup> the US Department of Commerce (USDOC), the Small Business Administration (SBA) and the CITD collaborated to host a business reception in Oakland, CA for Ambassador Ali and the African Union delegation. At the reception, Mrs. Elizabeth Echols, SBA's Regional Director, emphasized the unique opportunity for California small- and medium-sized companies to further engage their counterparts in Africa for trade and economic development opportunities—particularly given the availability of incentives through the SBA, Overseas Private Investment Corporation, EX-IM Bank, US DOC and the CITDs.



The visit culminated in a February 18<sup>th</sup> meeting hosted by Dr. Regina Stanback Stroud, President of Skyline College. The delegation focused on organizational development of the APEX Organization and deliberated on strategies for a sustainable, strong structure to further trade and economic partnerships between the US and Africa. Acting as facilitator, Dr. Stanback Stroud guided the discussions to fruitful outcomes related to structure, purpose, goals, and overall vision. The outcomes

of the meeting, the MOU in discussion, as well as the hospitality of the host institution will be forwarded to the African Union Headquarters in Addis-Ababa, Ethiopia.

Exposure to the entire African continent through the African Union Mission to the US represents a huge collaborative opportunity for the Statewide CITD network to develop programs that will facilitate entry to the African market by California companies. Additionally, this also provides Skyline College the opportunity to grow locally and internationally through the collaboration with the African Union Mission.

*(Article and photos provided by Richard Soyombo.)*

# San Mateo County Community College District Serious About “Pushing Past the Achievement Gap”

Dr. Gloria Ladson-Billings, a celebrated scholar on equity-minded educational reform spoke to secondary and post-secondary faculty and staff from across the bay region. The Mills College of Center for Urban Schools and Partnerships presents a year-long series “Preparing Educators and Youth in a Racist World” hosting renown scholars on the topic. Dr. Gloria Ladson-Billings spoke to more than 300 people on our need to push past the deficit based language of “achievement gap” language. Dr. Ladson-Billings says this nation needs to “...recognize the incredible debt that we as a nation have amassed at the expensed of entire groups of people and their subsequent generations.”



Dr. Ladson-Billings deconstructed four major deficit-based myths about students of color and offered practical suggestions about how we as educators can interrogate the myths and reform the ways in which we serve students. You can hear her address at <http://www.nwp.org/cs/public/print/resource/2513>

Thanks to Dr. Henry Villarreal for sharing the event information with members of the San Mateo County Community College. Attending the event from SMCCCD was Dr. Jennifer Mendoza, Director of the CSM Learning Center, Dr. Henry Villarreal, Dean of Enrollment Services, Adrian Orozco, EOPS Coordinator, and Dr. Regina Stanback Stroud, President of Skyline College.

*(Article and photo provided by Dr. Regina Stanback Stroud.)*

## March in March



A crowd of over 12,000 students, faculty, and staff marched to the Capitol building in Sacramento on Wednesday March 5, 2012 uniting to protest the budget cuts and lobby for more support the higher education system in California.

The Associated

Students of Skyline College were able to sponsor a bus to make sure that Skyline College was part of the movement and 32 Skyline College students participated in the march. Spending the entire day in Sacramento, energized students showed courage as they shared their stories and concerns about rising education costs and decreasing budgets with members of the State Legislature.



*(Article provided by Amory Cariadus. Photo provided by Meena Naik.)*

## Skyline College Student Services Networking Luncheon Celebrates Student Success and College Completion



*Left to Right Linda Allen, Katie Beverly, Janet Webber, Andrea Doffoney-Anyanwu, Javier Urena, Donna Elliot, Regina Morrison, Sara Tyson, Kevin Chak, Jessica Lopez, Dr. William Watson, Carla Campillo, Dr. John Mosby, Jacquie Escobar, Rick Wallace, Dr. Joi Blake.*

Tough economic times challenge students and their families more than ever. While students in need may utilize financial aid, they often do not utilize public benefits and other resources even when they are eligible. The extra support can make a difference in students' success and retention. To address this need, Skyline College was awarded a planning grant from the [Center for Law & Social Policy](#) to develop a project proposal, [Benefits Access for College Completion](#), (BACC) to demonstrate how colleges can increase students' access to public benefits when they are eligible. While Skyline College strengthens relationships with organizations that provide these benefits for students, we want to strengthen our working knowledge of the rich array of resources our college already offers!

Dr. Joi Blake, Vice President of Student Services, hosted a Flex Day working luncheon of Skyline College service providers to exchange information and strengthen service integration. The luncheon created an opportunity for providers to present programs and services to friends and colleagues on campus who also support students with programs and services. In advance of the working luncheon, participants completed a survey to guide their presentations of services and resources provided by the college.

Additionally, the luncheon included special guest, Sarah Tyson, Dean, Student Services and Special Programs California Community Colleges Chancellor's Office, who joined Dr. Joi Blake, Dr. William Watson, and Andrea Doffoney – Anyanwu for a policy planning phone conference with Amy Ellen Duke Benfield, Elizabeth Lower Bausch, and Abigail Newcomer, from the Center for Law and Social Policy, and Jessica Bartholow from the [Western Center on Law and Poverty](#). For more information about the

luncheon or *Benefits Access for College Completion*, please contact Dr. William Watson, Director, SparkPoint at Skyline College. 650-738-7035 | [william.watson@smccd.edu](mailto:william.watson@smccd.edu) | [www.skylinecollege.edu/sparkpoint](http://www.skylinecollege.edu/sparkpoint).

*(Article provided by Dr. William Watson. Photo provided by Virginia Rosales.)*

## Skyline College Hosts Second Annual National TRiO Day

On Saturday, February 25, 2012, Skyline College's TRiO program partnered with local TRiO programs around the Bay Area to facilitate a student run first-generation leadership conference. The focus of this event was the students. Our students were at the foundation of organizing, facilitating, and making the event a great success.



*(Left to Right: Jezzielyn Gomez, Saleha Farhad, Elisandra Santos, President Regina Stanback Stroud)*

Over 135 people participated in this year's event. In attendance were students from Skyline College, Cañada College, Berkeley City College, South San Francisco High School, Jefferson High School, Stanford University, San Francisco State University, UC Davis, and Holy Names University.



Conference highlights included the history of TRiO, student testimonials, encouraging words by President Stroud, financial aid and a money management presentation by

Jocelyn Vila, Financial Aid, and Melanie Espinueva, Sparkpoint at Skyline College, an alumni transfer panel, fun activities facilitated by Jessica Lopez and Suzanne Collins, TRiO Counselors, and a final Keynote speech from Pablo Gonzalez.



*(Left to Right: Jessica Lopez, Pablo Gonzalez, Suzanne Collins)*

Students also had the opportunity to connect with colleges and universities such as UC Berkeley, San Francisco State University, and California State University, East Bay at this event. Financial Aid and the Sparkpoint Center also had tables and information present as they assisted students with financial information and community resources.



In the words of students themselves:

“It was very motivational for me to be around such positive people that told me I could do anything I put my mind to.”

“I feel very lucky and fortunate to be part of the TRiO family.”

“The most valuable aspect was how others overcame obstacles and graduated.”



This event was made possible by a special group of dedicated people. A special thank you goes to the National TRiO Day Task Force, which included students, staff and faculty from Skyline College and Cañada College, the Learning Center, Media Services, and TRiO staff, Sparkpoint Center, Financial Aid Office, Transfer Center, the Skyline College Bookstore, and Pablo Gonzalez. We'd also like to also thank our administration for being such strong supporters of programs such as TRiO, Connie Beringer, Dean of Language Arts and Learning Resources, VP of Instruction, Mike Williamson, VP of Student Services, Joi Blake, and our President, Dr. Regina Stanback Stroud. This event was funded in part by the Chancellor's Office, California Community Colleges.

*(Article provided by Nohel Corral. Photos provided by Felix Perez and Katie Ha.)*

## Skyline College Students Named to All-California Academic Team

Skyline College students Heidi Hansen and Denice Sy were honored by being named to the All-California Academic Team, a state-wide honor. Sy was named to the first team; Hansen to the second team. Both outstanding scholars, they are in Beta Theta Omicron, Skyline College's chapter of the Phi Theta Kappa honor society, and are active on campus.



*Heidi Hansen*

Heidi Hansen currently serves as president of Associated Students of Skyline College. She is also a peer tutor at Skyline College's Learning Center, captain of a Relay for Life team, and a member in the Skyline College chapter of Phi Theta Kappa and the Skyline College Honors Program. She has previously served as an officer in the Gay-Straight Alliance. Heidi is double-majoring in Earth Science and Applied Physics. She will transfer to a University of California campus in the fall of 2012. After earning her Bachelors degree, Heidi plans to go on to graduate school and work within the field of acoustical oceanography. Prior to starting at Skyline College, Heidi worked as an audio engineer in the music industry.

Denice Sy presently serves as the public relations officer for Skyline College's Environmental Club, works as a tutor at the college's Learning Center, and is a member of the Skyline College Honors Transfer Program. Denice is also currently the Vice President for Skyline College's Phi Theta Kappa Chapter-Beta Theta Omicron, where she has helped develop a service project for local senior citizens called CLICS (Computer Literacy and Internet Competency for Seniors). As the co-coordinator for CLICS, Denice has not only promoted computer and internet literacy among older adults, but has also provided service-leadership opportunities for Skyline College students. CLICS has taught over 300 seniors. The project is important to Denice because she understands the significance of the digital divide and sees CLICS as a great first step in trying to closing that divide while also giving back to the local community. Denice has always been one to go beyond herself for others, and hopes to apply the same principle when she ventures into business after earning her baccalaureate.



*Denice Sy*

*(Article and photo provided by Chris Case.)*

## Beta Theta Omicron is the Nevada/California Distinguished Chapter

The Nevada-California Region of Phi Theta Kappa Convention was held March 9-10 in Las Vegas. The purpose of the convention is to celebrate 2011 accomplishments and kick-off the new honors study topic, Culture of Competition.



*Denice Sy, Amber Lincoln, Anton Molina, and Camille Espiritu*

Beta Theta Omicron, Skyline College's chapter, worked on several projects in 2011 under the leadership of Camille Espiritu, our

chapter president. Camille and the other officers described their processes of development, implementation, and evaluation in two essays submitted to Phi Theta Kappa headquarters in February. The Chapter won the **Honors in Action-Science Issue Award**.

Our chapter earned **5-star** status, the highest level awarded by Phi Theta Kappa. Beta Theta Omicron has earned 5-stars annually since it was chartered in 1999.

Camille and the officers won the **Regional Distinguished Officer Team Award**. Denice Sy, Vice-President of Operations, won the **Regional Distinguished Chapter Officer Award**. Member Anton Molina was runner-up for Regional Scholar. The chapter yearbook, which was designed and assembled under the leadership of Denice Sy, won the **Yearbook Award**.

Nevada/California is the largest region in Phi Theta Kappa. There are 98 Phi Theta Kappa chapters in the region, including all six Nevada community colleges and 92 California community colleges. Beta Theta Omicron won the **2011 Nevada/California Distinguished Chapter Award**. This is the third time that Skyline College students have earned this title.

*(Article and photo provided by Christine Case)*

## Maria Norris Selected as Skyline College Classified Employee of the Year!

Congratulations to Maria Norris, Administrative Analyst, on being selected as Skyline College's Classified Employee of the Year. Maria's selection at Skyline College placed her as a nominee to the SMCCCD Board as they considered the representative for the District to the State Board of Governors. The College Governance Council recognized Maria for her commitment and dedication to serving both student services and instruction during a successful 24 year tenure in the district. Maria works tirelessly to ensure that the decisions of the curriculum processes are student centered and accurate. She plays a leading role in the incorporation of the technology (curricunet) in the curriculum and student service processes. She exemplifies the epitome of commitment and dedication of her job and profession by going above and beyond on a regular basis. She supports her colleagues through providing professional development. Maria is well respected by staff, administration, faculty and students because of her professionalism and contribution to the overall climate of trust and collegiality here at Skyline College. Maria is generous with her commitment both at work and in her community. Maria has the gift of thoughtfulness, and she uses that gift to brighten other people's lives.

Maria's response to her selection is as humble as she is great. *"I can't imagine a better job than one in which everyone shares a common and worthy purpose – helping students to achieve their dreams of an education, a better life for themselves and their families, and fulfilling what they want to be when they grow up."* For

*whatever small part I play behind the scenes in that objective, I am grateful. I can't imagine working anywhere other than Skyline, which is beyond doubt a singularly special place. Our students are amazing, and working with you and our other administrators, the deans, our faculty,*



*Dr. Regina Stanback Stroud with Maria Norris*

*and my colleagues in the Classified service makes every day worthwhile. Even the busiest, toughest days are enjoyable because of the people I am privileged to know and to work with... I truly consider Skyline to be my family."*

She is indeed a model employee.

## Don Carlson Receives Service Award



*Dr. Idalene Williams and Don Carlson*

Dr. Idalene Williams, Accounting Professor, Metropolitan Community College, Omaha, Nebraska, visited Skyline College as part of an accreditation team with the Accreditation Council of Business Schools and Programs (ACBSP) March 12-14. She surprised and honored Business Division Dean, Don Carlson, in the presence of Skyline College Business program faculty and staff on March 12. Don was presented with an Adjunct Faculty 15 Year Service award for Metropolitan Community College. Don has a long association with MCC as a former Program Facilitator in Workforce Development and as an adjunct faculty member there since 1997.

Don Carlson continues to teach at least one online course each term at Metropolitan Community College. Dean Carlson indicated it was important for him as an instructional dean to still keep active in teaching and his part-time, long-term relationship with MCC offered him that opportunity no matter where his primary career has taken him in the country. Don grew up in Omaha. Metropolitan Community College hired him for his first full-time job in education out not long after graduating from college, so receiving this award and the fact efforts were made to present it at Skyline in front of his peers and staff really made the event special.

*(Article and photo provided by Don Carlson.)*

## Skyline College Art Instructor Eileen David Participates in *Heroes & Hearts* Fundraiser



Eileen David, an instructor in the Skyline College Art Department, recently created two hearts for the 7<sup>th</sup> Annual *Heroes and Hearts 2012*, a fundraiser for the San Francisco General Hospital Foundation (SFGH). During the recent “Hearts in San Francisco” auction, Visa purchased one of David’s pieces and it is now on display in Union Square at the corner of Geary and Powell Streets. Proceeds from the auction benefit SFGH and its mission to promote excellence in research, education and care for all at San Francisco General Hospital and Trauma Center.

David's current work of urban landscape paintings served as inspiration for the art work seen on the hearts she created. Learn more about Eileen's work and the *Heroes and Hearts* program at the following link: [http://www.sfghfoundation.net/hh/bio\\_david.html](http://www.sfghfoundation.net/hh/bio_david.html)

*(Article provided by Kathy Fitzpatrick.)*

## **International Award and Local Outreach for Skyline College Professor James I. Wong**



*James, in business suit, is fourth from the left in the second row. Joshua Wong, a member of the winning team, in yellow, second from left in the third row, is a current Skyline College student. Photo is courtesy of Jason Jav. former*

James I. Wong, Professor of History and Geography, served as a judge in a recent Chinese lion dance competition at Golden Gate Fields in Albany. Held to celebrate the Chinese Year of the Dragon, the competition was co-hosted by Golden Gate Fields and KTSF-TV. KTSF, located in Brisbane, is the first U.S. television broadcaster to carry Asian-language programs in Chinese (Cantonese, Mandarin and Taiwanese), Japanese, Tagalog (Philippines), Hindi (India), Vietnamese and Iranian, as well as in English.

James was also awarded an international award by the World Organization of Wu Shu Kung Fu Masters. James was awarded an 8<sup>th</sup> degree (the highest being the 10<sup>th</sup> degree reserved for Great Grandmasters, such as accorded to his own Hong Kong teacher) based on his lifetime experiences, expertise and contributions to the martial arts and combat sports. This organization is recognized and sanctioned by governmental officials in Beijing and Hong Kong Special Administrative Region.

*(Article was provided by James Wong.)*

## Earth Day Planning Meetings Open To All!

Earth Day is approaching quickly and a committee led by Amber Lincoln, President of the Environmental Club, has been formed to jumpstart the planning process. An Earth Day celebration at Skyline College is scheduled for Thursday, April 19, 2012.



Some events already in the planning stage include an expo with booths focused on environmental issues on the quad during Earth Day from 10:00 a.m. to 1:00 p.m., an evening career panel for students interested in environmental careers, and an All-Campus Sustainability Workshop focused on energy efficiency. For more information on Earth Day and Earth Week, please contact Amber Lincoln at [linky9113@yahoo.com](mailto:linky9113@yahoo.com).

*(Article provided by Lindsey Virdeh .)*

## Skyline College CITD Achieves Success With Two-Day Logistics Class For ATLAS Program

The Skyline College Center for International Trade Development (CITD) was a recent recipient of a \$75,000 sub-grant from the College of Alameda to provide international logistics training in the San Francisco Bay Area. The sub-grant was part of the CATLI/Alameda College's grant from the U.S. Department of Labor. As part of the program, the CITD recently concluded a series of successful two-Saturday training programs on the Fundamentals of Logistics. These workshops were led by Skyline College instructors (Fatima Guadamuz-Cabral and Jack Kilmartin), as well as guest speakers from the industry.



All participants who completed this workshop received a certificate of completion in logistics and one unit of CSU transferable college credit. Students also received information on other CITD and Skyline College programs and services.

This class was offered at no-cost to the students and was made possible by a grant-fund from the U.S. Department of Labor for the ATLAS Initiative. ATLAS (Alameda Transportation and Logistics Academic Support) is a special career training program targeting career training in warehousing, transportation and logistics.

*(Article provided by Richard Soyombo and Pcyeta Jackson.  
Photos provided by Pcyeta Jackson and Allison Mello.)*

## ECE 804 – English for Childcare Providers

In historic departmental collaboration, Skyline College's own Leigh Anne Shaw and Kate Browne began a cross-listed class, ESOL 804/ECE 804, English for Child Care Providers in Fall 2010. This course is designed to assist second-language learners in fields related to Early Care and Education, parenting and working with children. This fine example of contextualized learning has students meeting for 3 hours per week to work on language skills using an ESL text especially written for the field of ECE. Their in-class experience is augmented by several out-of-class activities utilizing Skyline College's own Child Development Center. Through coordination with the CDC director and staff, the ESOL 804/ECE 804 students conduct story times for children (to practice speaking, interpersonal, and teaching skills), complete child observations (to acquaint themselves with the expectations of the ECE classes they will eventually take), and review several books for children. The students in Fall 2010 finished their course with 4 group research presentations focusing on infants, toddlers, pre-schoolers, and school-age children.



Every single one of the 20 surveys collected from students clearly indicated an increase in how they felt with their skills in at least two of the surveyed areas: Reading, Speaking, Listening, Reading Comprehension and Writing. Some surveys showed a dramatic increase in student confidence toward English language skills. Some students who had not considered a career in Early Care and Education claimed: "Now I think I will begin taking ECE and be a teacher."

Professor Julie Carey is continuing the tradition this Spring with her ESOL 804/ECE 804 class. ELI Program Services Coordinator Amber Wolak assists the class by working one-on-one with the students in preparation for their child observations and story times. In addition to imparting these much-needed language skills, the course will offer even more insight into the challenges and unique needs of the English-language learner as it relates to the many career options working with children. Furthermore, it provides solutions to needs: the CDC children get story time, the ECE department gets new student recruits, and the students get valuable skills for a rewarding career. Both the ESOL and ECE departments are pleased that ESOL 804/ECE 804 will become a permanent Spring offering.



*(Article provided by Leigh Anne Shaw, Kathryn Browne, Cece Rebele and Julie Carey.  
Photos provided by Amber Wolak.)*



# President’s Report to the SMCCCD Board of Trustees

President Michael Claire ~ March 28, 2012

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## Kudos



~ On March 7, CSM students **Emmeline Wong** and **Caleb Kenney** were honored by the Community College League of California for being named to the All-California Academic Team of Phi Theta Kappa (PTK). President Mike Claire accompanied the students to the luncheon ceremony held in Sacramento where the students received their awards. Emmeline who received first team honors, serves as co-president of PTK and, in fall 2011, she was instrumental in developing the college’s participation in “Commit to Completion,” a national education initiative designed to help students understand the impact of completing their community college education. Caleb received second team honors; he is the financial officer for PTK; in that role, he developed a formal budgetary system for the chapter. He also was involved in “Commit to Completion.” Both Emmeline and Caleb are business administration majors and have applied to UC Berkeley’s Haas School of Business. *(Photo source: PTK - Emmeline Wong)*

# College of San Mateo

~ The Community Relations and Marketing Department has been honored with a Gold Level Medallion Award for District 6 from the National Council for Marketing and Public Relations (NCMPR) for the Explore CSM Interactive Map. NCMPR District 6 Medallion Awards recognize outstanding achievement in communications at community and technical colleges and is the only competition that honors excellence exclusively among marketing and public relations professionals at two-year colleges. District 6 includes California, Arizona, Nevada, Utah, Hawaii, in addition to the Pacific territories. The team of staff that worked on the map included **Alex Guiriba, Dave McLain, Bev Madden, Valerie Tyler, Chris Smith, Valerie Anderson, Heather Paizis and Justin Merritt.** (Photo credit: CSM Community Relations and Marketing)



~ Professor of Film **David Laderman** will present a lecture to the University of Pennsylvania's Cinema Studies Department titled, *Arresting Mobility: Crossing Borders and Going Nowhere in the Films of the Dardenne Brothers*. His presentation will explore some of the distinctive road movie elements found in selected films of the Dardenne brothers. (Photo credit: CSM Community Relations and Marketing)



~ CSM pitcher **Daniel Grazzini** was recently named to the California Community College Academic All-State team for the 2012 season. Grazzini boasts a 3.75 GPA at CSM and has already accepted a scholarship to play at UC Davis next year. (Photo source: CSM Baseball website)



~ CSM football player **Fehoko Fanaika** (offensive tackle) has signed a letter of intent to play for Louisiana State University. LSU is one of the top-rated college football teams in the nation.

~ Director of Nursing **Jane McAteer** was a contributing author to the textbook, *The Medical-Surgical Problems of Pregnancy.* The text received the American Journal of Nursing Book of the Year Award for 2011. (Photo credit: CSM Community Relations and Marketing)



## President of Local Biotech Company Addresses Science Faculty & Students

Earlier this semester, the Biology Department hosted a seminar by **Dr. Calvin Harley**, president and chief scientific officer of Telome Health Inc., a start-up biotech company in Menlo Park. Telome Health is developing assays for the diagnosis, prevention and management of disease. The presentation was a great opportunity for students and staff to learn first-hand how basic research leads to medical and pharmaceutical applications. Dr. Harley's seminar was very well received and well attended by faculty and students.



(Photo source: CSM Math/Science Division)

## Upcoming Events

~ CSM's 16<sup>th</sup> Annual Get Linked Career Fair is scheduled for Wednesday April 11 from 9:30 am to 1 pm in College Center's Bayview Dining Room. The fair provides opportunities for employers and job seekers to "link up" and discuss the employment needs of both groups. Job seekers will be able to speak with numerous employers to learn about current job openings and careers. Get Linked is open to the public. Counselor **Eileen O'Brien** is the coordinator of the event.

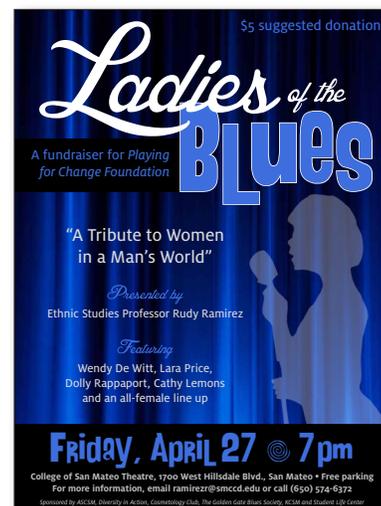
~ "Do we need art?" is the title of a lecture and art exhibit to be presented by Professor **Mohsen Janatpour** on Friday, April 20, at 7:30 p.m. in the CSM Theatre. The lecture will explore the question, "Is the core of art a historical accident or a pre-historical necessity?" The presentation is sponsored by the Associated Students of CSM and the Math/Science Division.



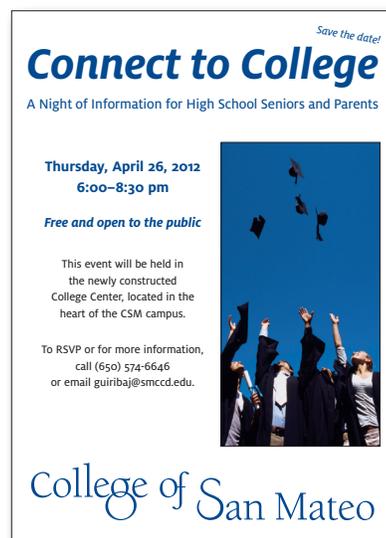
~ The San Francisco Chamber Orchestra will present an admission-free family concert, "Meet the Composers," on Sunday, April 22 from 12 to 1 pm in CSM's Theatre. This is third and final program of the 2011-12 series, which is designed to bring music history to life for young listeners as well as adults. The program is under the direction of San Francisco Chamber Orchestra Music Director Benjamin Simon.



~ On Friday, April 27, **Rudy Ramirez**, adjunct assistant professor of ethnic studies, will present "Ladies of the Blues: A Tribute to Women in a Man's World," at 7 pm in the college Theatre. The show will feature an all-female line up including Wendy De Witt, Lara Price, Dolly Rappaport and Cathy Lemons. The event is a fundraiser for Playing for Change Foundation; a \$5 donation is suggested. It is sponsored by the ASCSM, Diversity in Action Group, Cosmetology Club, the Office of Student Life, KCSM and the Golden Gates Blues Society.



~ On Thursday, April 26, the College will host Connect to College – A Night of Information for High School Seniors and Parents. This annual event provides an opportunity for prospective students and their parents to learn about transfer programs, career and certificate programs, A.A./A.S. degree programs, financial aid, scholarships and student life. The evening will feature panels of university representatives and CSM alumni. More than \$750 in scholarships will be given out during the event. Throughout the evening, prize drawings will be held and refreshments will be served. For the first time, Connect to College will be held in the College Center (on the second floor). Connect to College is free and open to the public. The event is coordinated by **Alex Guiriba** of the Community Relations and Marketing Department.



## Student Success Story: Collette Yee

When Harvard Forest called CSM student **Collette Yee** and offered her admission in its summer research program, Yee enthusiastically accepted. Little did Yee realize that she had competed among 500 college students nationwide for a program that accepted only 31 students. Even more impressive was the fact that Yee was the only community college student in the program!

Yee, a 2009 graduate of Terra Nova High School, became interested in environmental sciences, a field that integrates physical and biological sciences to the study of the environment. Due to the broad nature of the field, she decided to attend a community college so that she could explore the different sciences. After attending another local community college, Yee visited CSM and found that she liked the “look and feel” of CSM and its science department. “CSM seemed to offer a lot of resources for science students, and I wanted to take full advantage of that.” After transferring to CSM in spring 2010, she honed in on the field of botany. “Botany was my first college-level science class, and it really sparked an interest with me. It’s what made me look into majors such as environmental science and ecology.”

As a CSM student, Yee met with Counselor **Modesta Garcia** who helped Yee to develop an educational plan in the natural sciences. During that meeting, Garcia, a Harvard graduate, suggested that Yee apply to the Harvard Forest program, a department of Harvard University. The Harvard Forest Summer Research Program in Ecology provides opportunities for college students to participate in 11 weeks of mentored and fully-funded summer research at a site located on 5,000 acres of land in Petersham, Massachusetts. Not knowing the competition that she was up against, Yee followed through with the application process. When she received the call from Harvard Forest that she was being considered for the program, she was thrilled. Following two phone interviews, Yee received wonderful news that she had captured one of the coveted 31 Harvard Forest program slots.

As Yee prepared for the program, her initial task was to select a research project. “I focused my study on understanding the growth patterns of red maples. I found red maples to be particularly interesting to study for its characteristics of being able to grow on a wide variety of conditions set it apart from other species.” Yee explained. Upon arrival at Harvard Forest, Yee was paired with a faculty mentor with whom she collaborated on her research over the course of



the summer. In addition to their research work, Yee and her fellow student research assistants were able to participate in a variety of extra-curricular activities in and around the greater Boston area.

The program concluded with a two-day symposium in which each student presents his or her research and experiences of the summer. In what was Yee’s first public scientific presentation, she shared her findings with an imposing audience that included professors, scientists and researchers. “I loved working outdoors in the forest. It was an intense learning experience; I made great friends and had a great mentor,” says Yee.

As a result of the Harvard Forest experience, Yee finds that she has an expanded number of opportunities for studying the natural sciences. “I have decided to step out of the botany box and study something else like biology and chemistry. I want to go into research, maybe in the area of ecology.” She added, “The summer changed my life. And, I was so very fortunate to meet Modesta Garcia at CSM.”

Yee returned to CSM for the 2011-12 academic year to complete her lower division coursework and is also conducting research at the Marine Science Institute in Redwood City. She has applied to UC Berkeley as a conservation and resource studies major and hopes to transfer in fall 2012.

*The Harvard Forest Summer Research Program is funded by the National Science Foundation, U.S. Department of Energy, U.S. EPA, NASA, Harvard University and Mt. Holyoke College.*

*(Photo credit: Harvard Forest, Harvard University)*

## SPECIAL POINTS OF INTEREST:

- Assembly member Mike Eng presented a Certificate of Recognition to the Alliance for Language Learners of which Cañada is a member.
- The baseball team has opened 3-4 against some of the toughest competition in the state, playing four ranked teams.

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## NASA Chooses Three Engineering Students to “Explore” Mars

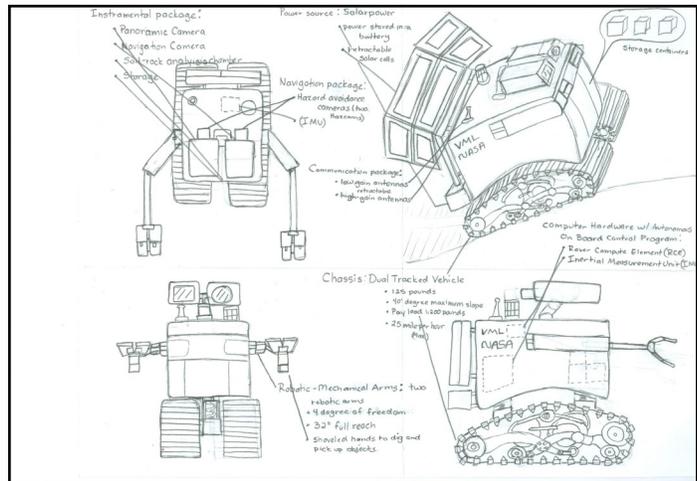
Sagar Singh, Victor Vargas and Omar Arriaga will travel to NASA’s Jet Propulsion Laboratory in Pasadena in May to represent Cañada on teams competing to detail a mission to Mars.

Sagar Singh believes the U.S. government should spend \$700 million to land a rover on the surface of Mars and explore the planet for rich amounts of methane, one of the building blocks of life. His argument is so compelling, NASA chose Singh and two other Cañada engineering students to compete on a team of community college students that will design a rover to make the trip.

Sagar Singh, Victor Vargas and Omar Arriaga are among 92 community college students nationwide selected to participate in the National Community College Aerospace Scholars program. The initiative provides hands-on opportunities to inspire interest in science, technology, engineering and mathematics (STEM) disciplines. The three students will travel to NASA’s Jet Propulsion Lab in Pasadena May 1-3 to begin the process of outlining the trip to Mars and building the rover that will carry out the scientific experiments on the surface of the Red Planet.

Singh is studying computer and electrical engineering and will transfer to Cal Poly.

“While we are in Pasadena, we have to build a prototype of a rover,” Singh said. “We will be



working in teams and will be expected to work together and share knowledge. For me, this is a great opportunity and I am looking forward to it.”

Arriaga said NASA’s acceptance process into the program was rigorous. The first phase included a short personal statement, two recommendation letters and submittal of academic transcripts.

Students accepted after the first phase were then required to write three essays, Arriaga said. The first essay was an abstract, a summary of our mission goals and objectives. The second essay detailed the timeline and budget for the full mission.

“In the final essay, we had to summarize the mission objectives, the mission timeline, select a landing

site on Mars, and detail the rover specifications including propulsion, energy, and communications and any instruments and experiments we wanted to conduct,” Arriaga said.

The essays were due during winter break. “We had to do research on past missions and some of the characteristics of Mars,” Arriaga said. “We also needed to submit a hand drawing of the rover we designed (**shown above**). I spent about a week researching and writing each essay.”

Arriaga said the goal of his mission was to drill down into the Martian surface and collect samples of methane. “In past missions, they have found traces of (**Continued on Page 2**)

## Alicia Aguirre Named Woman of the Year

On March 26, Assemblyman Rich Gordon, D-Menlo Park, honored Cañada College professor and Redwood City Mayor Alicia Aguirre as the 2012 Woman of the Year for the 21st Assembly District.

Gordon noted her “tireless involvement in all dimensions of Redwood City along with “her wit, intelligence and sincere nature.”

Aguirre has served on the Redwood City Council since November 2005 and was previously on the Redwood City Elementary School Board. She is involved in the Redwood City Libraries Foundation, Shelter Network Board, Hispanos Unidos, and Youth Latino Leaders. She is Redwood City’s first Latina mayor.

Aguirre continues to teach ESL at the college and is active in the English Language Institute at Cañada.



## 15-Year-Old Cañada Student to Present Research on Autism Medication at UC Berkeley

While most 15-year-olds are studying for a high school class or hanging out with friends, Sophia Brink is preparing to present original research on autism medication at UC Berkeley in April.

Brink is one of six Cañada College students to have their proposals accepted by the Bay Area Honors Research Symposium. Brink is Cañada’s youngest student to attend the conference and the only high school student. The title of her research is “Do All Autistic Children Need Medication?”

“My research analyzes the negative and positive effects of commonly used autism medications, which are psychiatric medications, anticonvulsants, and sedatives as well as alternative

treatments, which are therapies, diets, ‘natural’ medication and a stabilized environment,” she said. “I’m very excited to have an opportunity to present my research before an audi-



ence at Berkeley.”

Brink is concurrently enrolled in both high school and college courses and is finishing her junior year in high school. She plans on majoring in psychology

or neuroscience once she graduates and transfers to a university. “I would like to become a psychologist or a psychiatrist specializing in treatment for autistic children and adults.”

Brink is interested in the subject of autism because her 13-year-old brother was diagnosed with autism spectrum disorder and epilepsy when he was four. He’s gone through extensive treatments, which include taking medications.

“My brother experienced many side effects from the medications he took,” she said.

Brink, who lives in San Mateo, said her research shows that there are different treatment options for different patients.

## Engineering Students Prepared to Build Martian Rover

methane but have never really focused on it,” he said. “They can use the methane as a renewable source of energy in future missions.”

Arriaga, an electrical engineering major who someday hopes to work for NASA, said the space agency program directors have not provided participants with many details of what is expected when they arrive at JPL in May.

“All they have told is that we will work with NASA engineers on a hands-on engineering project and also go to workshops. It’s my dream to one day build rovers for NASA to explore other plan-



ets,” he said.

According to a NASA news release, the on-site experience this spring includes a tour of NASA facilities and briefings from agency scientists and engineers.

All three engineering students have been mentored by Cañada College Professor of Mathematics and Engineering, Amelito Enriquez. Enriquez was recently honored by the White House for his mentoring activities.



The Cañada College Art Gallery is presenting an exhibition of paintings by the Bay Area artist, Stephanie Sanchez. The show will run through April 12 and is located on the 1st floor of Building 9.

Sanchez is known as a painter of the contemporary landscape and the still life. She finds beauty in the everyday. The view of the street outside her window, the simple farmhouse seen off a Central Valley, the train yard on a hazy afternoon. Her loose paint handling and exquisite use of color imbue these scenes with a powerful atmosphere and light. One comes away thinking that we are really missing the beauty all around us, especially where we least expect to find it. It also make one realize how the experience of seeing a painting “in the flesh”, where one can actually touch the surface and be enveloped in this other world, is so important.

### It’s Easy Being Green: Student Research Examines Sustainability Opportunities on Campus

Individuals can make a big difference when it comes to making Cañada College greener. That’s the conclusion reached in a recent research project conducted by student Nikita Michelsen as part of Professor Lisa Palmer’s Honors English class.

Michelsen’s project was selected to be presented at the annual Bay Area Honors Research Symposium which will be held April 28 at UC Berkeley. Michelsen is one of six Cañada students selected to present original research at the symposium.

Michelsen said it was a class decision to do a group project about environmental

sustainability. She said students thought it would be interesting to see what could be done at Cañada to achieve a smaller carbon footprint and to see if it could be economically benefi-



cial.

“We researched how people can make a change, starting

with something close by – our college,” she said. “It doesn’t have to be big changes that make a difference; it could be just turning off computers.”

When it comes to environmental sustainability, most people support the concept, Michelsen said, but they believe there’s not much they can do to make a difference. “They think it’s up to governments or environmental movements to save the planet,” she said. “It’s not always the biggest project that makes the difference.”

Michelsen, 19, is a business economics major preparing to transfer to UC Berkeley.

### Cañada Submits Two HSI Grants That Could Fetch \$7 Million

The college has submitted two grants designed for Hispanic Serving Institutions that, if received, would inject approximately \$7 million into the budget over a five year period.

“There is a tremendous amount of work by a large number of people that goes into the submission of these grants,” said Interim President Jim Keller. “These grants don’t just happen.”

One was an “individual” grant that will primarily impact student services and the other is a “collaborative” grant which was submitted

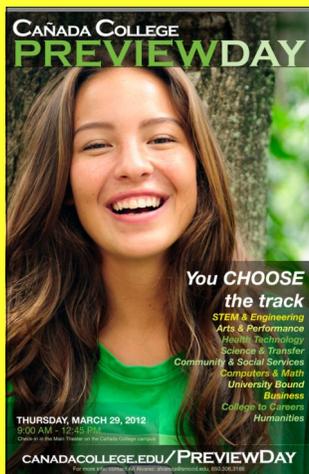
by the Center for International and University Studies with three of the college’s four-year university partners. The college should learn sometime in May whether or not they will receive the grants.

The A2B Grant - Associates to Bachelors – is designed to support students who have completed 30 hours of coursework and have declared their intent to pursue a bachelor’s degree taught on campus by one of the college’s four-year university partners. San Francisco State University, Notre Dame de Namur University, and National Hispanic University are

all partners on the grant. The \$3.5 million over five years would fund mentors and case managers from the four-year partners that would work at Cañada to keep students on the path towards completion of their bachelors degree.

The second grant, called the Emerging Scholars Opportunities, would fund a variety of student services that would be used to help incoming students make the transition from high school to college. It would reorganize academic counseling at the college.

**Preview Day Brings Prospective High School Students to Campus on March 29**



Hundreds of high school students from south San Mateo County and the coast will converge on campus March 29 to learn about the academic, athletic and student service programs available at Cañada.

Cañada College Preview Day is the major outreach event of the spring. In the past, the college has hosted individual tours for each high school but bringing them to campus on one day will provide a better experience said Ariackna Alvarez, college recruiter.

"This will give our faculty and staff the opportunity to meet with hundreds of students on one day to explain their programs, rather than meeting with smaller groups over multiple days," she said. "We can concentrate our efforts on one major event, which will benefit both the student and the staff at the college."

**Are There Social and Economic Benefits to the Legalization of Marijuana?**

*Cañada student Carlos Ortega will present research comparing marijuana and alcohol prohibition at this year's Community College Honors Symposium at UC Berkeley in April.*



The continued prohibition of marijuana in the United States causes the country both social and economic harm according to a new research study by Cañada College student Carlos Ortega. He is one of six Cañada students chosen to present their research at this year's Bay Area Community College Honors Research Symposium at UC Berkeley on April 28.

"I always found it intriguing that alcohol was once illegal and today it is so widely consumed by every social class in the country," Ortega said. "Then, when I further learned what forces came to legalize alcohol, I naturally made the

connection to the marijuana market."

Ortega's research examines the economic evidence being used to justify the ongoing prohibition of marijuana. "I learned that prohibiting the manufacturing, distribution, and sale of such a widely consumed good creates a thriving black market, which results in high government spending on enforcing the prohibition, millions in uncollected tax dollars, as well as successful criminal organizations that use violence to keep their businesses operating and growing. Legalizing marijuana would result in greater social and economic benefits than our nation experienced from legalizing alcohol."

Using data collected from the years following the end of alcohol prohibition, Ortega extrapolates the likely effects of marijuana legalization. "Legalizing alcohol reduced spending on law enforcement and increased federal tax revenues," he said. "My

analysis suggests that legalizing marijuana would result in similar cost savings and tax revenue increases. The implementation of economic principles paired with credible data analysis raises the question of whether marijuana prohibition should continue."

Ortega worked with Cañada College Economics Professor Paul Roscelli on the research project. He said it's always been his dream to study at UC Berkeley and presenting original research at the school brings him closer than ever to that dream. "My major is political economy and I aspire to work for a multilateral institution such as the United Nations, International Monetary Fund, or the World Bank. I hope to eventually be involved in genuine and appropriate development programs adapted to meet the needs of impoverished and developing nations."

**Dean Linda Hayes Recognized by PTK for Her Support**

Linda Hayes, Dean of Business, Workforce and Athletics at Cañada College has been named a recipient of the prestigious Distinguished College Administrator Award by Phi Theta Kappa, the national honor society for community colleges.

Hayes will receive her honor at the organization's annual convention, April 12-14, at the Gaylord Opryland Resort & Convention

Center in Nashville, Tennessee. "It is an honor to be recognized by Phi Theta Kappa as the 2012 Distinguished College Administrator," Hayes said. "I have seen the difference the organization has made in the lives of our students. It instills confidence and leadership qualities and prepares them for the next phase of their academic career."

Cañada's PTK chapter is one of the strongest in the country. Roscelli has been named a PTK Faculty Scholar seven times. Former Cañada President Thomas Mohr received the Shirley B. Golden Award of Distinction in 2009 which is bestowed on college presidents that show exceptional support for their chapters.

San Mateo County Community College District

March 28, 2012

**BOARD REPORT NO. 12-3-2C**

**CREATING ACTIVE LEARNING ENVIRONMENTS: TEACHING WITH CLASSROOM  
RESPONSE SYSTEMS (IClicker2)**

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

**BOARD REPORT 12-3-2A**

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

**APPROVAL OF PERSONNEL ITEMS**

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

**A. LEAVE OF ABSENCE**

**College of San Mateo**

**Nicole Borg** Associate Professor, Physical Education/Athletics P.E./Athletics

Recommend approval of a pregnancy disability leave of absence, effective May 18, 2012, pursuant to provisions of the Family and Medical Leave Act. Pursuant to District policy, employee is entitled to a maximum of twelve (12) calendar months of leave.

**BOARD REPORT NO. 12-3-1B**

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor

PREPARED BY: Jing Luan, Ph.D., Vice Chancellor, Educational Services and Planning, 358-6880

**CURRICULAR ADDITION  
COLLEGE OF SAN MATEO**

The addition of one Associate Degree for Transfer is proposed.

The proposed program has been reviewed by the appropriate Division Dean and approved by the College Curriculum or Instruction Committee, acting on behalf of the local Academic Senate. In addition, the Academic Senate President provided oversight with respect to the necessary role of the local Senates in the review and approval process. The rigor of the approval process assures that each new program has substance and integrity in relation to its discipline and that it fills a clear student need not being served by existing program offerings.

**RECOMMENDATION**

It is recommended that the Board approve the attached curricular change for the College of San Mateo catalog.

San Mateo County Community College District

March 28, 2012

PREPARED BY: Susan Estes, Ph.D., Vice President, Instruction  
College of San Mateo

APPROVED BY: Teresa Morris, Chair, Curriculum Committee  
College of San Mateo

James Carranza, President, Academic Senate  
College of San Mateo

Michael Claire, President  
College of San Mateo

**PROPOSED PROGRAM ADDITION – COLLEGE OF SAN MATEO**

College of San Mateo proposes to offer an Associate Degree for Transfer in the following program:

**PHYSICS**

**Physics – Associate in Science Degree for Transfer** - (27 units in the major area + Certified completion of the California State University General Education-Breadth pattern (CSU GE Breadth); OR the Intersegmental General Education Transfer Curriculum (IGETC) pattern, and other requirements for the Associate Degree for transfer)

**BOARD REPORT NO. 12-3-2B**

TO: Members of the Board of Trustees  
FROM: Ron Galatolo, Chancellor  
PREPARED BY: Barbara Christensen, Director of Community/Government Relations

**VOTE TO ELECT MEMBERS TO THE CALIFORNIA COMMUNITY  
COLLEGE TRUSTEES (CCCT) BOARD**

The election of members to the CCCT Board of the Community College League of California will take place between March 10 and April 25. There are eight, three-year vacancies on the Board.

The Board of Trustees of each League member community college district shall have one vote for each of the eight vacancies on the CCCT Board. Only one vote may be cast for any nominee or write-in candidate. The eight candidates who receive the most votes will serve three-year terms.

The eleven trustees who have been nominated for election to the CCCT Board are listed on the attached sheet in the order of the Secretary of State's random drawing. Also attached are biographic sketches and statements of candidacy for each of the eleven candidates.

Ballots must be signed and returned to the League office, postmarked no later than April 25.

**RECOMMENDATION**

It is recommended that the Board vote to elect members to the California Community College Trustees Board.

## 2012 CCCT BOARD ELECTION CANDIDATES IN RANDOM DRAWING ORDER

1. \*Janet Chaniot, Mendocino-Lake CCD
2. Angela Acosta-Salazar, Rio Hondo CCD
3. \*Doug Otto, Long Beach CCD
4. \*Manny Ontiveros, North Orange County CCD
5. Tina Park, Los Angeles CCD
6. Ann H. Ransford, Glendale CCD
7. Deborah LeBlanc, Compton CCD
8. \*Bernard "Bee Jay" Jones, Allan Hancock Joint CCD
9. \*Marcia Zableckis, Barstow CCD
10. Greg Bonaccorsi, Ohlone CCD
11. \*Chris Stampolis, West Valley-Mission CCD

\* Incumbent



**CCCT 2012 BOARD  
OFFICIAL BALLOT**

**Vote for no more than eight (8) by checking the boxes next to the names**

**NOMINATED CANDIDATES**

*List order based on Secretary of State's January 19, 2012 random drawing.*

- \*Janet Chaniot, Mendocino-Lake CCD
- Angela Acosta-Salazar, Rio Hondo CCD
- \*Doug Otto, Long Beach CCD
- \*Manny Ontiveros, North Orange County CCD
- Tina Park, Los Angeles CCD
- Ann H. Ransford, Glendale CCD
- Deborah LeBlanc, Compton CCD
- \*Bernard "Bee Jay" Jones, Allan Hancock Joint CCD
- \*Marcia Zableckis, Barstow CCD
- Greg Bonaccorsi, Ohlone CCD
- \*Chris Stampolis, West Valley-Mission CCD

**WRITE-IN CANDIDATES**

*Type each qualified trustee's name and district on the lines provided below.*

\_\_\_\_\_  
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 \_\_\_\_\_  
 \_\_\_\_\_

\* Incumbent

**Board Secretary and Board President or Board Vice President must sign below:**

This ballot reflects the action of the board of trustees cast in accordance with local board policy.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
President or Vice President of the Board

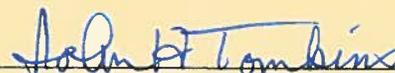
## CCCT BOARD NOMINATION FORM

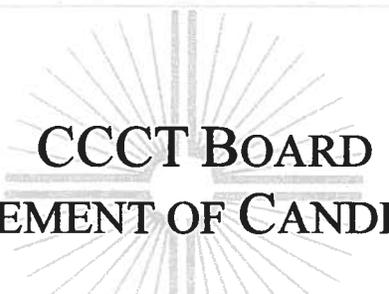
Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the Mendocino-Lake Community  
College District nominates Janet Chaniot to be a  
candidate for the CCCT Board.

This nominee is a member of the Mendocino-Lake Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
\_\_\_\_\_  
Signature of Clerk or Secretary of Governing Board



## CCCT BOARD STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15**, along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Janet Chaniot DATE: February 6, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

Issues:

- Budget crisis
- Student access, success, diversity
- Resources to accomplish mission/goals

Activities:

- Publicize CC role as California's primary economic engine
- Implement CCLC Strategic Plan and CCCT Goals/Objectives
- Support CC funding equity, especially for programs that increase student success
- Publish best practices: CC governance, and student access, success, diversity

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

- experience in secondary and community college education (teacher, administrator, board member)
- visionary leadership, helping to create educational opportunities for students
- first term work with CCLC/CCCT, supporting success initiatives, necessary accompanying legislation, and K-12/CC collaboration
- perspective of small, rural colleges in partnership with other districts, K-12 schools, and 4-year universities



**CCCT BOARD**  
**BIOGRAPHIC SKETCH FORM**

Must be returned to the League office **postmarked no later than February 15**, along with the nominating ballot and statement of candidacy. **Faxed material will not be accepted.**

**PERSONAL**

Name: Janet Chaniot Date: February 6, 2012

Address: 9430 West Road

City: Potter Valley, CA Zip: 95469

Phone: (707) 743-1310 (707) 972-6722  
(home) (office)

E-Mail: kiks@pacific.net

**EDUCATION**

Certificates/Degrees: B.A. – University of Michigan, Ann Arbor, M.S. – University of California, Berkeley, M.A. – University of San Francisco, Teaching Credential, Administrative Services Credential

**PROFESSIONAL EXPERIENCE**

Present Occupation: Retired Teacher/Administrator, Mediator (community and restorative justice mediation, Teen Peer Court), small business owner (document preparation and editing)

Other: Experience in Education: Part-time Instructor at Mendocino College, with service on the Curriculum Committee and the Academic Senate; Administrator/Teacher in private alternative high school during a period of successful State Department of Education campaign to regain a public K-12 school; Department Chair at Colegio Roosevelt in Lima, Peru; Coordinator/Coach of Model United Nations teams at two schools for conferences at U.C. Berkeley, the U.N. in New York city, and the International Court of Justice in The Hague, Netherlands

**COMMUNITY COLLEGE ACTIVITIES**

College District Where Board Member: Mendocino-Lake Community College District

Years of Service on Local Board: 10

Offices and Committee Memberships Held on Local Board: Chair (two terms), Vice-Chair (two terms), Policy Committee member

State Activities (CCCT and other organizations boards, committees, workshop presenter; Chancellor's Committees, etc Meetings with legislators to improve understanding of CC issues and to lobby for legislation which improves the CC system.

Active participant in numerous state, national, and international educational conferences, including community college trustee and legislative conferences.

Current member of CCLC-CCCT and CCCT committee on improving K-12 and CC relations

National Activities (ACCT and other organizations, boards, committees, etc.):

Work with Congressman Mike Thompson to support the Community College Caucus.

Participant in the 2005 Higher Education Law and Policy Institute.

National Council of Teachers of English— Founding Chair of Standing Committee on International Concerns.

#### **CIVIC AND COMMUNITY ACTIVITIES**

California Retired Teachers Association (local chapter legislative chair )

Local Community Services Board (member).

Western Association of Schools and Colleges (WASC school accreditation visiting committee chair)

Mendocino County Mediation Program (mediator)

#### **OTHER**

National Council of Teachers of English (NCTE)

Chair, Standing Committee on International Concerns

Chair, Committee to implement Robert Shafer Memorial Award for excellence in teaching English as a global language

Presenter at numerous national and international conferences

World Council for Curriculum and Instruction, participant at Triennial Conference in Amritsar, India

International Federation for the Teaching of English, presenter at the Melbourne, Australia Quadrennial Convention

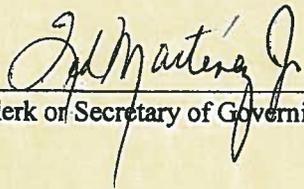
## CCCT BOARD NOMINATION FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the RIO HONDO Community  
College District nominates ANGELA AGOSTA-SALAZAR to be a  
candidate for the CCCT Board.

This nominee is a member of the RIO HONDO Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
\_\_\_\_\_  
Signature of Clerk or Secretary of Governing Board



CCCT BOARD  
STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15, 2012** along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Angela Acosta-Salazar DATE: February 7, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

The major issues that should be considered by CCCT are the Student Success Task Force Recommendations, the California State Budget, the ongoing sharing of best practices, and Trustee training. Trustees need information to creatively craft a way to deliver a quality education- balancing student success while not limiting access.

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

I believe my contribution can be in the areas of trustee training and looking at ways to implement the Student Success Task Force recommendations so that we working towards meeting the goal but not limiting access, through innovative work that is happening at the various community colleges across the state.



**CCCT BOARD**  
**BIOGRAPHIC SKETCH FORM**

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the nominating ballot and statement of candidacy. **Faxed material will not be accepted.**

**PERSONAL**

Name: Angela Acosta-Salazar Date: February 5, 2012

Address: 6241 Friends Avenue

City: Whittier Zip: 90601

Phone: (home)562.716.2112 (office)\_\_\_\_\_

E-Mail: angelaacostasalazar@mac.com

**EDUCATION**

Certificates/Degrees: B.A. Sociology, UC Irvine

M.A. Community and Regional Planning, University of New Mexico

Ed. D. Candidate, CSU Long Beach, Higher Education emphasis on Community College Leadership

**PROFESSIONAL EXPERIENCE**

Present Occupation: Ed. D. Candidate, CSU Long Beach

Adjunct Instructor, Los Angeles Community College District 2000 - present

Other: Puente Project, High School Community and Leadership Coordinator, University of California

Office of the President 2006-2010

HOPE Leadership Institute, Director, 2000-2006

**COMMUNITY COLLEGE ACTIVITIES**

College District Where Board Member: Rio Hondo College

Years of Service on Local Board: 7 years

Offices and Committee Memberships Held on Local Board: Board President 3 years,

Vice President

Accreditation Board representative & Board Liaison to the RHC Foundation 3 Years

State Activities (*CCCT and other organizations boards, committees, workshop presenter; Chancellor's Committees, etc* \_\_\_\_\_)

Member of CCLC ACES (Advisory Commity on Educational Services)

\_\_\_\_\_  
National Activities (*ACCT and other organizations, boards, committees, etc.*): \_\_\_\_\_

N/A

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CIVIC AND COMMUNITY ACTIVITIES**

Member, Soroptimist Club

Member, American Association of University Women, Whittier

Graduate, HOPE Leadership Institute Graduate

Member, League of Women Voters

Parent volunteer at Broadoaks school in Whittier

\_\_\_\_\_  
\_\_\_\_\_

**OTHER**

CEO of the Salazar household for Alfonso, and children, Alfonso, Lorenzo, & Rafael

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\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CCCT BOARD NOMINATION FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the \_\_\_\_\_ LONG BEACH \_\_\_\_\_ Community  
College District nominates \_\_\_\_\_ DOUG OTTO \_\_\_\_\_ to be a  
candidate for the CCCT Board.

This nominee is a member of the \_\_\_\_\_ LONG BEACH \_\_\_\_\_ Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.



\_\_\_\_\_  
Signature of Clerk or Secretary of Governing Board  
Eloy O. Oakley, Superintendent-President  
Secretary to Governing Board



CCCT BOARD  
STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15, 2012** along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Doug Otto DATE: February 7, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

The issues we must address are:

1. Implementation of the Student Success Agenda
2. Leadership Development for both trustees and CEOs
3. Access due to the State budget crises
4. Advocacy for community colleges in the State Legislature

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

I am very involved in the Student Success Agenda. As a member of the CCLDI I have an understanding of leadership challenges for both trustees and CEOs. I am a tireless advocate for community colleges at conferences and before local and state legislative bodies. up and down the state.

## CCCT BOARD BIOGRAPHIC SKETCH FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the nominating ballot and statement of candidacy. **Faxed material will not be accepted.**

### PERSONAL

Name: Doug Otto Date: February 7, 2012

Address: 111 West Ocean Blvd., Ste. 1900

City: Long Beach Zip: 90802

Phone: (home) (562) 439-8981 (office) (562) 491-1191

E-Mail: doug@dwottolaw.com

### EDUCATION

Certificates/Degrees: Long Beach City College; Stanford University BA; Union Theological Seminary/Columbia University MA; University of Chicago JD

### PROFESSIONAL EXPERIENCE

Present Occupation: Trial Attorney

Other: Adjunct Professor at Southwestern University School of Law for 15 years.

### COMMUNITY COLLEGE ACTIVITIES

College District Where Board Member: Long Beach Community College District

Years of Service on Local Board: Elected 2004; Re-elected 2008 = 8 years

Offices and Committee Memberships Held on Local Board: President Board of Trustees; Vice

President Board of Trustees; Chair Audit Committee; Chair Trustees Goal Committee; Chair

Presidential Search Committee; Chair Measure E \$440 million Bond Campaign

State Activities (*CCCT and other organizations boards, committees, workshop presenter; Chancellor's Committees, etc*)

Community College Leadership Development Initiatives (CCLDI): Board of Directors, presenter at Summer Leadership Academy, Chair Bylaws Committee, Member Strategic Plan Task Force: CCCT: Board of Directors 2009-2012, Chair Student Success Committee, presenter on numerous occasions at conferences and conventions; CCLC: Board of Directors 2010-2012, Co-Chair Commission on the Future of Community Colleges, Co-Chair CCLC Organizational Task Force; participant in CLASS (California Leadership Alliance for Student Success.)

National Activates (*ACCT and other organizations, boards, committees etc*): NONE

#### **CIVIC AND COMMUNITY ACTIVITIES**

Chair Long Beach Strategic Plan 2010; Chair City Manager's Downtown Business Development Advisory Committee; Chair Long Beach Planning Commission; Chair Citizen Transportation Task Force; President Long Beach Arts Council; President Long Beach Foundation for Architectural & Cultural Heritage; President Long Beach Bas Association; Founding Member Board of Directors; Chair Long Range Planning and Member Executive Committee Aquarium of the Pacific; Member Long Beach Ethics Task Force

#### **OTHER**

Awards:

Rockefeller Foundation Scholarship to Union Theological Seminary (1971-1972)

Long Beach Preservationist of the year (1990)

City of Long Beach David Landry Award for Community Service (2001)

Long Beach Bar Association Lawyer of the Year (2005)

Long Beach City College Hall of Fame (2008)

National Conference for Equality & Justice Humanitarian Award (2009)

California State Bar Association Solo and Small Firm Section Attorney of the Year (2011)



# CCCT BOARD NOMINATION FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
 CCCT Board Nominations  
 Community College League of California  
 2017 "O" Street  
 Sacramento, CA 95811

The governing board of the           NORTH ORANGE COUNTY           Community  
 College District nominates           MANNY ONTIVEROS           to be a  
 candidate for the CCCT Board.

This nominee is a member of the           NORTH ORANGE COUNTY           Community  
 College District governing board, which is a member in good standing of the Community College League of  
 California. The nominee has been contacted and has given permission to be placed into nomination.  
 Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
 \_\_\_\_\_  
 Signature of Clerk or Secretary of Governing Board

## CCCT BOARD STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15, 2012** along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Manny Ontiveros DATE: 2/10/2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

The ongoing economic crisis coupled with our aging facilities, an increase in student demand, and ongoing budget reductions, require our undivided attention. We are expected to do more with less. The League must continue to be our lead advocate in Sacramento with respect to legislation, budget, and trustee training.

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

I have demonstrated a willingness to learn about the pressing issues at hand in order to render a sound decision. I believe in consensus building, team building, and working in a collaborative spirit. I will bring my skills and experiences in order to move our organization forward.



**CCCT BOARD**  
**BIOGRAPHIC SKETCH FORM**

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the nominating ballot and statement of candidacy. **Faxed material will not be accepted.**

**PERSONAL**

Name: Manny Ontiveros Date: 2/10/2012

Address: P.O. Box 28796

City: Anaheim Zip: 92809

Phone: (home) (714) 808-4797 (office) \_\_\_\_\_

E-Mail: montiveros@nocccd.edu

**EDUCATION**

Certificates/Degrees: A.A. Liberal Studies, Fullerton College; B.A. Criminology, University of California, Irvine; Master's Degree Political Science, California State University, Fullerton.

\_\_\_\_\_

**PROFESSIONAL EXPERIENCE**

Present Occupation: Probation Officer

\_\_\_\_\_

Other: Adjunct Political Science Professor, Golden West College

\_\_\_\_\_

\_\_\_\_\_

**COMMUNITY COLLEGE ACTIVITIES**

College District Where Board Member: North Orange County Community College District

Years of Service on Local Board: 13

Offices and Committee Memberships Held on Local Board: Board President 2002 and 2008; Board Vice President 2001 and 2007; Board representative to the District Audit and the County Committee on Election of Members of the County Committee on School District Organization;

\_\_\_\_\_

\_\_\_\_\_

State Activities (*CCCT and other organizations boards, committees, workshop presenter; Chancellor's Committees, etc* \_\_\_\_\_

CCCT 2<sup>nd</sup> Vice President; CCCT Student Success Task Force Member, CCCT League Reorganization Task Force Member; New Trustee Orientation Presenter in 2004, 2005, and 2008; Past Member of Advisory Committee on Education Services (ACES) Committee; President, California Association of Latino Community College Trustees and Administrators (CALCCTA)

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National Activities (*ACCT and other organizations, boards, committees, etc.*): \_\_\_\_\_

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**CIVIC AND COMMUNITY ACTIVITIES**

Member, Anaheim Beautiful

Member, Anaheim Arts Council

Graduate of Leadership Anaheim

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**OTHER**

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## CCCT BOARD NOMINATION FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the Los Angeles Community  
College District nominates TINA PARK to be a  
candidate for the CCCT Board.

This nominee is a member of the Los Angeles Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
\_\_\_\_\_  
Signature of Clerk or Secretary of Governing Board



CCCT BOARD  
STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15, 2012** along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Tina Park DATE: February 9, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

Advocate the importance of the growth within the California Community Colleges System which contributes toward a vital solution for transforming the current economic crisis.

Promote the increase in student transfer rates and on-going preparation for our student success best practices.

Maintain or increase current enrollment under declining budgets.

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

"My financial experience on Wall Street, commitment to California's community college students, and advocacy with California Legislators, provides the experience and insight to support the goals and standards of the CCCT Board. My experience and commitment to the CCC system brings a fresh, dynamic, and contemporary perspective to the Board."



National Activities (*ACCT and other organizations, boards, committees, etc.*): \_\_\_\_\_

**Participant in the White House Asian American Initiative**

\_\_\_\_\_  
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**CIVIC AND COMMUNITY ACTIVITIES**

**Former Life Coach at Landmark Education Center**

**Leader of Asian American Pacific Islanders Business Association**

**Korean American Youth Center**

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**OTHER**

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## CCCT BOARD NOMINATION FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the \_\_\_\_\_ Glendale \_\_\_\_\_ Community  
College District nominates \_\_\_\_\_ Ann H. Ransford \_\_\_\_\_ to be a  
candidate for the CCCT Board.

This nominee is a member of the \_\_\_\_\_ Glendale \_\_\_\_\_ Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
\_\_\_\_\_  
Signature of Clerk or Secretary of Governing Board

# CCCT BOARD STATEMENT OF CANDIDACY

Must be returned to the League office postmarked no later than February 15, 2012 along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Ann Ransford DATE: February 13, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

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Major issues include implementation of the SSTF recommendations and providing access to students wanting to attend a community college. I will work with legislators, BOG, and CEOCCC in support of regulatory changes. I will advocate for best practices and accountability models. I support local control and ongoing trustee education.

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What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

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I bring 39 years of community college experience and understand our primary mission is to ensure more students have the opportunity to attain their educational goals. I will ask the hard questions, support accountability, and participate in planning and implementation. I will also provide a fresh perspective.

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National Activities (*ACCT and other organizations, boards, committees, etc.*): \_\_\_\_\_

Have served on the Council on Resource Development national board and as the Director of Region 9. (**CRD Mission:** The Council for Resource Development connects, educates, supports, strengthens, and celebrates community college development professionals.) In addition, I have been a presenter at numerous annual conferences.

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#### **CIVIC AND COMMUNITY ACTIVITIES**

I have been an active participant in the greater Glendale community as a member of the executive board of the YMCA, YWCA, Glendale Chamber of Commerce, Glendale Rotary, Temple Sinai, Glendale Rose Float Association, Glendale Association for the Retarded, Greater Glendale Committee on Aging, Career Encores and Life Services, Inc. I served a six-year term, including chair, on the City of Glendale Parks, Recreation and Community Services Commission. I was honored in 2007 with the Citizen of the Year Award from the Glendale Association of Realtors and the J. Walter Smith Award presented by the Glendale Community College Alumni Association. Additionally, I played a major leadership role in the successful Measure G Capital Bond Measure (\$98M) Campaign to support Glendale Community College. Recently, I was a presenter at the Armenian National Committee Western Region Conference.

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#### **OTHER**

California community colleges are on the brink of major reform. This reform includes the restructuring of our priorities, resources and practices. We must develop models of accountability and improve our outcomes. We need to focus on student access, student success, career attainment and increased student persistence so all students, including students of color, reach their educational goals. Chancellor Scott reminds us we have a valuable framework for improvement with the implementation of the task force recommendations. However, each of these recommendations needs to be implemented with great thought and care. Although reform is necessary, we must not lose site of the important role in lobbying for our fair share of educational dollars. We must increase access, support professional development for our faculty, staff and trustees and continue to applaud our successes as we assist California with its economic recovery. I have the experience, skill and energy to assist with these tasks as a board member of the CCCT.

## CCCT BOARD NOMINATION FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the COMPTON Community  
College District nominates Dr. Deborah LeBlanc to be a  
candidate for the CCCT Board.

This nominee is a member of the COMPTON Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
\_\_\_\_\_  
Signature of Clerk or Secretary of Governing Board  
Dr. Keith Curry

## CCCT BOARD STATEMENT OF CANDIDACY

Must be returned to the League office postmarked no later than February 15, 2012 along with the nominating ballot and biographic sketch form. Faxed material will not be accepted.

CANDIDATE'S NAME: DR. DEBORAH LEBLANC DATE: January 25, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? (50 words or less; any portion of the statement beyond this limit will not be included.)

**I believe that the major issues and activities for the next two years should be:**

**(a) student success; (b) jobs and economical development; (c) budgetary and financial planning, and community engagement through quality service.**

What do you feel you can contribute in these areas? (50 words or less; any portion of the statement beyond this limit will not be included.)

**I would encourage continued development and implementation of programs, services, and activities that contribute to positive social change for adult learners, leaders, and educators; encourage stronger advocacy for public higher education funding; and seek to strengthen community college trustees' roll in advocacy of essential public policy/initiatives within California Community Colleges.**



National Activities (*ACCT and other organizations, boards, committees, etc.*): \_\_\_\_\_

**PROGRAM AND WORKSHOP PRESENTATIONS (partial)**

- 2011 "Best Practices: Graduating & Retaining African American Males in Higher Education"
- 2010 "Role of Community College Trustees in Academic Accreditation," CCLC Apr. 2010
- 2009 "Understanding the Community Needs through Excellence in Public Service"  
American Society of Public Administration, Miami, FL March 20 -24, 2009
- 2005 "Improving Race Relations," American Association of Adult & Continuing Ed (AAACE) PA
- 2001 "Achieving Excellence in the 21<sup>st</sup> Century," Mount St. Mary's College, Sept
- 2001 "Inspiring female adult learners to achieve excellence," Greater South bay, July
- 2000 "Distance Learning in Trinidad & Tobago" Port of Spain, Trinidad, W.I.

**CIVIC AND COMMUNITY ACTIVITIES**

**Dr. LeBlanc is currently President, Board of Trustees of Compton Community College District and the Statewide President of the African American California Community College Trustees (AACCCCT), a caucus of the Community College League of California (CCLC). She is committed to improving the quality of education for all.**

**OTHER**

**ACADEMIC/PROFESSIONAL APPOINTMENTS/ELECTIONS – National Univ.  
Southern California Regional Lead: Public Administration/Law/Criminal Justice (1999 – Present)  
Regional Full-time Faculty, School of Business & Management, Los Angeles (1990)  
Chair of the Department of Law, Public Administration & Criminal Justice (1991)  
National University, Faculty Senate (2004 – 2007)  
Chair, Committee on Budgeting and Academic Planning (2004 – 2007)  
National President, Conference of Minority Public Administrators (COMPA) (2008)  
National Director, Commission Community, Minority & Non-Formal Ed/AAACE  
National Co-Chair 2010 Program Committee, American Society of Public Administration (ASPA).**

**BIO**

**Dr. Deborah LeBlanc,**  
**President, Board of Trustees**  
**COMPTON COMMUNITY COLLEGE DISTRICT**  
*deborah7770@sbcglobal.net*  
*(310) 867-3418*

**Dr. Deborah LeBlanc** was elected to public office on November 3, 2009, to serve on the Compton Community College District, Board of Trustees – Area 4 (Paramount, CA) after numerous unsuccessful political bids. She was elected President of the Compton Community College District, Board of Trustees, on December 14, 2011. Dr. LeBlanc has received numerous awards and honors, including the 2011 Dr. Jerry C. Lee National University Faculty Service Award (September 8, 2011); and the California State Assembly District-52, Community Service Award (December 17, 2011).

**Dr. LeBlanc** is the President/Founder of the Community Family Educational Services Foundation, Inc., a non-profit organization helping to prepare urban students for college. She has 25+ years of training and professional development consulting and teaching experience in quasi-political, government and private firms. She is An Associate Professor of Public Administration at National University which is based in La Jolla, CA, where Dr. LeBlanc has taught since 1987. She serves regional full time faculty and directs the MPA/Law/CJ in the greater Los Angeles area. Dr. LeBlanc is a businesswoman and educator specializing in strategic organizational planning and training. Dr. LeBlanc has been the CEO/President of DLB Associates, Inc. since 1985, a Beverly Hills based business development and professional training firm.

**Dr. LeBlanc** is a global traveler and has visited 30 + countries. She is married and has two grown sons and is a faithful member of the City of Refuge Community Church. She has executive management executive managerial skills and abilities. Dr. LeBlanc served on the National University 2009-2010 President's Faculty Council and the 2010 – 2011 National University Chancellor's Faculty Forum. She has been the National Director of the Commission on Community, Minority and Non-Formal Education (CCMNFE/AAACE) since 2005. She is Life time member of the American Society of Public Administration (ASPA) and served as the National co-chair of the 2010 ASPA Conference held in San Jose, CA April 9 – 13, 2010, which drew over 1200 public administrators; member of the International City/County City Management (ICMA); and the 2009 Past President of the National Conference of Minority Public Administrators (COMPA).

Prior to being elected Board President, she was elected Vice President by her peers on the Compton Community College District, Board of Trustees for second time on December 14, 2010; and is working collaboratively: (a) to restore board control, (b) to return academic accreditation from El Camino Community College back to

Compton College, and (c) to enhance creditability of Compton Community College District both locally and globally. Dr. LeBlanc is currently the Statewide President of the African American California Community College Trustees (AACCCCT), a caucus of the Community College League of California (CCLC). She is committed to improving the quality of education for all.

Dr. Deborah LeBlanc – Bio p.2

#### **AREA OF EXPERTISE AND SPECIALIZATION**

- . Educational consultation and organizational planning
- . Professional training and workforce development
- . Strategic planning/Community network design
- . Human resources planning /workforce diversity facilitation

#### **ACADEMIC DEGREES**

- D.P.A. *Doctorate in Public Administration*, University of La Verne, CA 1986.
- M.S. *Educational Administration*, National University, 2005.
- M.A. *Cross Cultural Teaching*, National University, 2006.
- M.P.A. *Master of Public Administration*, University of Southern CA , 1981.
- M.S. *of Management and Organizational Behavior*, University of La Verne, 1986.
- M.H.S. *Master in Human Services*, National University, San Diego, 1999.
- B.A. *Political Science*, California State Polytechnic University, Pomona, 1978.

# CCCT BOARD NOMINATION FORM

Must be returned to the League office postmarked no later than February 15, 2012, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the \_\_\_\_\_ Allan Hancock Joint \_\_\_\_\_ Community  
College District nominates \_\_\_\_\_ Bernard "Bee Jay" Jones \_\_\_\_\_ to be a  
candidate for the CCCT Board.

This nominee is a member of the \_\_\_\_\_ Allan Hancock Joint \_\_\_\_\_ Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
\_\_\_\_\_  
Signature of Clerk or Secretary of Governing Board

# CCCT BOARD STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15, 2012** along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Bernard "Bee Jay" Jones DATE: January 26, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

1. Successfully accommodating the increasing number of ill-prepared students entering college. Community  
Colleges are responsible, through education and vocational training, to prepare these students to contribute  
to society.

2. Diversification of our faculty, staff, and students. Diversity enriches the educational experience and makes all  
students feel welcome.

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

Student success must remain our highest priority. Budget crises can jeopardize great programs. It is better to  
fully fund good programs and cut programs that are not contributing. I have managed organizations with huge  
budgets - during budget crises - in the Air Force and Aerospace industry, and always accomplished the mission.

## CCCT BOARD BIOGRAPHIC SKETCH FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the nominating ballot and statement of candidacy. **Faxed material will not be accepted.**

### PERSONAL

Name: Bernard "Bee Jay" Jones Date: January 26, 2012

Address: 3123 Manley Drive

City: Lompoc Zip: 93436

Phone: (805) 733 - 1166 (805) 606 - 8609  
(home) (office)

E-Mail: bernard.jones@verizon.net

### EDUCATION

Certificates/Degrees: B.S., Physics, Southwest Texas State University, 1978

M.A., Public Administration, University of Houston, 1988

### PROFESSIONAL EXPERIENCE

Present Occupation: Aerospace Engineer, General Dynamics

Other: 23 years U.S. Air Force officer; retired as a Lt. Col.

All 23 years in aerospace, space launch and spacecraft acquisition.

### COMMUNITY COLLEGE ACTIVITIES

College District Where Board Member: Allan Hancock Joint Community College District

Years of Service on Local Board: 8

Offices and Committee Memberships Held on Local Board: \_\_\_\_\_

State Activities (*CCCT and other organizations boards, committees, workshop presenter; Chancellor's Committees, etc*) CCCT Board 2008 - Present

National Activities (*ACCT and other organizations, boards, committees, etc.*): \_\_\_\_\_  
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\_\_\_\_\_  
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**CIVIC AND COMMUNITY ACTIVITIES**

Santa Barbara County Human Relations Commission (Previously - 2 years) and very active in my church.  
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**OTHER**

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# CCCT BOARD NOMINATION FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the Barstow Community  
College District nominates Marcia Zableckis to be a  
candidate for the CCCT Board.

This nominee is a member of the Barstow Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
Signature of Clerk or Secretary of Governing Board

# CCCT BOARD STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15, 2012** along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Marcia Zableckis DATE: 2/14/2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

Continue to advocate and articulate on behalf of CCC's the critical  
importance of the community college role in driving the state's  
economic engine by providing the workforce development that is needed  
to stimulate and sustain the economy.

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

We need to work with K-12 as partners in order to better prepare  
students for collegiate-level work. I am currently on a committee  
through the CCCT board to see what can be done to help community  
colleges and K-12 work together for the success of our students  
in California.

## CCCT BOARD BIOGRAPHIC SKETCH FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the nominating ballot and statement of candidacy. **Faxed material will not be accepted.**

### PERSONAL

Name: Marcia Zableckis Date: 2/14/2012  
 Address: 900 Windy Pass  
 City: Barstow Zip: 92311  
 Phone: (760)252-3509 (760)252-2411, ext. 7214  
(home) (office)  
 E-Mail: marciazdrs@aol.com

### EDUCATION

Certificates/Degrees: MA-Fresno Pacific; Clear Multiple Subjects Teaching  
 Credential-CSU San Bernardino; BA-University of LaVerne;  
 Certificate of Early Education-Barstow College; AA-Barstow College

### PROFESSIONAL EXPERIENCE

Present Occupation: Principal of private junior high; adjunct for both  
 Brandman University and Western Governor's University as supervisor for  
 student teachers, GED Facilitator.  
 Other: K-12 teacher for 21 years; Administrator & Instructor for Desert  
 Research Station in the Mojave Desert; Preschool teacher-Barstow Christian  
 and Paddington School, Naples, Italy.

### COMMUNITY COLLEGE ACTIVITIES

College District Where Board Member: Barstow Community College District  
 Years of Service on Local Board: 12 years  
 Offices and Committee Memberships Held on Local Board: President, Vice President,  
 Foundation Representative, County Representative, Secretary,  
 Personnel Committee & Program Committee. BCC 2011 Commencement Speaker for  
 50th anniversary graduation.  
 State Activities *(CCCT and other organizations boards, committees, workshop presenter;  
 Chancellor's Committees, etc* 3 years on CCCT; Advisory Committee on Education  
 Services (ACES), Presented at Board Chair workshop at the CCCT  
 Conference, January 2006-2009; CCCT Committee on K-12 relations

National Activities (*ACCT and other organizations, boards, committees, etc.*): None

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#### CIVIC AND COMMUNITY ACTIVITIES

Board President, New Hope Village (program for housing & life skills for homeless members of community; member of community committee to bring a major science facility to the college; District Science Fair Coordinator for 12 years; Regional & local judge of science fairs; Bishop's committee, St. Paul's Episcopal Church; Delta Kappa Gamma-Scholarship Chairman, Past President, Past Vice President, past regional membership Chairman; past chairman of auction for Spring Fling. Cat in the Hat presentation at local schools for Dr. Seuss Birthday for the past 4 years.

#### OTHER

Christa McAuliffe Fellowship-1994; Reopened the Desert Research Station in Hinkley, CA-1994, a grade level science program for students K-12; Woodrow Wilson Fellowship-1998, Barstow Unified Teacher of the Year-1998; RIMS (Riverside, Inyo, Mono, and San Bernardino Counties); Secondary Science Teacher of the Year-1998; T.A.A.P. Grant Recipient-1996-1998 used to create and start a Docent program for 7th & 8th graders to help younger students receive more science instruction. Been trained for GAVRT program (Goldstone Apple Valley Radio Telescope). Kiwanis Club honor with perpetual trophy for district science fair in Marcia Zableckis' name.

# CCCT BOARD NOMINATION FORM

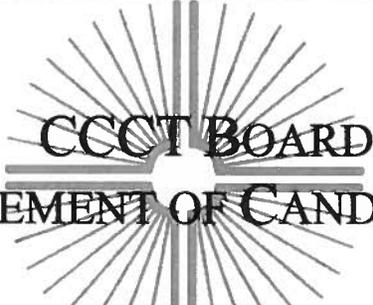
Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the Ohlone Community  
College District nominates Greg Bonaccorsi to be a  
candidate for the CCCT Board.

This nominee is a member of the Ohlone Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

*Janie Browning*  
Signature of Clerk or Secretary of Governing Board



CCCT BOARD  
STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15, 2012** along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Greg Bonaccorsi DATE: February 14, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

It is my position that the League must continue to be a strong advocate for and coordinate its actions with other allied agencies for publicly funded California Community Colleges so that these institutions of higher education can continue to meet the demands of our ever-increasing and diverse student population.

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

My background as a public school teacher and a life-long public education advocate have prepared me well by providing the context and the connections needed to focus on meeting student needs through the goals of the CCCT Board of the League. Now is the time for action.



**CCCT BOARD**  
**BIOGRAPHIC SKETCH FORM**

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the nominating ballot and statement of candidacy. **Faxed material will not be accepted.**

**PERSONAL**

Name: Greg Bonaccorsi Date: February 14, 2012

Address: Post Office Box 489

City: Fremont Zip: 94537

Phone: (home)(510) 813-4161

(office)(510) 656-3500 Extension 38030

E-Mail: greg4ohlone@yahoo.com

**EDUCATION**

Certificates/Degrees: \_\_\_\_\_

BA in Biology with a Minor in Mathematics (1986) -- Humboldt State University, Arcata, California

California Single-Subject Clear Credential in Biology with Supplementary Authorizations in Mathematics, General Science, and Music (1987) -- Humboldt State University, Arcata, California

Specialist Certification in Gifted and Talented Education (1991), Fremont Unified School District, Fremont, California

**PROFESSIONAL EXPERIENCE**

Present Occupation: Honors 7<sup>th</sup> Grade Life Science Teacher, William Hopkins Junior High School  
Fremont Unified School District, Fremont, California (1989 - Present)

Other: President, Fremont Unified District Teachers Association/CTA/NEA (2000 - 2005)

Elected Member of the National Education Association Board of Directors representing California (2011 - Present)

\_\_\_\_\_

**COMMUNITY COLLEGE ACTIVITIES**

College District Where Board Member: Ohlone Community College District

Years of Service on Local Board: 2008 - Present

Offices and Committee Memberships Held on Local Board: Chair, Ohlone CCD Board

Member, Policy Sub-Committee to the Ohlone CCD Board of Trustees

Member, Audit Committee to the Ohlone CCD Board of Trustees

Member, Ohlone Foundation Board

*State Activities (CCCT and other organizations boards, committees, workshop presenter; Chancellor's Committees, etc) \_\_\_\_\_*

None

\_\_\_\_\_  
\_\_\_\_\_

*National Activities (ACCT and other organizations, boards, committees, etc.): \_\_\_\_\_*

None

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\_\_\_\_\_  
\_\_\_\_\_

**CIVIC AND COMMUNITY ACTIVITIES**

Member, City of Fremont Redevelopment Appeals Board

Past Member, Fremont Unified School District Financial Advisory Committee

Member, Tri-Cities Democratic Forum

Member, League of Women Voters for Fremont, Newark, and Union City

Member (On-Leave), Ohlone Wind Orchestra

Past Member, Fremont Youth Symphony Board of Directors

\_\_\_\_\_

**OTHER**

Who's Who Among America's Teachers (1995)

Member, California State Parks Foundation

Member, The Honor Society of Phi Delta Kappa

Member, The Honor Society of Phi Kappa Phi

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

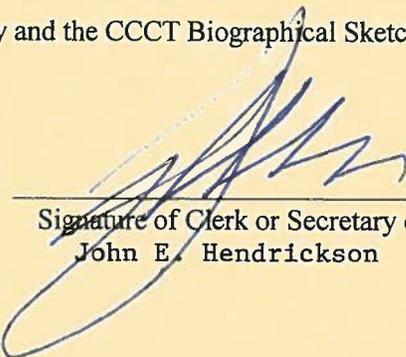
## CCCT BOARD NOMINATION FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the statement of candidacy and biographic sketch form. **Faxed material will not be accepted.**

Mail to:  
CCCT Board Nominations  
Community College League of California  
2017 "O" Street  
Sacramento, CA 95811

The governing board of the West Valley - Mission Community  
College District nominates Trustee Chris Stampolis to be a  
candidate for the CCCT Board.

This nominee is a member of the West Valley - Mission Community  
College District governing board, which is a member in good standing of the Community College League of  
California. The nominee has been contacted and has given permission to be placed into nomination.  
Enclosed are the Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee.

  
\_\_\_\_\_  
Signature of Clerk or Secretary of Governing Board  
John E. Hendrickson

## CCCT BOARD STATEMENT OF CANDIDACY

Must be returned to the League office **postmarked no later than February 15, 2012** along with the nominating ballot and biographic sketch form. **Faxed material will not be accepted.**

CANDIDATE'S NAME: Chris Stampolis DATE: January 11, 2012

What do you see as the major issues and activities that should be considered by CCCT and the League in the next two years? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

Amid reduced financial resources, Community College Trustees must balance increasing demand from high-achieving 12<sup>th</sup> graders, a wide range of career training trends and local remediation needs. To do more with less, CCCT should support expanded distance training (including webinars) and can facilitate partnerships with K-12 trustees and municipal officials.

What do you feel you can contribute in these areas? **(50 words or less; any portion of the statement beyond this limit will not be included.)**

As father of two elementary students, and husband of a three-term County Board of Education Trustee, I see our Community College challenges multigenerationally. I will continue to advocate for CCCT to address college readiness, STEM training and the achievement gap and to encourage discussions with K-12 trustees and community leaders.

## CCCT BOARD BIOGRAPHIC SKETCH FORM

Must be returned to the League office **postmarked no later than February 15, 2012**, along with the nominating ballot and statement of candidacy. **Faxed material will not be accepted.**

### PERSONAL

Name: Chris Stampolis Date: January 11, 2012

Address: PO Box 270, Santa Clara, CA 95052

City: Santa Clara Zip: 95052

Phone: (home) 408-390-4748

(office) 408-771-6858

E-Mail: stampolis@aol.com

### EDUCATION

Certificates/Degrees: J.D., Concord Law School, 2006; M.A., Catechetics, Santa Clara Univ., 1998;

B.S. - Political Science/French (Honors Program), Santa Clara Univ., 1987

### PROFESSIONAL EXPERIENCE

Present Occupation: Praxis House, Santa Clara, CA - Government Relations consulting services to LiUNA and private sector

Other: Director, Community Education & Govt. Relations, LiUNA Local 304, Hayward, CA;

Director, Community Education & Govt. Relations, Romic Environmental, East Palo Alto, CA;

Community Relations Representative, City of San Jose, Environmental Services Dept., San Jose, CA;

Local Parish Youth Ministry Director, Catholic Diocese of San Jose, San Jose, CA;

Managing Editor/Director of Marketing, Aviation Ground Equipment Market Magazine, San Jose, CA

### COMMUNITY COLLEGE ACTIVITIES

College District Where Board Member: West Valley-Mission Community College District

Years of Service on Local Board: seven (7)

Offices and Committee Memberships Held on Local Board: Land Corporation President (1 yr),

Legislative Committee Membership (5 yrs.), Chairperson (1 yr.)

Board Goals Task Force; Data Dashboard Task Force

*State Activities (CCCT and other organizations boards, committees, workshop presenter; Chancellor's Committees, etc.)*

State Board Member, California Community College Trustees (CCCT), 2009-present

Chair, CCCT Task Force on K-12/CC Trustee Communications

Organizer, San Francisco Bay Area Trustees

National Activities (*ACCT and other organizations, boards, committees, etc.*):

Attendance at ACCT National Legislative Summit, Washington, DC

Attendance at National School Boards Association conventions

### CIVIC AND COMMUNITY ACTIVITIES

Santa Clara City Planning Commission (1999-2004)

Santa Clara City Historical and Landmarks Commission (1995-1999)

Santa Clara City Citizens' Advisory Committee (3 years as chair 2000, 2001, 2002)

Board of Directors Santa Clara Homestead Little League (2011-present)

PTA Local Officer - Bracher Elementary (2009-2011); Pomeroy Elementary (2006-2008)

School Site Council - Bracher Elementary (2011-present); Pomeroy Elementary (2006-2007)

### OTHER

Board Member, Santa Clara University Alumni Association (2001-2006)

President, Santa Clara University Pastoral Ministries Alumni Chapter (2002-2006)

Board member, East Palo Alto Chamber of Commerce (2006-2008)

Member, Democratic National Committee, (2000 – present)

State President (2004-07), State Secretary (1999-2004, 2011-present), California Democratic Council

State Chair (2011-present), California Democratic Party Rural Caucus

Organizer, National Association of Democratic Education Officials

**RESOLUTION NO. 12-4**

**BY THE GOVERNING BOARD OF THE  
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
STATE OF CALIFORNIA**

---

**RESOLUTION REGARDING BOARD ABSENCES**

**WHEREAS**, California Education Code states a Governing Board member of a community college district may receive compensation for any meeting when absent if the Board, by resolution duly adopted, finds that at the time of the meeting, he or she is performing services outside the meeting for the community college district; he or she was ill or on jury duty; or the absence was due to a hardship deemed acceptable by the Board; and

**WHEREAS**, at the time of the November 16, 2011 meeting of the Board, Trustee Mandelkern was absent due to hardship deemed acceptable by the Board; and

**WHEREAS**, at the time of the December 14, 2011 meeting of the Board, Trustee Holoher was absent due to hardship deemed acceptable by the Board; and

**WHEREAS**, at the time of the January 25, 2011 meeting of the Board, Trustee Hausman was absent due to illness;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of the San Mateo County Community College District finds that under current law, Trustees Mandelkern, Holoher and Hausman are entitled to receive the regular compensation for the meetings at which they were absent.

**REGULARLY PASSED AND ADOPTED** this 28<sup>th</sup> day of March, 2012.

Ayes:

Noes:

Attest: \_\_\_\_\_  
Helen Hausman, Vice President-Clerk  
Board of Trustees



**San Mateo County Community College District**

**Refinancing of District  
General Obligation Bonds  
Board of Trustees Meeting**

March 28, 2012

## Update on the District's Refinancing Opportunity

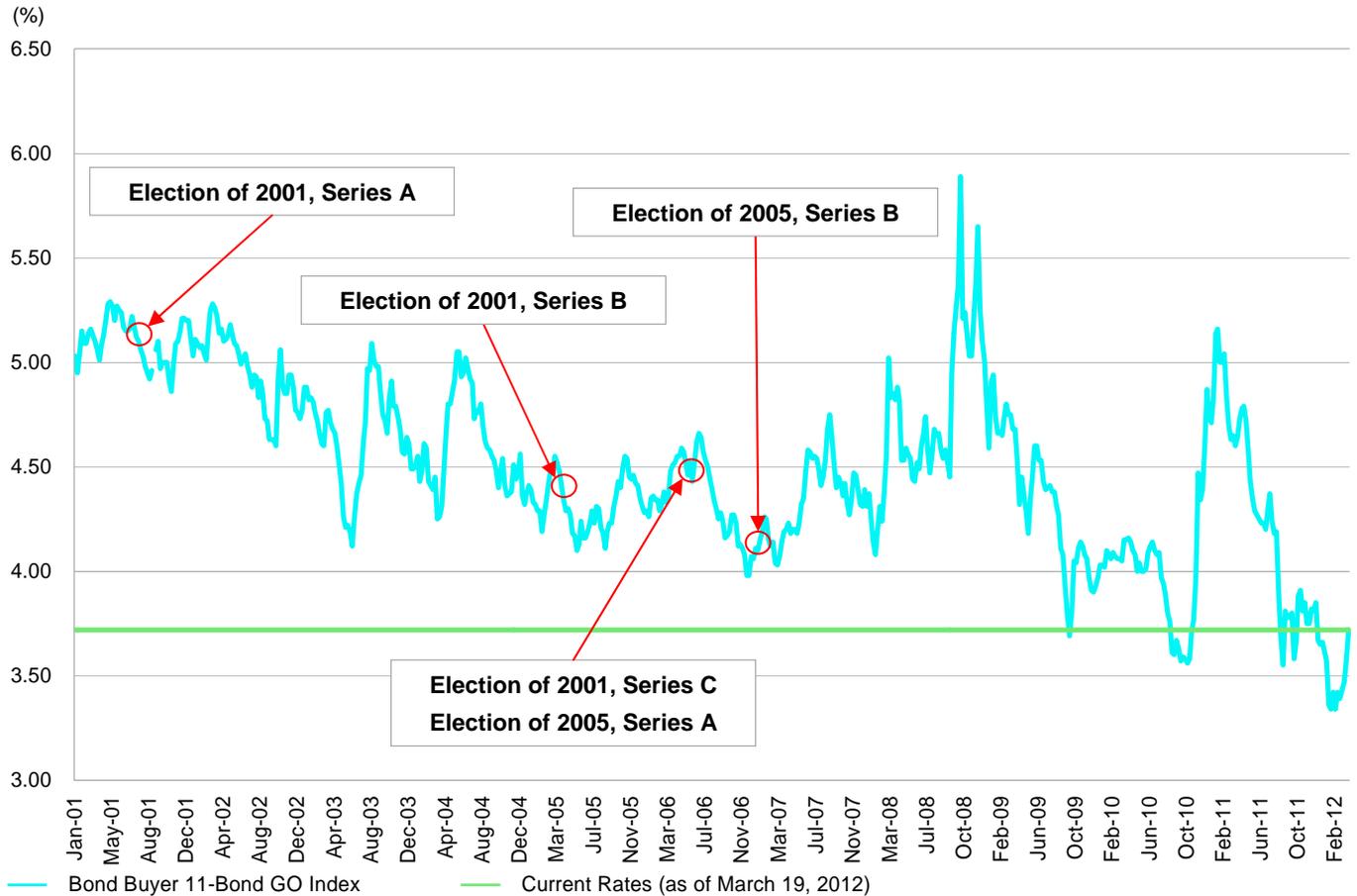
- For over a year, the District staff and the GO Bond financing team have been monitoring the District's GO Bonds for potential refunding opportunities
  - With interest rates still near historic lows, the District has an opportunity to refinance certain bonds to generate debt service and property tax savings
- The District currently has \$600.8 million of outstanding General Obligation Bonds (“GO Bonds”)
  - \$176.1 million of GO Bonds outstanding from the District's Election of 2001
  - \$424.7 million of GO Bonds outstanding from the District's Election of 2005
- The District can refinance a portion of these obligations by exercising the optional call provisions, redeeming the bonds for 100% of the principal amount, and issuing new obligations with a lower interest cost
  - The refunding bond proceeds are placed into an escrow account to pay off the refunded bonds
  - Refunding the bonds lowers debt service due to reduced interest cost, ultimately generating savings for the District's tax payers by lowering the required tax rate to service the debt
- Given current market conditions, the District could refinance approximately \$69.705 million in GO Bonds to capture debt service savings that averages nearly \$713,000 every year through 2026
  - Equivalent to \$0.50 per \$100,000 of FY2011 Assessed Valuation

- Tax-exempt interest rates are currently at or near all time lows
  - Rates have fallen by 88 basis points over the past year

## Interest Rate Market Conditions

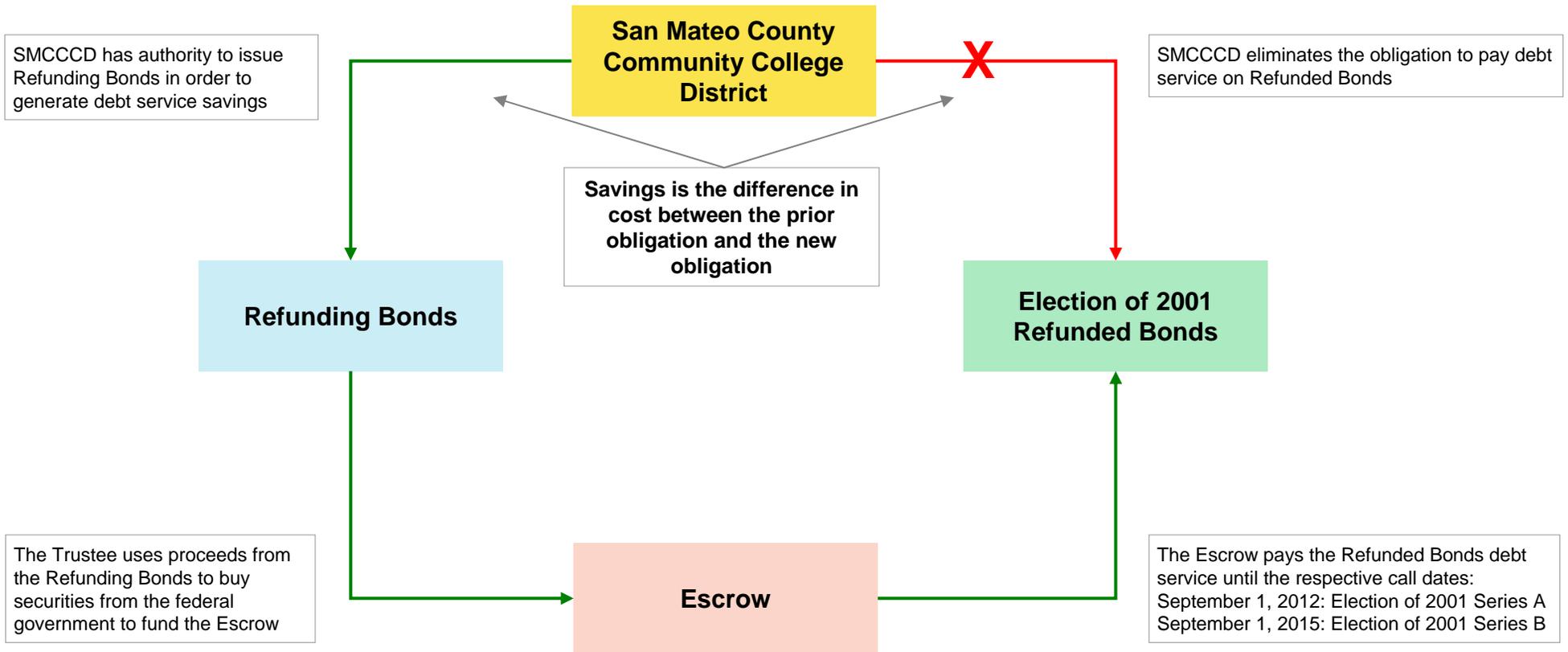
### Bond Buyer 11-Bond GO Index, with San Mateo CCD GO Sales

January 2001 to Present



Bond Buyer 11-Bond GO Index is the average yield of eleven 20-year bonds with an average rating of Aa1 from Moody's and AA+ from S&P.

# Refinancing Mechanics



**San Mateo County Community College District**

- In the current market, a refunding of \$69.705 million of Bonds will generate \$9.1 million in present value savings, or 13.1% of the refunded par amount
  - At approximately \$713,000 of debt service savings annually, the tax rate can be reduced by \$0.50 per \$100,000 of FY2011 AV
- Figures are net of all costs, estimated at approximately 0.62% of the par amount
- As recently as February, the District’s refunding would have been approximately \$100 million, saving over \$13 million for the District’s taxpayers, however interest rates have trended up since that time

# Summary of Refunding Results

Market Conditions as of March 19, 2012

**Refunded Bonds**

Par Amount	\$69,705,000
Average Coupon	5.06%
Average Life	7.9 Years
Series and Maturities Refunded	Election of 2001, Series A: 2013 – 2026 Election of 2001, Series B: 2016 – 2020

**Refunding Bonds**

Refunding Bond Proceeds	\$73,688,633
Arbitrage Yield	2.36%
All-in TIC	2.63%
Escrow Yield	0.35%
Cost of Negative Arbitrage	\$1,208,668
PV Savings	\$9,129,808
PV Savings as % of Ref. Par	13.10%
Total Cash Flow Savings	\$10,690,182
Average Annual Savings	\$712,679
Reduction in Tax Rate	\$0.50 / \$100,000 of AV

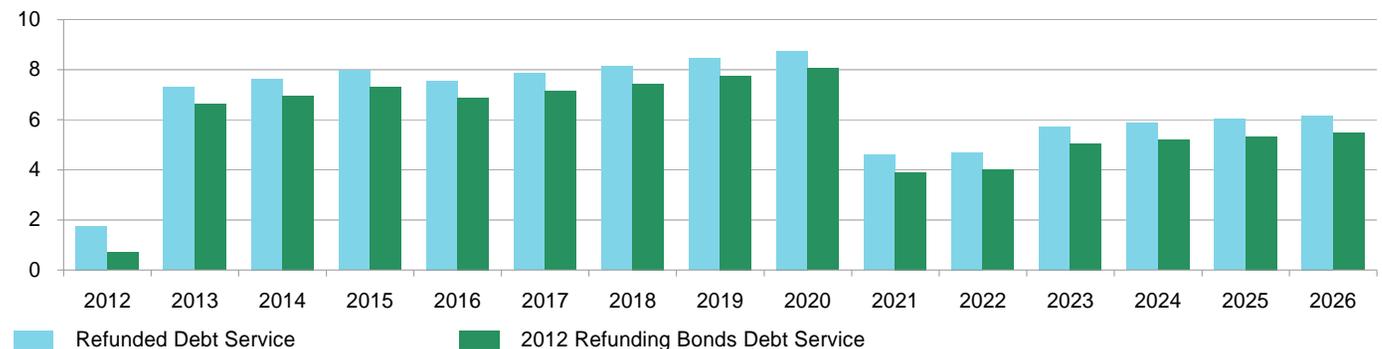
Maturities and series included in the refunding could change slightly based on market conditions at the time of the sale

Savings are driven by refunding outstanding debt with an average cost of 5.06% with new debt with a 2.63% average cost

Savings are passed on to taxpayers; the District incurs no out-of-pocket costs

**Comparison of Refunded Bonds and 2012 Refunding Bonds Debt Service**

(\$MM)



**San Mateo County Community  
College District**

**Appendix A**

**Disclaimer**

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**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**

**RESOLUTION NO. 12-5**

RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN  
MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
AUTHORIZING THE ISSUANCE AND SALE OF 2012 GENERAL  
OBLIGATION REFUNDING BONDS IN THE PRINCIPAL  
AMOUNT OF NOT TO EXCEED \$150,000,000

**WHEREAS**, the San Mateo County Community College District (the "District") has previously issued the following General Obligation Bonds which are currently outstanding (collectively, the "Prior Bonds"):

- San Mateo County Community College District (County of San Mateo, California) 2002 General Obligation Bonds (Election of 2001), Series A, issued June 19, 2002, in the aggregate original principal amount of \$96,875,612.95 (the "2002 Bonds");
- San Mateo County Community College District (County of San Mateo, California) 2005 General Obligation Bonds (Election of 2001), Series B, issued on February 23, 2005, in the aggregate principal amount of \$69,995,132.40 (the "2005 Series B Bonds"); and
- San Mateo County Community College District (County of San Mateo, California) 2006 General Obligation Bonds (Election of 2005), Series B, issued on December 21, 2006, in the aggregate principal amount of \$332,570,193.75 (the "2006 Series B Bonds").

**WHEREAS**, the Board of Trustees of the District has determined at this time to issue and sell its San Mateo County Community College District 2012 General Obligation Refunding Bonds in the aggregate principal amount of not to exceed \$150,000,000 (the "Refunding Bonds") for the purpose of refunding some or all of the outstanding Prior Bonds, in whole or in part, and thereby realizing financial savings to the property tax payers of the District; and

**WHEREAS**, the Board of Trustees of the District is authorized to provide for the issuance and sale of the Refunding Bonds under the provisions of Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, commencing with Section 53550 of said Code (the "Bond Law"); and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the San Mateo County Community College District as follows:

## ARTICLE I

### DEFINITIONS; AUTHORITY

SECTION 1.01. *Definitions.* The terms defined in this Section 1.01, as used and capitalized herein, shall, for all purposes of this Resolution, have the meanings given them below, unless the context clearly requires some other meaning.

“Board” means the Board of Trustees of the District.

“Bond Counsel” means (a) the firm of Jones Hall, A Professional Law Corporation, or (b) any other attorney or firm of attorneys nationally recognized for expertise in rendering opinions as to the legality and tax exempt status of securities issued by public entities.

“Bond Law” means Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California, as amended from time to time.

“Bond Purchase Agreement” means the Bond Purchase Agreement between the District and the Underwriter, under which the Underwriter agrees to purchase the Refunding Bonds and pay the purchase price therefor.

“Bond Year” means the one-year period beginning on September 2 in each year and ending on the next succeeding September 1; except that the first Bond Year begins on the Closing Date and ends on September 1, 2012.

“Closing Date” means the date upon which there is a physical delivery of the Refunding Bonds in exchange for the amount representing the purchase price of the Refunding Bonds by the Underwriter.

“Continuing Disclosure Certificate” means the Continuing Disclosure Certificate which is executed and delivered by a District Representative on the Closing Date.

“Controller” means the Controller of the County.

“Costs of Issuance” means all items of expense directly or indirectly payable by or reimbursable to the District and related to the authorization, issuance, sale and delivery of the Refunding Bonds and the refunding of the Prior Bonds, including but not limited to the costs of preparation and reproduction of documents, printing expenses, filing and recording fees, initial fees and charges of the Paying Agent and its counsel, legal fees and charges, fees and disbursements of consultants and professionals, rating agency fees, title insurance premiums, fees and charges for preparation, execution and safekeeping of the Refunding Bonds and any other cost, charge or fee in connection with the original issuance of the Refunding Bonds and the refunding of the Prior Bonds.

“Costs of Issuance Fund” means the account of that name established and held by the Paying Agent as provided in Section 3.04.

“County” means the County of San Mateo, a political subdivision of the State of California, duly organized and existing under the Constitution and laws of the State of California.

“County Treasurer” means the Treasurer-Tax Collector of the County.

“Debt Service Fund” means the account established and held by the County under Section 4.02.

“Depository” means (a) initially, DTC, and (b) any other Securities Depository acting as Depository under Section 2.09.

“Depository System Participant” means any participant in the Depository’s book-entry system.

“District” means the San Mateo County Community College District, a community college district organized under the Constitution and laws of the State of California, and any successor thereto.

“District Representative” means the Chancellor, the Executive Vice Chancellor, the Chief Financial Officer, or any other duly appointed officer of the District authorized by the Chancellor to act as a representative of the District hereunder.

“DTC” means The Depository Trust Company, New York, New York, and its successors and assigns.

“Escrow Agent” means The Bank of New York Mellon Trust Company, N.A., in its capacity as escrow agent for refunding and defeasance of the Prior Bonds.

“Escrow Agreements” means, collectively, each Escrow Deposit and Trust Agreement dated as of the Closing Date, between the District and the Escrow Agent, relating to the refunding and discharge of the respective issues of Prior Bonds.

“Federal Securities” means: (a) any direct general obligations of the United States of America (including obligations issued or held in book entry form on the books of the Department of the Treasury of the United States of America), for which the full faith and credit of the United States of America are pledged; (b) obligations of any agency, department or instrumentality of the United States of America, the timely payment of principal and interest on which are directly or indirectly secured or guaranteed by the full faith and credit of the United States of America.

“Information Services” means Financial Information, Inc.’s Financial Daily Called Bond Service; Standard & Poor’s J.J. Kenny Information Services; Moody’s Municipal and Government; and, in accordance with then current guidelines of the Securities and Exchange Commission, such other services providing information with respect to called bonds as the District may designate in a Written Request of the District delivered to the Paying Agent.

“Interest Payment Date” means each March 1 and September 1 during the term of the Refunding Bonds, on which interest shall be payable thereon, as set forth in the Bond Purchase Agreement.

“Outstanding,” when used as of any particular time with reference to Refunding Bonds, means all Refunding Bonds except: (a) Refunding Bonds theretofore canceled by the Paying Agent or surrendered to the Paying Agent for cancellation; (b) Refunding Bonds paid or deemed to have been paid within the meaning of Section 9.02; and (c) Refunding Bonds in lieu of or in substitution for which other Refunding Bonds have been authorized, executed, issued and delivered by the District under this Resolution.

“Owner,” whenever used herein with respect to a Refunding Bond, means the person in whose name the ownership of such Refunding Bond is registered on the Registration Books.

“Paying Agent” means The Bank of New York Mellon Trust Company, N.A., the Paying Agent appointed by the Treasurer and acting as paying agent, registrar and authenticating agent for the Refunding Bonds, its successors and assigns, and any corporation or association which may at any time be substituted in its place, as provided in Section 6.01.

“Principal Office” means the office or offices of the Paying Agent for the payment of the Refunding Bonds and the administration of its duties hereunder; the Paying Agent’s principal office is in Los Angeles, California; the office or offices of successor Paying Agents will be identified in a written notice filed with the District by the Paying Agent.

“Prior Bonds” means each of the following issues of General Obligation Refunding Bonds which have previously been issued by the District:

- San Mateo County Community College District (County of San Mateo, California) 2002 General Obligation Bonds (Election of 2001), Series A, issued June 19, 2002, in the aggregate original principal amount of \$96,875,612.95 (the “2002 Bonds”);
- San Mateo County Community College District (County of San Mateo, California) 2005 General Obligation Bonds (Election of 2001), Series B, issued on February 23, 2005, in the aggregate principal amount of \$69,995,132.40 (the “2005 Series B Bonds”); and
- San Mateo County Community College District (County of San Mateo, California) 2006 General Obligation Bonds (Election of 2005), Series B, issued on December 21, 2006, in the aggregate principal amount of \$332,570,193.75 (the “2006 Series B Bonds”).

“Record Date” means the 15<sup>th</sup> day of the month preceding an Interest Payment Date, whether or not such day is a business day.

“Refunding Bonds” means the not to exceed \$150,000,000 aggregate principal amount of San Mateo County Community College District 2012 General Obligation Refunding Bonds, at any time Outstanding under this Resolution.

“Registration Books” means the records maintained by the Paying Agent for the registration of ownership and registration of transfer of the Refunding Bonds under Section 2.08.

“Resolution” means this Resolution, as originally adopted by the Board and including all amendments hereto and supplements hereof which are duly adopted by the Board from time to time in accordance herewith.

“Securities Depositories” means DTC; and, in accordance with then current guidelines of the Securities and Exchange Commission, such other addresses and/or such other securities depositories as the District may designate in a Written Request of the District delivered to the Paying Agent.

“Tax Code” means the Internal Revenue Code of 1986 as in effect on the Closing Date or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the Closing Date, together with applicable temporary and final regulations promulgated, and applicable official public guidance published, under said Code.

“Underwriter” means Morgan Stanley & Co. LLC, as underwriter of the Refunding Bonds upon the negotiated sale thereof.

“Written Request of the District” means an instrument in writing signed by a District Representative or by any other officer of the District duly authorized to act on behalf of the District under a written certificate of a District Representative.

SECTION 1.02. *Interpretation.*

(a) Unless the context otherwise indicates, words expressed in the singular include the plural and vice versa and the use of the neuter, masculine, or feminine gender is for convenience only and include the neuter, masculine or feminine gender, as appropriate.

(b) Headings of articles and sections herein and the table of contents hereof are solely for convenience of reference, do not constitute a part hereof and shall not affect the meaning, construction or effect hereof.

(c) All references herein to “Articles,” “Sections” and other subdivisions are to the corresponding Articles, Sections or subdivisions of this Resolution; the words “herein,” “hereof,” “hereby,” “hereunder” and other words of similar import refer to this Resolution as a whole and not to any particular Article, Section or subdivision hereof.

SECTION 1.03. *Authority for this Resolution; Findings.* This Resolution is entered into under the provisions of the Bond Law. The Board hereby certifies that all of the things, conditions and acts required to exist, to have happened or to have been performed precedent to and in the issuance of the Refunding Bonds do exist, have happened or have been performed in due and regular time and manner as required by the laws of the State of California, and that the amount of the Refunding Bonds, together with all other indebtedness of the District, does not exceed any limit prescribed by any laws of the State of California.

## ARTICLE II

### THE REFUNDING BONDS

SECTION 2.01. *Authorization.* The Board hereby authorizes the issuance of the Refunding Bonds in the aggregate principal amount of not to exceed \$150,000,000, subject to the terms of the Bond Law and this Resolution, for the purpose of providing funds to refinance all or a portion of the Prior Bonds that are current interest bonds. This Resolution constitutes a continuing agreement between the District and the Owners of all of the Refunding Bonds issued or to be issued hereunder and then Outstanding to secure the full and final payment of principal of and interest and premium, if any, on all Refunding Bonds which may be Outstanding hereunder, subject to the covenants, agreements, provisions and conditions herein contained. The Refunding Bonds are designated the "San Mateo County Community College District 2012 General Obligation Refunding Bonds." The Refunding Bonds may be issued in one or more series if a District Representative determines it would be beneficial to the District to do so.

As provided in Section 53552 of the Bond Law, the Refunding Bonds shall not be issued unless the total net interest cost to maturity on the Refunding Bonds plus the principal amount of the Refunding Bonds is less than the total net interest cost to maturity on the Prior Bonds to be refunded plus the principal amount of the Prior Bonds to be refunded. Before issuing the Refunding Bonds, the District shall receive confirmation from the Underwriter that the requirements of Section 53552 of the Bond Law have been satisfied.

In the event that a District Representative determines that it is in the best interests of the District to refinance less than all of the outstanding Prior Bonds that are current interest bonds, the Refunding Bonds shall be issued for the purpose of providing funds to refinance only the specific Prior Bonds which are designated by a District Representative.

#### SECTION 2.02. *Terms of Refunding Bonds.*

(a) Form; Numbering. The Refunding Bonds shall be issued as fully registered Bonds, without coupons, in the denomination of \$5,000 each or any integral multiple thereof, but in an amount not to exceed the aggregate principal amount of Refunding Bonds maturing in the year of maturity of the Refunding Bond for which the denomination is specified. Refunding Bonds shall be lettered and numbered as the Paying Agent prescribes.

(b) Date of Refunding Bonds. The Refunding Bonds shall be dated as of the Closing Date.

(c) Maturities: Interest. The Refunding Bonds shall mature (or, alternatively, be subject to mandatory sinking fund redemption as hereinafter provided) on September 1 in each of the years and in the amounts to be determined upon the sale of the Refunding Bonds, as set forth in the Bond Purchase Agreement. The Refunding Bonds shall bear interest, payable semiannually on each Interest Payment Date, as set forth in the Bond Purchase Agreement

Each Refunding Bond shall bear interest from the Interest Payment Date next preceding the date of registration and authentication thereof unless (i) it is authenticated as of an Interest Payment Date, in which event it shall bear interest from such date, or (ii) it is authenticated before an Interest Payment Date and after the close of business on the preceding Record Date, in which event it shall bear interest from such Interest Payment Date, or (iii) it is authenticated on or before the first Record Date, in which event it shall bear interest from the dated date of the Refunding Bonds; *provided, however*, that if at the time of authentication of a Refunding Bond, interest is in default thereon, such Refunding Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment thereon.

(d) Payment. Interest on the Refunding Bonds (including the final interest payment upon maturity or redemption) is payable by check or draft of the Paying Agent mailed to the Owner thereof at such Owner's address as it appears on the Registration Books at the close of business on the preceding Record Date; provided that at the written request of the Owner of at least \$1,000,000 aggregate principal amount of the Refunding Bonds, which written request is on file with the Paying Agent as of any Record Date, interest on such Refunding Bonds shall be paid on the succeeding Interest Payment Date to such account as shall be specified in such written request. Principal of and premium (if any) on the Refunding Bonds are payable in lawful money of the United States of America upon presentation and surrender at the Office of the Paying Agent.

(e) Provisions of Bond Purchase Agreement to Control. Notwithstanding the foregoing provisions of this Section 2.02 and the following provisions of Section 2.03, any of the terms of the Refunding Bonds may be established or modified under the Bond Purchase Agreement. In the event of a conflict or inconsistency between this Resolution and the Bond Purchase Agreement relating to the terms of the Refunding Bonds, the provisions of the Bond Purchase Agreement shall be controlling.

SECTION 2.03. *Redemption of Refunding Bonds.*

(a) Optional Redemption Dates and Prices. The Refunding Bonds are subject to redemption prior to maturity, at the option of the District, in whole or in part among maturities on such basis as designated by the District and by lot within a maturity, from any available source of funds, on the dates and at the respective redemption prices as set forth in the Bond Purchase Agreement.

(b) Mandatory Sinking Fund Redemption. If the Bond Purchase Agreement specifies that any one or more maturities of the Refunding Bonds are term bonds which are subject to mandatory sinking fund redemption, each such maturity of Refunding Bonds shall be subject to such mandatory sinking fund redemption on September 1 in each of the years and in the respective principal amounts as set forth in the Bond Purchase Agreement, at a redemption price equal to 100% of the principal amount thereof to be redeemed (without premium), together with interest accrued thereon to the date fixed for redemption. If any such term bonds are redeemed under the provisions of the preceding clause (a), the total amount of all future payments under this subsection (b) with respect to such term bonds shall be reduced by the aggregate principal amount of such term bonds so redeemed, to be allocated among such payments as determined by the District (written notice of which determination shall be given by the District to the Paying Agent).

(c) Selection of Refunding Bonds for Redemption. Whenever less than all of the Outstanding Refunding Bonds of any one maturity are designated for redemption, the Paying Agent shall select the Outstanding Refunding Bonds of such maturity to be redeemed by lot in any manner deemed fair by the Paying Agent. For purposes of such selection, each Refunding Bond will be deemed to consist of individual Refunding Bonds of \$5,000 denominations each, which may be separately redeemed.

(d) Redemption Procedure. The Paying Agent will cause notice of any redemption to be mailed, first class mail, postage prepaid, at least 20 days but not more than 60 days prior to the date fixed for redemption, to (i) one or more of the Information Services, and (ii) to the respective Owners of any Refunding Bonds designated for redemption, at their addresses appearing on the Registration Books. Such mailing is not a condition precedent to such redemption and the failure to mail or to receive any such notice will not affect the validity of the proceedings for the redemption of such Refunding Bonds. In addition, the Paying Agent will give notice of redemption by telecopy or certified, registered or overnight mail to each of the Securities Depositories at least two days prior to such mailing to the Refunding Bond Owners.

Such notice must state the redemption date and the redemption price and, if less than all of the then Outstanding Refunding Bonds are to be called for redemption, shall designate the serial numbers of the Refunding Bonds to be redeemed by giving the individual number of each Refunding Bond or by stating that all Refunding Bonds between two stated numbers, both inclusive, or by stating that all of the Refunding Bonds of one or more maturities have been called for redemption, and shall require that such Refunding Bonds be then surrendered at the Principal Office of the Paying Agent for redemption at the said redemption price, giving notice also that further interest on such Refunding Bonds will not accrue from and after the redemption date.

Upon surrender of Refunding Bonds redeemed in part only, the District shall execute and the Paying Agent shall authenticate and deliver to the Owner, at the expense of the District, a new Refunding Bond or Bonds, of the same maturity, of authorized denominations in aggregate principal amount equal to the unredeemed portion of the Refunding Bond or Bonds.

From and after the date fixed for redemption, if notice of such redemption has been duly given and funds available for the payment of the principal of and interest (and premium, if any) on the Refunding Bonds so called for redemption have been duly provided, the Refunding Bonds called for redemption will cease to be entitled to any benefit under this Resolution other than the right to receive payment of the redemption price, and no interest will accrue thereon on or after the redemption date specified in the notice. The Paying Agent will cancel all Refunding Bonds redeemed under this Section 2.03 and will furnish a certificate of cancellation to the District.

(e) Conditional Redemption Notice; Right to Rescind Notice of Optional Redemption. The District may send a conditional redemption notice that provides that redemption is subject to the availability of sufficient funds on the proposed redemption date. The District has the right to rescind any notice of the optional redemption of Refunding Bonds by written notice to the Paying Agent on or before the date fixed for redemption. Any notice of optional redemption shall be cancelled and annulled if for any reason funds will not be or are not available on the date fixed for redemption for the payment in full of the Refunding Bonds then called for redemption, and such cancellation

will not constitute a default hereunder. The District and the Paying Agent have no liability to the Owners or any other party related to or arising from such rescission of redemption. The Paying Agent shall mail notice of such rescission of redemption in the same manner as the original notice of redemption was sent under subsection (d) of this Section.

SECTION 2.04. *Form of Refunding Bonds.* The Refunding Bonds, the form of the Paying Agent's certificate of authentication and registration and the form of assignment to appear thereon shall be substantially in the forms, respectively, with necessary or appropriate variations, omissions and insertions, as permitted or required by this Resolution and the Bond Purchase Agreement, as set forth in Appendix A hereto.

SECTION 2.05. *Execution of Refunding Bonds.* The Refunding Bonds shall be signed by the facsimile signature of the Chancellor and shall be attested by the facsimile signature of the Vice President/Clerk of the Board. Only those Refunding Bonds bearing a certificate of authentication and registration in the form set forth in Appendix A attached hereto, executed and dated by the Paying Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Paying Agent is conclusive evidence that the Refunding Bonds so registered have been duly authenticated, registered and delivered hereunder and are entitled to the benefits of this Resolution.

SECTION 2.06. *Transfer of Refunding Bonds.* Any Refunding Bond may, in accordance with its terms, be transferred, upon the Registration Books, by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Refunding Bond for cancellation at the Principal Office at the Paying Agent, accompanied by delivery of a written instrument of transfer in a form approved by the Paying Agent, duly executed. The District may charge a reasonable sum for each new Refunding Bond issued upon any transfer.

Whenever any Refunding Bond or Bonds is surrendered for transfer, the District shall execute and the Paying Agent shall authenticate and deliver a new Refunding Bond or Bonds, for like aggregate principal amount. No transfers of Refunding Bonds shall be required to be made (a) 15 days prior to the date established by the Paying Agent for selection of Refunding Bonds for redemption or (b) with respect to a Refunding Bond which has been selected for redemption.

SECTION 2.07. *Exchange of Refunding Bonds.* Refunding Bonds may be exchanged at the Principal Office of the Paying Agent for a like aggregate principal amount of Refunding Bonds of authorized denominations and of the same maturity. The District may charge a reasonable sum for each new Refunding Bond issued upon any exchange (except in the case of any exchange of temporary Refunding Bonds for definitive Refunding Bonds). No exchange of Refunding Bonds is required to be made (a) 15 days prior to the date established by the Paying Agent for selection of Refunding Bonds for redemption or (b) with respect to a Refunding Bond after it has been selected for redemption.

SECTION 2.08. *Registration Books.* The Paying Agent shall keep or cause to be kept sufficient books for the registration and transfer of the Refunding Bonds, which shall at all times be open to inspection by the District upon reasonable notice; and, upon presentation for such purpose, the Paying Agent shall, under such reasonable

regulations as it may prescribe, register or transfer or cause to be registered or transferred, on said books, Refunding Bonds as herein before provided.

SECTION 2.09. *Book-Entry System.* Except as provided below, DTC shall be the Owner of all of the Refunding Bonds, and the Refunding Bonds shall be registered in the name of Cede & Co. as nominee for DTC. The Refunding Bonds shall be initially executed and delivered in the form of a single fully registered Refunding Bond for each maturity date of the Refunding Bonds in the full aggregate principal amount of the Refunding Bonds maturing on such date. The Paying Agent and the District may treat DTC (or its nominee) as the sole and exclusive owner of the Refunding Bonds registered in its name for all purposes of this Resolution, and neither the Paying Agent nor the District shall be affected by any notice to the contrary. The Paying Agent and the District have no responsibility or obligation to any Depository System Participant, any person claiming a beneficial ownership interest in the Refunding Bonds under or through DTC or a Depository System Participant, or any other person which is not shown on the register of the District as being an owner, with respect to the accuracy of any records maintained by DTC or any Depository System Participant or the payment by DTC or any Depository System Participant by DTC or any Depository System Participant of any amount in respect of the principal of or interest on the Refunding Bonds. The District shall cause to be paid all principal of and interest on the Refunding Bonds only to DTC, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to the principal of and interest on the Refunding Bonds to the extent of the sum or sums so paid. Except under the conditions noted below, no person other than DTC shall receive a Refunding Bond. Upon delivery by DTC to the District of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the term "Cede & Co." in this Resolution shall refer to such new nominee of DTC.

If the District determines that it is in the best interest of the beneficial owners that they be able to obtain Refunding Bonds and delivers a written certificate to DTC and the District to that effect, DTC shall notify the Depository System Participants of the availability through DTC of Refunding Bonds. In such event, the District shall issue, transfer and exchange Refunding Bonds as requested by DTC and any other owners in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Refunding Bonds at any time by giving notice to the District and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the District shall be obligated to deliver Refunding Bonds as described in this Resolution. Whenever DTC requests the District to do so, the District will cooperate with DTC in taking appropriate action after reasonable notice to (a) make available one or more separate Refunding Bonds evidencing the Refunding Bonds to any Depository System Participant having Refunding Bonds credited to its DTC account or (b) arrange for another securities depository to maintain custody of certificates evidencing the Refunding Bonds.

Notwithstanding any other provision of this Resolution to the contrary, so long as any Refunding Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal and interest with respect to such Refunding Bond and all notices with respect to such Refunding Bond shall be made and given, respectively, to DTC as provided as in the representation letter delivered on the date of issuance of the Refunding Bonds.

SECTION 2.10. *Refunding Bonds Mutilated, Lost, Destroyed or Stolen.* If any Refunding Bond is mutilated the District, at the expense of the Owner thereof, shall execute, and the Paying Agent shall authenticate and deliver, a new Refunding Bond of like maturity and principal amount in exchange and substitution for the Refunding Bond so mutilated, but only upon surrender to the Paying Agent of the Refunding Bond so mutilated. The Paying Agent shall cancel every mutilated Refunding Bond so surrendered to it. If any Refunding Bond is lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the District and, if such evidence is satisfactory to the District and indemnity satisfactory to it is given, the District, at the expense of the Owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Refunding Bond of like maturity and principal amount in lieu of and in substitution for the Refunding Bond so lost, destroyed or stolen. The District may require payment of a sum not exceeding the actual cost of preparing each new Refunding Bond issued under this Section and of the expenses which may be incurred by the District and the Paying Agent in the premises. Any Refunding Bond issued under the provisions of this Section 2.10 in lieu of any Refunding Bond alleged to be lost, destroyed or stolen shall constitute an original additional contractual obligation on the part of the District whether or not the Refunding Bond so alleged to be lost, destroyed or stolen be at any time enforceable by anyone, and shall be equally and proportionately entitled to the benefits of this Resolution with all other Refunding Bonds issued under this Resolution.

Notwithstanding any other provision of this Section 2.10, in lieu of delivering a new Refunding Bond for which principal has or is about to become due for a Refunding Bond which has been mutilated, lost, destroyed or stolen, the Paying Agent may make payment of such Refunding Bond in accordance with its terms.

### **ARTICLE III**

#### **SALE OF REFUNDING BONDS; APPLICATION OF PROCEEDS**

SECTION 3.01. *Sale of Refunding Bonds; Approval of Sale Documents.*

(a) Negotiated Sale of Refunding Bonds. The Board hereby authorizes the negotiated sale of the Refunding Bonds to the Underwriter. The Refunding Bonds shall be sold pursuant to the Bond Purchase Agreement in substantially the form on file with the Clerk of the Board with such changes therein, deletions therefrom and modifications thereto as a District Representative may approve, such approval to be conclusively evidenced by the execution and delivery of the Bond Purchase Agreement. The true interest cost of the Refunding Bonds shall not exceed 5.25% per annum and the Underwriter's discount may not exceed 1.0% of the aggregate principal amount of the Refunding Bonds sold thereunder. The Board hereby authorizes a District Representative to execute and deliver the final form of the Bond Purchase Agreement in the name and on behalf of the District.

(b) Official Statement. The Board hereby approves and deems nearly final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, the Preliminary Official Statement describing the Refunding Bonds in the form on file with the Clerk of the Board. A District Representative is hereby individually authorized, at the

request of the Underwriter, to execute an appropriate certificate affirming the Board's determination that the Preliminary Official Statement has been deemed nearly final within the meaning of such Rule. A District Representative is hereby individually authorized and directed to approve any changes in or additions to a final form of the Official Statement, and the execution thereof by such District Representative shall be conclusive evidence of approval of any such changes and additions. The Board hereby authorizes the distribution of the final Official Statement by the Underwriter. A District Representative shall execute the final Official Statement in the name and on behalf of the District.

(c) Actions to Close Bond Issuance. Each District Representative and any and all other officers of the District are each authorized and directed in the name and on behalf of the District to execute and deliver any and all certificates, requisitions, agreements, notices, consents, warrants and other documents, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of the Refunding Bonds. Whenever in this Resolution any officer of the District is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf if such officer is absent or unavailable.

SECTION 3.02. *Application of Proceeds of Sale of Refunding Bonds.* The proceeds of the Refunding Bonds shall be paid to the Paying Agent on the Closing Date, and shall be applied by the Paying Agent as follows:

- (a) The Paying Agent shall deposit in the Costs of Issuance Fund an amount equal to costs of issuing the Refunding Bonds.
- (b) The remainder of such proceeds shall be transferred to the Escrow Agent to be applied to refund and discharge all of the Prior Bonds to be refunded, in accordance with the Escrow Agreements.

SECTION 3.03. *Refunding of Prior Bonds; Approval of Escrow Agreements.* The Board hereby approves the Escrow Agreements relating to the refunding and discharge of the Prior Bonds, in substantially the respective forms on file with the Clerk of the Board together with any changes therein or modifications thereof which are approved by a District Representative. The execution thereof by a District Representative will be conclusive evidence of the approval of any such changes or modifications. A District Representative is directed to authenticate and execute the final form of the Escrow Agreements on behalf of the District, and to deliver the executed Escrow Agreements on the Closing Date.

SECTION 3.04. *Costs of Issuance Fund.* There is hereby established as a separate fund the Costs of Issuance Fund, to be held by the Paying Agent. There shall be deposited into the Costs of Issuance Fund the amount specified in Section 3.02(a). On or after the Closing Date, the Paying Agent shall use the moneys in the Cost of Issuance Fund solely for the purpose of paying Costs of Issuance upon receipt by the Paying Agent of invoices approved by the District. Moneys in the Costs of Issuance Fund shall be invested in one or more investments permitted for community college districts under the laws of the State of California, as directed in writing by the District. Any funds remaining in the Cost of Issuance Fund on September 1, 2012, shall be

transferred by the Paying Agent to the County Treasurer, for deposit to the Debt Service Fund.

## **ARTICLE IV**

### **SECURITY FOR THE REFUNDING BONDS; PAYMENT OF DEBT SERVICE**

SECTION 4.01. *Security for the Refunding Bonds.* The Refunding Bonds are general obligations of the District payable from the levy of ad valorem taxes upon all property within the District which are subject to taxation by the District, without limitation as to rate or amount, for the payment of the Refunding Bonds and the interest thereon. The District hereby directs the County to levy on all the taxable property in the District, in addition to all other taxes, a continuing direct and ad valorem tax annually during the period the Refunding Bonds are Outstanding in an amount sufficient to pay the principal of and interest on the Refunding Bonds when due, including the principal of any Refunding Bonds upon the mandatory sinking fund redemption thereof under Section 2.03(b), which moneys when collected will be paid to the County Treasurer and placed in the Debt Service Fund as provided in Section 4.02.

The principal of and interest and redemption premium (if any) on Refunding Bonds do not constitute a debt of the County, the State of California, or any of its political subdivisions other than the District, or any of the officers, agents or employees thereof. Neither the County, the State of California, any of its political subdivisions nor any of the officers, agents or employees thereof are liable on the Refunding Bonds. In no event are the principal of and interest and redemption premium (if any) on Refunding Bonds payable out of any funds or properties of the District other than ad valorem taxes levied on taxable property in the District. The Refunding Bonds, including the interest thereon, are payable solely from taxes levied under Sections 15250 and 15252 of the Education Code.

SECTION 4.02. *Debt Service Fund.* The District hereby directs the Controller to establish a fund to be known as the "San Mateo County Community College District 2012 General Obligation Refunding Bond Debt Service Fund," to be maintained by the County Treasurer as a separate account, distinct from all other funds of the County and the District. All taxes levied by the County, as directed by the District herein, for the payment of the principal of and interest and premium (if any) on the Refunding Bonds in accordance with Section 5.02 shall be deposited in the Debt Service Fund by the County promptly upon apportionment of said levy. The Debt Service Fund is hereby irrevocably pledged by the District for the payment of the principal of and interest on the Refunding Bonds when and as the same become due.

Amounts on deposit in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the County to the Paying Agent upon the Written Request of the District filed with the County, as required to pay the principal of and interest on the Refunding Bonds. As provided in Section 15232 of the Education Code, amounts in the Debt Service Fund shall also be applied to pay the expense of paying the Refunding Bonds elsewhere than at the office of the County Treasurer.

Moneys held in the Debt Service Fund shall be invested at the discretion of the County Treasurer pursuant to law applicable to community college districts and the investment policy of the County, as such policy shall exist at the time of investment.

Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid, or provision for such payment has been made, shall be transferred to the General Fund of the District, as provided in Section 15234 of the Education Code.

**SECTION 4.03. *Investments.***

Obligations purchased as an investment of moneys in any fund or account shall be deemed to be part of such fund or account. All interest or gain derived from the investment of amounts in any of the funds or accounts established hereunder shall be deposited in the fund or account from which such investment was made, and shall be expended for the purposes thereof. The District covenants that all investments of amounts deposited in any fund or account created by or under this Resolution, or otherwise containing proceeds of the Refunding Bonds, shall be acquired and disposed of at the Fair Market Value thereof. For purposes of this Section 4.03, the term "Fair Market Value" means, with respect to any investment, the price at which a willing buyer would purchase such investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of Section 1273 of the Tax Code) and, otherwise, the term "Fair Market Value" means the acquisition price in a bona fide arm's length transaction (as described above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Tax Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Tax Code, or (iii) the investment is a United States Treasury Security - State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt.

## **ARTICLE V**

### **OTHER COVENANTS OF THE DISTRICT**

**SECTION 5.01. *Punctual Payment.*** The District will punctually pay, or cause to be paid, the principal of and interest on the Refunding Bonds, in strict conformity with the terms of the Refunding Bonds and of this Resolution, and it will faithfully observe and perform all of the conditions, covenants and requirements of this Resolution and of the Refunding Bonds. Nothing herein contained shall prevent the District from making advances of its own moneys howsoever derived to any of the uses or purposes permitted by law.

**SECTION 5.02. *Books and Accounts; Financial Statement.*** The District will keep, or cause to be kept, proper books of record and accounts, separate from all other

records and accounts of the District in which complete and correct entries are made of all transactions relating to the expenditure of the proceeds of the Refunding Bonds. Such books of record and accounts shall at all times during business hours be subject to the inspection of the Paying Agent and the Owners of not less than 10% in aggregate principal amount of the Refunding Bonds then Outstanding, or their representatives authorized in writing.

SECTION 5.03. *Protection of Security and Rights of Refunding Bond Owners.* The District will preserve and protect the security of the Refunding Bonds and the rights of the Refunding Bond Owners, and will warrant and defend their rights against all claims and demands of all persons. Following the issuance of the Refunding Bonds by the District, the Refunding Bonds shall be incontestable by the District.

SECTION 5.04. *Tax Covenants.*

(a) Private Activity Bond Limitation. The District shall assure that the proceeds of the Refunding Bonds are not so used as to cause the Refunding Bonds to satisfy the private business tests of Section 141(b) of the Tax Code or the private loan financing test of Section 141(c) of the Tax Code.

(b) Federal Guarantee Prohibition. The District shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause any of the Refunding Bonds to be “federally guaranteed” within the meaning of Section 149(b) of the Tax Code.

(c) No Arbitrage. The District shall not take, or permit or suffer to be taken by the Paying Agent or the County or otherwise, any action with respect to the proceeds of the Refunding Bonds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the Closing Date would have caused the Refunding Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Tax Code.

(d) Maintenance of Tax-Exemption. The District shall take all actions necessary to assure the exclusion of interest on the Refunding Bonds from the gross income of the Owners of the Refunding Bonds to the same extent as such interest is permitted to be excluded from gross income under the Tax Code as in effect on the Closing Date.

(e) Rebate of Excess Investment Earnings to United States. The District shall calculate or cause to be calculated excess investment earnings with respect to the Refunding Bonds which are required to be rebated to the United States of America under Section 148(f) of the Tax Code, and shall pay the full amount of such excess investment earnings to the United States of America in such amounts, at such times and in such manner as may be required under the Tax Code, if and to the extent such Section 148(f) is applicable to the Refunding Bonds. Such payments shall be made by the District from any source of legally available funds of the District. The District shall keep or cause to be kept, and retain or cause to be retained for a period of six years following the retirement of the Refunding Bonds, records of the determinations made under this subsection (e). In order to provide for the administration of this subsection (e), the District may provide for the employment of independent attorneys, accountants and consultants compensated on such reasonable basis as the District may deem appropriate.

SECTION 5.05. *Continuing Disclosure.* The District hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, which shall be executed by a District Representative and delivered on the Closing Date. Notwithstanding any other provision of this Resolution, failure of the District to comply with the Continuing Disclosure Certificate does not constitute a default by the District hereunder or under the Refunding Bonds; however, any Participating Underwriter (as such term is defined in the Continuing Disclosure Certificate) or any holder or beneficial owner of the Refunding Bonds may, take such actions as may be necessary and appropriate to compel performance, including seeking mandate or specific performance by court order.

SECTION 5.06. *Further Assurances.* The District will adopt, make, execute and deliver any and all such further resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention or to facilitate the performance of this Resolution, and for the better assuring and confirming unto the Owners of the Refunding Bonds of the rights and benefits provided in this Resolution.

## **ARTICLE VI**

### **THE PAYING AGENT**

SECTION 6.01. *Appointment of Paying Agent.* The District hereby designates The Bank of New York Mellon Trust Company, N.A. to act as Paying Agent for the Refunding Bonds. The Paying Agent undertakes to perform such duties, and only such duties, as are specifically set forth in this Resolution, and even during the continuance of an event of default with respect to the Refunding Bonds, no implied covenants or obligations shall be read into this Resolution against the Paying Agent. The Paying Agent shall signify its acceptance of the duties and obligations imposed upon it by this Resolution by executing and delivering to the District a certificate to that effect.

The Treasurer may remove the Paying Agent initially appointed, and any successor thereto, and may appoint a successor or successors thereto, but any such successor shall be a bank or trust company doing business and having an office in the State of California, having a combined capital (exclusive of borrowed capital) and surplus of at least \$50,000,000, and subject to supervision or examination by federal or state authority. If such bank or trust company publishes a report of condition at least annually, under law or to the requirements of any supervising or examining authority above referred to, then for the purposes of this Section 6.01 the combined capital and surplus of such bank or trust company shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published.

The Paying Agent may at any time resign by giving written notice to the Treasurer, the District and the Refunding Bond Owners of such resignation. Upon receiving notice of such resignation, the Treasurer shall promptly appoint a successor Paying Agent by an instrument in writing. Any resignation or removal of the Paying Agent and appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent.

SECTION 6.02. *Paying Agent May Hold Refunding Bonds.* The Paying Agent may become the Owner of any of the Refunding Bonds in its own or any other capacity with the same rights it would have if it were not Paying Agent.

SECTION 6.03. *Liability of Agents.* The recitals of facts, covenants and agreements herein and in the Refunding Bonds contained shall be taken as statements, covenants and agreements of the District, and the Paying Agent assumes no responsibility for the correctness of the same, nor makes any representations as to the validity or sufficiency of this Resolution or of the Refunding Bonds, nor shall incur any responsibility in respect thereof, other than as set forth in this Resolution. The Paying Agent is not liable in connection with the performance of its duties hereunder, except for its own negligence or willful default.

In the absence of bad faith, the Paying Agent may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed therein, upon certificates or opinions furnished to the Paying Agent and conforming to the requirements of this Resolution.

The Paying Agent is not liable for any error of judgment made in good faith by a responsible officer of its corporate trust department in the absence of the negligence of the Paying Agent.

No provision of this Resolution shall require the Paying Agent to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if it has reasonable grounds for believing that repayment of such funds or adequate indemnity against such risk or liability is not reasonably assured to it.

The Paying Agent may execute any of the powers hereunder or perform any duties hereunder either directly or by or through agents or attorneys and the Paying Agent is not responsible for any misconduct or negligence on the part of any agent or attorney appointed with due care by it hereunder.

SECTION 6.04. *Notice to Agents.* The Paying Agent may rely and shall be protected in acting or refraining from acting upon any notice, resolution, request, consent, order, certificate, report, warrant, bond or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or proper parties. The Paying Agent may consult with counsel, who may be counsel to the District, with regard to legal questions, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance therewith.

Whenever in the administration of its duties under this Resolution, the Paying Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may, in the absence of bad faith on the part of the Paying Agent, be deemed to be conclusively proved and established by a certificate of the District, and such certificate shall be full warrant to the Paying Agent for any action taken or suffered under the provisions of this Resolution upon the faith thereof, but in its discretion the Paying Agent may, in lieu thereof, accept other evidence of such matter or may require such additional evidence as to it may seem reasonable.

SECTION 6.05. *Compensation; Indemnification.* The District shall pay to the Paying Agent from time to time reasonable compensation for all services rendered under this Resolution, and also all reasonable expenses, charges, counsel fees and other disbursements, including those of their attorneys, agents and employees, incurred in and about the performance of their powers and duties under this Resolution. The District further agrees to indemnify and save the Paying Agent harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its negligence or bad faith.

## ARTICLE VII

### REMEDIES OF REFUNDING BOND OWNERS

SECTION 7.01. *Remedies of Refunding Bond Owners.* Any Refunding Bond Owner has the right, for the equal benefit and protection of all Refunding Bond Owners similarly situated:

- (a) by mandamus, suit, action or proceeding, to compel the District and its members, officers, agents or employees to perform each and every term, provision and covenant contained in this Resolution and in the Refunding Bonds, and to require the carrying out of any or all such covenants and agreements of the District and the fulfillment of all duties imposed upon it;
- (b) by suit, action or proceeding in equity, to enjoin any acts or things which are unlawful, or the violation of any of the Refunding Bond Owners' rights; or
- (c) upon the happening and continuation of any default by the District hereunder or under the Refunding Bonds, by suit, action or proceeding in any court of competent jurisdiction, to require the District and its members and employees to account as if it and they were the trustees of an express trust.

SECTION 7.02. *Remedies Not Exclusive.* No remedy herein conferred upon the Owners of Refunding Bonds is exclusive of any other remedy. Each and every remedy is cumulative and may be exercised in addition to every other remedy given hereunder or thereafter conferred on the Refunding Bond Owners.

## ARTICLE VIII

### AMENDMENT OF THIS RESOLUTION

SECTION 8.01. *Amendments Effective Without Consent of the Owners.* The Board may amend this Resolution from time to time, without the consent of the Owners of the Refunding Bonds, for any one or more of the following purposes:

- (a) To add to the covenants and agreements of the District in this Resolution, other covenants and agreements to be observed by the District which are not contrary to or inconsistent with this Resolution as theretofore in effect;
- (b) To confirm, as further assurance, any pledge under, and to subject to any lien or pledge created or to be created by, this Resolution, of any moneys, securities or funds, or to establish any additional funds or accounts to be held under this Resolution;
- (c) To cure any ambiguity, supply any omission, or cure or correct any defect or inconsistent provision in this Resolution, in a manner which does not materially adversely affect the interests of the Refunding Bond Owners in the opinion of Bond Counsel filed with the District; or
- (d) To make such additions, deletions or modifications as may be necessary or desirable to assure exemption from federal income taxation of interest on the Refunding Bonds.

SECTION 8.02. *Amendments Effective With Consent of the Owners.* The Board may amend this Resolution from time to time for any purpose not set forth in Section 8.01, with the written consent of the Owners of a majority in aggregate principal amount of the Refunding Bonds Outstanding at the time such consent is given. No such modification or amendment shall permit a change in the terms of maturity of the principal of any Outstanding Refunding Bonds or of any interest payable thereon or a reduction in the principal amount thereof or in the rate of interest thereon, or shall reduce the percentage of Refunding Bonds the consent of the Owners of which is required to effect any such modification or amendment, or shall change any of the provisions in Section 7.01 relating to Events of Default, or shall reduce the amount of moneys pledged for the repayment of the Refunding Bonds without the consent of all the Owners of such Refunding Bonds, or shall change or modify any of the rights or obligations of any Paying Agent without its written consent.

## ARTICLE IX

### MISCELLANEOUS

SECTION 9.01. *Benefits of Resolution Limited to Parties.* Nothing in this Resolution, expressed or implied, gives to any person other than the District, the County, the Paying Agent and the Owners of the Refunding Bonds, any right, remedy, or claim under or by reason of this Resolution. The covenants, stipulations, promises or agreements in this Resolution are for the sole and exclusive benefit of the Owners of the Refunding Bonds.

SECTION 9.02. *Defeasance of Refunding Bonds.*

(a) Discharge of Resolution. Refunding Bonds may be paid by the District in any of the following ways, provided that the District also pays or causes to be paid any other sums payable hereunder by the District:

- (i) by paying or causing to be paid the principal or redemption price of and interest on such Refunding Bonds, as and when the same become due and payable;
- (ii) by irrevocably depositing, in trust, at or before maturity, money or securities in the necessary amount (as provided in Section 9.02(c) hereof) to pay or redeem such Refunding Bonds; or
- (iii) by delivering such Refunding Bonds to the Paying Agent for cancellation by it.

If the District pays all Outstanding Refunding Bonds and also pays or causes to be paid all other sums payable hereunder by the District, then and in that case, at the election of the District (evidenced by a certificate of a District Representative filed with the Paying Agent, signifying the intention of the District to discharge all such indebtedness and this Resolution), and notwithstanding that any Refunding Bonds have not been surrendered for payment, this Resolution and other assets made under this Resolution and all covenants, agreements and other obligations of the District under this Resolution shall cease, terminate, become void and be completely discharged and satisfied, except only as provided in Section 9.02(b). In such event, upon request of the District, the Paying Agent shall cause an accounting for such period or periods as may be requested by the District to be prepared and filed with the District and shall execute and deliver to the District all such instruments as may be necessary to evidence such discharge and satisfaction, and the Paying Agent shall pay over, transfer, assign or deliver to the District all moneys or securities or other property held by it under this Resolution which are not required for the payment or redemption of Refunding Bonds not theretofore surrendered for such payment or redemption.

(b) Discharge of Liability on Refunding Bonds. Upon the deposit, in trust, at or before maturity, of money or securities in the necessary amount (as provided in Section 9.02(c) hereof) to pay or redeem any Outstanding Refunding Bond (whether upon or prior to its maturity or the redemption date of such Refunding Bond), provided that, if such Refunding Bond is to be redeemed prior to maturity, notice of such redemption has

been given as provided in Section 2.03 or provision satisfactory to the Paying Agent has been made for the giving of such notice, then all liability of the District in respect of such Refunding Bond shall cease and be completely discharged, except only that thereafter the Owner thereof shall be entitled only to payment of the principal of and interest on such Refunding Bond by the District, and the District shall remain liable for such payment, but only out of such money or securities deposited with the Paying Agent as aforesaid for such payment, provided further, however, that the provisions of Section 9.02(d) shall apply in all events.

The District may at any time surrender to the Paying Agent for cancellation by it any Refunding Bonds previously issued and delivered, which the District may have acquired in any manner whatsoever, and such Refunding Bonds, upon such surrender and cancellation, shall be deemed to be paid and retired.

(c) Deposit of Money or Securities with Paying Agent. Whenever in this Resolution it is provided or permitted that there be deposited with or held in trust by the Paying Agent money or securities in the necessary amount to pay or redeem any Refunding Bonds, the money or securities so to be deposited or held may include money or securities held by the Paying Agent in the funds and accounts established under this Resolution and shall be:

- (i) lawful money of the United States of America in an amount equal to the principal amount of such Refunding Bonds and all unpaid interest thereon to maturity, except that, in the case of Refunding Bonds which are to be redeemed prior to maturity and in respect of which notice of such redemption has been given as provided in Section 2.03 or provision satisfactory to the Paying Agent has been made for the giving of such notice, the amount to be deposited or held shall be the principal amount or redemption price of such Refunding Bonds and all unpaid interest thereon to the redemption date; or
- (ii) Federal Securities (not callable by the issuer thereof prior to maturity) the principal of and interest on which when due, in the opinion of a certified public accountant delivered to the District, will provide money sufficient to pay the principal or redemption price of and all unpaid interest to maturity, or to the redemption date, as the case may be, on the Refunding Bonds to be paid or redeemed, as such principal or redemption price and interest become due, provided that, in the case of Refunding Bonds which are to be redeemed prior to the maturity thereof, notice of such redemption has been given as provided in Section 2.03 or provision satisfactory to the Paying Agent has been made for the giving of such notice.

(d) Payment of Refunding Bonds After Discharge of Resolution. Notwithstanding any provisions of this Resolution, any moneys held by the Paying Agent in trust for the payment of the principal or redemption price of, or interest on, any Refunding Bonds and remaining unclaimed for two years after the principal of all of the Refunding Bonds has become due and payable (whether at maturity or upon call for redemption or by acceleration as provided in this Resolution), if such moneys were so held at such date, or two years after the date of deposit of such moneys if deposited

after said date when all of the Refunding Bonds became due and payable, shall, upon request of the District, be repaid to the District free from the trusts created by this Resolution, and all liability of the Paying Agent with respect to such moneys shall thereupon cease; *provided, however*, that before the repayment of such moneys to the District as aforesaid, the Paying Agent may (at the cost of the District) first mail to the Owners of all Refunding Bonds which have not been paid at the addresses shown on the Registration Books a notice in such form as may be deemed appropriate by the Paying Agent, with respect to the Refunding Bonds so payable and not presented and with respect to the provisions relating to the repayment to the District of the moneys held for the payment thereof.

SECTION 9.03. *Execution of Documents and Proof of Ownership by Refunding Bond Owners.* Any request, declaration or other instrument which this Resolution may require or permit to be executed by Refunding Bond Owners may be in one or more instruments of similar tenor, and shall be executed by Refunding Bond Owners in person or by their attorneys appointed in writing.

Except as otherwise herein expressly provided, the fact and date of the execution by any Refunding Bond Owner or his attorney of such request, declaration or other instrument, or of such writing appointing such attorney, may be proved by the certificate of any notary public or other officer authorized to take acknowledgments of deeds to be recorded in the state in which he purports to act, that the person signing such request, declaration or other instrument or writing acknowledged to him the execution thereof, or by an affidavit of a witness of such execution, duly sworn to before such notary public or other officer.

Except as otherwise herein expressly provided, the ownership of registered Refunding Bonds and the amount, maturity, number and date of holding the same shall be proved by the Registration Books.

Any request, declaration or other instrument or writing of the Owner of any Refunding Bond shall bind all future Owners of such Refunding Bond in respect of anything done or suffered to be done by the District or the Paying Agent in good faith and in accordance therewith.

SECTION 9.04. *Waiver of Personal Liability.* No Board member, officer, agent or employee of the District shall be individually or personally liable for the payment of the principal of or interest on the Refunding Bonds; but nothing herein contained shall relieve any such Board member, officer, agent or employee from the performance of any official duty provided by law.

SECTION 9.05. *Limited Duties of County; Indemnification.* The County (including its officers, agents and employees) shall undertake only those duties of the County under this Resolution which are specifically set forth in this Resolution, and even during the continuance of an event of default with respect to the Refunding Bonds, no implied covenants or obligations shall be read into this Resolution against the County (including their respective officers, agents and employees).

The District further agrees to indemnify, defend and save the County (including its officers, agents and employees) harmless against any and all liabilities, costs,

expenses, damages and claims which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its negligence or bad faith.

SECTION 9.06. *Destruction of Canceled Refunding Bonds.* Whenever in this Resolution provision is made for the surrender to the District of any Refunding Bonds which have been paid or canceled under the provisions of this Resolution, a certificate of destruction duly executed by the Paying Agent shall be deemed to be the equivalent of the surrender of such canceled Refunding Bonds and the District shall be entitled to rely upon any statement of fact contained in any certificate with respect to the destruction of any such Refunding Bonds therein referred to.

SECTION 9.07. *Partial Invalidity.* If any section, paragraph, sentence, clause or phrase of this Resolution shall for any reason be held illegal or unenforceable, such holding shall not affect the validity of the remaining portions of this Resolution. The District hereby declares that it would have adopted this Resolution and each and every other section, paragraph, sentence, clause or phrase hereof and authorized the issue of the Refunding Bonds pursuant thereto irrespective of the fact that any one or more sections, paragraphs, sentences, clauses, or phrases of this Resolution may be held illegal, invalid or unenforceable. If, by reason of the judgment of any court, the District is rendered unable to perform its duties hereunder, all such duties and all of the rights and powers of the District hereunder shall be assumed by and vest in the chief financial officer of the District in trust for the benefit of the Refunding Bond Owners.

SECTION 9.08. *Effective Date of Resolution.* This Resolution shall take effect from and after the date of its passage and adoption.

\* \* \* \* \*

PASSED AND ADOPTED this 28th day of March, 2012, by the following vote:

AYES:

NOES:

ABSENT:

By \_\_\_\_\_  
President of the Board of Trustees of San  
Mateo County Community College District  
San Mateo, California

ATTEST:

\_\_\_\_\_  
Vice President/Clerk of the Board of  
Trustees of San Mateo County  
Community College District,  
San Mateo, California

I, Helen Hausman, Vice President/Clerk of the Board of Trustees of San Mateo County Community College District, San Mateo County, California, do hereby certify that the foregoing is a full, true and correct copy of the Resolution passed and adopted by said Board of Trustees at a regular meeting on the 28th day of March, 2012, and that the minutes of said Board of Trustees shows that \_\_\_\_\_(\_\_\_\_) members of said Board voted for and \_\_\_\_\_(\_\_\_\_) members of said Board voted against the adoption of said Resolution and the said Resolution is now spread upon the minutes of said Board.

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Vice President/Clerk of the Board of  
Trustees of the San Mateo County  
Community College District  
San Mateo County, California



an aggregate principal amount of at least \$1,000,000, which written request is on file with the Paying Agent prior to any Record Date, interest on such Bonds shall be paid on each succeeding Interest Payment Date by wire transfer in immediately available funds to such account of a financial institution within the United States of America as shall be specified in such written request.

This Bonds is issued pursuant to a resolution adopted by the Board of Trustees of the District on March 28, 2012 (the "Bond Resolution").

This Bond is one of a series of \$\_\_\_\_\_ of Bonds issued for the purpose of raising money to refinance outstanding general obligation bond indebtedness of the District. This Bond and the issue of which this Bond is a part are payable as to both principal and interest from the proceeds of the levy of ad valorem taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.

The principal of and interest and redemption premium, if any, on this Bond does not constitute a debt of the County, the State of California, or any of its political subdivisions other than the District, or any of the officers, agents and employees thereof, and neither the County, the State of California, any of its political subdivisions, nor any of the officers, agents and employees thereof shall be liable hereon. In no event shall the principal of and interest and redemption premium, if any, on this Bond be payable out of any funds or properties of the District other than ad valorem taxes levied upon all taxable property in the District.

The Bonds of this issue are issuable only as fully registered Bonds in the denominations of \$5,000 or any integral multiple thereof. This Bond is exchangeable and transferable for Bonds of other authorized denominations at the principal corporate trust office of the Paying Agent, by the Registered Owner or by a person legally empowered to do so, upon presentation and surrender hereof to the Paying Agent, together with a request for exchange or an assignment signed by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. Any tax or governmental charges shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this Bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

The Bonds maturing on or before September 1, 20\_\_ are not subject to redemption prior to their respective stated maturities. The Bonds maturing on or after September 1, 20\_\_ are subject to redemption prior to maturity as a whole, or in part among maturities on such basis as shall be designated by the District and by lot within a maturity, at the option of the District, from any available source of funds, on September 1, 20\_\_ and on any Interest Payment Date thereafter, at a redemption price (expressed as a percentage of the principal amount of Bonds to be redeemed) as set forth in the following table, together with interest thereon to the date fixed for redemption.

Redemption Dates

Redemption Price

[If applicable:] The Bonds maturing on September 1, 20\_\_ (the "Term Bonds") are also subject to mandatory sinking fund redemption on September 1 in the years, and in the amounts, as set forth in the following table, at a redemption price equal to 100% of the principal amount thereof to be redeemed (without premium), together with interest accrued thereon to the date fixed for redemption; *provided, however*, that if some but not all of the Term Bonds have been redeemed under the preceding paragraph, the aggregate principal amount of Term Bonds to be redeemed under this paragraph shall be reduced as shall be designated under written notice filed by the District with the Paying Agent.

Sinking Fund  
Redemption Date  
(September 1)

Principal  
Amount To Be  
Redeemed

The Paying Agent shall give notice of the redemption of the Bonds at the expense of the District. Such notice shall specify: (a) that the Bonds or a designated portion thereof are to be redeemed, (b) the numbers and CUSIP numbers of the Bonds to be redeemed, (c) the date of notice and the date of redemption, (d) the place or places where the redemption will be made, and (e) descriptive information regarding the Bonds including the dated date, interest rate and stated maturity date. Such notice shall further state that on the specified date there shall become due and payable upon each Bond to be redeemed, the portion of the principal amount of such Bond to be redeemed, together with interest accrued to said date, the redemption premium, if any, and that from and after such date interest with respect thereto shall cease to accrue and be payable.

Notice of redemption shall be by registered or otherwise secured mail or delivery service, postage prepaid, to the registered owner of the Bonds, to a municipal registered securities depository and to a national information service that disseminates securities redemption notices and, by first class mail, postage prepaid, to the District and the respective Owners of any Bonds designated for redemption at their addresses appearing on the Bond registration books, in every case at least 20 days, but not more than 60 days, prior to the redemption date; provided that neither failure to receive such notice nor any defect in any notice so mailed shall affect the sufficiency of the proceedings for the redemption of such Bonds.

The District may send a conditional redemption notice and rescind such notice, all as set forth in the Bond Resolution.

Neither the District nor the Paying Agent will be required: (a) to issue or transfer any Bond during a period beginning with the opening of business on the 15<sup>th</sup> calendar day next preceding either any Interest Payment Date or any date of selection of any Bond to be redeemed and ending with the close of business on the Interest Payment Date or a day on which the applicable notice of redemption is given, or (b) to transfer any Bond which has been selected or called for redemption in whole or in part.

Reference is made to the Bond Resolution for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the Bonds of this series, the rights, duties and obligations of the District, the Paying Agent and the Registered Owners, and the terms and conditions upon which the Bonds are issued and secured. The owner of this Bond assents, by acceptance hereof, to all of the provisions of the Bond Resolution.

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Trustee for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

It is certified, recited and declared that all acts and conditions required by the Constitution and laws of the State of California to exist, to be performed or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the Bonds has been received; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the Bonds; and that due provision has been made for levying and collecting ad valorem property taxes on all of the taxable property within the District in an amount sufficient to pay principal and interest when due, and for levying and collecting such taxes the full faith and credit of the District are hereby pledged.

This Bond shall be not be valid or obligatory for any purpose and is not entitled to any security or benefit under the Bond Resolution (described on the reverse hereof) until the Certificate of Authentication below has been manually signed by the Paying Agent.

IN WITNESS WHEREOF, the San Mateo County Community College District has caused this Bond to be executed by the facsimile signature of its Chancellor and attested by the facsimile signature of the Vice President/Clerk of its Board of Trustees, all as of the date stated above.

[S E A L]

**SAN MATEO COUNTY COMMUNITY COLLEGE  
DISTRICT**

By \_\_\_\_\_  
Chancellor

Attest:

\_\_\_\_\_  
Vice President/Clerk of the Board of  
Trustees, San Mateo County  
Community College District

**CERTIFICATE OF AUTHENTICATION**

This Bond is one of the Bonds described in the Bond Resolution referred to herein.

Date of Authentication:

THE BANK OF NEW YORK MELLON  
TRUST COMPANY, N.A.  
*as Paying Agent*

By \_\_\_\_\_  
Authorized Signatory

**FORM OF ASSIGNMENT**

For value received, the undersigned do(es) hereby sell, assign and transfer unto

\_\_\_\_\_  
\_\_\_\_\_

(Name, Address and Tax Identification or Social Security Number of Assignee)

the within Bond and do(es) hereby irrevocably constitute and appoint \_\_\_\_\_  
\_\_\_\_\_, attorney, to transfer the same on the registration books of the Bond Registrar, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
Note: Signature(s) must be guaranteed by an eligible guarantor institution.

\_\_\_\_\_  
Note: The signature(s) on this Assignment must correspond with the name(s) as written on the face of the within Bond in every particular without alteration or enlargement or any change whatsoever.

**NEW ISSUE - FULL BOOK-ENTRY**

**RATING: Moody's: "\_\_\_"**  
**Standard & Poor's: "\_\_\_"**  
See "RATING" herein.

*In the opinion of Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel, subject, however to certain qualifications described in this Official Statement, under existing law, the interest on the Bonds is excluded from gross income for federal income tax purposes, and such interest is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, although for the purpose of computing the alternative minimum tax imposed on certain corporations, the interest on the Bonds is taken into account in determining certain income and earnings. In the further opinion of Bond Counsel, the interest on the Bonds is exempt from California personal income taxes. See "TAX MATTERS."*

\$ \_\_\_\_\_ \*

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**San Mateo County, California**  
**2012 General Obligation Refunding Bonds**

**Dated: Date of Delivery**

**Due: September 1, as shown on inside front cover**

**Purpose.** The captioned 2012 General Obligation Refunding Bonds (the "Bonds") are being issued by the San Mateo County Community College District (the "District") to refund a portion of the outstanding principal amount of three outstanding series of general obligation bonds of the District (the "Prior Bonds").

**Security.** The Bonds are general obligations of the District, payable solely from ad valorem property taxes levied by the District and collected by San Mateo County (the "County"). The Board of Supervisors of the County is empowered and obligated to annually levy ad valorem taxes for the payment of interest on, and principal of, the Bonds on all property subject to taxation by the District, without limitation of rate or amount (except certain personal property that is taxable at limited rates). See "SECURITY FOR THE BONDS."

**Book-Entry Only.** The Bonds will be issued in book-entry form only, and will be initially issued and registered in the name of Cede & Co. as nominee of The Depository Trust Company, New York, New York ("DTC"). Purchasers will not receive physical certificates representing their interests in the Bonds. See "THE BONDS" and "APPENDIX E - DTC AND THE BOOK-ENTRY ONLY SYSTEM."

**Payments.** The Bonds are being issued as current interest bonds. Interest on the Bonds accrues from the date of delivery and is payable semiannually on March 1 and September 1 of each year, commencing September 1, 2012, by check mailed to the person in whose name the Bond is registered. Payments of principal and interest on the Bonds will be paid by The Bank of New York Mellon Trust Company, N.A., as the designated paying agent, to DTC for subsequent disbursement to DTC's participants, which will remit such payments to the Beneficial Owners of the Bonds. See "THE BONDS - Description of the Bonds."

**Redemption.** The Bonds are subject to optional and mandatory sinking fund redemption prior to maturity as described in this Official Statement. See "THE BONDS - Redemption."

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**Maturity Schedule**  
**(See inside cover)**

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**Cover Page.** This cover page contains certain information for general reference only. It is not a summary of all the provisions of the Bonds. Prospective investors must read the entire Official Statement to obtain information essential to making an informed investment decision.

*The Bonds will be offered when, as and if issued and accepted by the Underwriter, subject to the approval as to legality by Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel to the District, and subject to certain other conditions. Jones Hall is also serving as Disclosure Counsel to the District. Fulbright & Jaworski L.L.P. is serving as counsel to the Underwriter. It is anticipated that the Bonds, in book-entry form, will be available for delivery through the facilities of DTC in New York, New York, on or about June \_\_, 2012.*

**[MORGAN STANLEY]**

\* Preliminary, subject to change.

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer solicitation or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction.

BOARD REPORT NO. 12-3-101B

The date of this Official Statement is \_\_\_\_\_, 2012.

## MATURITY SCHEDULE\*

\$ \_\_\_\_\_\*  
**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**San Mateo County, California**  
**2012 General Obligation Refunding Bonds**

**Base CUSIP:†**

<u>Maturity</u> <u>(September 1)</u>	<u>Principal</u> <u>Amount*</u>	<u>Interest</u> <u>Rate</u>	<u>Yield</u>	<u>CUSIP</u> <sup>†</sup>
2013				
2014				
2015				
2016				
2017				
2018				
2019				
2020				
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				
2033				
2034				
2035				
2036				
2037				
2038				

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\* Preliminary, subject to change.

† Copyright 2012, American Bankers Association. CUSIP data are provided by Standard & Poor's CUSIP Service Bureau, a division of The McGraw-Hill Companies, Inc., and are provided for convenience of reference only. Neither the District nor the Underwriter assumes any responsibility for the accuracy of these CUSIP data.

## GENERAL INFORMATION ABOUT THIS OFFICIAL STATEMENT

**Use of Official Statement.** This Official Statement is submitted in connection with the sale of the Bonds referred to in this Official Statement and may not be reproduced or used, in whole or in part, for any other purpose. This Official Statement is not a contract between any Bond owner and the District or the Underwriter. This Official Statement and the information contained in this Official Statement are subject to completion or amendment without notice.

**No Offering Except by This Official Statement.** Neither the District nor the Underwriter has authorized any dealer, broker, salesperson or other person to give any information or to make any representations relating to the Bonds other than the information contained and the representations made in this Official Statement. If given or made, such other information or representations should not be relied upon as having been authorized by the District or the Underwriter.

**No Unlawful Offers or Solicitations.** This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor may there be any sale of the Bonds by a person in any jurisdiction in which it is unlawful for such person to make such an offer, solicitation or sale.

**Estimates and Projections.** When used in this Official Statement or in any continuing disclosure by the District, or in any press release or oral statement made with the approval of an authorized officer of the District, the words or phrases “will likely result,” “are expected to”, “will continue”, “is anticipated”, “estimate”, “project,” “forecast”, “expect”, “intend” and similar expressions identify “forward looking statements.” Forward-looking statements are subject to risks and uncertainties, and so actual results could differ materially from those contemplated in such forward-looking statements. Inevitably, some assumptions used to develop the forecasts will not be realized, and unanticipated events and circumstances may occur. Therefore, there are likely to be differences between forecasts and actual results, and those differences may be material.

**Information in Official Statement.** The District and other sources that are believed to be reliable have furnished the information set forth in this Official Statement. However, the District does not guarantee its accuracy or completeness.

**Document Summaries.** All summaries of the Resolution or other documents referred to in this Official Statement are provided subject to the provisions of the documents summarized and are qualified in their entirety by reference to such documents. The summaries do not purport to be complete statements of any or all the documents summarized..

**No Securities Laws Registration.** The Bonds have not been registered under the Securities Act of 1933, as amended, or the Securities Exchange Act of 1934, as amended, in reliance upon exemptions therein for the issuance and sale of municipal securities. The Bonds have not been registered or qualified under the securities laws of any state.

**Effective Date.** This Official Statement speaks only as of its date, and the information and expressions of opinion contained in this Official Statement are subject to change without notice. Neither the delivery of this Official Statement nor any sale of the Bonds will, under any circumstances, give rise to any implication that there has been no change in the affairs of the District, the other parties described in this Official Statement, or the condition of the property within the District since the date of this Official Statement.

**District Website Not Incorporated.** The District maintains an Internet website, but the information on that website is not incorporated by reference in this Official Statement.

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**SAN MATEO COUNTY**  
**STATE OF CALIFORNIA**

**District Board of Trustees**

Dave Mandelkern, *President*  
Helen Hausman, *Vice President/Clerk*  
Richard Holober, *Trustee*  
Patricia Miljanich, *Trustee*  
Karen Schwarz, *Trustee*  
Patiane Gladstone, *Student Trustee (non-voting)*

**District Administration**

Ron Galatolo, *Chancellor*  
Kathy Blackwood, *Executive Vice Chancellor*  
Raymond Chow, *Chief Financial Officer*

**Bond and Disclosure Counsel**

Jones Hall,  
A Professional Law Corporation  
*San Francisco, California*

**Escrow Agent and Paying Agent**

The Bank of New York Mellon Trust Company, N.A.  
*Los Angeles, California*

**Verification Agent**

Grant Thornton LLP

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## OFFICIAL STATEMENT

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\$ \_\_\_\_\_ \*

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**San Mateo County, California**  
**2012 General Obligation Refunding Bonds**

The purpose of this Official Statement, which includes the cover page, inside cover page and attached appendices, is to set forth certain information concerning the sale and delivery of the Bonds captioned above by the San Mateo County Community College District (the “**District**”).

### INTRODUCTION

*This introduction is not a summary of this Official Statement. It is only a brief description of and guide to, and is qualified by, more complete and detailed information contained in the entire Official Statement and the documents summarized or described in this Official Statement. A full review should be made of the entire Official Statement. The offering of Bonds to potential investors is made only by means of the entire Official Statement.*

**The District.** The District was formed in 1922 and operates 3 colleges in the County of San Mateo (the “**County**”). The District serves approximately 40,000 students annually. See “APPENDIX A – FINANCIAL, ECONOMIC AND DEMOGRAPHIC INFORMATION FOR THE DISTRICT AND SAN MATEO COUNTY” and “APPENDIX B - FISCAL YEAR 2010-11 AUDITED FINANCIAL STATEMENTS,” for demographic and financial information regarding the District.

**Purpose.** The Bonds are being issued by the District to refund all or a portion of the outstanding amount of the following series of bonds (the “**Prior Bonds**”) that are current interest bonds, which portion will be determined by the District based on market conditions:

- San Mateo County Community College District (County of San Mateo, California) 2002 General Obligation Bonds (Election of 2001), Series A, issued on June 19, 2002, in the original aggregate principal amount of \$96,875,612.95 (“**2002 Bonds**”);
- San Mateo County Community College District (County of San Mateo, California) 2005 General Obligation Bonds (Election of 2001), Series B, issued on February 23, 2005, in the original aggregate principal amount of \$69,995,132.40 (“**2005 Series B Bonds**”); and

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\* Preliminary, subject to change.

- San Mateo County Community College District (County of San Mateo, California) 2006 General Obligation Bonds (Election of 2005), Series B, issued on December 21, 2006, in the original aggregate principal amount of \$332,570,193.75 (“**2006 Series B Bonds**”).

The 2002 Bonds and 2005 Series B Bonds were authorized at an election held on November 6, 2001, by a vote of more than 55% of the votes cast by eligible voters within the District. That election authorized the issuance of an aggregate principal amount of bonds not to exceed \$207,000,000 (“**Election of 2001 Authorization**”). The District’s 2006 General Obligation Bonds (Election of 2001), Series C, which were issued under the Election of 2001 Authorization in April 2006 in the original aggregate principal amount of \$40,124,660.45.

The 2006 Series B Bonds were authorized at an election held on November 8, 2005, by a vote of more than 55% of the votes cast by eligible voters within the District. That election authorized the issuance of an aggregate principal amount of bonds not to exceed \$468,000,000 (“**Election of 2005 Authorization**”). The District’s 2006 General Obligation Bonds (Election of 2005), Series A, which were issued under the Election of 2005 Authorization in April 2006 in the original aggregate principal amount of \$135,429,394.60.

The 2002 Bonds and 2005 Series B Bonds were issued under Resolution 02-12, adopted by the Board of Trustees of the District (the “**Board**”) on May 8, 2002, and Resolution 05-1, adopted by the Board on January 26, 2005, respectively. The 2006 Series B Bonds were issued under Resolution 06-18, adopted by the Board on November 21, 2006.

For more detail about the Prior Bonds to be refunded, see “REFINANCING PLAN.” See also “APPENDIX A – DISTRICT FINANCIAL INFORMATION – Long-Term Borrowing” for more information about the District’s outstanding general obligation bonds.

The Bonds are authorized under Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code, and under a resolution adopted by the Board on March 28, 2012 (the “**Resolution**”).

**Security and Sources of Payment for the Bonds.** The Bonds are general obligation bonds of the District payable solely from ad valorem property taxes levied and collected by the County. The County is empowered and is obligated to annually levy ad valorem taxes for the payment of interest on, and principal of, the Bonds on all property subject to taxation by the District, without limitation of rate or amount (except with respect to certain personal property that is taxable at limited rates). See “SECURITY FOR THE BONDS.”

In addition to the Prior Bonds, the District has two other series of general obligation bonds outstanding in the aggregate principal amount of \$130,699,055.05. See “APPENDIX A – DISTRICT FINANCIAL INFORMATION – Long-Term Borrowing.” Also, for a schedule of debt service on the general obligation bonds issued by the District, see “REFINANCING PLAN – Debt Service Schedules – Aggregate General Obligation Bond Debt Service.”

**Payment and Registration of the Bonds.** The Bonds are being issued as current interest bonds. The Bonds will be dated their date of original issuance and delivery and will be issued as fully registered bonds, without coupons, in the denominations of \$5,000, or any integral multiple of \$5,000, registered in the name of Cede & Co. as nominee of The Depository Trust Company, New York, New York (“**DTC**”). The Bonds will be available under the book-entry system maintained by DTC, only through brokers and dealers who are or act through

DTC's participants. Purchasers of the Bonds will not be entitled to receive physical delivery of the Bonds. See "THE BONDS" and "APPENDIX E - DTC AND THE BOOK-ENTRY ONLY SYSTEM."

Interest on the Bonds accrues from their delivery date and is payable semiannually on March 1 and September 1 of each year, commencing September 1, 2012. See "THE BONDS - Description of the Bonds."

**Early Redemption.** The Bonds are subject to optional and mandatory sinking fund redemption prior to their maturity, as described in "THE BONDS - Redemption."

**Legal Matters.** Issuance of the Bonds is subject to the approving opinion of Jones Hall, A Professional Law Corporation, San Francisco, California ("**Bond Counsel**"), to be delivered in substantially the form attached to this Official Statement as APPENDIX C. Jones Hall, A Professional Law Corporation, will also serve as Disclosure Counsel to the District. Certain legal matters will be passed upon for the Underwriter by Fulbright & Jaworski L.L.P. ("**Underwriter's Counsel**"). *Payment of the fees of Bond Counsel, Disclosure Counsel, Underwriter's Counsel and the Underwriter is contingent upon issuance of the Bonds.*

**Other Information.** This Official Statement speaks only as of its date, and the information contained in this Official Statement is subject to change. Copies of documents referred to in this Official Statement and information concerning the Bonds are available from the District. The District may impose a charge for copying, mailing and handling.

## REFINANCING PLAN

The District will deliver a portion of the proceeds of the Bonds to The Bank of New York Mellon Trust Company, N.A., as escrow bank (the "**Escrow Bank**"), for deposit into three escrow funds (each, an "**Escrow Fund**") established under three Escrow Deposit and Trust Agreements (each, an "**Escrow Agreement**"), between the District and the Escrow Bank, as described below.

**2002 Bonds.** The 2002 Bonds are currently outstanding in the aggregate principal amount of 74,735,613.25.

On June \_\_, 2012 (the "**Closing Date**"), the District will cause to be transferred to the Escrow Agent for deposit into the Escrow Fund established for the 2002 Bonds the amount of \$\_\_\_\_\_ in immediately available funds, derived from proceeds of the Bonds. The Escrow Agent will invest a portion of the amounts deposited in the Escrow Fund in United States Treasury Securities, State and Local Government Series, Certificate of Indebtedness, maturing on September 1, 2012. Under the Escrow Agreement relating to the 2002 Bonds, the District will irrevocably elect to redeem all or a portion (depending on market conditions) of the 2002 Bonds that are current interest bonds maturing on and after September 1, 2013 (collectively, the "**Refunded 2002 Bonds**") on September 1, 2012. The redemption price will be equal to the par amount of the Refunded 2002 Bonds together with interest thereon to the redemption date, without premium. Amounts held in such Escrow Fund will be applied to make interest payments on the Refunded 2002 Bonds as they come due and to the redemption price of the Refunded 2002 Bonds on September 1, 2012. On the Closing Date, as a result of the deposit of funds in the Escrow Fund as described above, the Refunded 2002 Bonds will be defeased and all liability of the District with respect to the Refunded 2002 Bonds will be discharged.

The following 2002 Bonds maturing on and after September 1, 2013 will not be refunded from the proceeds of the Bonds and will remain outstanding:

- current interest bonds that, due to market conditions, the District elects not to redeem, and
- capital appreciation bonds.

**2005 Series B Bonds.** The 2005 Series B Bonds are currently outstanding in the aggregate principal amount of \$64,240,132.84.

On the Closing Date, the District will cause to be transferred to the Escrow Agent for deposit into the Escrow Fund established for the 2005 Series B Bonds the amount of \$\_\_\_\_\_ in immediately available funds, derived from Bond proceeds. The Escrow Agent will invest a portion of the amounts deposited in the Escrow Fund in United States Treasury Securities, State and Local Government Series, Certificate of Indebtedness, maturing on March 1, 2015. Under the Escrow Agreement relating to the 2005 Series B Bonds, the District will irrevocably elect to redeem all or a portion (depending on market conditions) of the 2005 Series B Bonds that are current interest bonds maturing on and after September 1, 2015 (collectively, the "**Refunded 2005 Series B Bonds**") on March 1, 2015. The redemption price will be equal to the par amount of the Refunded 2005 Series B Bonds together with interest thereon to the redemption date, without premium. Amounts held in such Escrow Fund will be applied to make interest payments on the Refunded 2005 Series B Bonds as they come due and pay the redemption price of the Refunded 2005 Series B Bonds on March 1, 2015. On the Closing Date, as a result of the deposit of funds in the Escrow Fund as described above, the Refunded 2005 Series B Bonds will be defeased, and all liability of the District with respect to the Refunded 2005 Series B Bonds will be discharged.

The following 2005 Series B Bonds maturing on and after September 1, 2015 will not be refunded from the proceeds of the Bonds and will remain outstanding:

- current interest bonds that, due to market conditions, the District elects not to redeem, and
- capital appreciation bonds.

**2006 Series B Bonds.** The 2006 Series B Bonds are currently outstanding in the aggregate principal amount of \$331,120,973.75.

On the Closing Date, the District will cause to be transferred to the Escrow Agent for deposit into the Escrow Fund established for the 2006 Series B Bonds the amount of \$\_\_\_\_\_ in immediately available funds, derived from Bond proceeds. The Escrow Agent will invest a portion of the amounts deposited in the Escrow Fund in United States Treasury Securities, State and Local Government Series, Certificate of Indebtedness, maturing on September 1, 2016. Under the Escrow Agreement relating to the 2006 Series B Bonds, the District will irrevocably elect to redeem all or a portion (depending on market conditions) of the 2006 Series B Bonds that are current interest bonds maturing on and after September 1, 2017 (collectively, the "**Refunded 2006 Series B Bonds**") on September 1, 2016. The redemption price will be equal to the par amount of the Refunded 2006 Series B Bonds together with

interest thereon to the redemption date, without premium. Amounts held in such Escrow Fund will be applied to make interest payments on the Refunded 2005 Series B Bonds as they come due and pay the redemption price of the Refunded 2005 Series B Bonds on March 1, 2015. On the Closing Date, as a result of the deposit of funds in the Escrow Fund as described above, the Refunded 2005 Series B Bonds will be defeased, and all liability of the District with respect to the Refunded 2005 Series B Bonds will be discharged.

The following 2006 Series B Bonds maturing on and after September 1, 2017 will not be refunded from the proceeds of the Bonds and will remain outstanding:

- current interest bonds that, due to market conditions, the District elects not to redeem, and
- capital appreciation bonds.

Following the payment and redemption of the Prior Bonds in full, the Escrow Bank will transfer any amounts remaining on deposit in the applicable Escrow Fund to the Debt Service Fund established under the Resolution, to be applied to pay interest next coming due and payable on the Bonds.

Sufficiency of the deposits in the Escrow Funds for those purposes will be verified by Grant Thornton LLP (the “**Verification Agent**”). See “VERIFICATION OF MATHEMATICAL ACCURACY” below.

*The amounts held and invested by the Escrow Bank in each Escrow Fund is pledged solely to the payment of the applicable portion of the Prior Bonds being redeemed. Neither the funds deposited in any Escrow Fund nor the interest on the invested funds will be available for the payment of debt service on the Bonds.*

**Sources and Uses of Funds**

The estimated sources and uses of funds with respect to the Bonds are as follows:

<b><u>Sources</u></b>	
Principal Amount of Bonds	\$
Original Issue Premium	_____
<b>Total Sources</b>	<b>\$</b>
<b><u>Uses</u></b>	
Costs of Issuance*	\$
Deposit to 2002 Bonds Escrow Fund	
Deposit to 2005 Series B Bonds Escrow Fund	
Deposit to 2006 Series B Bonds Escrow Fund	_____
<b>Total Uses</b>	<b>\$</b>

\* All estimated costs of issuance including, but not limited to, Underwriter’s discount; printing costs; and fees of Bond Counsel, Disclosure Counsel, Underwriter’s Counsel, Paying Agent, Escrow Agent and rating agencies.

**Debt Service Schedules**

**The Bonds.** The following table shows the debt service schedule with respect to the Bonds (assuming no optional redemptions).

**Table 1  
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
DEBT SERVICE SCHEDULE**

Year Ending September 1	Principal	Interest	Debt Service
2012	\$	\$	\$
2013			
2014			
2015			
2016			
2017			
2018			
2019			
2020			
2021			
2022			
2023			
2024			
2025			
2026			
2027			
2028			
2029			
2030			
2031			
2032			
2033			
2034			
2035			
2036			
2037			
2038			
	\$		

**Aggregate General Obligation Bond Debt Service Schedule.** The following table presents the combined debt service schedules (assuming the Prior Bonds have been defeased as described in “REFINANCING PLAN” above) for the outstanding general obligation bonds issued as part of the Election of 2001 authorization and the Election of 2005 authorization.

**Table 2**  
**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**COMBINED DEBT SERVICE SCHEDULES**  
As of \_\_\_\_\_

<u>Period Ending</u> <u>September 1</u>	<u>Election of</u> <u>2001</u> <u>Author. <sup>(1)</sup></u>	<u>Election of</u> <u>2005</u> <u>Author. <sup>(1)</sup></u>	<u>Subtotal</u>	<u>2012</u> <u>Refunding</u> <u>Bonds</u>	<u>Total</u>
2012	\$11,008,518.76	\$18,304,112.50	\$ 29,312,631.26		
2013	11,560,643.76	19,222,550.00	30,783,193.76		
2014	12,140,856.26	20,181,750.00	32,322,606.26		
2015	12,747,556.26	21,189,750.00	33,937,306.26		
2016	13,383,387.50	22,248,250.00	35,631,637.50		
2017	14,051,437.50	23,362,500.00	37,413,937.50		
2018	14,752,775.00	24,531,750.00	39,284,525.00		
2019	15,495,343.76	25,760,000.00	41,255,343.76		
2020	16,266,837.50	27,045,250.00	43,312,087.50		
2021	17,080,487.50	28,400,250.00	45,480,737.50		
2022	17,934,987.50	29,816,250.00	47,751,237.50		
2023	18,831,737.50	31,306,250.00	50,137,987.50		
2024	19,772,487.50	32,872,750.00	52,645,237.50		
2025	20,764,487.50	34,515,750.00	55,280,237.50		
2026	21,801,487.50	36,245,500.00	58,046,987.50		
2027	22,892,487.50	38,057,250.00	60,949,737.50		
2028	24,037,487.50	39,956,000.00	63,993,487.50		
2029	25,237,487.50	41,957,000.00	67,194,487.50		
2030	26,500,000.00	44,055,750.00	70,555,750.00		
2031	13,502,500.00	46,237,000.00	59,739,500.00		
2032	--	48,550,750.00	48,550,750.00		
2033	--	50,979,000.00	50,979,000.00		
2034	--	53,526,500.00	53,526,500.00		
2035	--	56,203,750.00	56,203,750.00		
2036	--	59,010,750.00	59,010,750.00		
2037	--	61,963,000.00	61,963,000.00		
2038	--	65,061,000.00	65,061,000.00		
Total:	\$349,762,993.80	\$1,000,560,412.50	\$1,350,323,406.30		

(1) Includes debt service on Prior Bonds expected to be refunded with proceeds of the Bonds. See “REFINANCING PLAN.”

## THE BONDS

### Description of the Bonds

**Book-Entry Form.** The Bonds will be issued in book-entry form only, and will be initially issued and registered in the name of Cede & Co. as nominee of The Depository Trust Company, New York, New York (“**DTC**”). Purchasers of the Bonds (the “**Beneficial Owners**”) will not receive physical certificates representing their interests in the Bonds. Payments of principal of and interest on the Bonds will be paid by the Paying Agent to DTC for subsequent disbursement to DTC Participants which will remit such payments to the Beneficial Owners of the Bonds. See “APPENDIX E - DTC AND THE BOOK-ENTRY ONLY SYSTEM.”

As long as DTC’s book-entry method is used for the Bonds, the Paying Agent will send any notice of prepayment or other notices to owners only to DTC. Any failure of DTC to advise any DTC Participant, or of any DTC Participant to notify any Beneficial Owner, of any such

notice and its content or effect will not affect the validity or sufficiency of the proceedings relating to the prepayment of the Bonds called for prepayment or of any other action premised on such notice.

The Paying Agent, the District, and the Underwriter of the Bonds have no responsibility or liability for any aspects of the records relating to or payments made on account of beneficial ownership, or for maintaining, supervising or reviewing any records relating to beneficial ownership, of interests in the Bonds.

***Date of Bonds; Payment Provisions.*** The Bonds will be dated their delivery date and will bear interest payable semiannually each March 1 and September 1 (each an “**Interest Payment Date**”), commencing September 1, 2012, at the interest rates shown on the inside cover page of this Official Statement. The Bonds will mature on September 1 in each of the years and in the principal amounts shown on the inside cover page of this Official Statement. Interest on the Bonds will be computed on the basis of a 360-day year of twelve 30-day months. Each Bond authenticated on or before August 15, 2012, will bear interest from the date of the Bonds. Each Bond authenticated during the period between the 15th day of the month preceding any Interest Payment Date (the “**Record Date**”) and that Interest Payment Date will bear interest from that Interest Payment Date. Any other Bond will bear interest from the Interest Payment Date immediately preceding the date of its authentication. If a Payment Date does not fall on a business day, the interest, principal or redemption payment due on such Payment Date will be paid on the next business day. The Bonds will be issued in the denomination of \$5,000 principal amount each or any integral multiple thereof.

See the maturity schedules on the inside cover page of this Official Statement and “REFINANCING PLAN – Debt Service Schedules” above.

### **Paying Agent**

Payments of the principal of and interest on the Bonds will be made by The Bank of New York Mellon Trust Company, N.A., as the designated paying agent, registrar and transfer agent (the “**Paying Agent**”), to DTC for subsequent disbursement through DTC Participants (defined herein) to the beneficial owners of the Bonds. See APPENDIX E – “DTC and the Book-Entry Only System.”

The County Treasurer may remove the Paying Agent initially appointed, and any successor thereto, and may appoint a successor or successors thereto, but any such successor shall be a bank or trust company doing business and having an office in the State of California, having a combined capital (exclusive of borrowed capital) and surplus of at least \$50,000,000, and subject to supervision or examination by federal or state authority.

The Paying Agent may at any time resign by giving written notice to the County Treasurer, the District and the Refunding Bond Owners of such resignation. Upon receiving notice of such resignation, the County Treasurer will promptly appoint a successor Paying Agent by an instrument in writing. Any resignation or removal of the Paying Agent and appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent.

## Redemption

**Optional Redemption.** The Bonds maturing on or before September 1, 20\_\_ are not subject to redemption prior to their respective maturity dates. The Bonds maturing on or after September 1, 20\_\_, are subject to redemption prior to their respective maturity dates, from moneys provided at the option of the District, in each case on any date on and after September 1, 20\_\_, at a redemption price equal to the principal amount of the Bonds to be redeemed, plus accrued interest to the date of redemption, without premium.

### ***Mandatory Sinking Fund Redemption.***

The Bonds maturing on September 1, 20\_\_ (the “**Term Bonds**”), are also subject to mandatory sinking fund redemption on September 1 in each of the years and in the respective principal amounts as set forth in the following schedule, at a redemption price equal to 100% of the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption:

Redemption Date ( <u>September 1</u> )	<u>Principal Amount</u>
---	-------------------------

If any such Term Bonds are redeemed as described under “- Optional Redemption” above, the total amount of all future mandatory sinking fund payments with respect to such Term Bonds will be reduced by the aggregate principal amount of such Term Bonds so redeemed, to be allocated among such payments as determined by the District.

**Notice of Redemption.** The Paying Agent will cause notice of any redemption to be mailed, by first class mail, postage prepaid, at least 20 days but not more than 60 days prior to the date fixed for redemption, to (i) one or more of the Information Services, and (ii) to the respective Owners of any Bonds designated for redemption, at their addresses appearing on the Registration Books; but such mailing will not be a condition precedent to such redemption and failure to mail or to receive any such notice will not affect the validity of the proceedings for the redemption of such Bonds.

The redemption notice will state the redemption date and the redemption price and, if less than all of the then-Outstanding Bonds are to be called for redemption, will designate the Bonds to be redeemed, and will require that any redeemed Bonds be surrendered at the Principal Office of the Paying Agent for redemption, giving notice that further interest on such Bonds will not accrue from and after the redemption date.

**Partial Redemption.** Upon surrender of Bonds redeemed in part only, the District will execute and the Paying Agent will authenticate and deliver to the owner, at the expense of the District, a new Bond or Bonds, of the same maturity, of authorized denominations in aggregate principal amount equal to the unredeemed portion of the Bond or Bonds.

**Effect of Redemption.** From and after the date fixed for redemption, if notice of such redemption has been duly given and funds available for the payment of the principal of and interest (and premium, if any) on the Bonds so called for redemption have been duly provided, such Bonds so called will cease to be entitled to any benefit under the Resolution, other than the right to receive payment of the redemption price, and no interest will accrue thereon on or after the redemption date specified in such notice.

**Conditional Redemption Notice; Right to Rescind Notice of Optional Redemption.** The District may send a conditional redemption notice that provides that redemption is subject to the availability of sufficient funds on the proposed redemption date. The District has the right to rescind any notice of the optional redemption of Bonds by written notice to the Paying Agent on or before the date fixed for redemption. Any notice of optional redemption will be cancelled and annulled if for any reason funds will not be or are not available on the date fixed for redemption for the payment in full of the Bonds then called for redemption, and such cancellation will not constitute a default under the Resolution.

### **Registration, Transfer and Exchange of Bonds**

If the book-entry system as described above and in APPENDIX E is no longer used with respect to the Bonds, the following provisions will govern the registration, transfer, and exchange of the Bonds.

**Registration Books.** The Paying Agent will keep or cause to be kept sufficient books for the registration and transfer of the Bonds (the "**Registration Books**"), which will at all times be open to inspection by the District upon reasonable notice; and, upon presentation for such purpose, the Paying Agent will, under such reasonable regulations as it may prescribe, register or transfer or cause to be registered or transferred, on said books, the Bonds.

**Transfer.** Any Bond may, in accordance with its terms, be transferred, upon the Registration Books, by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Bond for cancellation at the principal office of the Paying Agent, accompanied by delivery of a written instrument of transfer in a form approved by the Paying Agent, duly executed.

Whenever any Bond or Bonds are surrendered for transfer, the District will execute and the Paying Agent will authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. No transfers will be required to be made (a) 15 days prior to a date established for selection of Bonds for redemption and (b) with respect to a Bond that has been selected for redemption.

**Exchange.** Bonds may be exchanged at the principal office of the Paying Agent for a like aggregate principal amount of Bonds of authorized denominations and of the same maturity. The District may charge a reasonable sum for each new Bond issued upon any exchange. No exchanges will be required to be made (a) 15 days prior to a date established for selection of Bonds for redemption and (b) with respect to a Bond that has been selected for redemption.

## Defeasance

The District has the option to pay and discharge the entire indebtedness on all or any portion of the outstanding Bonds by (i) paying the Bonds when due and payable, (ii) depositing with the Paying Agent money in an amount sufficient to pay debt service on the Bonds when due, including all principal, interest and redemption premiums and (iii) by depositing with the Paying Agent, in trust, cash and certain Federal Securities in an amount determined to be sufficient, together with interest earnings, to be sufficient to pay and discharge the indebtedness on such Bonds (including all principal, interest and redemption premiums) at or before their respective maturity dates.

“**Federal Securities**” is defined in the Resolution as (a) any direct general obligations of the United States of America (including obligations issued or held in book entry form on the books of the Department of the Treasury of the United States of America), for which the full faith and credit of the United States of America are pledged; or (b) obligations of any agency, department or instrumentality of the United States of America, the timely payment of principal and interest on which are directly or indirectly secured or guaranteed by the full faith and credit of the United States of America.

## SECURITY FOR THE BONDS

### Ad Valorem Taxes

***Bonds Payable from Ad Valorem Property Taxes.*** The Bonds are general obligation bonds of the District, payable solely from ad valorem property taxes levied and collected by the County. The County is empowered and is obligated to annually levy ad valorem taxes for the payment of the Bonds and the interest thereon upon all property within the District subject to taxation by the District, without limitation of rate or amount (except certain personal property which is taxable at limited rates).

***Other Bonds Payable from Ad Valorem Property Taxes.*** In addition to the Prior Bonds, the District has previously issued other series of general obligation bonds under two authorizations received by the District. These series of bonds are all payable from ad valorem taxes on a parity with the Bonds. See “REFINANCING PLAN – Debt Service Schedules – Aggregate General Obligation Bond Debt Service” for a schedule of the general obligation bonds issued under authorizations of the District.

In addition to the general obligation bonds issued by the District, there is other debt issued by entities with jurisdiction in the District, which is payable from ad valorem taxes levied on parcels in the District. See “PROPERTY TAXATION – Tax Rates” and “- Direct and Overlapping Debt” below.

***Levy and Collection.*** The County will levy and collect such ad valorem taxes in such amounts and at such times as is necessary to ensure the timely payment of debt service. Such taxes, when collected, will be deposited into a debt service fund for the Bonds, which is maintained by the County and which is irrevocably pledged for the payment of principal of and interest on the Bonds when due.

District property taxes are assessed and collected by the County in the same manner and at the same time, and in the same installments as other ad valorem taxes on real property,

and will have the same priority, become delinquent at the same times and in the same proportionate amounts, and bear the same proportionate penalties and interest after delinquency, as do the other ad valorem taxes on real property.

**Annual Tax Rates.** The amount of the annual ad valorem tax levied by the County to repay the Bonds will be determined by the relationship between the assessed valuation of taxable property in the District and the amount of debt service due on the Bonds. Fluctuations in the annual debt service on the Bonds and the assessed value of taxable property in the District may cause the annual tax rate to fluctuate.

Economic and other factors beyond the District's control, such as economic recession, deflation of land values, a relocation out of the District or financial difficulty or bankruptcy by one or more major property taxpayers, or the complete or partial destruction of taxable property caused by, among other eventualities, earthquake, flood, fire or other natural disaster, could cause a reduction in the assessed value within the District and necessitate a corresponding increase in the annual tax rate.

### **Debt Service Fund**

Pursuant to the Resolution, the County will create, while the Bonds are Outstanding, an interest and sinking fund for the Bonds (the "**Debt Service Fund**"), which will be maintained by the County Treasurer as a separate account, distinct from all other funds of the District, into which will be paid on receipt thereof, (i) the portion of the Bond proceeds equal to the accrued interest and any premium received by the District, and (ii) the proceeds of any ad valorem taxes levied upon the property within the District for the payment of the Bonds and the interest thereon.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Bonds as the same become due and payable, will be transferred by the County Treasurer to the Paying Agent in immediately available funds on the each payment date, which, in turn, will pay such moneys to the Owners of the Bonds in accordance with the Resolution. Interest earnings on funds in the Debt Service Fund will remain therein.

Moneys held in the Debt Service Fund will be invested at the discretion of the County Treasurer pursuant to law applicable to community college districts and the investment policy of the County, as such policy shall exist at the time of investment.

Any moneys remaining in the Debt Service Fund after the Bonds and the interest thereon have been paid, or provision for such payment has been made, will be transferred to the general fund of the District.

### **Limited Obligation**

The Bonds are payable solely from the proceeds of an ad valorem tax levied and collected by the County, for the payment of principal of and interest on the Bonds. Although the County is obligated to collect the ad valorem tax for the payment of the Bonds, the Bonds are not a debt of the County.

## PROPERTY TAXATION

### Property Tax Collection Procedures

In California, property that is subject to ad valorem taxes is classified as either “secured” or “unsecured.” The “secured roll” is that part of the assessment roll containing state-assessed public utilities’ property, as well as property, the taxes on which are secured by a lien that is sufficient, in the opinion of the county assessor, to secure payment of those taxes. A tax levied on unsecured property does not become a lien against such unsecured property, but may become a lien on certain other property owned by the taxpayer. Every tax that becomes a lien on secured property has priority over all other liens arising pursuant to State law on such secured property, regardless of the time of the creation of the other liens. Secured and unsecured property are entered separately on the assessment roll maintained by the county assessor. The method of collecting delinquent taxes is substantially different for the two classifications of property.

**Secured Roll.** Property taxes on the secured roll are due in two installments, on November 1 and February 1 of each fiscal year. If unpaid, such taxes become delinquent after December 10 and April 10, respectively, and a 10% penalty attaches to any delinquent payment. In addition, property on the secured roll for which taxes are delinquent is declared tax-defaulted on or about June 30 of the fiscal year. Such property may thereafter be redeemed by payment of the delinquent taxes and a delinquency penalty, plus a redemption penalty of 1-1/2% per month to the time of redemption. If property taxes remain unpaid for a period of five years or more, the property is subject to sale by the County for the amount of taxes that are delinquent. This is the exclusive means of enforcing the payment of delinquent taxes for property on the secured roll.

Property taxes on the secured roll are levied for each fiscal year on taxable real and personal property situated in the taxing jurisdiction as of the preceding January 1. However, a bill enacted in 1983, SB813 (Statutes of 1983, Chapter 498), provided for the supplemental assessment and taxation of property as of the occurrence of a change of ownership or completion of new construction. This legislation eliminated delays in the realization of increased property taxes from new assessments. As amended, SB813 provides increased revenue to taxing jurisdictions to the extent that supplemental assessments of new construction or changes of ownership occur subsequent to the January 1 lien date and result in increased assessed value.

**Unsecured Roll.** Property taxes on the unsecured roll are due on the January 1 lien date and become delinquent, if unpaid on the following August 31. A 10% penalty is also attached to delinquent taxes in respect of property on the unsecured roll, and further, an additional penalty of 1-1/2% per month accrues with respect to such taxes beginning the first day of the third month following the delinquency date. The taxing authority has four ways of collecting unsecured personal property taxes: (1) a civil action against the taxpayer; (2) filing a certificate in the office of the county clerk specifying certain facts in order to obtain a judgment lien on certain property of the taxpayer; (3) filing a certificate of delinquency for record in the county recorder’s office, in order to obtain a lien on certain property of the taxpayer; and (4) seizure and sale of personal property, improvements or possessory interests belonging or assessed to the assessee.

## **Unitary Taxation of Utility Property**

Historically, property of regulated public utilities was assessed for local tax purposes by the State Board of Equalization on a geographical basis in basically the same manner as other taxable property in any taxing jurisdiction.

In 1987, the State Legislature enacted Chapter 921 amending Section 98.9 and various other sections of the Revenue and Taxation Code. The legislation established in each county one county-wide tax rate area with the assessed value of all unitary and operating non-unitary utility property being assigned to this tax rate area.

The result was a single assessed valuation figure for all utility property owned by each utility within the county without any breakdown for individual taxing jurisdictions. All utility property is subject to a tax at a rate equal to the sum of the following two rates:

- A rate determined by dividing the county's total ad valorem tax levies for the secured roll for the prior year, exclusive of levies for debt service, by the county's total ad valorem secured roll assessed value for the prior year, and
- A rate determined by dividing the county's total ad valorem tax levies for the secured roll for the prior year for debt service only, by the county's total ad valorem secured roll assessed value for the prior year.

The foregoing process results in the creation of two pools of money, with the first pool being available for general tax purposes and the second pool being available for debt service purposes, each pool being then allocated to the various taxing jurisdictions in the county by a statutory formula for the county as a whole.

## **The Teeter Plan**

The Board of Supervisors of the County has adopted the Alternative Method of Distribution of Tax Levies and Collections and of Tax Sale Proceeds (the "**Teeter Plan**"), as provided for in Section 4701 et seq. of the California Revenue and Taxation Code. Under the Teeter Plan, each entity levying property taxes in the County may draw on the amount of uncollected secured taxes credited to its fund, in the same manner as if the amount credited had been collected. The District participates in the Teeter Plan, and thus receives 100% of secured property taxes levied in exchange for foregoing any interest and penalties collected on delinquent taxes. However, under the statute creating the Teeter Plan, the Board of Supervisors could under certain circumstances terminate the Teeter Plan in its entirety and, in addition, the Board of Supervisors could terminate the Teeter Plan if the delinquency rate for all ad valorem property taxes levied within the District in any year exceeds 3%. In the event that the Teeter Plan were terminated, the amount of the levy of ad valorem property taxes in the District would depend upon the collections of the ad valorem property taxes and delinquency rates experienced with respect to the parcels within the District.

The following table displays secured tax charges and delinquencies in the District beginning in fiscal year 2005-06.

**Table 3**  
**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**SECURED TAX LEVIES AND DELINQUENCIES**

<u>Fiscal Year</u>	<u>Secured Tax Charge (1)</u>	<u>Amount Delinquent June 30</u>	<u>% Delinquent June 30</u>
2005-06	\$1,251,753,128.84	17,103,424.45	1.37%
2006-07	1,376,409,253.08	26,197,807.48	1.90
2007-08	1,457,093,830.58	46,697,485.14	3.20
2008-09	1,584,588,941.64	43,515,351.54	2.75
2009-10	information not available for this fiscal year		
2010-11	1,626,551,714.26	22,740,076.57	1.40

<u>Fiscal Year</u>	<u>Secured Tax Charge (2)</u>	<u>Amount Delinquent June 30</u>	<u>% Delinquent June 30</u>
2006-07	\$21,038,451.18	\$367,051.33	1.74%
2007-08	21,149,574.25	624,882.12	2.95
2008-09	21,803,689.20	545,067.34	2.50
2009-10	24,282,574.60	473,870.06	1.95
2010-11	25,677,077.00	328,273.42	1.28

(1) All taxes collected by the County. Includes special charges.

(2) Bond debt service levy only.

Source: California Municipal Statistics, Inc.

### Assessed Valuation

The following table identifies the assessed valuation historical trends for the District for fiscal year 2007-08 through fiscal year 2011-12.

**Table 4**  
**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**HISTORIC ASSESSED VALUATIONS<sup>(1)</sup>**

	<u>Local Secured</u>	<u>Utility</u>	<u>Unsecured</u>	<u>Total Assessed Value</u>
2007-08	\$123,997,805,609	\$33,808,711	\$8,159,763,532	\$132,191,377,852
2008-09	133,289,757,862	32,748,799	9,552,716,788	142,875,223,449
2009-10	134,780,021,980	33,022,897	9,063,837,421	143,876,882,298
2010-11	134,084,580,204	32,588,160	7,780,768,626	141,897,936,990
2011-12	135,460,795,391	21,446,780	7,961,006,485	143,443,248,656

Source: California Municipal Statistics, Inc.

### Appeals of Assessed Value

**General.** There are two types of appeals of assessed values that could adversely impact property tax revenues within the District.

Appeals may be based on Proposition 8 of November 1978, which requires that for each January 1 lien date, the taxable value of real property must be the lesser of its base year value, annually adjusted by the inflation factor pursuant to Article XIII A of the State Constitution, or its full cash value, taking into account reductions in value due to damage, destruction, depreciation, obsolescence, removal of property or other factors causing a decline in value.

Under California law, property owners may apply for a reduction of their property tax assessment by filing a written application, in the form prescribed by the State Board of Equalization, with the County board of equalization or assessment appeals board. In most cases, the appeal is filed because the applicant believes that present market conditions (such as residential home prices) cause the property to be worth less than its current assessed value. Proposition 8 reductions may also be unilaterally applied by the County Assessor.

Any reduction in the assessment ultimately granted as a result of such appeal applies to the year for which application is made and during which the written application was filed. These reductions are subject to yearly reappraisals and are adjusted back to their original values when market conditions improve. Once the property has regained its prior value, adjusted for inflation, it once again is subject to the annual inflationary factor growth rate allowed under Article XIII A. See "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS" in APPENDIX A.

A second type of assessment appeal involves a challenge to the base year value of an assessed property. Appeals for reduction in the base year value of an assessment, if successful, reduce the assessment for the year in which the appeal is taken and prospectively thereafter. The base year is determined by the completion date of new construction or the date of change of ownership. Any base year appeal must be made within four years of the change of ownership or new construction date.

No assurance can be given that property tax appeals in the future will not significantly reduce the assessed valuation of property within the District.

**Recent Proposition 8 Reductions.** For fiscal year 2011-12, the San Mateo County Assessor reduced the assessed value of 34,685 residential properties (19% of total assessed residential properties) in the County. On a county-wide basis, the County Assessor reduced the assessed value of these parcels by approximately \$1.5 billion, with an average reduction of \$44,000 per parcel. Despite the Proposition 8 reductions, the fiscal year 2011-12 local secured assessed value of taxable property in the County increased by approximately 1.02% over the fiscal year 2010-11 assessed value.

## Largest Taxpayers

The largest assessed property taxpayers in the District for fiscal year 2011-12 are shown in the following table.

**Table 5**  
**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**LARGEST LOCAL SECURED TAXPAYERS**  
**Fiscal Year 2011-12**

	<u>Property Owner</u>	<u>Primary Land Use</u>	2011-12 <u>Assessed Valuation</u>	% of <u>Total (1)</u>
1.	Genentech Inc.	Industrial	\$1,666,850,742	1.23%
2.	Oracle Corporation	Office Building	576,498,394	0.43
3.	Spieker Properties	Office Building	559,834,976	0.41
4.	Slough BTC LLC	Industrial	549,058,893	0.41
5.	VII Pac Shores Investors LLC	Office Building	481,917,206	0.36
6.	Slough SSF LLC DE	Industrial	467,741,887	0.35
7.	Gilead Sciences Inc.	Office Building	411,778,013	0.30
8.	Wells REIT II-University Circle LP	Office Building	312,532,803	0.23
9.	Britannia Pointe Grand LP	Industrial	274,970,686	0.20
10.	ARE San Francisco	Industrial	274,163,838	0.20
11.	Electronic Arts Inc.	Office Building	264,035,562	0.19
12.	Slough Redwood City LLC	Industrial	232,586,518	0.17
13.	ASN Bay Meadows I LLC & Bay Meadows II LLC	Apartments	226,701,287	0.17
14.	Westport Office Park LLC	Office Building	215,075,995	0.16
15.	Wilson Menlo Park Campus LLC	Office Building	207,462,937	0.15
16.	Visa International Services/Visa Land Development	Office Building	200,948,012	0.15
17.	Bohannon Development Co.	Shopping Center	197,951,786	0.15
18.	Franklin Templeton Corporate Services Inc.	Office Building	197,056,023	0.15
19.	ASN Tanforan Crossing I & II LLC	Apartments	165,384,369	0.12
20.	Stanford Research Institute	Office Building	162,028,204	0.12
			<u>\$7,644,578,131</u>	<u>5.64%</u>

(1) 2011-12 Local Secured Assessed Valuation: \$135,460,795,391

Source: California Municipal Statistics, Inc.

## Tax Rates

Contained within the District's boundaries are numerous overlapping local agencies. The following table sets forth a five-year history of the total tax rates in Tax Rate Area 12-001 and Tax Rate Area 9-001. Tax Rate Area 12-001 has a total assessed value of \$13,028,915,907, which is approximately 9.62% of the assessed valuation in the District. Tax Rate Area 9-001 has a total assessed value of \$6,250,729,289, which is approximately 4.61% of the assessed valuation in the District.

**Table 6**  
**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**  
**REPRESENTATIVE TAX RATE**  
**FIVE-YEAR HISTORY<sup>(1)</sup>**  
**(Tax Rate Area 12-001 and Tax Rate Area 9-001)**

	<u>2007-08</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>
<u>Tax Rate Area 12-001 – 2011-12 Assessed Valuation: \$13,028,915,907</u>					
General	1.0000%	1.0000%	1.0000%	1.0000%	1.0000%
City of San Mateo Bond	0.0193	0.0175	0.0160	0.0129	0.0129
San Mateo-Foster City School District Bond	0.0333	0.0315	0.0326	0.0341	0.0347
San Mateo High School District Bond	0.0150	0.0298	0.0319	0.0322	0.0383
San Mateo Community College District Bond	<u>0.0171</u>	<u>0.0165</u>	<u>0.0182</u>	<u>0.0193</u>	<u>0.0199</u>
Total	1.0847%	1.0953%	1.0987%	1.0985%	1.1058%
<u>Tax Rate Area 9-001 – 2011-12 Assessed Valuation: \$6,250,729,289</u>					
General	1.0000%	1.0000%	1.0000%	1.0000%	1.0000%
Redwood City School District	0.0250	0.0229	0.0238	0.0249	0.0255
Sequoia Union High School District	0.0205	0.0282	0.0277	0.0311	0.0358
San Mateo Community College District Bond	<u>0.0171</u>	<u>0.0165</u>	<u>0.0182</u>	<u>0.0193</u>	<u>0.0199</u>
Total	1.0626%	1.0676%	1.0697%	1.0753%	1.0812%

(1) Tax Rate Areas 12-001 and 9-001 are the two largest within the District in terms of assessed valuation.  
Source: *California Municipal Statistics, Inc.*

### **Overlapping Debt**

Contained within the District's boundaries are numerous overlapping local agencies providing public services. These local agencies have outstanding bonds issued in the form of general obligation, lease revenue and special assessment. The direct and overlapping debt of the District is shown in the following table. Self-supporting revenue bonds, tax allocation bonds and non-bonded capital lease obligations are excluded from the debt statement.

**Table 7  
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
STATEMENT OF DIRECT AND OVERLAPPING DEBT  
AS OF MARCH 1, 2012**

2011-12 Assessed Valuation: \$143,443,248,656  
 Redevelopment Incremental Valuation: 12,486,132,817  
 Adjusted Assessed Valuation: \$130,957,115,839

<u>DIRECT AND OVERLAPPING TAX AND ASSESSMENT DEBT:</u>	<u>% Applicable</u>	<u>Debt 3/1/12</u>	
<b>San Mateo Community College District</b>	<b>100.</b>	<b>\$ 600,794,994</b>	(1)
Cabrillo Unified School District	100.	13,184,671	
South San Francisco Unified School District	100.	65,885,998	
Jefferson Union High School District	100.	117,104,054	
San Mateo Union High School District	100.	455,747,452	
Sequoia Union High School District	100.	343,070,000	
Belmont Redwood Shores School District and School Facilities Improvement Districts	100.	88,270,769	
Burlingame School District	100.	58,107,486	
Hillsborough School District	100.	58,086,434	
Jefferson School District	100.	48,020,000	
Menlo Park City School District	100.	100,728,760	
San Carlos School District	100.	53,269,025	
San Mateo-Foster City School District	100.	161,275,007	
Other School Districts	100.	187,308,290	
Cities	100.	69,275,000	
Montara Sanitary District	100.	13,835,000	
Community Facilities Districts	100.	61,880,000	
1915 Act Special Assessment Bonds	100.	<u>21,512,992</u>	
<b>TOTAL DIRECT AND OVERLAPPING TAX AND ASSESSMENT DEBT</b>		<b>\$2,517,355,932</b>	
 <u>OVERLAPPING GENERAL FUND DEBT:</u>			
San Mateo County General Fund Obligations	100.	\$324,979,816	
San Mateo County Board of Education Certificates of Participation	100.	12,420,000	
San Mateo County Flood Control District Certificates of Participation	100.	22,650,000	
South San Francisco Unified School District General Fund Obligations	100.	1,346,931	
City of Burlingame General Fund and Pension Obligations	100.	36,945,000	
City of Daly City Pension Obligations	100.	32,140,000	
City of San Mateo General Fund Obligations	100.	37,980,000	
Other City General Fund Obligations	100.	110,628,427	
Midpeninsula Regional Open Space Park General Fund Obligations	30.763	42,598,977	
Granada Sanitary District Certificates of Participation	100.	425,000	
Menlo Park Fire Protection District Certificates of Participation	100.	<u>11,990,000</u>	
<b>TOTAL GROSS OVERLAPPING GENERAL FUND DEBT</b>		<b>\$634,104,151</b>	
Less: City of Burlingame supported obligations		<u>4,102,500</u>	
<b>TOTAL NET OVERLAPPING GENERAL FUND DEBT</b>		<b>\$630,001,651</b>	
 GROSS COMBINED TOTAL DEBT		 \$3,151,460,083(2)	
NET COMBINED TOTAL DEBT		\$3,147,357,583	

(1)Excludes issue to be sold.

(2)Excludes tax and revenue anticipation notes, enterprise revenue, mortgage revenue and tax allocation bonds and non-bonded capital lease obligations.

Ratios to 2011-12 Assessed Valuation:

**Direct Debt (\$600,794,994) .....0.42%**  
 Total Direct and Overlapping Tax and Assessment Debt..... 1.75%

Ratios to Adjusted Assessed Valuation:

Gross Combined Total Debt .....2.41%  
 Net Combined Total Debt .....2.40%

STATE SCHOOL BUILDING AID REPAYABLE AS OF 6/30/11: \$0

Source: California Municipal Statistics, Inc.

## **TAX MATTERS**

### **Federal Tax Status**

In the opinion of Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel, subject, however to certain qualifications set forth below, under existing law, the interest on the Bonds is excluded from gross income for federal income tax purposes, and such interest is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, provided, however, that, for the purpose of computing the alternative minimum tax imposed on corporations (as defined for federal income tax purposes), the interest on the Bonds is taken into account in determining certain income and earnings.

The opinion set forth in the preceding paragraph is subject to the condition that the District comply with all requirements of the Internal Revenue Code of 1986 that must be satisfied subsequent to the issuance of the Bonds in order that such interest be, or continue to be, excluded from gross income for federal income tax purposes. The District has covenanted to comply with each such requirement. Failure to comply with certain of such requirements may cause the inclusion of such interest in gross income for federal income tax purposes to be retroactive to the date of issuance of the Bonds.

### **Tax Treatment of Original Issue Discount and Premium**

If the initial offering price to the public (excluding bond houses and brokers) at which a Bond is sold is less than the amount payable at maturity thereof, then such difference constitutes "original issue discount" for purposes of federal income taxes and State of California personal income taxes. If the initial offering price to the public (excluding bond houses and brokers) at which each Bond is sold is greater than the amount payable at maturity thereof, then such difference constitutes "original issue premium" for purposes of federal income taxes and State of California personal income taxes. De minimis original issue discount and original issue premium is disregarded. Owners of Bonds with original issue discount or original issue premium, including purchasers who do not purchase in the original offering, should consult their own tax advisors with respect to federal income tax and State of California personal income tax consequences of owning such Bonds.

### **California Tax Status**

In the further opinion of Bond Counsel, interest on the Bonds is exempt from California personal income taxes.

### **Other Tax Considerations**

Owners of the Bonds should also be aware that the ownership or disposition of, or the accrual or receipt of interest on, the Bonds may have federal or state tax consequences other than as described above. Bond Counsel expresses no opinion regarding any federal or state tax consequences arising with respect to the Bonds other than as expressly described above.

## Form of Opinion

A copy of the proposed form of opinion of Bond Counsel with respect to the Bonds is attached to this Official Statement as APPENDIX C.

## CONTINUING DISCLOSURE

The District will covenant for the benefit of owners of the Bonds to provide certain financial information and operating data relating to the District by not later than March 31 after the end of each fiscal year (currently June 30), commencing with the report for the 2011-12 fiscal year (the “**Annual Report**”), and to provide notices of the occurrence of certain enumerated events. The specific nature of the information to be contained in the Annual Report or the notices of enumerated events is provided in “APPENDIX D - FORM OF CONTINUING DISCLOSURE CERTIFICATE”. These covenants have been made in order to assist the Underwriter (as defined below) in complying with Rule 15c2-12(b)(5) under the Securities Exchange Act of 1934, as amended.

The District has complied with all of its material obligations under existing continuing disclosure undertakings during the past five years.

## ABSENCE OF MATERIAL LITIGATION

**[Confirm prior to print.]** No litigation is pending or threatened concerning the validity of the Bonds, and a certificate to that effect will be furnished to the purchasers at the time of the original delivery of the Bonds. The District is not aware of any litigation pending or threatened questioning the political existence of the District or contesting the District’s ability to receive ad valorem taxes or collect other revenues or contesting the District’s ability to issue and repay the Bonds.

## RATING

Upon issuance of the Bonds, Moody’s Investors Service, Inc. (“**Moody’s**”), and Standard & Poor’s Ratings Services, a Standard & Poor’s Financial Services LLC business (“**S&P**”), will assign the Bonds ratings of “\_\_\_\_\_” and “\_\_\_\_\_,” respectively.

The District has furnished to the rating agencies information and material that have not been included in this Official Statement. Generally, rating agencies base their ratings on information and material so furnished and on investigations, studies and assumptions made by the rating agencies. Each rating reflects only the view of the assigning rating agency, and an explanation of the significance of such rating may be obtained from that rating agency.

There is no assurance that any rating will continue for a given period of time or that it will not be revised downward or withdrawn entirely if, in the judgment of the assigning rating agency, circumstances so warrant. Any such downward revision or withdrawal of a rating may have an adverse effect on the market price of the Bonds.

### VERIFICATION OF MATHEMATICAL ACCURACY

Upon delivery of the Bonds, the Verification Agent will deliver a report on the mathematical accuracy of certain computations provided to it on behalf of the District relating to the sufficiency of the amounts deposited in the Escrow Funds (together with interest earnings) to pay, when due, the principal (whether at maturity or upon prior redemption) interest and redemption premium requirements of the Prior Bonds being refunded. See "THE REFINANCING PLAN."

### UNDERWRITING

Morgan Stanley & Co. LLC (the "Underwriter") has agreed in a bond purchase contract to purchase the Bonds at an aggregate purchase price of \$\_\_\_\_\_ (consisting of the par amount of \$\_\_\_\_\_, plus an original issue premium of \$\_\_\_\_\_, less an underwriter's discount of \$\_\_\_\_\_).

The Underwriter intends to offer the Bonds to the public at the offering prices set forth on the inside cover page of this Official Statement. The Underwriter may offer and sell Bonds to certain dealers and others at a price lower than the offering prices stated on the inside cover page of this Official Statement. The offering price may be changed from time to time by the Underwriter.

### EXECUTION

The execution and delivery of this Official Statement have been approved by the Board of Trustees of the District.

**SAN MATEO COUNTY COMMUNITY COLLEGE  
DISTRICT**

By: \_\_\_\_\_  
Chancellor

## APPENDIX A

### FINANCIAL, ECONOMIC AND DEMOGRAPHIC INFORMATION FOR THE SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT AND SAN MATEO COUNTY

#### GENERAL DISTRICT INFORMATION

*The information in this Appendix concerning the operations of the District and the District's general fund finances is provided as supplementary information only, and it should not be inferred from the inclusion of this information that the principal of and interest on the Bonds is payable from the general fund of the District. The Bonds are payable from the proceeds of an ad valorem tax required to be levied by the County in an amount sufficient for the payment of the interest on and principal of the Bonds. See "SECURITY FOR THE BONDS" above.*

#### General Information

The District provides community college educational services primarily to residents of the County of San Mateo, California, located between San Francisco and Silicon Valley. The District was established in 1922 and operates three colleges: the College of San Mateo, Cañada College, and Skyline College. Combined, the three colleges of the District serve over 40,000 students annually and offer the first two years of college-level instruction in a wide variety of transfer programs as well as more than 90 vocational-technical programs. Students can earn either Associate in Arts or Science degrees or receive Certificates of Proficiency in their chosen fields. In addition, the District hosts a University Center at Cañada College where students can obtain baccalaureate degrees in selected program areas through California State University partners. The District also operates a public television station, KCSM-TV Channel 60, which offers a variety of televised courses for credit each semester. Noncredit, short courses are offered for a fee through the Community Education Program. Each college is fully accredited by the Western Association of Schools and Colleges, the recognized local accrediting agency for the western United States that is affiliated with the Federation of Regional Accrediting Commissions of Higher Education.

#### Governance

The District is governed by a six-member board of trustees ("**Board of Trustees**"), with five voting members elected at large by County voters for four-year terms and one nonvoting student member elected by students for a one-year term. The day-to-day operations are managed by the board-appointed Chancellor. Ron Galatolo has served in this position since May 2001.

Current members of the Board of Trustees, together with their respective offices and the date their respective terms expire, are listed below:

<u>Name</u>	<u>Position</u>	<u>Term Expires</u>
Dave Mandelkern	President	2015
Helen Hausman	Vice President/Clerk	2013
Richard Holober	Trustee	2013
Patricia Miljanich	Trustee	2015
Karen Schwarz	Trustee	2015
Patiane Gladstone	Student Trustee	2012

### Employee Relations

The District is a party to three collective bargaining agreements, one with each of its units: American Federation of Teachers (“**AFT**”); American Federation of State, County and Municipal Employees (“**AFSCME**”); and California School Employees Association (“**CSEA**”). The District is currently renegotiating the terms of its contracts with AFT and CSEA. The District also has 155 employees who are not represented by any bargaining units.

### **SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT BARGAINING ORGANIZATIONS AND CONTRACT DATES**

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<u>Employee Organization/ Bargaining Unit</u>	<u>Number of Budgeted Positions</u>	<u>Contract Termination Date</u>
AFT	379	June 2009 (1)
AFSCME	74	June 2013
CSEA	316	June 2010 (1)

(1) Collective bargaining agreement continues in effect until renegotiation complete.  
Source: *San Mateo County Community College District*.

### **DISTRICT FINANCIAL INFORMATION**

#### **Funding of Community College Districts in California**

**Major Revenues.** California community college districts (other than Basic Aid Districts, as described below) receive, on average, approximately 52% of their funds from the State, approximately 44% from local sources, and approximately 4% from federal sources. State funds include general apportionment, categorical funds, capital construction, the lottery, and other minor sources. Local sources include property taxes, student fees, and miscellaneous sources.

Prior to 2006, a community college district determined its revenue allocation using a program-based model. The model used different factors to establish support levels for five different categories at the community college district: (1) Instruction and Instructional Administration; (2) Instructional Services; (3) Student Services; (4) Operation and Maintenance of Plants, and (5) Institutional Support. Different standards were used in each category to determine funding requirements. The target allocation was obtained by calculating the exact cost of funding the specific standards in each category, on a district by district basis. The

aggregate total of the financial needs of the five categories established the amount of funding a district received. State general fund moneys, local property taxes, and certain other local revenues were allocated to the community college districts based on annual State apportionments of basic and equalization aid to community college districts for general purposes computed up to a base revenue per unit of full time equivalent students (“**FTES**”). Such apportionments, generally speaking, amounted to the difference between a district’s base revenue and its local property tax allocation and student enrollment fees. Base revenue calculations were adjusted annually in accordance with a number of factors designed primarily to provide cost of living increases and to equalize revenues among all community college districts in the State.

Senate Bill 361, which was signed by the Governor on September 29, 2006 (“**SB 361**”), established a new community college funding system with immediate effect. The new system includes allocation of state general apportionment revenues to community college districts based on criteria developed by the Board of Governors of the California Community Colleges (the “**Board of Governors**”) in accordance with prescribed statewide minimum requirements. In establishing these minimum requirements, the Board of Governors will be required to acknowledge community college districts’ need to receive an annual allocation based on the number of colleges and comprehensive centers in each district, plus funding received based on the number of credit and noncredit FTES in each district. SB 361 also specifies that the minimum funding per FTES will be: (a) not less than \$4,367 per credit FTES (subject to cost of living adjustments funded through the budget act in subsequent fiscal years); (b) at a uniform rate of \$2,626 per noncredit FTES (adjusted for the change in cost of living provided in the budget act in subsequent fiscal years); and (c) set at \$3,092 per FTES (adjusted for the change in cost of living provided in the budget act in subsequent fiscal years) for a new instructional category of “career development and college preparation.”

The table below shows the District’s funding per unit of full-time equivalent students (“**FTES**”) and program-based funding total over the period of fiscal year 2002-03 through fiscal year 2005-06 and SB 361 funding total from fiscal year 2006-07 through fiscal year 2010-11, and as projected for fiscal year 2011-12.

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
Funding Per Unit of FTES  
Fiscal Years 2002-03 through 2011-12**

<u>Fiscal Year</u>	<u>Funding per Unit of FTES</u>	<u>Funded FTES</u>
2002-03	\$ 3,893	19,275.85
2003-04	3,909	19,830.32
2004-05	3,923	21,587.14
2005-06	5,448	16,997.00
2006-07	4,813	21,240.31
2007-08	5,817	18,309.81
2008-09	4,954	21,841.13
2009-10	5,001	21,035.66
2010-11	4,999	21,612.57
2011-12 (1)	4,888	19,932.75

(1) Projected.

Source: San Mateo County Community College District.

Set forth below is a table showing historical revenue sources.

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
REVENUE SOURCES**

	Percentage of Total General Fund Revenues		
<u>Revenue Source</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>
Federal Revenue	2.66%	4.03%	3.82%
State Revenue	45.45	47.41	39.10
Local Revenue	49.65	46.39	54.40
Others	2.24	1.67	2.68

*Source: San Mateo County Community College District.*

Local revenues are first used to satisfy a community college district's expenditures. The major local revenue source is local property taxes that are collected from within district boundaries. Student enrollment fees from the local community college district generally account for the remainder of local revenues of the district. Property taxes and student enrollment fees are applied towards fulfilling the district's financial need. Once these sources are exhausted, State funds are used. State aid is subject to the appropriation of funds in the State's annual budget. Decreases in State revenues may affect appropriations made by the legislature to the district. The sum of the property taxes, student enrollment fees, and State aid generally comprises the district's revenue limit. "**Basic Aid**" community college districts are those districts whose local property tax and student enrollment fee collections exceed the revenue allocation determined by the program-based model. Basic Aid Districts do not receive any funds from the State appropriation. The current law in California allows these districts to keep the excess funds without penalty. The implication for Basic Aid Districts is that the legislatively determined annual cost of living adjustment and other politically determined factors are less significant in determining such districts' primary funding sources. Rather, property tax growth and the local economy become the determinant factors. The District has not yet determined whether it is a Basic Aid District for fiscal year 2010-11; however, the District anticipates that it will be a Basic Aid District for fiscal year 2012-13.

A small part of a community college district's budget is from local sources other than property taxes and student enrollment fees, such as interest income, donations and sales of property. Every community college district receives the same amount of lottery funds per pupil from the State; however, these are not categorical funds as they are not for particular programs or students. The initiative authorizing the lottery does require the funds to be used for instructional purposes, and prohibits their use for capital purposes.

**Triple Flip.** Assembly Bill No. 1755 ("**AB 1755**"), introduced on March 10, 2003 and substantially amended on June 23, 2003, requires the shifting of property taxes between redevelopment agencies and schools, including community college districts. On July 29, 2003, the Assembly amended Senate Bill No. 1045 to incorporate all of the provisions of AB 1755, except that the Assembly reduced the amount of the required Education Revenue Augmentation Fund ("**ERAF**") shift to \$135 million. Legislation commonly referred to as the "Triple Flip" was approved by the voters on March 2, 2004, as part of a bond initiative formally known as the "California Economic Recovery Act." This act authorized the issuance of \$15 billion in bonds to finance the fiscal year 2002-03 and fiscal year 2003-04 State budget deficits, which were payable from a fund established by the redirection of tax revenues through the "Triple Flip." Under the "Triple Flip," one-quarter of local governments' 1% share of the sales tax imposed on

taxable transactions within their jurisdiction is redirected to the State. In an effort to eliminate the adverse impact of the sales tax revenue redirection on local government, the legislation redirects property taxes in the ERAF to local government. Because the ERAF monies were previously earmarked for schools, the legislation provides for schools to receive other State general fund revenues. It is expected that the swap of sales taxes for property taxes will terminate once the deficit financing bonds are repaid, which is currently expected to occur by approximately 2016.

### **Accounting Practices**

The accounting policies of the District conform to generally accepted accounting principles in accordance with policies and procedures of the California Community Colleges Budget and Accounting Manual. Revenues are recognized in the period in which they become both measurable and available to finance expenditures of the current fiscal period. Expenditures are recognized in the period in which the liability is incurred.

The financial resources of the District are divided into separate funds for which separate accounts are maintained for recording cash, other resources and all related liabilities, obligations and equities. The major fund classification is the general fund, which accounts for all financial resources not required to be accounted for in another fund. The District's fiscal year begins on July 1 and ends on June 30. All governmental funds and fiduciary funds are maintained on the modified accrual basis of accounting, and so revenues are recognized when they become susceptible to accrual (that is, both measurable and available to finance expenditures for the current period). For more information on the District's accounting method, see Note 1, Section B of "APPENDIX B – FISCAL YEAR 2010-11 AUDITED FINANCIAL STATEMENTS" attached hereto.

The Governmental Accounting Standards Board (“**GASB**”) published its Statement No. 34 “Basic Financial Statements – and Management’s Discussion and Analysis – for State and Local Governments” on June 30, 1999. GASB No. 34 provides guidelines to auditors, state and local governments and special purpose governments such as school districts and public utilities, on new requirements for financial reporting for all governmental agencies in the United States. Generally, the basic financial statements and required supplementary information should include (i) Management’s Discussion and Analysis; (ii) financial statements prepared using the economic measurement focus and the accrual basis of accounting; (iii) fund financial statements prepared using the current financial resources measurement focus and the modified accrual method of accounting; and (iv) required supplementary information.

The District's Audited Financial Statements for fiscal year 2010-11 were prepared by Vavrinek, Trine, Day & Company, LLP, Pleasanton, California and are attached as APPENDIX B. Audited financial statements for the District for prior fiscal years are on file with the District and available for public inspection at the Chancellor’s Office.

*The District considers its audited financial statements to be public information, and accordingly, no consent has been sought or obtained from the auditor in connection with the inclusion of such statements in this Official Statement. The auditor has made no representation in connection with inclusion of the audit in this Official Statement.*

**District Budget**

The District is required by provisions of the State Education Code to maintain a balanced budget each year, where the sum of expenditures plus the ending fund balance cannot exceed revenues plus the carry-over fund balance from the previous year. The Board of Governors of the California Community Colleges imposes a uniform budgeting format for all California community college districts.

Under current law, the District Board of Trustees approves a tentative budget by July 1 and an adopted budget by September 15 of each fiscal year. The following table shows the District's combined restricted and unrestricted general fund revenues, expenditures and changes in fund balance for fiscal year 2010-11 (budgeted and actual) and fiscal year 2011-12 (budgeted).

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
COMBINED UNRESTRICTED & RESTRICTED GENERAL FUND  
REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
FISCAL YEARS 2010-11 (BUDGETED AND ACTUAL) AND  
2011-12 (BUDGETED)**

	2010-11 Adopted Budget	2010-11 Audited Actual	2011-12 Adopted Budget
<b>Beginning Balance</b>	\$20,924,285	\$20,924,285	\$27,427,506
<b>Revenues</b>			
Federal Revenue	6,039,705	5,484,154	5,063,378
State Revenue	53,394,288	56,192,140	57,354,784 (1)
Local Revenue	<u>79,674,910</u>	<u>78,154,736</u>	<u>69,056,195</u>
<b>Total Revenue</b>	\$139,108,903	\$139,831,030	\$131,474,357
<b>Expenditures</b>			
Certificated Salaries	51,479,102	46,639,728	51,292,799
Classified Salaries	32,336,026	29,882,158	33,007,482
Employee Benefits	31,361,765	28,981,548	29,929,446
Supplies & Materials	7,371,152	4,034,535	7,327,464
Operating Expenses	24,294,186	14,246,562 (2)	24,121,942
Capital Outlay	<u>1,030,688</u>	<u>579,365</u>	<u>200,941</u>
<b>Total Expenditures</b>	\$147,872,919	\$124,363,896	145,880,074
<b>Transfers &amp; Other</b>			
Transfers in/out	(813,054)	(3,849,224)	(1,305,059)
Contingency	-	-	-
Other outgo	2,202,952	12,813,137	2,856,674
<b>Total Transfers &amp; Other</b>	1,389,898	8,963,913	1,551,615
<b>Net Change in Fund Balance</b>	(10,153,915)	6,503,221	(15,957,333)
<b>Ending Balance</b>	\$10,770,370	\$27,427,506	\$11,470,173

(1) The District adopted its fiscal year 2011-12 budget when it was not a Basic Aid District, and the budget therefore reflects the District's assumption that it would not be a Basic Aid District in fiscal year 2011-12. However, the District has not yet determined whether it is a Basic Aid District for fiscal year 2011-12, and it anticipates that it will be a Basic Aid District for fiscal year 2012-13. See "DISTRICT FINANCIAL INFORMATION – Funding of Community College Districts in California."

(2) The District's adopted budgets for fiscal year 2010-11 and fiscal year 2010-09 reflect certain contingencies (including salaries) that its audited financial statements for fiscal year 2010-11 do not.

Source: *San Mateo County Community College District 2011-12 Final Budget Report.*

The State restored 2.2% of the fiscal year 2009-10 workload reduction in fiscal year 2010-11 and promptly cut the workload (number of students districts are funded for) in fiscal year 2011-12 by another 6.2%.

The County's voters also approved a parcel tax (Measure G) for the District for four years, starting with fiscal year 2010-11. This funding (approximately \$7 million annually) has allowed the District to cut significantly fewer sections than would have been cut and maintain

some services to students, but it is not reflected in the table above. In addition, the District's general fund ended fiscal year 2010-11 with a positive ending balance that is expected to be used to offset cuts in fiscal year 2011-12. See “- Funding of Community College Districts in California” above.

### **District Debt**

**Payment History.** The District has never defaulted on the payment of principal or interest on any of its indebtedness.

**Short-Term Borrowing.** The District normally issues tax and revenue anticipation notes each year in order to provide working capital during periods of the year when local taxes have yet to be collected. Local tax revenues are generally distributed to the District in December and April, while expenditures tend to occur more evenly throughout the year.

The District issued \$19,945,000 of Tax and Revenue Anticipation Notes dated July 1, 2011. The notes mature on June 1, 2012, and yield 0.350%. Repayment requirements are that a percentage of principal and interest be deposited with the Fiscal Agent each month beginning January 1, 2012, until 100% of principal and interest due is on account in May 2012.

**Long-Term Borrowing.** As described below, other than the Bonds, the District has five series of general obligation bonds outstanding. These bonds are payable solely from the proceeds of ad valorem taxes levied for the purpose of paying the bonds and are not payable from the general fund of the District.

In June 2002, the District issued its 2002 General Obligation Bonds (Election of 2001), Series A, in the amount of \$96,875,612.95. These bonds include both current interest bonds and capital appreciation bonds. The current outstanding principal amount and accreted value was \$74,735,613.25.

In February 2005, the District issued its 2005 General Obligation Bonds (Election of 2001), Series B, in the amount of \$69,995,612.40. These bonds include both current interest bonds and capital appreciation bonds. The current outstanding principal amount and accreted value was \$64,240,132.84.

In April 2006, the District issued its 2006 General Obligation Bonds (Election of 2001), Series C, in the amount of \$40,124,660.45. These bonds include both current interest bonds and capital appreciation bonds. The current outstanding principal amount and accreted value was \$37,109,660.45.

In April 2006, the District issued its 2006 General Obligation Bonds (Election of 2005), Series A, in the amount of \$135,429,394.60. These bonds include both current interest bonds and capital appreciation bonds. The current outstanding principal amount and accreted value was \$93,589,394.60.

In December 2006, the District issued its 2006 General Obligation Bonds (Election of 2005), Series B, in the amount of \$332,570,193.75. These bonds include both current interest bonds and capital appreciation bonds. The current outstanding principal amount and accreted value was \$331,120,973.75.

The District is refunding a portion of its outstanding general obligation bonds with the proceeds of the Bonds. See "THE REFINANCING PLAN" in the front part of this Official Statement.

## **Pension Plans**

**California State Teacher's Retirement System.** For the benefit of faculty and some administrators, the District participates in the California State Teacher's Retirement System ("**STRS**"), a cost-sharing multiple-employer public employee retirement system defined benefit pension plan. The plan provides retirement and disability benefits and survivor benefits to beneficiaries. Benefit provisions are established by State law. The actuarial methods and assumptions used for determining the rate are those adopted by the STRS Board. The required employer contribution rate for 2010-11 was 8.25% of annual payroll. The District's total contributions to STRS for the fiscal years 2010-11, 2009-10 and 2008-09, were \$3,043,000, \$3,114,710 and \$3,248,693, respectively, and equal 100% of the required contributions for each year. See Note 14 of the District's audited financial statements for the fiscal year ended June 30, 2011, at "APPENDIX B – Fiscal Year 2010-11 Audited Financial Statements." The decline in contributions is due to a decrease in the number of teachers, especially part-time teachers, employed by the District. The District has budgeted a contribution to STRS of \$3,550,000 for fiscal year 2011-12.

**California Public Employees' Retirement System.** For all other employees, the District participates in the State of California Public Employees' Retirement System ("**PERS**"), an agent multiple-employer contributory public employee retirement system that acts as a common investment and administrative agent for participating public entities within the State. PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Employees are eligible for retirement as early as age 50 with five years of service. The Public Employees' Retirement Law (Part 3 of the California Government Code, Section 20000 et seq.) establishes benefit provisions for PERS. Active plan members are required to contribute 7% of their salary, and the District is required to contribute an actuarially determined rate. The actuarial methods and assumptions used for determining the rate are those adopted by the PERS Board of Administration. The District's contribution rate to PERS for fiscal year 2010-11 was 10.707% of annual payroll. The District's contributions to PERS for fiscal years 2010-11, 2009-10, and 2008-09, were \$3,458,509, \$3,251,939, and \$3,221,484, respectively, and equaled 100% of the required contributions for each year. See Note 14 of the District's audited financial statements for the fiscal year ended June 30, 2011, at "APPENDIX B – Fiscal Year 2010-11 Audited Financial Statements." The District has budgeted a contribution to PERS of \$3,668,000 for fiscal year 2011-12.

**STRS' and PERS' Unfunded Liability.** Both STRS and PERS have substantial unfunded actuarial accrued liabilities. The amounts of these liabilities varies depending on actuarial assumptions, returns on investments, salary scales and participant contributions. See STRS' and PERS' comprehensive annual financial reports for the fiscal year ended June 30, 2011, which can be found on the Internet at the following respective website addresses:

- [http://www.calstrs.com/help/forms\\_publications/printed/CurrentCAFR/cafr\\_2011.pdf](http://www.calstrs.com/help/forms_publications/printed/CurrentCAFR/cafr_2011.pdf);
- and
- <http://www.calpers.ca.gov/eip-docs/about/pubs/comprehensive-annual-fina-report-2011.pdf>.

## **Post-Employment Benefits Other than Pension Benefits**

The District provides post-employment healthcare benefits to retirees meeting plan eligibility requirements. Employees participating in the STRS plan are eligible at a minimum age of 60 with five years of service or at age 50 with 30 years service. Employees participating in the PERS plan are eligible at a minimum age of 55 and a minimum of ten years' service. The District also has minimum continuous service requirements for retirement that range from three years to ten years. Beginning in 1992, the District capped post-employment benefits offered by the District in order to reduce its future liability. As of June 30, 2011, there were 1028 retirees and beneficiaries currently receiving benefits and 820 active plan members.

The District completed an actuarial analysis of retiree health benefit liability dated April 12, 2011, in accordance with GASB 45. The District's unfunded actuarial accrued liability for its retiree health care plan for fiscal year 2010-11 was \$103,280,167; the estimate was based on certain assumptions, including the rate of increase of medical costs, which, if incorrect, could result in an underestimation of the District's liability. During the 2010-11 fiscal year, the District contributed \$17,100,154 to the plan, which totaled 222% of the District's required annual contribution of \$7,702,017. See Note 12 of the District's audited financial statements for the fiscal year ended June 30, 2011, at "APPENDIX B – Fiscal Year 2010-11 Audited Financial Statements."

The District has created an Expendable Trust Fund (which is not irrevocable for this purpose) for post-employment medical benefits. There was a \$16,656,584 balance in the Expendable Trust Fund as of July 1, 2011. The actuarial valuation of assets in the Expendable Trust Fund was \$15,643,762.

## **Joint Powers Arrangements for Insurance**

The District maintains insurance of various types, including employee vision, health and dental benefits, a workers' compensation plan and property casualty and liability insurance.

***Workers' Compensation.*** The District maintains a self-insured retention up to \$350,000, as well as excess coverage above \$350,000.

***Dental Insurance.*** The District obtains dental insurance from the San Mateo County Schools Insurance Group.

***Health Insurance.*** The District obtains health insurance from PERS.

***Property casualty and liability insurance.*** The District maintains property and liability risk coverage up to \$20 million per occurrence with a self-insured retention of \$150,000.

These joint powers arrangements are described further in "APPENDIX B – Fiscal Year 2010-11 Audited Financial Statements."

## **State of California Finances**

***The State Budget.*** The State requires that from all State revenues there will first be set apart the moneys to be applied for support of the public school system and public institutions of higher education. Community college districts receive a significant portion of their funding from

State appropriations. As a result, decreases in State revenues may significantly affect apportionments made by the legislature to school districts and community college districts.

**The Budget Process.** The State's fiscal year begins on July 1 and ends on June 30. The annual budget is proposed by the Governor by January 10 of each year for the next fiscal year (the "**Governor's Budget**"). Under State law, the annual proposed Governor's Budget cannot provide for projected expenditures in excess of projected revenues and balances available from prior fiscal years. Following the submission of the Governor's Budget, the Legislature takes up the proposal.

Under the State Constitution, money may be drawn from the State Treasury only through an appropriation made by law. The primary source of the annual expenditure authorizations is the Budget Act, as approved by the Legislature and signed by the Governor. The Budget Act must be approved by a majority vote of each House of the Legislature. The Governor may reduce or eliminate specific line items in the Budget Act or any other appropriations bill without vetoing the entire bill. Such individual line-item vetoes are subject to override by a two-thirds majority vote of each House of the Legislature.

Appropriations may also be included in legislation other than the Budget Act. Bills containing appropriations (except for K-14 education) must be approved by a majority vote in each House of the Legislature and be signed by the Governor. Continuing appropriations, available without regard to fiscal year, may also be provided by statute or the State Constitution.

Funds necessary to meet an appropriation need not be in the State Treasury at the time such appropriation is enacted; revenues may be appropriated in anticipation of their receipt.

**Recent State Budgets.** Certain information about the State budgeting process and the State Budget is available through several State sources. A convenient source of information is the State's website, where recent official statements for State bonds are posted. The Internet websites shown below are shown for reference and convenience only. The information contained within these websites may not be current, has not been reviewed by the District and is not incorporated in this Official Statement by reference.

- The California State Treasurer Internet home page at [www.treasurer.ca.gov](http://www.treasurer.ca.gov), under the heading "Bond Information," posts various State of California Official Statements, many of which contain a summary of the current State Budget, past State Budgets, and the impact of those budgets on school districts in the State.

- The California State Treasurer's Office Internet home page at [www.treasurer.ca.gov](http://www.treasurer.ca.gov), under the heading "Financial Information," posts the State's audited financial statements. In addition, the Financial Information section includes the State's Rule 15c2-12 filings for State bond issues. The Financial Information section also includes the Overview of the State Economy and Government, State Finances, State Indebtedness and Litigation from the State's most current Official Statement, which discusses the State budget and its impact on school districts.

- The California Department of Finance's Internet home page at [www.dof.ca.gov](http://www.dof.ca.gov), under the heading "California Budget," includes the text of proposed and adopted State Budgets.

- The State Legislative Analyst's Office (the "**LAO**") prepares analyses of the proposed and adopted State budgets. Those analyses are accessible on the Legislative Analyst's Internet home page at [www.lao.ca.gov](http://www.lao.ca.gov) under the heading "Subject Area – Budget (State)."

**State IOUs and Deferrals of Education Funding.** In recent years, fiscal stress and difficulties in achieving a balanced State budget have resulted in actions that include the State's issuing IOUs (defined below) to its creditors and the deferral of school funding.

On July 2, 2009, as a result of declines in State revenues commencing in fiscal years 2008-09, the State Controller began to issue registered warrants (or "**IOUs**") for certain lower priority State obligations in lieu of warrants (checks) that could be immediately cashed. The registered warrants, the issuance of which did not require the consent of recipients, bore interest. With the enactment of an amended budget in late July 2009, the State was able to call all its outstanding registered warrants for redemption on September 4, 2009. The issuance of state-registered warrants in 2009 was only the second time the State has issued state registered warrants in a similar manner to since the 1930s.

Furthermore, commencing in fiscal year 2008-09, to better manage its cash flow in light of declining revenues, the State has enacted several statutes deferring amounts owed to public schools until a later date in the fiscal year, or even into the following fiscal year, in order to more closely align the State's revenues with its expenditures. This technique has been used several times through the enactment of budget bills in fiscal years 2008-09 through 2011-12. Some of these statutory deferrals were made permanent, and others were implemented only for one fiscal year.

Fiscal stress and the cash pressures currently facing the State may continue or intensify, and continuing declines in State tax receipts or other results of the current economic recession may materially adversely affect the financial condition of the State. The Department of Finance has projected that multi-billion dollar budget gaps will occur annually for several years in the future, although the 2012-13 Budget described below includes measures that are intended to address these budgetary difficulties.

**2011-12 State Budget.** Following the veto by the Governor of a 2011-12 budget proposed by the Legislature on June 15, 2011, the Legislature passed by majority vote an \$86 billion general fund State budget that attempted to close the State's estimated \$9.6 billion budget deficit. The Governor signed that budget (the "**2011-12 Budget**") on June 29, 2011.

According to a summary of the 2011-12 Budget released by the Department of Finance (the "**Department of Finance Report**"), the 2011-12 Budget sought to close a \$26.6 billion deficit identified in the Governor's May Revise through a combination of measures totaling \$27.2 billion. Specifically, the 2011-12 Budget included \$15 billion of expenditure reductions, \$900 million of targeted revenue increases, \$2.9 billion of other measures and a positive adjustment to the State's revenue outlook totaling \$8.3 billion.

Other budget-related legislation passed in June 2011 called for the wind-up and dissolution of California redevelopment agencies in order to eliminate the diversion of property taxes from school districts to redevelopment agencies. The California Supreme Court upheld this legislation on December 29, 2011, making it operative on February 1, 2012. Related legislation allowing redevelopment agencies to continue under certain circumstances was

invalidated by the Court. Other challenges or delays relating to the implementation of these statutes cannot be predicted at this time.

The 2011-12 Budget projected an additional \$4 billion in revenues during fiscal year 2011-12. It also included a plan to seek voter approval of a ballot measure by November 2012, in order to protect public safety realignment and supplement the State's revenues. With the implementation of all measures, the 2011-12 Budget assumed fiscal year 2010-11 year-end revenues of \$94.8 billion and expenditures of \$91.5 billion, as well as a 2010-11 ending budget deficit of \$2 billion. Projected revenues for 2011-12 were \$88.5 billion and authorized expenditures were \$85.9 billion, with projections for an ending \$543 million surplus.

In the event that during fiscal year 2011-12 revenues were to not reach the forecasts included in the 2011-12 Budget, a series of "trigger" reductions were authorized to be implemented. "**Tier 1 Trigger Cuts**" would be triggered if, by January 2012, State revenues fell short of projections by \$1-2 billion. Tier 1 Trigger Cuts include cuts in university, social services and library funding and would total approximately \$600 million. "**Tier 2 Trigger Cuts**" would be triggered if, by January 2012, revenues were projected to fall short by more than \$2 billion. Tier 2 Trigger Cuts relate to K-12 revenue limit funding and home-to-school transportation, and would total approximately \$1.9 billion.

The 2011-12 Budget also included decreases in Proposition 98 funding to \$48.7 billion, including \$32.8 billion from the State general fund, which reflected a decrease from the prior year of \$1.1 billion. This decrease was a net figure reflective of all budgetary actions taken with respect to the State's share of Proposition 98 funding, including increases in baseline revenues, redirection of certain sales tax revenues related to the realignment of public safety programs, and the rebenching of the Proposition 98 minimum funding guarantee. The 2011-12 Budget also made a significant, one-time modification to State budgeting requirements for school districts, requiring them to project the same level of revenue per student in 2011-12 as in 2010-11, as well as to maintain staffing and program levels commensurate with such level of funding. A related provision of the 2011-12 Budget provided that school districts would only be required to budget for the current year, and will not be required to demonstrate that they can meet their financial obligations for the subsequent two fiscal years (2012-13 and 2013-14).

November 16, 2011 LAO Report. The LAO report entitled "The 2012-13 Budget: California's Fiscal Outlook" estimated that State general fund revenues and transfers in 2011-12 would be \$3.7 billion less than the levels assumed in the 2011-12 Budget. This revenue shortfall would translate into \$2 billion of potential Tier 1 and Tier 2 Trigger Cuts (described above). The LAO estimated that the State would end 2011-12 with a \$3 billion deficit, including the effects of the trigger cuts. The LAO forecasted that in 2012-13 the State would face increased costs due to the expiration of a number of temporary budget measures, a significant increase in Proposition 98 school costs under current law, the required repayment of a \$2 billion Proposition 1A property tax loan used to help balance the budget in 2009, and other factors. The LAO projected a \$10 billion operating shortfall in 2012-13.

January 1, 2012: Trigger Reductions Commence. On December 13, 2011, the Governor announced that \$980 million in mid-year trigger cuts would be implemented following the determination by the Department of Finance that the State would fall \$2.2 billion short of the revenue forecast contained in the 2011-12 Budget. These include Tier 1 Trigger Cuts and a portion of Tier 2 Trigger Cuts. Effective January 1, 2012, cuts to funding for University of California, California State University, community colleges, developmental services, local

libraries and state-subsidized child care and K-12 school bus service funding, among others, became effective. For community colleges, this resulted in a cut of \$102,000,000.

February 21, 2012 Chancellor of the California Community Colleges Statement. On February 21, 2012, the Chancellor of the California Community Colleges issued a press release notifying community college districts of a potential additional budget cut for community colleges districts totaling approximately \$149 million, resulting from higher demand for student fee waivers and lower than expected property tax revenues.

**2012-13 Proposed Budget.** On January 5, 2012, the Governor submitted his 2012-13 proposed budget (the "**Proposed Budget**") to the Legislature. The Proposed Budget acknowledges a \$9.2 billion budget deficit that requires attention prior to the beginning of fiscal year 2012-13. The Proposed Budget relies predominantly on proposals in three areas: (1) assumed voter approval of a tax increase initiative, (2) changes in how the State funds general purpose, categorical and mandate funding to schools, and (3) reductions in general fund support for CalWORKS and subsidized child care.

The tax initiative is proposed for the November 2012 election, and provides for temporary increases in income and sales taxes, which is expected to provide an estimated \$6.9 billion in increased State revenues by the end of 2012-13. If successful, a \$1.1 billion reserve could be achieved at the end of 2012-13, as well as balanced annual budgets for the next few subsequent years.

If the November tax initiative is rejected by voters, the Proposed Budget specifies \$5.4 billion in trigger cuts to take effect on January 1, 2013 for K-12 schools and community colleges (\$4.8 billion cut), the University of California and California State University (\$200 million cut), State courts (\$125 million cut, equivalent to court closures of three days per month), Parks and Recreation and Fish and Game (number of safety officers and lifeguards decreased), Forestry and Fire Prevention (substantial reduction in firefighting capability and emergency air response program, closure of fire stations), Department of Water (flood control programs cut) and Department of Justice (law enforcement programs reduced).

LAO Overview of Governor's Proposed Budget. The LAO notes that during 2011, the Governor and the State Legislature took significant steps through ongoing budgetary actions to restore California's budget to balance. Whether the 2012 proposed actions take the form of voter-approved tax increases and reductions in social services and subsidized child care, or alternatively, the tax increases are not approved and large cuts aimed largely at public education go into effect, the budget will move much closer to balance over the next several years.

The LAO notes that its revenue projections are lower than those used in the Proposed Budget, and the LAO also estimates that revenue from the proposed tax initiative would also be lower than the administration's estimates. These differences relate to uncertainties in the amount of tax revenue that can be generated from the proposed personal income tax increase, which relates to the top one percent of filers and is an uncertain revenue source. If the LAO's revenue projections turn out to be more accurate than the administration's, then billions of dollars more in budget balancing solutions will have to be pursued.

The LAO agrees that the proposed changes to education finance could overcome some of the fundamental shortcomings that are known to exist in the State's existing system, and it recommends that the Legislature adopt the proposed changes with certain modifications.

However, the LAO indicates that the proposed trigger plan, which is contingent on the tax initiative's not being approved, could create much uncertainty for community colleges as they build their fiscal year 2012-13 budgets. For this reason, the LAO recommends that the Legislature be deliberate in structuring a workable trigger package.

February 27, 2012 LAO Report. In its report entitled "The 2012-13 Economic and Revenue Update," the LAO stated that its updated forecast for State general fund revenues in fiscal year 2011-12 is approximately \$3 billion lower than what is projected by the Proposed Budget. For fiscal year 2012-13, the LAO's forecast is \$3.5 billion lower, for a total difference of \$6.5 billion across two fiscal years.

Unlike the LAO's prior forecasts, its new forecast reflects the projected effects of the Governor's proposed tax initiatives and a rough estimate of the personal income tax revenue the State may receive from a possible initial public offering by Facebook, Inc. If the Facebook-related revenues and the Governor's proposed tax initiatives were omitted from this new forecast, State general fund revenues would be approximately \$8.5 billion lower than the administration's in 2011-12 and 2012-13 combined.

The LAO notes that if its revenue forecast proves to be more accurate than the administration's, the Legislature and the Governor will have to identify additional budgetary solutions to bring the 2012-13 state spending plan into balance.

Uncertainty Regarding Future State Budgets. The District cannot predict what actions will be taken in future years by the State Legislature and the Governor to address the State's current or future budget deficits. Future State budgets will be affected by national and state economic conditions and other factors over which the District has no control. The District cannot predict what impact any future budget proposals will have on the financial condition of the District. To the extent that the State budget process results in reduced revenues to the District, the District will be required to make adjustments to its budgets.

**The State has not entered into any contractual commitment with the District, the County, or the Owners of the Refunding Bonds to provide State budget information to the District or the owners of the Refunding Bonds. Although they believe the State sources of information listed above are reliable, the District does not assume any responsibility for the accuracy of the State Budget information set forth or referred to in this Official Statement or incorporated herein.**

### **2010 Legal Challenge to State Funding of Education**

The application of Proposition 98 and other statutory regulations has become increasingly difficult to predict accurately in recent years. See "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS – Proposition 98." On May 20, 2010, a plaintiff class of numerous current California public school students and several school districts, together with the California Congress of Parents, Teachers & Students, the Association of California School Administrators and the California School Boards Association filed suit in Alameda County Superior Court challenging the system of financing for public schools in California as unconstitutional. In *Maya Robles-Wong, et al. v. State of California*, plaintiffs seek declaratory and injunctive relief, including a permanent injunction compelling the State to abandon the existing system of public school finance. On July 16, 2010, the California Teachers' Association filed a Complaint in Intervention, making the same allegations and seeking the same declaratory and injunctive relief. On January 14, 2011,

the court dismissed certain of the causes of action, including causes of action that alleged a constitutional right to a particular level of education funding and violations of equal protection of the law, based on certain State constitutional provisions. As a result, the Court ruled that the plaintiffs and intervenor could file amended complaints, consistent with its order, by March 16, 2011 (parties stipulated to such date). The case is still pending. The District cannot predict the outcome of the *Robles-Wong* litigation; however, if it is successful, the lawsuit could result in changes to how school finance is implemented in the State of California.

## County Investment Pool

### [To be updated with March figures.]

*The following information has been furnished by the County for use in this Official Statement. The District and the Underwriter have not verified the accuracy or adequacy of the information provided by the County.*

The County Investment Pool (the “**Investment Pool**” or the “**Pool**”) consists of monies deposited with the County Treasurer by County departments and agencies, school districts, certain non-County governmental agencies and special assessment districts. Most of the Pool’s depositors, including the District, are required by State law to invest their moneys in the Pool. Approximately 28.9% of the Pool’s moneys is allocable to voluntary depositors.

Each depositor is assigned a distinct fund number within the Investment Pool. Cash represented by the fund balances is commingled in a Pooled Cash Portfolio for investment purposes; no funds are segregated for separate investment. Investments are selected from those authorized by California Government Code Section 53635 (“**Code**”). Authorized investments include obligations of the United States Treasury, agencies of the United States government, federally sponsored enterprises, local and State bond issues, bankers acceptances, commercial paper of prime quality, collateralized and negotiable certificates of deposit, repurchase and reverse repurchase agreements, medium term corporate notes, shares of beneficial interest in diversified management companies (mutual funds) and asset backed (including mortgage related) securities.

Each calendar year the Treasurer prepares an Annual Statement of Investment Policy (the “**Investment Policy**”) that sets the framework for the investment practices relating to the County treasury. Legislation enacted in 1996 and effective January 1, 1997 requires that the Investment Policy be filed and approved by the Board in open session. The Board of Supervisors approved the current Investment Policy, which became effective July 7, 2011. Having been so approved, the Investment Policy may not be changed without Board approval. The current Statement of Investment Policy can be accessed through the County Treasurer’s web site at [www.sanmateocountytaxcollector.org](http://www.sanmateocountytaxcollector.org).

The approved Investment Policy provides that the County’s investment objectives are “to preserve principal while earning a reasonable rate of return while awaiting application for governmental purposes.” The Investment Policy provides that up to 25% of the assets in the Pool can be invested in the securities of a single issuer, as specified in the Investment Policy, other than the United States Treasury, agencies of the United States government and federally sponsored enterprises. Also, investments in repurchase or reverse repurchase agreements are authorized investments and can equal up to 100% of the total Pool. As of the date of the most recent investment report, repurchase agreements equaled approximately 12.5% of the total par value of the investments in the Pool.

In accordance with California law, the County of San Mateo Board of Supervisors created an eight-member Treasury Oversight Committee (the “**TOC**”) on April 2, 1996. The statutory role of the TOC is to review the Investment Policy as prepared by the Treasurer and to make recommendations, to monitor policy compliance as well as investment performance and to cause an annual independent audit to be performed. The TOC meets at least three times each year to accomplish its tasks.

According to the Investment Report for the period ending \_\_\_\_\_, 2012, the \_\_\_\_\_, 2012 total cost of the securities in the Treasury Pool was approximately \$\_\_\_\_\_, and the corresponding market value (excluding accrued interest) was approximately \$\_\_\_\_\_. As of \_\_\_\_\_, 2012, approximately \_\_\_% of the securities in the Treasury Pool mature within less than one year.

The following table identifies the types of securities held by the Pool as of February 29, 2012.

<u>Type of Investment</u>	<u>Market Value (1)</u>	<u>Price</u>	<u>% of Pool</u>
U.S. Treasuries			
Federal Agency Securities			
Federal Agency -			
Floating Rate Securities			
Corporate Bonds			
Floating Rate Securities			
Asset-Backed Securities			
Commercial Paper			
Certificate of Deposit			
Local Agency Investment Fund			
<b>Total</b>			

(1) Excluding accrued interest.  
 Source: Tax Collector-Treasurer, County of San Mateo.

For further information concerning County investments, access the County’s website: <http://www.sanmateocountytaxcollector.org/investmentReports.html>. *The reference to this internet website is shown for reference and convenience only, the information contained within the website may not be current and has not been reviewed by the District and is not incorporated herein by reference.*

## **CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS**

*Principal of and interest on the Bonds are payable from the proceeds of an ad valorem tax levied by the County for the payment thereof. Articles XIII A, XIII B, XIII C, and XIII D of the State Constitution, Propositions 62, 98, and 111, and certain other provisions of law discussed below, are included in this section to describe the potential effect of these Constitutional and statutory measures on the ability of the District to levy taxes and spend tax proceeds for operating and other purposes, and it should not be inferred from the inclusion of such materials that these laws impose any limitation on the ability of the District to levy taxes for payment of the Bonds. The tax levied by the County for payment of the Bonds was approved by the District's voters in compliance with Article XIII A and all applicable laws.*

### **Article XIII A of the California Constitution**

**Basic Property Tax Levy.** On June 6, 1978, California voters approved Proposition 13 (“**Proposition 13**”), which added Article XIII A to the State Constitution (“**Article XIII A**”). Article XIII A limits the amount of any ad valorem tax on real property to one percent of the full cash value thereof, except that additional ad valorem taxes may be levied to pay debt service on (i) indebtedness approved by the voters prior to July 1, 1978, (ii) (as a result of an amendment to Article XIII A approved by State voters on June 3, 1986) on bonded indebtedness for the acquisition or improvement of real property which has been approved on or after July 1, 1978 by two-thirds of the voters on such indebtedness, and (iii) bonded indebtedness incurred by a school district or community college district for the construction, reconstruction, rehabilitation or replacement of school facilities or the acquisition or lease of real property for school facilities, approved by 55% of the voters of the district, but only if certain accountability measures are included in the proposition. As described under “THE BONDS – Authority for Issuance,” the District received authorization by a requisite two-thirds of voters to issue the Bonds. Article XIII A defines full cash value to mean “the county assessor’s valuation of real property as shown on the 1975-76 tax bill under full cash value, or thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership have occurred after the 1975 assessment.” This full cash value may be increased at a rate not to exceed 2% per year to account for inflation.

Article XIII A has subsequently been amended to permit reduction of the “full cash value” base in the event of declining property values caused by damage, destruction or other factors, to provide that there would be no increase in the “full cash value” base in the event of reconstruction of property damaged or destroyed in a disaster and in other minor or technical ways.

Both the United States Supreme Court and the California State Supreme Court have upheld the general validity of Article XIII A.

**Legislation Implementing Article XIII A.** Legislation has been enacted and amended a number of times since 1978 to implement Article XIII A. Under current law, local agencies are no longer permitted to levy directly any property tax (except to pay voter-approved indebtedness). The 1% property tax is automatically levied by the county and distributed according to a formula among taxing agencies. The formula apportions the tax roughly in proportion to the relative shares of taxes levied prior to 1979.

Increases of assessed valuation resulting from reappraisals of property due to new construction, change in ownership or from the annual adjustment not to exceed 2% are allocated among the various jurisdictions in the “taxing area” based upon their respective “situs.” Any such allocation made to a local agency continues as part of its allocation in future years.

***Inflationary Adjustment of Assessed Valuation.*** As described above, the assessed value of a property may be increased at a rate not to exceed 2% per year to account for inflation. On December 27, 2001, the Orange County Superior Court, in *County of Orange v. Orange County Assessment Appeals Board No. 3*, held that where a home’s taxable value did not increase for two years, due to a flat real estate market, the Orange County assessor violated the two percent inflation adjustment provision of Article XIII A, when the assessor tried to “recapture” the tax value of the property by increasing its assessed value by 4% in a single year. The assessors in most California counties, including the County, use a similar methodology in raising the taxable values of property beyond 2% in a single year. The State Board of Equalization has approved this methodology for increasing assessed values. On appeal, the Appellate Court held that the trial court erred in ruling that assessments are always limited to no more than 2% of the previous year’s assessment. On May 10, 2004 a petition for review was filed with the California Supreme Court. The petition has been denied by the California Supreme Court. As a result of this litigation, the “recapture” provision described above may continue to be employed in determining the full cash value of property for property tax purposes.

### **Unitary Property**

Some amount of property tax revenue of the District is derived from utility property that is considered part of a utility system with components located in many taxing jurisdictions (“**unitary property**”). Under the State Constitution, such property is assessed by the SBE as part of a “going concern” rather than as individual pieces of real or personal property. State-assessed unitary and certain other property is allocated to the counties by SBE, taxed at special county-wide rates, and the tax revenues distributed to taxing jurisdictions (including the District) according to statutory formulae generally based on the distribution of taxes in the prior year.

### **Constitutional Appropriations Limitation**

Article XIII B (“**Article XIII B**”) of the State Constitution, as subsequently amended by Propositions 98 and 111, respectively, limits the annual appropriations of the State and of any city, county, school district, authority or other political subdivision of the State to the level of appropriations of the particular governmental entity for the prior fiscal year, as adjusted for changes in the cost of living and in population and for transfers in the financial responsibility for providing services and for certain declared emergencies. For fiscal years beginning on or after July 1, 1990, the appropriations limit of each entity of government will be the appropriations limit for the 1986-87 fiscal year adjusted for the changes made from that fiscal year under the provisions of Article XIII B, as amended.

The appropriations of an entity of local government subject to Article XIII B limitations include the proceeds of taxes levied by or for that entity and the proceeds of certain state subventions to that entity. “Proceeds of taxes” include, but are not limited to, all tax revenues and the proceeds to the entity from (a) regulatory licenses, user charges and user fees (but only to the extent that these proceeds exceed the reasonable costs in providing the regulation, product or service), and (b) the investment of tax revenues.

Appropriations subject to limitation do not include (a) refunds of taxes, (b) appropriations for debt service such as the Lease Payments, (c) appropriations required to comply with certain mandates of the courts or the federal government, (d) appropriations of certain special districts, (e) appropriations for all qualified capital outlay projects as defined by the legislature, (f) appropriations derived from certain fuel and vehicle taxes and (g) appropriations derived from certain taxes on tobacco products.

Article XIIB includes a requirement that all revenues received by an entity of government other than the State in a fiscal year and in the fiscal year immediately following it in excess of the amount permitted to be appropriated during that fiscal year and the fiscal year immediately following it shall be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years.

Article XIIB also includes a requirement that fifty percent of all revenues received by the State in a fiscal year and in the fiscal year immediately following it in excess of the amount permitted to be appropriated during that fiscal year and the fiscal year immediately following it shall be transferred and allocated to the State School Fund under Section 8.5 of Article XVI of the State Constitution. See "Proposition 98" and "Proposition 111" below.

### **Article XIIC and Article XIID of the California Constitution**

On November 5, 1996, the voters of the State of California approved Proposition 218, popularly known as the "Right to Vote on Taxes Act." Proposition 218 added to the California Constitution Articles XIIC and XIID (respectively, "**Article XIIC**" and "**Article XIID**"), which contain a number of provisions affecting the ability of local agencies, including school districts, to levy and collect both existing and future taxes, assessments, fees and charges.

According to the "Title and Summary" of Proposition 218 prepared by the California Attorney General, Proposition 218 limits "the authority of local governments to impose taxes and property-related assessments, fees and charges." Among other things, Article XIIC establishes that every tax is either a "general tax" (imposed for general governmental purposes) or a "special tax" (imposed for specific purposes), prohibits special purpose government agencies such as school districts from levying general taxes, and prohibits any local agency from imposing, extending or increasing any special tax beyond its maximum authorized rate without a two-thirds percent vote; and also provides that the initiative power will not be limited in matters of reducing or repealing local taxes, assessments, fees and charges. Article XIIC further provides that no tax may be assessed on property other than ad valorem property taxes imposed in accordance with Articles XIII and XIII A of the California Constitution and special taxes approved by a two-thirds percent vote under Article XIII A, Section 4. Article XIID deals with assessments and property-related fees and charges, and explicitly provides that nothing in Article XIIC or XIID will be construed to affect existing laws relating to the imposition of fees or charges as a condition of property development.

Proposition 218 does not affect the ad valorem property taxes to be levied by the County to pay debt service on the Bonds.

### **Proposition 62**

A statutory initiative ("**Proposition 62**") was adopted by the voters at the November 4, 1986, general election which (a) requires that any new or higher taxes for general governmental purposes imposed by local governmental entities such as the District be approved by a two-

thirds vote of the governmental entity's legislative body and by a majority vote of the voters of the governmental entity voting in an election on the tax, (b) requires that any special tax (defined as taxes levied for other than general governmental purposes) imposed by a local governmental entity be approved by a two-thirds vote of the voters of the governmental entity voting in an election on the tax, (c) restricts the use of revenues from a special tax to the purposes or for the service for which the special tax was imposed, (d) prohibits the imposition of ad valorem taxes on real property by local governmental entities except as permitted by Article XIII A, (e) prohibits the imposition of transaction taxes and sales taxes on the sale of real property by local governmental entities, and (f) requires that any tax imposed by a local governmental entity on or after August 1, 1985, be ratified by a majority vote of the voters voting in an election on the tax within two years of the adoption of the initiative or be terminated by November 15, 1988.

California appellate court cases have overturned the provisions of Proposition 62 pertaining to the imposition of taxes for general government purposes. However, the California Supreme Court upheld Proposition 62 in its decision on August 28, 1995, in *Fresno County Transportation Authority v. Guardino*. This decision reaffirmed the constitutionality of Proposition 62. Certain matters regarding Proposition 62 were not addressed in the Supreme Court's decision, such as what remedies exist for taxpayers subject to a tax not in compliance with Proposition 62, and whether the decision applies to charter cities. The District has not experienced any substantive adverse financial impact as a result of the passage of this initiative.

### **Proposition 98**

On November 8, 1988, California voters approved Proposition 98, a combined initiative constitutional amendment and statute called the "Classroom Instructional Improvement and Accountability Act" (the "**Accountability Act**"). Certain provisions of the Accountability Act have, however, been modified by Proposition 111 (discussed below), the provisions of which became effective on July 1, 1990. The Accountability Act changed State funding of public education below the university level and the operation of the State's appropriations limit. The Accountability Act guarantees State funding for K-12 school districts and community college districts (hereinafter referred to collectively as "**K-14 school districts**") at a level equal to the greater of (a) the same percentage of State general fund revenues as the percentage appropriated to such districts in 1986-87, and (b) the amount actually appropriated to such districts from the State general fund in the previous fiscal year, adjusted for increases in enrollment and changes in the cost of living. The Accountability Act permits the Legislature to suspend this formula for a one-year period.

The Accountability Act also changes how tax revenues in excess of the State appropriations limit are distributed. Any excess State tax revenues up to a specified amount would, instead of being returned to taxpayers, be transferred to K-14 school districts. Any such transfer to K-14 school districts would be excluded from the appropriations limit for K-14 school districts and the K-14 school district appropriations limit for the next year would automatically be increased by the amount of such transfer. These additional moneys would enter the base funding calculation for K-14 school districts for subsequent years, creating further pressure on other portions of the State budget, particularly if revenues decline in a year following an Article XIII B surplus. The maximum amount of excess tax revenues which could be transferred to K-14 school districts is 4% of the minimum State spending for education mandated by the Accountability Act.

## Proposition 111

On June 5, 1990, the voters approved Proposition 111 (Senate Constitutional Amendment No. 1) called the "Traffic Congestion Relief and Spending Limit Act of 1990" ("**Proposition 111**"), which further modified Article XIII B and Sections 8 and 8.5 of Article XVI of the State Constitution with respect to appropriations limitations and school funding priority and allocation.

The most significant provisions of Proposition 111 are summarized as follows:

**Annual Adjustments to Spending Limit.** The annual adjustments to the Article XIII B spending limit were liberalized to be more closely linked to the rate of economic growth. Instead of being tied to the Consumer Price Index, the "change in the cost of living" is now measured by the change in California per capita personal income. The definition of "change in population" specifies that a portion of the State's spending limit is to be adjusted to reflect changes in school attendance.

**Treatment of Excess Tax Revenues.** "Excess" tax revenues with respect to Article XIII B are now determined based on a two-year cycle, so that the State can avoid having to return to taxpayers excess tax revenues in one year if its appropriations in the next fiscal year are under its limit. In addition, the Proposition 98 provision regarding excess tax revenues was modified. After any two-year period, if there are excess State tax revenues, 50% of the excess are to be transferred to K-14 school districts with the balance returned to taxpayers; under prior law, 100% of excess State tax revenues went to K-14 school districts, but only up to a maximum of 4% of the schools' minimum funding level. Also, reversing prior law, any excess State tax revenues transferred to K-14 school districts are not built into the school districts' base expenditures for calculating their entitlement for State aid in the next year, and the State's appropriations limit is not to be increased by this amount.

**Exclusions from Spending Limit.** Two exceptions were added to the calculation of appropriations which are subject to the Article XIII B spending limit. First, there are excluded all appropriations for "qualified capital outlay projects" as defined by the Legislature. Second, there are excluded any increases in gasoline taxes above the 1990 level (then nine cents per gallon), sales and use taxes on such increment in gasoline taxes, and increases in receipts from vehicle weight fees above the levels in effect on January 1, 1990. These latter provisions were necessary to make effective the transportation funding package approved by the Legislature and the Governor, which expected to raise over \$15 billion in additional taxes from 1990 through 2000 to fund transportation programs.

**Recalculation of Appropriations Limit.** The Article XIII B appropriations limit for each unit of government, including the State, is to be recalculated beginning in fiscal year 1990-91. It is based on the actual limit for fiscal year 1986-87, adjusted forward to 1990-91 as if Proposition 111 had been in effect.

**School Funding Guarantee.** There is a complex adjustment in the formula enacted in Proposition 98 which guarantees K-14 school districts a certain amount of State general fund revenues. Under prior law, K-14 school districts were guaranteed the greater of (1) 40.9% of State general fund revenues (the "**first test**") or (2) the amount appropriated in the prior year adjusted for changes in the cost of living (measured as in Article XIII B by reference to per capita personal income) and enrollment (the "**second test**"). Under Proposition 111, schools will receive the greater of (1) the first test, (2) the second test, or (3) a third test, which will replace

the second test in any year when growth in per capita State general fund revenues from the prior year is less than the annual growth in California per capita personal income. Under the third test, schools will receive the amount appropriated in the prior year adjusted for change in enrollment and per capita State general fund revenues, plus an additional small adjustment factor. If the third test is used in any year, the difference between the third test and the second test will become a “credit” to schools which will be paid in future years when State general fund revenue growth exceeds personal income growth.

### **Proposition 1A**

On November 2, 2004, California voters approved Proposition 1A, which amended the State constitution to significantly reduce the State's authority over major local government revenue sources. Under Proposition 1A, the State cannot (i) reduce local sales tax rates or alter the method of allocating the revenue generated by such taxes, (ii) shift property taxes from local governments to schools or community colleges, (iii) change how property tax revenues are shared among local governments without two-thirds approval of both houses of the State Legislature or (iv) decrease Vehicle License Fee revenues without providing local governments with equal replacement funding. Under Proposition 1A, beginning, in 2008-09, the State may shift to schools and community colleges a limited amount of local government property tax revenue if certain conditions are met, including: (i) a proclamation by the Governor that the shift is needed due to a severe financial hardship of the State, and (ii) approval of the shift by the State Legislature with a two-thirds vote of both houses. Under such a shift, the State must repay local governments for their property tax losses, with interest, within three years. Proposition 1A does allow the State to approve voluntary exchanges of local sales tax and property tax revenues among local governments within a county. Proposition 1A also amended the State Constitution to require the State to suspend certain State laws creating mandates in any year that the State does not fully reimburse local governments for their costs to comply with the mandates. This provision does not apply to mandates relating to schools or community colleges or to those mandates relating to employee rights.

Proposition 22, a constitutional initiative entitled the “Local Taxpayer, Public Safety, and Transportation Protection Act of 2010,” approved on November 2, 2010, superseded many of the provisions of Proposition 1A. This initiative amends the State constitution to prohibit the legislature from diverting or shifting revenues that are dedicated to funding services provided by local government or funds dedicated to transportation improvement projects and services. Under this proposition, the State is not allowed to take revenue derived from locally imposed taxes, such as hotel taxes, parcel taxes, utility taxes and sales taxes, and local public transit and transportation funds. Further, in the event that a local governmental agency sues the State alleging a violation of these provisions and wins, then the State must automatically appropriate the funds needed to pay that local government. This Proposition was intended to, among other things, stabilize local government revenue sources by restricting the State’s control over local property taxes.

Because Proposition 22 reduces the State’s authority to use or reallocate certain revenue sources, fees and taxes for State general fund purposes, the State will have to take other actions to balance its budget, such as reducing State spending or increasing State taxes, and school and college districts that receive Proposition 98 or other funding from the State will be more directly dependent upon the State’s general fund.

### **Future Initiatives**

Article XIII A, Article XIII B, Article XIII C and Article XIII D of the California Constitution and Propositions 22, 62, 98 and 111 were each adopted as measures that qualified for the ballot under the State's initiative process. From time to time other initiative measures could be adopted further affecting District revenues or the District's ability to expend revenues. The nature and impact of these measures cannot be anticipated by the District.

## SAN MATEO COUNTY DEMOGRAPHIC INFORMATION

*The District's boundaries are coterminous with those of San Mateo County. This section provides certain information about the economy and demographic trends in the County. However, no revenues of the County or taxes on economic activity in the County are pledged to payment of the Bonds. The Bonds are payable from an ad valorem property tax required to be levied on all taxable property within the District's boundaries in an amount sufficient to pay debt service on the Bonds as it comes due.*

### Population

The County has experienced moderate but consistent population growth since 1970. The United States Census Bureau reports that between 1980 and 1990 the County grew by approximately 62,000 residents, or 10.6%, and between 1990 and 2000 the County grew by approximately 57,540 residents, or approximately 8.9%. Over the 40 years since 1970, the County's average annual growth rate has been approximately 1%. The following table shows population data for the cities in the County during the past five years.

### SAN MATEO COUNTY Population Estimates

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Atherton	6,917	6,940	6,898	6,921	6,917
Belmont	25,189	25,427	25,634	25,821	26,031
Brisbane	3,948	4,065	4,185	4,268	4,328
Burlingame	28,020	28,306	28,556	28,784	29,009
Colma	1,684	1,725	1,756	1,786	1,805
Daly City	100,131	100,156	100,692	101,235	101,920
East Palo Alto	28,703	28,595	28,464	28,281	28,366
Foster City	29,868	30,042	30,270	30,542	30,790
Half Moon Bay	11,408	11,396	11,403	11,360	11,415
Hillsborough	10,526	10,656	10,750	10,821	10,927
Menlo Park	30,732	31,207	31,688	31,986	32,319
Millbrae	20,468	20,947	21,136	21,521	21,714
Pacifica	36,702	36,940	37,153	37,267	37,526
Portola Valley	4,323	4,328	4,341	4,358	4,391
Redwood City	75,080	75,525	76,198	76,766	77,712
San Bruno	39,592	40,773	40,993	41,157	41,842
San Carlos	27,642	27,923	28,152	28,393	28,615
San Mateo	94,344	95,050	96,170	97,106	97,966
South San Francisco	60,491	61,701	62,999	63,623	64,067
Woodside	5,202	5,244	5,261	5,288	5,336
Balance Of County	60,868	60,874	61,119	61,330	61,706
County Total	701,838	707,820	713,818	718,614	724,702

*Source: California State Department of Finance, Demographic Research Unit.*

## Employment and Industry

The unemployment rate in San Mateo County was 7.2% in December 2011, down from 7.5% in November 2011, and below the year-ago estimate of 8.1%. This compares with an unadjusted unemployment rate of 10.9% for California and 8.3% for the nation during the same period.

The following table summarizes the civilian labor force, employment and unemployment in the County for the calendar years 2006 through 2010.

### SAN MATEO COUNTY Civilian Labor Force, Employment and Unemployment (Annual Averages)

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Civilian Labor Force <sup>(1)</sup>	364,900	370,200	372,800	374,000	372,400
Employment	351,500	356,200	354,800	342,600	339,300
Unemployment	13,400	14,100	18,000	31,500	33,100
Unemployment Rate	3.7%	3.8%	4.8%	8.4%	8.9%
<u>Wage and Salary Employment:</u> <sup>(2)</sup>					
Agriculture	1,900	2,000	1,900	1,700	1,800
Manufacturing	29,900	30,800	29,600	26,700	26,700
Wholesale Trade	12,300	12,200	11,900	11,300	11,400
Retail Trade	36,000	36,100	35,600	33,300	33,000
Trans., Warehousing, Utilities	26,700	27,000	27,100	25,300	24,400
Information	18,500	17,400	18,800	18,100	17,400
Financial and Insurance	15,100	15,000	14,300	13,500	13,000
Real Estate, Rental & Leasing	6,600	6,400	6,300	5,600	5,400
Professional and Business Services	61,300	63,400	65,400	60,900	60,100
Educational and Health Services	31,400	32,100	32,600	34,600	33,400
Leisure and Hospitality	33,500	34,900	34,300	33,500	33,600
Other Services	11,100	11,800	12,000	11,500	11,200
Federal Government	4,200	3,600	3,500	3,500	4,000
State Government	700	700	700	600	600
Local Government	<u>27,400</u>	<u>27,800</u>	<u>27,600</u>	<u>27,300</u>	<u>26,600</u>
Total All Industries <sup>(3)</sup>	334,100	340,000	339,400	320,900	315,000

(1) Labor force data is by place of residence; includes self-employed individuals, unpaid family workers, household domestic workers, and workers on strike.

(2) Industry employment is by place of work; excludes self-employed individuals, unpaid family workers, household domestic workers, and workers on strike.

(3) Totals may not add due to rounding.

Source: State of California Employment Development Department.

The following table lists the twenty-five largest employers within the County as of January 1, 2012, listed alphabetically.

**SAN MATEO COUNTY  
Major Employers  
(As of January 1, 2012)**

<b><u>Employer Name</u></b>	<b><u>Location</u></b>	<b><u>Industry</u></b>
AB SCIEX	Foster City	Scientific Apparatus & Instruments-Mfrs
Burlingame Millbrae Yellow Cab	Burlingame	Taxicabs & Transportation Service
Electronic Arts Inc	Redwood City	Game Designers (Mfrs)
Electronics For Imaging Inc	Foster City	Digital Printing (Mfrs)
Forced Dump Debris Box Svc	Burlingame	Garbage Collection
Franklin Resources Inc	San Mateo	Investment Management
Franklin Trust Co	San Mateo	Mutual Funds
Genentech Inc	South San Francisco	Drug Millers (Mfrs)
Gilead Sciences Inc	Foster City	Pharmaceutical Consultants
Guckenheimer Inc	Redwood City	Food Service-Management
Health Science Library	Daly City	Services NEC
Kaiser Permanente Medical Ctr	Redwood City	Hospitals
Kaiser Permanente Medical Ctr	South San Francisco	Hospitals
Oracle Corp	Redwood City	Computer Software-Manufacturers
Peninsula Medical Ctr	Burlingame	Hospitals
Rudolph & Sletten Inc	Redwood City	Building Contractors
San Mateo County Human Svc	Belmont	County Government-Social/Human Resources
San Mateo County Mental Health	San Mateo	County Government-Public Health Programs
San Mateo County Transit Dist	San Carlos	County Govt-Transportation Programs
San Mateo Medical Ctr	San Mateo	Crisis Intervention Service
SRI International Inc	Menlo Park	Research Service
Stanford Linear Accelerator	Menlo Park	Research Service
US Interior Dept	Menlo Park	Federal Government-Conservation Depts
Visa International Svc Assn	Foster City	Credit Card-Merchant Services
Visa USA Inc	Foster City	Credit Card & Other Credit Plans

*Source: State of California Employment Development Department, America's Labor Market Information System (ALMIS) Employer Database, 2012 1st Edition.*

## Commercial Activity

In 2009, the State Board of Equalization converted the business codes of sales and use tax permit holders to North American Industry Classification System codes. As a result of the coding change, retail stores data for 2009 and 2010 is not comparable to that of prior years. A summary of historic taxable sales within the County during the past five years in which data is available is shown in the following table. Total taxable sales during the first three quarters of calendar year 2010 in the County were reported to be \$8,647,664,000, a 4.67% increase over the total taxable sales of \$8,261,937,000 reported during the first three quarters of calendar year 2009. Annual figures are not yet available for 2010.

**SAN MATEO COUNTY**  
**Taxable Retail Sales**  
**Number of Permits and Valuation of Taxable Transactions**  
**(Dollars in Thousands)**

	Retail Stores		Total All Outlets	
	Number of Permits	Taxable Transactions	Number of Permits	Taxable Transactions
2005	9,282	\$8,495,119	21,440	\$12,451,350
2006	9,467	8,723,143	21,082	12,900,391
2007	9,278	8,998,981	20,202	13,326,306
2008	9,098	8,421,727	19,853	13,137,913
2009 <sup>(1)</sup>	11,143	7,455,767	18,840	11,327,022

(1) Not comparable to prior years. "Retail" category now includes "Food Services."  
Source: State Board of Equalization.

### Median Effective Buying Income

Effective buying income ("EBI") is designated by Sales and Marketing Management Magazine as personal income less personal tax and non-tax payments. Personal income is the aggregate of wages and salaries, other labor income (such as employer contributions to private pension funds), proprietor's income, rental income (which includes imputed rental income of owner-occupants of non-farm dwellings), dividends paid by corporations, personal interest income from all sources, and transfer payments (such as pensions and welfare assistance). Deducted from this total are personal taxes (federal, state and local, non-tax payments such as fines, fees, penalties), and personal contributions for social insurance. Effective buying income is a bulk measure of market potential. It indicates the general ability to buy and is essential in comparing, selecting and grouping markets on that basis.

The following table demonstrates the growth in annual estimated EBI for the County, the State of California and the United States for the period 2006 through 2010.

#### COUNTY OF SAN MATEO Effective Buying Income 2006 through 2010

Year	Area	Total Effective Buying Income (000's Omitted)	Median Household Effective Buying Income
2006	County of San Mateo	\$21,837,738	\$62,749
	California	764,120,963	46,275
	United States	6,107,092,244	41,255
2007	County of San Mateo	\$23,043,253	\$65,262
	California	814,894,438	48,203
	United States	6,300,794,040	41,792
2008	County of San Mateo	\$23,925,603	\$67,466
	California	832,531,445	48,952
	United States	6,443,994,426	42,303
2009	County of San Mateo	\$23,835,480	\$69,276
	California	844,823,319	49,736
	United States	6,571,536,768	43,252
2010	County of San Mateo	\$23,489,013	\$66,508
	California	801,393,028	47,177
	United States	6,365,020,076	41,368

*Source: The Nielsen Company (US), Inc.*

## Construction Activity

Building activity for the calendar years 2006 through 2010 in the County is shown in the following table.

<b>SAN MATEO COUNTY</b>					
<b>Building Permit Valuation</b>					
<b>(Valuation in Thousands of Dollars)</b>					
	2006	2007	2008	2009	2010
<u>Permit Valuation</u>					
New Single-family	\$227,781.1	\$316,491.4	\$245,433.9	\$147,515.5	\$189,296.6
New Multi-family	101,114.4	67,181.1	122,424.2	74,329.6	21,309.0
Res. Alterations/Additions	<u>305,663.4</u>	<u>274,263.6</u>	<u>272,177.0</u>	<u>204,482.0</u>	<u>262,592.1</u>
Total Residential	634,558.9	657,936.0	640,035.2	426,327.0	473,197.6
New Commercial	218,650.9	366,581.6	114,968.0	17,942.0	62,510.5
New Industrial	127,900.5	29,263.8	2,200.0	5,000.0	0.0
New Other	50,057.9	74,829.0	85,470.2	70,410.1	66,274.8
Com. Alterations/Additions	<u>329,062.3</u>	<u>336,069.0</u>	<u>315,260.4</u>	<u>235,373.3</u>	<u>283,752.5</u>
Total Nonresidential	\$725,671.6	\$806,743.4	\$517,898.6	\$328,725.5	\$412,537.8
<u>New Dwelling Units</u>					
Single Family	445	658	312	236	216
Multiple Family	<u>492</u>	<u>367</u>	<u>630</u>	<u>393</u>	<u>111</u>
TOTAL	937	1,025	942	629	327

Source: Construction Industry Research Board, Building Permit Summary.

## Transportation

San Francisco International Airport (“**SFO**”), the “gateway to the Pacific,” is a world-class airport serving tens of millions of domestic and international passengers annually. One of the world’s 30 busiest airports, SFO is committed to setting the standard for our industry. This includes being a leader in safety and security, customer service and satisfaction, community relations, environmental commitment, quality of facilities, and financial and economic vitality. SFO was the first major U.S. airport to achieve 100 percent fully automated and integrated baggage screening. Today, efficient operations ensure that passenger screening wait times are among the shortest in the nation.

The Port of Redwood City is also located in the County. The Port has a deep-water channel and handles bulk cargo including lumber and scrap metal.

The County is connected to downtown San Francisco, the Airport, and the East Bay by the San Francisco Bay Area Rapid Transit (“**BART**”) District.

The County is also served by Caltrain, a commuter rail service between San Jose and San Francisco, running along the Southern Pacific right-of-way.

**APPENDIX B**

**FISCAL YEAR 2010-11 AUDITED FINANCIAL STATEMENTS**



without limit as to rate or amount upon the taxable property in the District for the payment when due of the principal of and interest on the Bonds.

4. Interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations; it should be noted, however, that for the purpose of computing the alternative minimum tax imposed on such corporations (as defined for federal income tax purposes), such interest is required to be taken into account in determining certain income and earnings. The opinions set forth in the preceding sentence are subject to the condition that the District comply with all requirements of the Internal Revenue Code of 1986 which must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, or continue to be, excluded from gross income for federal income tax purposes. The District has covenanted in the Resolution and in other instruments relating to the Bonds to comply with each of such requirements; and the District has full legal authority to make and comply with such covenants. Failure to comply with certain of such requirements may cause the inclusion of interest on the Bonds in gross income for federal income tax purposes to be retroactive to the date of issuance of the Bonds. We express no opinion regarding other federal tax consequences arising with respect to the Bonds.

5. The interest on the Bonds is exempt from personal income taxation imposed by the State of California.

The rights of the owners of the Bonds and the enforceability of the Bonds and the Resolution may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted and may also be subject to the exercise of judicial discretion in appropriate cases.

Respectfully submitted,

A Professional Law Corporation

## APPENDIX D

### FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the San Mateo County Community College District (the "District") in connection with the issuance of \$\_\_\_\_\_ aggregate principal amount of San Mateo County Community College District (San Mateo County, California) 2012 General Obligation Refunding Bonds (the "Bonds"). The Bonds are being issued under a resolution adopted by the Board of Trustees of the District on \_\_\_\_\_, 2012 (the "Bond Resolution"). The District covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the District for the benefit of the holders and beneficial owners of the Bonds and in order to assist the Participating Underwriters in complying with S.E.C. Rule 15c2-12(b)(5).

Section 2. Definitions. In addition to the definitions set forth in the Bond Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"*Annual Report*" means any Annual Report provided by the District under and as described in Sections 3 and 4.

"*Annual Report Date*" means the date not later than nine months after the end of each fiscal year of the District.

"*Dissemination Agent*" means the District or any successor Dissemination Agent designated in writing by the District and which has filed with the District a written acceptance of such designation.

"*Listed Events*" means any of the events listed in Section 5(a).

"*MSRB*" means the Municipal Securities Rulemaking Board, which has been designated by the Securities and Exchange Commission as the sole repository of disclosure information for purposes of the Rule.

"*Official Statement*" means the final Official Statement relating to the Bonds.

"*Participating Underwriter*" means Morgan Stanley & Co. LLC.

"*Rule*" means Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

Section 3. Provision of Annual Reports.

(a) The District shall, or shall cause the Dissemination Agent to, not later than the Annual Report Date, commencing March 31, 2013 with the report for fiscal year 2011-12, provide to the Participating Underwriter and the MSRB in an electronic format as prescribed by the MSRB, an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. Not later than 15 Business Days prior to the Annual Report Date, the

District shall provide the Annual Report to the Dissemination Agent (if other than the District). If by 15 Business Days prior to the Annual Report Date the Dissemination Agent (if other than the District) has not received a copy of the Annual Report, the Dissemination Agent shall contact the District to determine if the District is in compliance with the previous sentence. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by reference other information as provided in Section 4; provided that the audited financial statements of the District may be submitted separately from the balance of the Annual Report, and later than the date required above for the filing of the Annual Report if not available by that date. If the District's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(c).

(b) If the District is unable to provide to the MSRB an Annual Report by the Annual Report Date, the District shall provide (or cause the Dissemination Agent to provide) to the MSRB, in an electronic format as prescribed by the MSRB, a notice in substantially the form attached as Exhibit A, with a copy to the Paying Agent.

(c) With respect to each Annual Report, the Dissemination Agent shall:

- (i) determine each year prior to the Annual Report Date the then-applicable rules and electronic format prescribed by the MSRB for the filing of annual continuing disclosure reports; and
- (ii) if the Dissemination Agent is other than the District, file a report with the District, with a copy to the Paying Agent, certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, and stating the date it was provided.

Section 4. Content of Annual Reports. The Annual Report shall contain or incorporate by reference the following:

(a) Audited financial statements prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the District's audited financial statements are not available by the Annual Report Date, the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

(b) To the extent not contained in the audited financial statements filed pursuant to the preceding clause (a), the Annual Report shall contain information showing:

- (i) Current fiscal year assessed valuation of taxable properties in the District, including assessed valuation of the top ten properties.
- (ii) Amount of all general obligation debt of the District outstanding, and total scheduled debt service on such general obligation debt.

- (iii) Any changes in the operation of the County's Teeter Plan since the previous Annual Report affecting the District's receipt of ad valorem property tax revenues used to pay debt service on the Bonds.
- (iv) To the extent available from the County, prior fiscal year total secured property tax levy and collections, showing current collections as a percent of the total levy.
- (v) The District's approved annual budget or a summary thereof for the then-current fiscal year.

(c) In addition to any of the information expressly required to be provided under paragraphs (a) and (b) of this Section, the District shall provide such further information, if any, as may be necessary to make the specifically required statements, in the light of the circumstances under which they are made, not misleading.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the District or related public entities, which are available to the public on the MSRB's internet web site or filed with the Securities and Exchange Commission. The District shall clearly identify each such other document so included by reference.

#### Section 5. Reporting of Significant Events.

(a) The District shall give, or cause to be given, notice of the occurrence of any of the following Listed Events with respect to the Bonds:

- (1) Principal and interest payment delinquencies.
- (2) Non-payment related defaults, if material.
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties.
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties.
- (5) Substitution of credit or liquidity providers, or their failure to perform.
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security.
- (7) Modifications to rights of security holders, if material.
- (8) Bond calls, if material, and tender offers.

- (9) Defeasances.
- (10) Release, substitution, or sale of property securing repayment of the securities, if material.
- (11) Rating changes.
- (12) Bankruptcy, insolvency, receivership or similar event of the District or other obligated person.
- (13) The consummation of a merger, consolidation, or acquisition involving the District or an obligated person, or the sale of all or substantially all of the assets of the District or an obligated person (other than in the ordinary course of business), the entry into a definitive agreement to undertake such an action, or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(b) Whenever the District obtains knowledge of the occurrence of a Listed Event, the District shall, or shall cause the Dissemination Agent (if not the District) to, file a notice of such occurrence with the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of 10 business days after the occurrence of the Listed Event. Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8) and (9) above need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to holders of affected Bonds under the Indenture.

(c) The District acknowledges that the events described in subparagraphs (a)(2), (a)(7), (a)(8) (if the event is a bond call), (a)(10), (a)(13), and (a)(14) of this Section 5 contain the qualifier "if material" and that subparagraph (a)(6) also contains the qualifier "material" with respect to certain notices, determinations or other events affecting the tax status of the Bonds. The District shall cause a notice to be filed as set forth in paragraph (b) above with respect to any such event only to the extent that it determines the event's occurrence is material for purposes of U.S. federal securities law. Whenever the District obtains knowledge of the occurrence of any of these Listed Events, the District will as soon as possible determine if such event would be material under applicable federal securities law. If such event is determined to be material, the District will cause a notice to be filed as set forth in paragraph (b) above.

(d) For purposes of this Disclosure Certificate, any event described in paragraph (a)(12) above is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the District in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the District, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or

governmental authority having supervision or jurisdiction over substantially all of the assets or business of the District.

Section 6. Termination of Reporting Obligation. The District's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the District shall give notice of such termination in the same manner as for a Listed Event under Section 5(b).

Section 7. Identifying Information for Filings with the MSRB. All documents provided to the MSRB under the Disclosure Certificate shall be accompanied by identifying information as prescribed by the MSRB.

Section 8. Dissemination Agent. The District may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent.

Section 9. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the District may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

- (a) if the amendment or waiver relates to the provisions of Sections 3(a), 4 or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of an obligated person with respect to the Bonds, or type of business conducted;
- (b) the undertakings in this Official Statement, as proposed to be amended or waived, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
- (c) the proposed amendment or waiver either (i) is approved by holders of the Bonds in the manner provided in the Bond Resolution for amendments to the Bond Resolution with the consent of holders, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the holders or beneficial owners of the Bonds.

If the annual financial information or operating data to be provided in the Annual Report is amended pursuant to the provisions hereof, the first annual financial information filed pursuant hereto containing the amended operating data or financial information shall explain, in narrative form, the reasons for the amendment and the impact of the change in the type of operating data or financial information being provided.

If an amendment is made to the undertaking specifying the accounting principles to be followed in preparing financial statements, the Annual Report for the year in which the change is made shall present a comparison between the financial statements or information prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles. The comparison shall include a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information, in order to provide information to investors to enable them to evaluate the ability of the District to meet its obligations. To the extent reasonably feasible, the comparison shall be quantitative.

A notice of any amendment made pursuant to this Section 9 shall be filed in the same manner as for a Listed Event under Section 5(c).

Section 10. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the District from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the District chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the District shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 11. Default. If the District fails to comply with any provision of this Disclosure Certificate, any holder or beneficial owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default under the Bond Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the District to comply with this Disclosure Certificate shall be an action to compel performance.

Section 12. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the District agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the District under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

Section 13. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the District, the Dissemination Agent, the Participating Underwriter and holders and beneficial owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Date: \_\_\_\_\_, 2012

**SAN MATEO COUNTY COMMUNITY COLLEGE  
DISTRICT**

By \_\_\_\_\_  
Ron Galatolo,  
Chancellor

EXHIBIT A

NOTICE OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: San Mateo County Community College District

Name of Issue: \$\_\_\_\_\_ aggregate principal amount of 2012 General Obligation Refunding Bonds

Date of Issuance: \_\_\_\_\_, 2012

NOTICE IS HEREBY GIVEN that the San Mateo County Community College District (the "District") has not provided an Annual Report with respect to the above-named bonds as required by its Continuing Disclosure Certificate dated \_\_\_\_\_, 2012. The District anticipates that the Annual Report will be filed by \_\_\_\_\_.

Dated: \_\_\_\_\_

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**

By \_\_\_\_\_  
Name:  
Title:

## APPENDIX E

### DTC AND THE BOOK-ENTRY ONLY SYSTEM

*The following description of the Depository Trust Company (“DTC”), the procedures and record keeping with respect to beneficial ownership interests in the Bonds, payment of principal, interest and other payments on the Bonds to DTC Participants or Beneficial Owners, confirmation and transfer of beneficial ownership interest in the Bonds and other related transactions by and between DTC, the DTC Participants and the Beneficial Owners is based solely on information provided by DTC. Accordingly, no representations can be made concerning these matters and neither the DTC Participants nor the Beneficial Owners should rely on the foregoing information with respect to such matters, but should instead confirm the same with DTC or the DTC Participants, as the case may be.*

*Neither the District nor the Paying Agent take any responsibility for the information contained in this Section.*

*No assurances can be given that DTC, DTC Participants or Indirect Participants will distribute to the Beneficial Owners (a) payments of interest, principal or premium, if any, with respect to the Bonds, (b) Bonds representing ownership interest in or other confirmation or ownership interest in the Bonds, or (c) redemption or other notices sent to DTC or Cede & Co., its nominee, as the registered owner of the Bonds, or that they will so do on a timely basis, or that DTC, DTC Participants or DTC Indirect Participants will act in the manner described in this Appendix. The current "Rules" applicable to DTC are on file with the Securities and Exchange Commission and the current "Procedures" of DTC to be followed in dealing with DTC Participants are on file with DTC.*

1. The Depository Trust Company (“DTC”), New York, NY, will act as securities depository for the securities (in this Appendix, the “Bonds”). The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond will be issued for each maturity of the Bonds, in the aggregate principal amount of such maturity, and will be deposited with DTC. If, however, the aggregate principal amount of any maturity exceeds \$500 million, one certificate will be issued with respect to each \$500 million of principal amount and an additional certificate will be issued with respect to any remaining principal amount of such issue.

2. DTC, the world’s largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is

a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC has Standard & Poor’s highest rating: AAA. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com) and [www.dtc.org](http://www.dtc.org). *The information contained on this Internet site is not incorporated herein by reference.*

3. Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive Bonds representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

4. To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co. or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of the notices be provided directly to them.

6. Redemption notices will be sent to DTC. If less than all of the Bonds within an issue are being redeemed, the Bonds will be redeemed on a pro rata basis.

7. Neither DTC nor Cede & Co. (nor such other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC’s Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to District as soon as

possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions, and interest payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts, upon DTC's receipt of funds and corresponding detail information from District or Paying Agent on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC nor its nominee, Paying Agent, or District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of District or Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. DTC may discontinue providing its services as securities depository with respect to the Bonds at any time by giving reasonable notice to District or Paying Agent. Under such circumstances, in the event that a successor securities depository is not obtained, Bonds are required to be printed and delivered.

10. The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

11. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that District believes to be reliable, but District takes no responsibility for the accuracy thereof.

3-20-12 Jones Hall Working Draft

## **ESCROW DEPOSIT AND TRUST AGREEMENT**

Relating to

**\$96,875,612.95**

**San Mateo County Community College District  
(County of San Mateo, California)  
2002 General Obligation Bonds (Election of 2001), Series A**

This ESCROW DEPOSIT AND TRUST AGREEMENT (this "Agreement"), dated \_\_\_\_\_, 2012, is between the SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT, a community college district organized and existing under the Constitution and laws of the State of California (the "District"), and THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., a national banking association organized and existing under the laws of the United States of America, acting as escrow agent for the Refunded Prior Bonds described below (the "Escrow Agent").

### *BACKGROUND:*

1. The District has previously issued its San Mateo County Community College District (County of San Mateo, California) 2002 General Obligation Bonds (Election of 2001), Series A, on June 19, 2002, in the aggregate principal amount of \$96,875,612.95 (the "Prior Bonds"), under Resolution No. 02-12 adopted by the Board of Trustees of the District on May 8, 2002 (the "Prior Bond Resolution").

2. In order to provide funds to refund a portion of the Prior Bonds consisting of current interest bonds (the "Refunded Prior Bonds") and thereby realize interest rate savings to the property tax payers of the District, the Board of Trustees of the District has authorized the issuance of San Mateo County Community College District 2010 General Obligation Refunding Bonds in the aggregate principal amount \$\_\_\_\_\_ (the "2012 Bonds") under the provisions of Resolution No. \_\_\_\_\_ adopted on March 28, 2012 (the "2012 Bond Resolution").

3. The District wishes to appoint the Escrow Agent for the purpose of establishing an irrevocable escrow fund to be funded, invested, held and administered for the purpose of providing for the payment in full of the principal, interest and redemption premium on the outstanding Refunded Prior Bonds.

4. As a result of the deposit and investment of funds in accordance with this Agreement, the Refunded Prior Bonds will be discharged and defeased in accordance with the provisions of Section 10(f) of the Prior Bond Resolution.

*A G R E E M E N T :*

In consideration of the premises and the material covenants contained herein, the District and the Escrow Agent hereby agree as follows:

SECTION 1. *Appointment of Escrow Agent; Establishment of Escrow Fund.* The District hereby appoints the Escrow Agent to act as escrow agent for purposes of administering the funds required to redeem and defease the Refunded Prior Bonds in accordance with the Prior Bond Resolution. The Escrow Agent is directed to establish an escrow fund (the "Escrow Fund") to be held by the Escrow Agent in trust as an irrevocable escrow securing the payment of the Refunded Prior Bonds as hereinafter set forth. All cash and securities in the Escrow Fund are hereby irrevocably pledged as a special fund for the payment of the principal of and interest and premium on the Refunded Prior Bonds in accordance with the Prior Bond Resolution.

If at any time the Escrow Agent receives actual knowledge that the cash and securities in the Escrow Fund will not be sufficient to make any payment required by Section 4 in respect of the Refunded Prior Bonds, the Escrow Agent shall notify the District of such fact and the District shall immediately cure such deficiency from any source of legally available funds. The Escrow Agent has no liability for any such insufficiency.

SECTION 2. *Deposit and Investment of Amounts in Escrow Fund.* On \_\_\_\_\_, 2012 (the "Closing Date"), the District shall cause to be transferred to the Escrow Agent for deposit into the Escrow Fund the amount of \$\_\_\_\_\_ in immediately available funds, to be derived from the proceeds of the 2012 Bonds received by the Escrow Agent on the Closing Date.

On the Closing Date, the Escrow Agent shall invest \$\_\_\_\_\_ of the amounts deposited in the Escrow Fund in the following United States Treasury Securities, State and Local Government Series, Certificate of Indebtedness. The Escrow Agent shall hold the remaining \$\_\_\_\_\_ in cash, uninvested.

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Purchase Price</u>
_____	\$ _____	_____%	\$ _____

SECTION 3. *Application of Amounts in Escrow Fund.* The Escrow Agent is hereby instructed to withdraw from the Escrow Fund and transfer to the Paying Agent an amount required to pay the principal of and interest and redemption premium on the Refunded Prior Bonds, in accordance with the following schedule:

<u>Payment Date</u>	<u>Interest Payment</u>	<u>Redeemed Principal</u>	<u>Redemption Premium</u>	<u>Total Payment</u>
September 1, 2012			\$0	

Following the payment and redemption of the Refunded Prior Bonds in full on September 1, 2012, the Escrow Bank shall transfer any amounts remaining on deposit in the Escrow Fund to the San Mateo County Treasurer-Tax Collector, paying agent for the 2012 Bonds, for deposit in the Debt Service Fund established under Section 4.02 of the

2012 Bond Resolution, to be applied to pay interest next coming due and payable on the 2012 Bonds.

SECTION 4. *Irrevocable Election to Redeem Refunded Prior Bonds.* The District has irrevocably elected to redeem all of the outstanding Refunded Prior Bonds on September 1, 2012, in accordance with the provisions of the Prior Bond Resolution. The District has separately given the paying agent for the Prior Bonds written directions to give notice of such redemption in accordance with the requirements of the Prior Bond Resolution, at the expense of the District.

SECTION 5. *Compensation to Escrow Agent.* The District shall pay the Escrow Agent full compensation for its services under this Agreement, including out-of-pocket costs such as publication costs, redemption expenses, legal fees and other costs and expenses relating hereto and, in addition, all fees, costs and expenses relating to the purchase, substitution or withdrawal of any securities after the date hereof. Under no circumstances shall amounts deposited in or credited to the Escrow Fund be deemed to be available for said purposes. The Escrow Agent has no lien upon or right of set off against the cash and securities at any time on deposit in the Escrow Fund.

SECTION 6. *Immunities and Liability of Escrow Bank.* The Escrow Bank undertakes to perform only such duties as are expressly set forth in this Agreement and no implied duties, covenants or obligations shall be read into this Agreement against the Escrow Bank. The Escrow Bank shall not have any liability hereunder except to the extent of its negligence or willful misconduct. In no event shall the Escrow Bank be liable for any special, indirect or consequential damages. The Escrow Bank shall not be liable for any loss from any investment made by it in accordance with the terms of this Agreement. The Escrow Bank may consult with legal counsel of its own choice and the Escrow Bank shall not be liable for any action taken or not taken by it in good faith in reliance upon the opinion or advice of such counsel. The Escrow Bank shall not be liable for the recitals or representations contained in this Agreement and shall not be responsible for the validity of this Agreement, the sufficiency of the Escrow Fund or the moneys and securities to pay the principal, interest and redemption premium with respect to the Refunded Prior Bonds.

Whenever in the administration of this Agreement the Escrow Bank deems it necessary or desirable that a matter be proved or established prior to taking or not taking any action, such matter may be deemed to be conclusively proved and established by a certificate of an authorized representative of the District and shall be full protection for any action taken or not taken by the Escrow Bank in good faith reliance thereon.

The Escrow Bank may conclusively rely as to the truth and accuracy of the statements and correctness of any opinions or calculations provided to it in connection with this Agreement and shall be protected in acting, or refraining from acting, upon any notice, instruction, request, certificate, document, opinion or other writing furnished to the Escrow Bank in connection with this Agreement and believed by the Escrow Bank to be signed by the proper party, and it need not investigate any fact or matter stated therein.

None of the provisions of this Agreement shall require the Escrow Bank to expend or risk its own funds or otherwise to incur any liability, financial or otherwise, in

the performance of any of its duties hereunder. The Escrow Bank may execute any of the trusts or powers hereunder or perform any duties hereunder either directly or by or through agents, attorneys, custodians or nominees appointed with due care.

The Escrow Bank may at any time resign by giving 30 days written notice of resignation to the District. Upon receiving such notice of resignation, the District shall promptly appoint a successor and, upon the acceptance by the successor of such appointment, release the resigning Escrow Bank from its obligations hereunder by written instrument, a copy of which instrument shall be delivered to the resigning Escrow Bank and the successor. If no successor shall have been so appointed and have accepted appointment within 30 days after the giving of such notice of resignation, the resigning Escrow Bank may petition any court of competent jurisdiction for the appointment of a successor.

Any bank, corporation or association into which the Escrow Bank may be merged or converted or with which it may be consolidated, or any bank, corporation or association resulting from any merger, conversion or consolidation to which the Escrow Bank shall be a party, or any bank, corporation or association succeeding to all or substantially all of the corporate trust business of the Escrow Bank shall be the successor of the Escrow Bank hereunder without the execution or filing of any paper with any party hereto or any further act on the part of any of the parties hereto except on the part of any of the parties hereto where an instrument of transfer or assignment is required by law to effect such succession, anything herein to the contrary notwithstanding.

The District shall indemnify, defend and hold harmless the Escrow Bank and its officers, directors, employees, representatives and agents, from and against and reimburse the Escrow Bank for any and all claims, obligations, liabilities, losses, damages, actions, suits, judgments, reasonable costs and expenses (including reasonable attorneys' and agents' fees and expenses) of whatever kind or nature regardless of their merit, demanded, asserted or claimed against the Escrow Bank directly or indirectly relating to, or arising from, claims against the Escrow Bank by reason of its participation in the transactions contemplated hereby except to the extent caused by the Escrow Bank's negligence or willful misconduct. The provisions of the foregoing sentence shall survive the termination of this Agreement or the earlier resignation or removal of the Escrow Bank.

The Escrow Bank agrees to accept and act upon instructions or directions pursuant to this Agreement sent by unsecured e-mail, facsimile transmission or other similar unsecured electronic methods, provided, however, that, the Escrow Bank shall have received an incumbency certificate listing persons designated to give such instructions or directions and containing specimen signatures of such designated persons, which such incumbency certificate shall be amended and replaced whenever a person is to be added or deleted from the listing. If the District elects to give the Escrow Bank e-mail or facsimile instructions (or instructions by a similar electronic method) and the Escrow Bank in its discretion elects to act upon such instructions, the Escrow Bank's understanding of such instructions shall be deemed controlling. The Escrow Bank shall not be liable for any losses, costs or expenses arising directly or indirectly from the Escrow Bank's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The District agrees to assume all risks arising out of the use of such electronic methods to

submit instructions and directions to the Escrow Bank, including without limitation the risk of the Escrow Bank acting on unauthorized instructions, and the risk of interception and misuse by third parties.

SECTION 7. *Termination of Agreement.* Upon payment in full of the principal of and interest and redemption premium on the Refunded Prior Bonds and all fees, expense and charges of the Escrow Bank as described above, this Agreement shall terminate and the Escrow Bank shall be discharged from any further obligation or responsibility hereunder.

SECTION 8. *Execution in Counterparts.* This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 9. *Applicable Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of California.

**SAN MATEO COUNTY COMMUNITY  
COLLEGE DISTRICT**

By: \_\_\_\_\_  
Executive Vice Chancellor

**THE BANK OF NEW YORK MELLON  
TRUST COMPANY, N.A.**, as Escrow  
Agent

By \_\_\_\_\_  
Authorized Officer

3-20-12 Jones Hall Working Draft

## **ESCROW DEPOSIT AND TRUST AGREEMENT**

Relating to

**\$69,995,132.40**

**San Mateo County Community College District  
(County of San Mateo, California)  
2005 General Obligation Bonds (Election of 2001), Series B**

This ESCROW DEPOSIT AND TRUST AGREEMENT (this "Agreement"), dated \_\_\_\_\_, 2012, is between the SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT, a community college district organized and existing under the Constitution and laws of the State of California (the "District"), and THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., a national banking association organized and existing under the laws of the United States of America, acting as escrow agent for the Refunded Prior Bonds described below (the "Escrow Agent").

### *BACKGROUND:*

1. The District has previously issued its San Mateo County Community College District (County of San Mateo, California) 2005 General Obligation Bonds (Election of 2001), Series B, on February 23, 2005, in the aggregate principal amount of \$69,995,132.40 (the "Prior Bonds"), under Resolution No. 05-1 adopted by the Board of Trustees of the District on January 26, 2005 (the "Prior Bond Resolution").

2. In order to provide funds to refund a portion of the Prior Bonds consisting of the current interest bonds (the "Refunded Prior Bonds") and thereby realize interest rate savings to the property tax payers of the District, the Board of Trustees of the District has authorized the issuance of San Mateo County Community College District 2010 General Obligation Refunding Bonds in the aggregate principal amount \$\_\_\_\_\_ (the "2012 Bonds") under the provisions of Resolution No. \_\_\_\_\_ adopted on March 28, 2012 (the "2012 Bond Resolution").

3. The District wishes to appoint the Escrow Agent for the purpose of establishing an irrevocable escrow fund to be funded, invested, held and administered for the purpose of providing for the payment in full of the principal, interest and redemption premium on the outstanding Refunded Prior Bonds.

4. As a result of the deposit and investment of funds in accordance with this Agreement, the Refunded Prior Bonds will be discharged and defeased in accordance with the provisions of Section 10(f) of the Prior Bond Resolution.

*A G R E E M E N T :*

In consideration of the premises and the material covenants contained herein, the District and the Escrow Agent hereby agree as follows:

SECTION 1. *Appointment of Escrow Agent; Establishment of Escrow Fund.* The District hereby appoints the Escrow Agent to act as escrow agent for purposes of administering the funds required to redeem and defease the Refunded Prior Bonds in accordance with the Prior Bond Resolution. The Escrow Agent is directed to establish an escrow fund (the "Escrow Fund") to be held by the Escrow Agent in trust as an irrevocable escrow securing the payment of the Refunded Prior Bonds as hereinafter set forth. All cash and securities in the Escrow Fund are hereby irrevocably pledged as a special fund for the payment of the principal of and interest and premium on the Refunded Prior Bonds in accordance with the Prior Bond Resolution.

If at any time the Escrow Agent receives actual knowledge that the cash and securities in the Escrow Fund will not be sufficient to make any payment required by Section 4 in respect of the Refunded Prior Bonds, the Escrow Agent shall notify the District of such fact and the District shall immediately cure such deficiency from any source of legally available funds. The Escrow Agent has no liability for any such insufficiency.

SECTION 2. *Deposit and Investment of Amounts in Escrow Fund.* On \_\_\_\_\_, 2012 (the "Closing Date"), the District shall cause to be transferred to the Escrow Agent for deposit into the Escrow Fund the amount of \$\_\_\_\_\_ in immediately available funds, to be derived from the proceeds of the 2012 Bonds received by the Escrow Agent on the Closing Date.

On the Closing Date, the Escrow Agent shall invest \$\_\_\_\_\_ of the amounts deposited in the Escrow Fund in the following United States Treasury Securities, State and Local Government Series, Certificate of Indebtedness. The Escrow Agent shall hold the remaining \$\_\_\_\_\_ in cash, uninvested.

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Purchase Price</u>
_____	\$ _____	_____%	\$ _____

SECTION 3. *Application of Amounts in Escrow Fund.* The Escrow Agent is hereby instructed to withdraw from the Escrow Fund and transfer to the Paying Agent an amount required to pay the principal of and interest and redemption premium on the Refunded Prior Bonds, in accordance with the following schedule:

<u>Payment Date</u>	<u>Interest Payment</u>	<u>Redeemed Principal</u>	<u>Redemption Premium</u>	<u>Total Payment</u>
September 1, 2012				
March 1, 2013				
September 1, 2013				
March 1, 2014				
September 1, 2014				
March 1, 2015			\$0	

Following the payment and redemption of the Refunded Prior Bonds in full on March 1, 2015, the Escrow Bank shall transfer any amounts remaining on deposit in the Escrow Fund to the San Mateo County Treasurer-Tax Collector, in its capacity as paying agent for the 2012 Bonds, for deposit in the Debt Service Fund established under Section 4.02 of the 2012 Bond Resolution, to be applied to pay interest next coming due and payable on the 2012 Bonds.

SECTION 4. *Irrevocable Election to Redeem Refunded Prior Bonds.* The District has irrevocably elected to redeem all of the outstanding Refunded Prior Bonds on March 1, 2015, in accordance with the provisions of the Prior Bond Resolution. The District has separately given the paying agent for the Prior Bonds written directions to give notice of such redemption in accordance with the requirements of the Prior Bond Resolution, at the expense of the District.

SECTION 5. *Compensation to Escrow Agent.* The District shall pay the Escrow Agent full compensation for its services under this Agreement, including out-of-pocket costs such as publication costs, redemption expenses, legal fees and other costs and expenses relating hereto and, in addition, all fees, costs and expenses relating to the purchase, substitution or withdrawal of any securities after the date hereof. Under no circumstances shall amounts deposited in or credited to the Escrow Fund be deemed to be available for said purposes. The Escrow Agent has no lien upon or right of set off against the cash and securities at any time on deposit in the Escrow Fund.

SECTION 6. *Immunities and Liability of Escrow Bank.* The Escrow Bank undertakes to perform only such duties as are expressly set forth in this Agreement and no implied duties, covenants or obligations shall be read into this Agreement against the Escrow Bank. The Escrow Bank shall not have any liability hereunder except to the extent of its negligence or willful misconduct. In no event shall the Escrow Bank be liable for any special, indirect or consequential damages. The Escrow Bank shall not be liable for any loss from any investment made by it in accordance with the terms of this Agreement. The Escrow Bank may consult with legal counsel of its own choice and the Escrow Bank shall not be liable for any action taken or not taken by it in good faith in reliance upon the opinion or advice of such counsel. The Escrow Bank shall not be liable for the recitals or representations contained in this Agreement and shall not be responsible for the validity of this Agreement, the sufficiency of the Escrow Fund or the moneys and securities to pay the principal, interest and redemption premium with respect to the Refunded Prior Bonds.

Whenever in the administration of this Agreement the Escrow Bank deems it necessary or desirable that a matter be proved or established prior to taking or not taking any action, such matter may be deemed to be conclusively proved and established by a certificate of an authorized representative of the District and shall be full protection for any action taken or not taken by the Escrow Bank in good faith reliance thereon.

The Escrow Bank may conclusively rely as to the truth and accuracy of the statements and correctness of any opinions or calculations provided to it in connection with this Agreement and shall be protected in acting, or refraining from acting, upon any notice, instruction, request, certificate, document, opinion or other writing furnished to the Escrow Bank in connection with this Agreement and believed by the Escrow Bank to

be signed by the proper party, and it need not investigate any fact or matter stated therein.

None of the provisions of this Agreement shall require the Escrow Bank to expend or risk its own funds or otherwise to incur any liability, financial or otherwise, in the performance of any of its duties hereunder. The Escrow Bank may execute any of the trusts or powers hereunder or perform any duties hereunder either directly or by or through agents, attorneys, custodians or nominees appointed with due care.

The Escrow Bank may at any time resign by giving 30 days written notice of resignation to the District. Upon receiving such notice of resignation, the District shall promptly appoint a successor and, upon the acceptance by the successor of such appointment, release the resigning Escrow Bank from its obligations hereunder by written instrument, a copy of which instrument shall be delivered to the resigning Escrow Bank and the successor. If no successor shall have been so appointed and have accepted appointment within 30 days after the giving of such notice of resignation, the resigning Escrow Bank may petition any court of competent jurisdiction for the appointment of a successor.

Any bank, corporation or association into which the Escrow Bank may be merged or converted or with which it may be consolidated, or any bank, corporation or association resulting from any merger, conversion or consolidation to which the Escrow Bank shall be a party, or any bank, corporation or association succeeding to all or substantially all of the corporate trust business of the Escrow Bank shall be the successor of the Escrow Bank hereunder without the execution or filing of any paper with any party hereto or any further act on the part of any of the parties hereto except on the part of any of the parties hereto where an instrument of transfer or assignment is required by law to effect such succession, anything herein to the contrary notwithstanding.

The District shall indemnify, defend and hold harmless the Escrow Bank and its officers, directors, employees, representatives and agents, from and against and reimburse the Escrow Bank for any and all claims, obligations, liabilities, losses, damages, actions, suits, judgments, reasonable costs and expenses (including reasonable attorneys' and agents' fees and expenses) of whatever kind or nature regardless of their merit, demanded, asserted or claimed against the Escrow Bank directly or indirectly relating to, or arising from, claims against the Escrow Bank by reason of its participation in the transactions contemplated hereby except to the extent caused by the Escrow Bank's negligence or willful misconduct. The provisions of the foregoing sentence shall survive the termination of this Agreement or the earlier resignation or removal of the Escrow Bank.

The Escrow Bank agrees to accept and act upon instructions or directions pursuant to this Agreement sent by unsecured e-mail, facsimile transmission or other similar unsecured electronic methods, provided, however, that, the Escrow Bank shall have received an incumbency certificate listing persons designated to give such instructions or directions and containing specimen signatures of such designated persons, which such incumbency certificate shall be amended and replaced whenever a person is to be added or deleted from the listing. If the District elects to give the Escrow Bank e-mail or facsimile instructions (or instructions by a similar electronic method) and the Escrow Bank in its discretion elects to act upon such instructions, the Escrow Bank's

understanding of such instructions shall be deemed controlling. The Escrow Bank shall not be liable for any losses, costs or expenses arising directly or indirectly from the Escrow Bank's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The District agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Escrow Bank, including without limitation the risk of the Escrow Bank acting on unauthorized instructions, and the risk of interception and misuse by third parties.

SECTION 7. *Termination of Agreement.* Upon payment in full of the principal of and interest and redemption premium on the Refunded Prior Bonds and all fees, expense and charges of the Escrow Bank as described above, this Agreement shall terminate and the Escrow Bank shall be discharged from any further obligation or responsibility hereunder.

SECTION 8. *Execution in Counterparts.* This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 9. *Applicable Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of California.

**SAN MATEO COUNTY COMMUNITY  
COLLEGE DISTRICT**

By: \_\_\_\_\_  
Executive Vice Chancellor

**THE BANK OF NEW YORK MELLON  
TRUST COMPANY, N.A.**, as Escrow  
Agent

By \_\_\_\_\_  
Authorized Officer

3-20-12 Jones Hall Draft

## **ESCROW DEPOSIT AND TRUST AGREEMENT**

Relating to

**\$332,570,193.75**

**San Mateo County Community College District  
(County of San Mateo, California)**

**2006 General Obligation Bonds (Election of 2005), Series B**

This ESCROW DEPOSIT AND TRUST AGREEMENT (this "Agreement"), dated \_\_\_\_\_, 2012, is between the SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT, a community college district organized and existing under the Constitution and laws of the State of California (the "District"), and THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., a national banking association organized and existing under the laws of the United States of America, acting as escrow agent for the Refunded Prior Bonds described below (the "Escrow Agent").

### *BACKGROUND:*

1. The District has previously issued its San Mateo County Community College District (County of San Mateo, California) 2006 General Obligation Bonds (Election of 2005), Series B, on December 21, 2006, in the aggregate principal amount of \$332,570,193.75 (the "Prior Bonds"), under Resolution No. 06-18 adopted by the Board of Trustees of the District on November 8, 2006 (the "Prior Bond Resolution").

2. In order to provide funds to refund a portion of the Prior Bonds consisting of the current interest bonds (the "Refunded Prior Bonds") and thereby realize interest rate savings to the property tax payers of the District, the Board of Trustees of the District has authorized the issuance of San Mateo County Community College District 2012 General Obligation Refunding Bonds in the aggregate principal amount \$\_\_\_\_\_ (the "2012 Bonds") under the provisions of Resolution No. \_\_\_\_\_ adopted on March 28, 2012 (the "2012 Bond Resolution").

3. The District wishes to appoint the Escrow Agent for the purpose of establishing an irrevocable escrow fund to be funded, invested, held and administered for the purpose of providing for the payment in full of the principal, interest and redemption premium on the outstanding Refunded Prior Bonds.

4. As a result of the deposit and investment of funds in accordance with this Agreement, the Refunded Prior Bonds will be discharged and defeased in accordance with the provisions of Section 9.02 of the Prior Bond Resolution.

*A G R E E M E N T :*

In consideration of the premises and the material covenants contained herein, the District and the Escrow Agent hereby agree as follows:

SECTION 1. *Appointment of Escrow Agent; Establishment of Escrow Fund.* The District hereby appoints the Escrow Agent to act as escrow agent for purposes of administering the funds required to redeem and defease the Refunded Prior Bonds in accordance with the Prior Bond Resolution. The Escrow Agent is directed to establish an escrow fund (the "Escrow Fund") to be held by the Escrow Agent in trust as an irrevocable escrow securing the payment of the Refunded Prior Bonds as hereinafter set forth. All cash and securities in the Escrow Fund are hereby irrevocably pledged as a special fund for the payment of the principal of and interest and premium on the Refunded Prior Bonds in accordance with the Prior Bond Resolution.

If at any time the Escrow Agent receives actual knowledge that the cash and securities in the Escrow Fund will not be sufficient to make any payment required by Section 4 in respect of the Refunded Prior Bonds, the Escrow Agent shall notify the District of such fact and the District shall immediately cure such deficiency from any source of legally available funds. The Escrow Agent has no liability for any such insufficiency.

SECTION 2. *Deposit and Investment of Amounts in Escrow Fund.* On \_\_\_\_\_, 2012 (the "Closing Date"), the District shall cause to be transferred to the Escrow Agent for deposit into the Escrow Fund the amount of \$\_\_\_\_\_ in immediately available funds, to be derived from the proceeds of the 2012 Bonds received by the Escrow Agent on the Closing Date.

On the Closing Date, the Escrow Agent shall invest \$\_\_\_\_\_ of the amounts deposited in the Escrow Fund in the following United States Treasury Securities, State and Local Government Series, Certificate of Indebtedness. The Escrow Agent shall hold the remaining \$\_\_\_\_\_ in cash, uninvested.

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Purchase Price</u>
_____	\$ _____	_____%	\$ _____

SECTION 3. *Application of Amounts in Escrow Fund.* The Escrow Agent is hereby instructed to withdraw from the Escrow Fund and transfer to the Paying Agent an amount required to pay the principal of and interest and redemption premium on the Refunded Prior Bonds, in accordance with the following schedule:

<u>Payment Date</u>	<u>Interest Payment</u>	<u>Redeemed Principal</u>	<u>Redemption Premium</u>	<u>Total Payment</u>
September 1, 2012				
March 1, 2013				
September 1, 2013				
March 1, 2014				
September 1, 2014				
March 1, 2015				
September 1, 2015				
March 1, 2016				
September 1, 2016			\$0	

Following the payment and redemption of the Refunded Prior Bonds in full on September 1, 2016, the Escrow Bank shall transfer any amounts remaining on deposit in the Escrow Fund to the San Mateo County Treasurer-Tax Collector, in its capacity as paying agent for the 2012 Bonds, for deposit in the Debt Service Fund established under Section 4.02 of the 2012 Bond Resolution, to be applied to pay interest next coming due and payable on the 2012 Bonds.

SECTION 4. *Irrevocable Election to Redeem Refunded Prior Bonds.* The District has previously irrevocably elected to redeem all of the outstanding Refunded Prior Bonds on September 1, 2016, in accordance with the provisions of the Prior Bond Resolution. The District has separately given the paying agent for the Prior Bonds written directions to give notice of such redemption in accordance with the requirements of the Prior Bond Resolution, at the expense of the District.

SECTION 5. *Compensation to Escrow Agent.* The District shall pay the Escrow Agent full compensation for its services under this Agreement, including out-of-pocket costs such as publication costs, redemption expenses, legal fees and other costs and expenses relating hereto and, in addition, all fees, costs and expenses relating to the purchase, substitution or withdrawal of any securities after the date hereof. Under no circumstances shall amounts deposited in or credited to the Escrow Fund be deemed to be available for said purposes. The Escrow Agent has no lien upon or right of set off against the cash and securities at any time on deposit in the Escrow Fund.

SECTION 6. *Immunities and Liability of Escrow Bank.* The Escrow Bank undertakes to perform only such duties as are expressly set forth in this Agreement and no implied duties, covenants or obligations shall be read into this Agreement against the Escrow Bank. The Escrow Bank shall not have any liability hereunder except to the extent of its negligence or willful misconduct. In no event shall the Escrow Bank be liable for any special, indirect or consequential damages. The Escrow Bank shall not be liable for any loss from any investment made by it in accordance with the terms of this Agreement. The Escrow Bank may consult with legal counsel of its own choice and the Escrow Bank shall not be liable for any action taken or not taken by it in good faith in reliance upon the opinion or advice of such counsel. The Escrow Bank shall not be liable for the recitals or representations contained in this Agreement and shall not be responsible for the validity of this Agreement, the sufficiency of the Escrow Fund or the

moneys and securities to pay the principal, interest and redemption premium with respect to the Refunded Prior Bonds.

Whenever in the administration of this Agreement the Escrow Bank deems it necessary or desirable that a matter be proved or established prior to taking or not taking any action, such matter may be deemed to be conclusively proved and established by a certificate of an authorized representative of the District and shall be full protection for any action taken or not taken by the Escrow Bank in good faith reliance thereon.

The Escrow Bank may conclusively rely as to the truth and accuracy of the statements and correctness of any opinions or calculations provided to it in connection with this Agreement and shall be protected in acting, or refraining from acting, upon any notice, instruction, request, certificate, document, opinion or other writing furnished to the Escrow Bank in connection with this Agreement and believed by the Escrow Bank to be signed by the proper party, and it need not investigate any fact or matter stated therein.

None of the provisions of this Agreement shall require the Escrow Bank to expend or risk its own funds or otherwise to incur any liability, financial or otherwise, in the performance of any of its duties hereunder. The Escrow Bank may execute any of the trusts or powers hereunder or perform any duties hereunder either directly or by or through agents, attorneys, custodians or nominees appointed with due care.

The Escrow Bank may at any time resign by giving 30 days written notice of resignation to the District. Upon receiving such notice of resignation, the District shall promptly appoint a successor and, upon the acceptance by the successor of such appointment, release the resigning Escrow Bank from its obligations hereunder by written instrument, a copy of which instrument shall be delivered to the resigning Escrow Bank and the successor. If no successor shall have been so appointed and have accepted appointment within 30 days after the giving of such notice of resignation, the resigning Escrow Bank may petition any court of competent jurisdiction for the appointment of a successor.

Any bank, corporation or association into which the Escrow Bank may be merged or converted or with which it may be consolidated, or any bank, corporation or association resulting from any merger, conversion or consolidation to which the Escrow Bank shall be a party, or any bank, corporation or association succeeding to all or substantially all of the corporate trust business of the Escrow Bank shall be the successor of the Escrow Bank hereunder without the execution or filing of any paper with any party hereto or any further act on the part of any of the parties hereto except on the part of any of the parties hereto where an instrument of transfer or assignment is required by law to effect such succession, anything herein to the contrary notwithstanding.

The District shall indemnify, defend and hold harmless the Escrow Bank and its officers, directors, employees, representatives and agents, from and against and reimburse the Escrow Bank for any and all claims, obligations, liabilities, losses, damages, actions, suits, judgments, reasonable costs and expenses (including reasonable attorneys' and agents' fees and expenses) of whatever kind or nature regardless of their merit, demanded, asserted or claimed against the Escrow Bank

directly or indirectly relating to, or arising from, claims against the Escrow Bank by reason of its participation in the transactions contemplated hereby except to the extent caused by the Escrow Bank's negligence or willful misconduct. The provisions of the foregoing sentence shall survive the termination of this Agreement or the earlier resignation or removal of the Escrow Bank.

The Escrow Bank agrees to accept and act upon instructions or directions pursuant to this Agreement sent by unsecured e-mail, facsimile transmission or other similar unsecured electronic methods, provided, however, that, the Escrow Bank shall have received an incumbency certificate listing persons designated to give such instructions or directions and containing specimen signatures of such designated persons, which such incumbency certificate shall be amended and replaced whenever a person is to be added or deleted from the listing. If the District elects to give the Escrow Bank e-mail or facsimile instructions (or instructions by a similar electronic method) and the Escrow Bank in its discretion elects to act upon such instructions, the Escrow Bank's understanding of such instructions shall be deemed controlling. The Escrow Bank shall not be liable for any losses, costs or expenses arising directly or indirectly from the Escrow Bank's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The District agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Escrow Bank, including without limitation the risk of the Escrow Bank acting on unauthorized instructions, and the risk of interception and misuse by third parties.

SECTION 7. *Termination of Agreement.* Upon payment in full of the principal of and interest and redemption premium on the Refunded Prior Bonds and all fees, expense and charges of the Escrow Bank as described above, this Agreement shall terminate and the Escrow Bank shall be discharged from any further obligation or responsibility hereunder.

SECTION 8. *Execution in Counterparts.* This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 9. *Applicable Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of California.

**SAN MATEO COUNTY COMMUNITY  
COLLEGE DISTRICT**

By: \_\_\_\_\_  
Executive Vice Chancellor

**THE BANK OF NEW YORK MELLON  
TRUST COMPANY, N.A.**, as Escrow  
Agent

By \_\_\_\_\_  
Authorized Officer

**BOARD REPORT NO. 12-3-102B**

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor

PREPARED BY: Barbara Christensen, Director of Community/Government Relations, 574-6510

**APPROVAL OF REVISIONS TO DISTRICT RULES AND REGULATIONS – POLICIES: 1.02, ORGANIZATION OF THE BOARD; 1.30, COMPENSATION OF BOARD MEMBERS; 1.35, BOARD MEMBER CONDUCT; 1.45, AGENDAS FOR MEETINGS; 1.60, RULES OF ORDER FOR BOARD MEETINGS; 8.06, INVESTMENT OF DISTRICT FUNDS; 2.02, CHANCELLOR OF THE DISTRICT; 2.03, COLLEGE PRESIDENTS; 2.40, PUBLIC RECORDS; 7.01, ELIGIBILITY REQUIREMENTS FOR ADMISSION OF STUDENTS; 7.43, STUDENT FINANCIAL AID PROGRAM; 8.13, PUBLIC SAFETY ON DISTRICT PROPERTY; 8.16, CONSTRUCTION BIDS – PREQUALIFICATION OF BIDDERS; 8.27, RECORDS MANAGEMENT; 8.30, PROPERTY MANAGEMENT, INVENTORY AND TRANSFER; 8.51 REPORT OF INJURIES; 8.60, TELEPHONE SERVICES**

In the continuing effort to review and update District Rules and Regulations, revisions to the above referenced policies are recommended.

The first six policies listed (1.02 through 8.06) were presented to the Board for action on February 22. At that time, the Board provided input and asked that the policies be brought back with recommended changes.

The remaining policies were revised after consultation with constituency groups on the campuses and at the District Office. The revisions were approved by the District Shared Governance Council at its meeting of March 5.

**RECOMMENDATION**

It is recommended that the Board approve the revisions to District Rules and Regulations as shown on the attached.

## 1.02 Organization of the Board

### 1. Authority of the Board

- a. The Board of Trustees (hereinafter referred to as the Board) derives its authority from the Education Code of the State of California. The Board is subject to the provisions of the Constitution of the State of California, the Education Code, the California Administrative Code, its own Rules and Regulations, and the expressed will of the electorate.
- b. Board members have authority only when acting as a Board legally in session. The Board shall not be bound by any statement or action of any individual Board member or employee, except when such statement or action is in pursuance of specific instructions by the Board. No member of the Board shall speak for the Board unless specifically authorized to do so.
- c. **The Board may appoint ad hoc advisory committees to study and report on issues. Such committees shall be composed of less than a quorum of the Board and have no power to act on behalf of the Board. These committees are not subject to open meeting laws. Ad hoc advisory committees shall report their findings and/or recommendations to the full Board for action.**

### 2. Membership of the Board

- a. Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board.
- b. An employee of the District may not be sworn into office as an elected or appointed member of the Board unless he or she resigns as an employee.
- c. No member of the Board shall, during the term for which he or she is elected, hold an incompatible office.

### 3. Election and Term of Office

- a. The Board consists of five (5) members elected at large for terms of four (4) years. Terms of Board members are staggered with biennial elections as provided by the Education Code. Elections are held in accordance with provisions of the California Elections Code. In addition to the five Board members, a nonvoting Student Trustee is elected by students to serve on the Board for a one-year term. (See Policy 1.05)
- b. Although the Board encourages Board candidate statements in the sample ballot package, the District will not pay the cost of such statements.
- c. The candidate's statement for the Board election shall contain no more than 200 words.
- d. In case of a tie vote among the candidates for the Board, the Board will determine the winner by lot.

### 4. Vacancies

- a. Vacancies in the membership of the Board may be filled by appointment or by special election as determined by the Board and in accordance with provisions of the Education Code.
  - i. Within sixty (60) days of the vacancy or filing of a deferred resignation, the Board shall either order an election or make a provisional appointment to fill the vacancy.
  - ii. If an election is ordered, it shall be held on the next regular election date not less than one hundred thirty (130) days after the occurrence of the vacancy.

## 1.02 Organization of the Board (continued)

- iii. If a provisional appointment is made, it shall be subject to the conditions in Education Code Section 5091. The person appointed to the position shall hold office only until the next regularly scheduled election for Board members, when an election shall be held to fill the vacancy for the remainder of the unexpired term.
- iv. The provisional appointment will be made by a majority public vote of the Board members at a public meeting.

**References:** Education Code Sections 5000, et seq., 5090, et seq., 72023, 72103, 72104

(Revised ~~2/12~~ xx/xx)

### 1.30 Compensation of Board Members

1. The District shall provide compensation to Board members for attending Board meetings ~~at the~~ in an amount not to exceed the maximum rate authorized by statute. Compensation shall be paid according to the formula set by statute. The District also reimburses Board members for actual and necessary expenses incurred in travel for District business and at conferences or professional meetings.
2. A member of the Board who does not attend all meetings held by the Board in any given month shall receive, as compensation, an amount not greater than the pro rata share of the number of meetings actually attended.
3. A member of the Board may be paid for a meeting when absent if the Board, by resolution, finds that at the time of the meeting, the member is performing services outside the meeting for the District, is ill or on jury duty, or the absence is due to hardship deemed acceptable by the Board.
4. Mileage allowance for travel necessary to attend Board meetings and to attend to other District business shall be provided at the same rate as that established for District employees.
5. Board members shall be subject to the same travel/conference reimbursement procedures and restrictions as are the District staff members. Meal expenses incurred during a conference shall be reimbursed at the actual cost incurred when receipts are provided.
6. The District shall provide Board members and eligible dependents with medical insurance, dental insurance, life insurance, and payment of premiums for Medicare Part B, with the same conditions and coverage as provided for faculty or staff.
7. The District shall provide the same retiree benefits to an eligible retiring Board member as it provides for faculty and staff. To be eligible for District-paid retiree benefits, the Board member must have at least twelve (12) years of service with the District, and the age at retirement from the Board (in full years), when added to the number of completed full years of service, must total 75 or more. The date a newly elected or appointed Board member takes office shall be the date of employment for purposes of determining for which retiree benefits a Board member qualifies.
8. A Board member who has completed one or more four-year terms of office, but who has served less than twelve years, may be continued in the District medical and dental benefits program upon payment of the premium six months in advance. The District will bill the former Board member for the amount of the benefits selected.
9. If a Board member meets the eligibility requirement for retiree benefits and dies before retirement, the same retiree benefits will be provided for the unmarried surviving spouse as are provided for faculty and staff.

**References:** Education Code Sections 72024 and 72423; Government Code Section 53201

(Revised ~~2/12~~ xx/xx)

### 1.35 Board Member Conduct

1. Board members shall:
  - a. Be bound by approved Board policies.
  - b. Work and communicate through appropriate channels of authority and responsibility.
  - c. Notify the President of the Board or the Secretary for the Board of an expected absence from a Board meeting.
  - d. Not use or permit others to use public resources, except that which is incidental and minimal, for personal purposes or any other purpose not authorized by law.
2. **A majority of the members of the Board shall** ~~Not~~ communicate among themselves outside a regularly scheduled meeting by using a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the Board. This policy shall not be construed as preventing an employee or official of the District **or a member of the public** from engaging in separate conversations or communications with members of the Board outside of a meeting in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the Board, if that person does not communicate to members of the Board the comments or position of any other member or members of the Board.
- 2.3.** As provided for in the law, written or oral background information supplied to Board members on matters to be discussed in closed session shall be kept confidential.
  - a. Board members shall not reveal the identity of individuals in attendance at closed sessions nor the nature or details of discussion at closed sessions.
  - b. Board members shall not initiate or entertain charges against individual employees at a public Board meeting. As provided by law, appropriate personnel matters shall be discussed by the Board in closed session.
- 3.4.** Individual Board members shall not instruct staff to conduct investigations, prepare reports, or undertake extensive analysis of information. When information is requested by Board members, the following policy shall be observed:
  - a. It is the policy of the Board that there be no restraints placed upon District employees in providing routine public information except as restricted by statutes.
  - b. If the Board member request is for public information which exists in the form requested, it will be complied with as soon as possible.
  - c. It shall be the policy of the Board that whenever an individual Board member wishes an investigation, study, research project, or analysis, it shall be directed by the majority vote of the Board through the Chancellor.
  - d. All Board member requests received will be referred to the Chancellor who will determine the appropriate disposition and may include, where indicated, the anticipated cost of completing the request, as well as an expected completion date.

## 1.35 Board Member Conduct (continued)

- 4.5. A Board member shall not approach a District employee on personal or sensitive matters with the request that such matters be held in confidence.
- 5.6. Data or reports prepared by individual Board members for distribution to the Board shall be the sole responsibility of the author and shall place no obligation on the part of the Chancellor or the Board to take action. Such materials should normally be distributed under "Statements from Board Members" on the regular Board meeting agenda.
- 6.7. No member of the Board shall make, participate in making or, in any way, attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest. Each Board member shall annually file a statement disclosing those interests in investments, real property, and income designated as reportable under the District's Conflict of Interest Code.
- 7.8. Individual Board members shall inform the Chancellor ~~of about~~ significant complaints and criticism received from the public even though no action is requested. In turn, the Board shall be kept informed of significant complaints and criticism by the Chancellor. The intent of this section is to assure that ~~sensitive or controversial events do not become the subject of public comment before the Board and the administration have knowledge of the facts in the case.~~ the Board and the Chancellor have time to investigate the criticism or complaint before it is discussed in a public Board meeting. Nothing in this section would prohibit a member of the public from addressing the Board about any matter under either "Statements from the Public on Non-Agenda Items" or discussion of a regular agenda item.
- 8.9. Board members shall maintain reasonable decorum at Board meetings.
- ~~9.10.~~ Board members, including the Student Trustee, shall participate in an annual Board evaluation process which will be conducted each calendar year. The purpose of this evaluation of the Board as a whole is to identify those areas of Board functioning which are working well and those which need improvement and to improve communication and understanding among Board members. Evaluation instruments with criteria based upon District Rules and Regulations shall be developed, and a facilitator shall be used the Board as necessary to assist in this process.
- ~~10.~~ 11. Refusal to adhere to these rules shall constitute misconduct by a Board member and shall be grounds for summary termination by the Board President of the offending Board member's privilege of address.

**References:** Government Code Sections 8314, 54952.2; Penal Code Section 424; Accreditation Standard IV.B.1.e & g

(Revised ~~2/12~~ xx/xx)

### 1.45 Agendas for Meetings

1. An agenda for each meeting of the Board shall be prepared jointly by the President of the Board or designee and Chancellor. Any member of the Board may ask the Board President to add an item to the agenda. If the Board President denies the request, the requesting Board member may raise the issue at a Board meeting under “Statements from Board Members.” If a majority of Board members agree to add the item, it shall be added to a subsequent agenda. Normally, requests for agenda items shall be submitted ten calendar days in advance of the meeting date.
2. At least five (5) days prior to each regular meeting, the meeting agenda shall be provided to Board members. The agenda will include titles that accurately describe each item of business to be transacted or discussed at the meeting.
3. The agenda for each regular and special meeting shall be posted where the public and District employees may see it, at least seventy-two (72) hours prior to the time of the regular meeting and at least twenty-four (24) hours prior to special meetings. The agenda will also be posted on the District’s website. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability. Members of the public and others can request that their names be added to an email list for agendas and board packets.
4. The agenda shall clearly state the items proposed for action. No conclusive policy decision may be taken on a matter until it appears on a published agenda. Items of policy cannot be added to the agenda at the time of the regular meeting unless:
  - a. a majority decides there is an “emergency situation” as defined for emergency meetings;
  - b. two-thirds of the members (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to the attention of the Board subsequent to the agenda being posted;
  - c. an item appeared on the agenda of, and was continued from, a meeting held not more than five (5) days earlier.
5. This does not preclude the taking of testimony at regularly scheduled meetings on matters not on the agenda which any member of the public may wish to bring before the Board, provided that no action is taken by the Board on such matters at the same meeting at which testimony is taken.
6. The order of business may be changed by consent of the Board.
7. The agenda of regular meetings may contain a consent agenda section, under which noncontroversial items of a routine nature, as determined by the Chancellor, may be approved by one vote of the Board. Sufficient back-up material on consent agenda items shall be made available to Board members in advance of the meeting. Prior to a motion for approval of the consent agenda, a Board member may ask questions about a particular agenda item. Also before approval, any Board member, interested student or citizen, or member of the staff may request that an item be removed to be considered separately. If an item is removed, it will be discussed in the order listed, after approval of remaining items on the consent agenda.
8. The agenda of each regular meeting shall include an opportunity for enrolled students, staff, and the public to address the Board on any matter directly related to the business of the College District (Statements from the Public on Non-Agenda Items). **No action can be taken by the Board on such items.** In addition, once an agenda item has been presented and staff reports made, the Board shall invite public participation in discussion related to the item.

## 1.45 Agendas for Meetings (continued)

9. Any person or persons wishing to place a matter **directly related to community college district business** before the Board for deliberation or action shall submit to the Chancellor a written request for inclusion of the matter on the agenda no less than seven days prior to the date of the regular meeting. **The Board President, in conjunction with the Chancellor, shall decide where and when the item will be placed on the agenda.**

**References:** Government Code Sections 54954 et seq., 6250 et seq.; Education Code Sections 72121, 72121.5

(Revised ~~2/12~~ xx/xx)

## 1.60 Rules of Order for Board Meetings

The Board recognizes both the value of free expression of views and its statutory obligation to make policy decisions essential to the management of the District. Toward these ends, the following rules of order, established under authorization of State statutes, shall govern the conduct of all Board meetings:

1. The President of the Board shall direct the orderly presentation of reports and discussion on all agenda items and on matters introduced under “Statements from the Public on Non-Agenda Items” and “Presentations to the Board by Persons or Delegations.” **No action can be taken by the Board on “Statements from the Public on Non-Agenda Items” or “Presentations to the Board by Persons or Delegations.”**
2. After an agenda item has been presented and staff reports made, the Board shall invite public participation in discussion relating to the item. Persons addressing the Board will be asked to preface their remarks by giving their name to the President of the Board. The President of the Board may rule out of order discussion which in his/her judgment is not relevant to the agenda item.
- ~~3. There will be a time at each regularly scheduled meeting, under “Statements from the Public on Non-Agenda Items,” for the general public to discuss items not on the agenda. No action may be taken by the Board on such items.~~
- 4.3. During any portion of the meeting, the Board may prescribe a time limit on individual presentations and/or a time limit on the total time to be allocated to all presentations on a given item or issue, and the Board may allow all interested participants to address the Board before allowing any participant to be heard a second time.
- 5.4. The President of the Board may rule out of order persons who use profanity, threats, physical violence, or obscenity in any form, disturb or disrupt the Board meeting, or fail to conform to a reasonable request to maintain decorum in the meeting room.
- 6.5. Persons who are ruled out of order shall be warned of their infraction, dismissed from the meeting room if the warning is not heeded, and removed from the meeting room by appropriate authorities if they do not comply with instructions or directives of the Board or Board President to leave.
- 7.6. In the event that any Board meeting is willfully interrupted by an individual or group of persons so as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and continue in session. Representatives of the news media and staff members, except those participating in the disturbance, shall be allowed to attend the meeting.
- 8.7. Any criminal violation of any provision of law may be directed by the Board to the attention of the appropriate law enforcement agency.
- 9.8. Members of the public also may submit written communications to the Board on any item either on or off the agenda. Written communication regarding items on the agenda should reach the office of the Chancellor not later than one working day prior to the meeting at which the matter concerned is to be before the Board. All such written communications shall be dated and signed by the author, and shall contain the residence or business address of the author and the author’s organizational affiliation, if any.

**References:** Government Code Section 54954.3; Education Code Section 72121.5

(Revised ~~2/12~~xx/xx)

## 8.06 Investment of District Funds

1. This section of Rules and Regulations is intended to provide policy direction for investment of all District funds. The Executive Vice Chancellor is responsible for investment of District funds, within the parameters of this policy. It is intended to provide meaningful guidance in the management of the portfolio and not be overly restrictive given the changing economic and investment market conditions. This policy statement shall be reviewed no less than annually by the District. Any modifications should be immediately provided to the investment advisors, if any.
2. General Rule: The District operates its temporarily pooled idle cash under the prudent-man rule (CA Probate Code Section 16040). This affords the District a broad spectrum of investment opportunities as long as the investment is deemed prudent and is allowable under current legislation of the State of California (Government Code Section 53600 et seq.).

The following criteria, known by the California Municipal Treasurer's Association as "SLY", will be used for selecting investments, in order of priority:

- a. Safety: The safety and risk associated with an investment refers to the potential loss of principal, interest, or a combination of these amounts. The District only operates in those investments that are considered very safe.
  - b. Liquidity: This refers to the ability to "cash in" at any moment in time with a minimal chance of losing some portion of principal or interest. Liquidity is an important investment quality, especially when the need for unexpected funds appears occasionally.
  - c. Yield: This is the potential dollar earnings an investment can provide, and sometimes is described as the "rate of return."
3. To maximize the income generated from any surplus funds available for investment and to assure that these investments are made under the provisions of Federal and State law and regulations, the following financial instruments are designated as acceptable investments under the provisions of Government Code Sections 53600 and 53601. All final maturities are limited to five years unless specified otherwise.
    - a. Up to 100% of the portfolio may be invested in the District's own bonds.
    - b. Up to 100% of the portfolio may be invested in U.S. Treasury notes, bills, or bonds.
    - c. Up to 30% of the portfolio may be invested in any one particular Federal agency or U.S. government-sponsored enterprise (GSE), such as FNMA or FHLMC.
    - d. Up to 20% of the portfolio may be invested in mortgage backed securities (MBS) or asset backed securities (ABS). The issuer of this investment shall have a minimum "A" credit rating by a nationally recognized rating service, and the specific investment shall carry a minimum rating of "AA."
    - e. Up to 30% of the portfolio may be invested in certificates of deposit placed with commercial banks and/or savings and loan companies, **insured by the FDIC.**
    - f. Up to 30% of the portfolio may be invested in registered State warrants, notes or bonds.
    - g. Up to 40% of the portfolio may be invested in banker's acceptance, not to exceed 180 days maturities, with no more than 30% of the portfolio invested in the banker's acceptances of any one commercial bank.
    - h. Up to 30% of the portfolio may be invested in commercial paper of prime quality with maturity limited to 180 days.
    - i. Up to 100% of the portfolio may be invested in the Local Agency Investment Fund (LAIF).

## 8.06 Investment of District Funds (continued)

- j. Up to 100% of the portfolio may be invested in the San Mateo County Treasury.
- k. Up to 30% of the portfolio may be invested in securities that have the explicit or implicit guarantee of the U.S. government (such as the Federal Deposit Insurance Corporation's, FDIC, Temporary Liquidity Guarantee Program, TLGP).
- l. Up to 30% of the portfolio may be invested in U.S. corporate bonds with a minimum rating of "A" by a nationally recognized rating service, subject to a maximum of five percent of the portfolio in any one corporation, at the time of purchase. Non-U.S. issuers are excluded.

<b><u>Security Description</u></b>	<b><u>Maximum</u></b>
District's own bonds	100%
U.S. Treasuries	100%
Federal Agencies or GSEs (per issuer)	30%
Mortgage backed securities or Asset backed securities (MBS or ABS)	20%
Certificates of deposit (CD)	30%
Registered state warrants, notes or bonds	30%
Bankers Acceptance	40%
Commercial Paper	30%
Local Agency Investment Fund (LAIF)	100%
San Mateo County Treasury	100%
Other Federal government guaranteed securities	30%
U.S. Corporate Bonds	30%

- 4. Statements, including positions marked to the market, all transactions, and summary of income, will be sent to the Treasurer monthly. Performance reports will be provided to the Treasurer and Board on a quarterly basis. Investment performance will be reported relative to appropriate market benchmarks. These benchmarks should approximate the specific restrictions in this investment policy statement, the California government code guidelines, and the timeframe for the portfolio. Shorter-term portfolios, such as LAIF, should be benchmarked against shorter-term indices like the 3 month T-bill. Intermediate-term portfolios should be benchmarked against the Barclay's Capital 1-3 Year Government Index and the Barclay's Capital 1-5 Year Aggregate Index. While no one benchmark exactly matches the specifics of this investment policy statement, reviewing performance relative to these three benchmarks is appropriate.
- 5. Officers, employees, and agents involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions. Officers, employees, and agents involved in the

8.06 Investment of District Funds (continued)

investment process shall abide by California Government Code Section 1090 et seq. and the California Political Reform Act (California Government Code Section 81000 et seq.).

**References:** California Probate Code Section 16040; Government Code Sections 53600 et seq., 1090 et seq., 81000 et seq.

(Revised ~~2/12~~ xx/xx)

## 2.02 Chancellor of the District

1. The Board shall employ a full-time Chancellor to serve as chief executive officer of the District, whose principal responsibility is leadership of the educational program. **In the case of a vacancy for the position of Chancellor, the Board shall establish a search process to fill the vacancy. The process shall be fair and open and comply with relevant regulations.**
2. The Board shall delegate to the Chancellor of the District the executive responsibility for administering policies adopted by the Board and executing all decisions of the Board requiring administrative action. In the initiation and formulation of District policies, the Chancellor shall act as professional advisor to the Board.
3. **The Chancellor may delegate any powers and duties entrusted to him/her by the Board (including the administration of colleges and centers) but will be specifically responsible to the Board for the execution of such delegated powers and duties.**
4. The Board delegates authority to the Chancellor to appoint an acting Chancellor to serve in his or her absence for short periods of time, not to exceed twenty-one (21) calendar days at a time. In the absence of the Chancellor and when an acting Chancellor has not been named, administrative responsibility shall reside with the Executive Vice Chancellor.
5. The Board shall appoint an acting Chancellor for periods exceeding twenty-one (21) calendar days.
6. The Chancellor shall establish such administrative procedures as are necessary for the operation of the District and the Colleges.
7. The Chancellor shall perform all duties specifically required of or assigned to him/her by the statutes of the State of California and by the Board of Trustees of the San Mateo County Community College District.
8. In situations for which the Board has provided no policy for administrative action, the Chancellor shall have the power to act, but his/her decisions shall be subject to review by the Board. It shall be the duty of the Chancellor to inform the Board promptly of such action and to recommend a written Board policy if one is necessary.
9. The Chancellor will be evaluated by the Board annually based upon goals which are mutually agreed upon by the Board of Trustees and the Chancellor and in accordance with any other provisions of the Contract of employment for Chancellor.
10. The compensation of the Chancellor shall be fixed by the Board at the time of appointment, and the terms shall be set forth in the contract for his/her services. By mutual consent, the compensation and contract of the Chancellor may be adjusted.

**References:** Education Code Section: 70902(d) 72400; Title 5 Section: 53000 et seq., 53121(b); Accreditation Standard IV.B.1, IV.B.1.j.

(Revised xx/xx)

### 2.03 College Presidents

1. The Board of Trustees and Chancellor shall employ a President at each of the three Colleges within the District. **In the case of a presidential vacancy, the Board shall establish a search process to fill the vacancy. The process shall be fair and open and comply with relevant regulations.**
2. The Chancellor shall delegate to each College President the executive responsibility for leading and directing the College operations including Administrative Services, the Office of the President, the Office of the Vice President of Instruction, the Office of the Vice President of Student Services, Research, Marketing, and Public Relations.
3. The College President shall establish administrative procedures necessary for the operation of the College.
4. The College President shall perform all duties specifically required or assigned to him/her by the statutes of the State of California, by the Chancellor and by the Board of Trustees of the San Mateo County Community College District.
5. The College President will be evaluated by the Chancellor and Board of Trustees annually based upon goals previously established and agreed upon by the Chancellor, Board of Trustees and the College President and in accordance with any other provision of the Contract for Employment for College President.
6. The compensation of the College President shall be in accordance with the pay schedule established for the College President and placement of the salary in the range shall be made by mutual consent between the Chancellor and the College President.

**References:** Title 5 Sections 53000 et seq.; Accreditation Standard IV.B.1 and IV.B.1.j

(~~6/08~~ Revised xx/xx)

## 2.40 Public Records

1. Public records, ~~as defined by the Government Code,~~ that are subject to inspection under the Public Records Act are made available for inspection ~~are open to inspection~~ by the public during the regular office hours of the District Office and Colleges.-
2. Requests for inspection or copying of public records shall be directed to the Executive Assistant to the Board.
3. If the request is to inspect documents rather than to receive copies of documents, the Executive Assistant to the Board will arrange with the requestor an appointment for a future date to allow District staff to gather the documents and review them for compliance with the provisions of the Public Records Act.
4. Upon proper request for inspection or copying of public records, the District shall, within 10 days, notify the requestor whether there are documents that are responsive to the request and/or exempt from disclosure under the Public Records Act and when records can be made available.
25. A copying fee ~~may~~ shall be levied for each copy of a page of a public record requested by members of the public. ~~Requests for copies of public records and payment of fees shall be directed to the Secretary to the Board.~~ Requests for information regarding copying fees shall be directed to the Executive Assistant to the Board.
3. ~~Upon proper request for copying or inspection of public records, the District shall, within 10 days, notify requestor when records can be made available.—~~
6. If the District has an identifiable public record in an electronic format, the requestor may request either the electronic record or a printed copy of the record. The requestor shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record when either of the following applies:
  - a. The District would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals;
  - b. The request would require data compilation, extraction, or programming to produce the record.
7. Social security numbers shall be redacted from records before they are disclosed to the public.
8. Records that are exempt from disclosure under the Public Records Act or any other provision of law may not be inspected or copied by members of the public.

**Reference:** Government Code Sections 6250, et seq., 6253, 6253.9

(Revised ~~5/09~~ xx/xx)

## 7.01 Eligibility Requirements for Admission of Students

1. The Dean of Enrollment Services shall be responsible for coordinating the admission process of students, including student eligibility.
2. Any individual applying for admission to any College of the District must meet one of the following ~~qualifications~~ requirements and be capable of profiting from the instruction offered:
  - a. Be a graduate of a high school. The District shall in its discretion, or as otherwise federally mandated, evaluate the validity of a student's high school completion. The Chancellor or designee shall establish procedures for evaluating the validity of a student's high school completion.
  - b. Be a non-high school graduate who is 16 or 17 years of age, who has passed the California High School Proficiency Examination or completed the G.E.D. Examination Series with a minimum score of 50 on any one test and an average of 55 or more for all tests.
  - c. Be 18 years of age or older and, in the ~~opinion-judgment~~ of the President of the College or designee, be capable of ~~benefiting-profiting~~ from the instruction offered. Such persons shall be admitted as provisional students, and thereafter shall be required to comply with the District's rules and regulations regarding scholastic achievement and other standards to be met by provisional or probationary students as a condition of being readmitted in any succeeding semester.
  - d. Be an apprentice as defined in Section 3077 of the Labor Code.
  - e. Be a high school student (grades 9-12) whose admission as a part-time (as defined in Education Code, Section 48800) or full time student (as defined in Education Code Section 48800.5) is recommended for advanced scholastic or vocational courses by his/her high school principal, or designee, and approved by the President of the College or designee. Any student enrolled in grades 9-12 may attend fall, spring and summer sessions.
    - i. The Chancellor or designee shall establish procedures regarding ability to benefit and admission of high school or younger students.
    - ii. Denial of Requests of Admission
      1. If the President of the College or designee deems that a high school student does not demonstrate the ability to profit from the advanced scholastic or vocational courses recommended by the high school principal, or designee, the President of the College will provide a recommendation to the Board to deny the student's admission as a special full time or part time student.
      2. The Board will review the President's recommendation. If the Board denies a request for special full time or part time enrollment by a student who is identified as highly gifted, the Board will record its findings and the reason for denying the request in writing within sixty (60) days.
      3. The written recommendation and denial shall be issued at the next regularly scheduled Board meeting that occurs at least thirty (30) days after the student submits the request to the District.
    - iii. The Chancellor or designee shall establish procedures regarding compliance with statutory and regulatory criteria for concurrent enrollment.

## 7.01 Eligibility Requirements for Admission of Students (continued)

iv. Claims for state apportionment submitted by the district based on enrollment of high school pupils shall satisfy the criteria established by statute and any applicable regulations of the Board of Governors.

3. Admission to the College may be granted or denied within the framework of existing education and administrative codes and District/College policies.
4. Colleges of the District shall admit transfers from other collegiate institutions. If such transfer students are academically deficient, they may be admitted, but upon admission are subject to the academic standards of the District applied to all coursework completed at any of the Colleges in the District.
5. Each College shall admit students who are not residents of the State of California. These students shall be required to pay non-resident tuition.
6. In all impacted programs and other programs and classes requiring special screening, the final selection of students will be the prerogative of the appropriate College staff.
  - a. Criteria to be used in establishing priority admittance to these programs and classes shall include a review of all applicable academic prerequisites, required college-level work, standard testing, interview, and evidence the persons meets health requirements.
  - b. The District has the primary responsibility for providing educational opportunities for residents of the District. Therefore, priority in admission to these programs shall be given to District residents.

7. Information regarding admission policies and procedures shall be maintained in the college catalogs.

**References:** Education Code Sections 76000, 76001, ~~76001.4~~, ~~76001.4~~ and 76002.; Labor Code Section 3077; U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended; 34 Code of Federal Regulations Section 668.16(p)

(Revised ~~5/09~~ xx/xx)

### 7.43 Student Financial Aid Programs

1. The District shall participate in federal, state, and local financial aid programs approved by the Board. These programs may include but are not limited to: Federal College Work Study, Supplemental Educational Opportunity Grants, Pell Grants, ~~Perkins Loans~~, ~~Direct Stafford~~-Loan Programs, Parent Loan Program, ~~Academic Competitiveness Grant~~, California Cal Grant B and C, Board of Governors' Waivers, Extended Opportunity Programs and Services, and scholarships. These programs shall be implemented to assist students who, without financial assistance, might be denied a college education. All financial aid programs will ~~adhere to guidelines, procedures and standards issued by the funding agency, and incorporate operate within~~ federal ~~and~~ state, and other applicable regulatory requirements, ~~including laws and regulations as well as~~ District Rules and Regulations.
2. The Executive Vice Chancellor shall have the responsibility for insuring the overall coordination of District and College financial aid programs with respect to accounting, record-keeping, and reporting functions.
3. The Chancellor shall establish, publicize, and apply satisfactory academic progress standards for participants in the Title IV student aid programs.
4. The District Financial Aid Advisory Committee shall function as a coordinating body between District Instructional Technology Services and College Financial Aid Offices. The Committee shall be responsible for insuring that appropriate procedures, policies, and printed materials are used to implement District financial aid programs.
5. Responsibility for the Financial Aid Program at each College shall rest in the Office of the Vice President, Student Services with operational responsibility designated to the Director of Financial Aid. The Vice President shall insure that College programs are operated in accordance with Federal and State laws and regulations and District Rules and Regulations. The Vice President or the Director of Financial Aid will also insure that funds are distributed in accordance with approved criteria and that required records relating to eligibility and disbursement are maintained to verify the equitable and effective utilization of available funds.
6. ~~Consistent with the applicable federal regulations for federal financial aid, the District shall not engage in "substantial misrepresentation" of 1) the nature of its educational program, 2) the nature of its financial charges, or 3) the employability of its graduates.~~
7. ~~The Chancellor or designee shall establish procedures for regularly reviewing the District's website and other informational materials for accuracy and completeness and for training District employees and vendors providing covered services concerning the District's educational programs, financial charges, and employment of graduates to ensure compliance with this policy.~~
8. ~~The Chancellor or designee shall establish procedures wherein the District shall periodically monitor employees' and vendors' communications with prospective students and members of the public and take corrective action where needed.~~

**References:** Education Code Section 76300; 20 U.S. ~~Code~~ Sections 1070 et seq.; 34 CFR Section 668; U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended

(Revised ~~7/09~~ xx/xx)

### **8.13 Public Safety on District Property**

1. The Board is committed to a safe and secure District work and learning environment. To that end, each College shall establish a campus safety plan and ensure that it is posted or otherwise made available to students and staff. The campus safety plan shall include availability and location of public safety personnel, methods for summoning assistance of security personnel, any special safeguards that have been established, any actions taken in the preceding 18 months to increase safety, and any changes in safety precautions to be made during the next 24 months.
2. The District shall maintain a Public Safety Service to provide for the safety and security of persons and facilities under the District's jurisdiction at each District location. The District Public Safety Service is not a police force or a primary law enforcement agency. The Service is assigned responsibility for enforcing parking regulations; protecting persons from injury and property from vandalism, fire, theft and other hazards; and other related duties as determined by the College administration.
3. In order to deter crime, prevent vandalism and maintain a safe and secure environment for students and staff, the District may employ electronic surveillance in and around buildings, parking lots and roadways. The District will not use electronic surveillance to monitor employees' work or work habits.
4. When electronic surveillance is employed, surveillance devices may be monitored and reviewed by personnel authorized by the College President or Chancellor. If suspicious activity is observed, District staff will respond appropriately and may call local law enforcement for assistance. If criminal activity is suspected, the records may be turned over to the appropriate law enforcement authority. Digital records will normally be maintained by the Public Safety Offices for a period of up to three months and then destroyed.
5. In order to provide Public Safety Services, the District may employ or contract with any or all of the following: (a) public safety officers, who may or may not also be sworn peace officers; (b) security services from a private firm; (c) security services from government law enforcement agencies; and (d) safety assistants.
6. Every public safety officer who works more than 20 hours per weeks shall complete a course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs as required by Education Code Section 72330.5(b). If an officer is required to carry a firearm, he or she shall also satisfy the training requirements of Section 832 of the Penal Code. Every public safety officer shall meet other requirements set out in Education Code Section 72330.5.
7. Public Safety Officers and contracted officers from outside agencies (either private or governmental) may be authorized by the College President to wear firearms on College property, or on or about other grounds or properties owned, operated, controlled or administered by the District. Such authorization may be granted only after the officer presents proof of successful completion of firearms training as prescribed by the California Commission on Peace Officer Standards and Training. The Chancellor shall be notified if the College President authorizes a Public Safety Officer to carry firearms.
8. Public Safety Officers must wear the official uniform prescribed by the District at all times while on duty. The District shall provide uniforms for the officers in conformance with the collective bargaining agreement governing employment of classified employees. Contracted Security Officers

## 8.13 Public Safety on District Property (continued)

from outside agencies (private or governmental) shall wear uniforms acceptable to the District at all times while on duty. Clothing other than the prescribed uniform may be authorized by the appropriate administrator when circumstances dictate the need.

9. A policy manual shall be developed for use by those employed as Public Safety Officers in the District.
10. The Public Safety Department shall annually produce an Annual Security Report, in compliance with the Clery Act.
11. The Director of Public Safety or a designee will develop timely warning and immediate notification protocols for the San Mateo County Community College District to notify members of the community about serious crimes against people that occur on campus, where it is determined that the incident may pose an ongoing threat to members of the college community. These warnings will be distributed if the incident is reported either to San Mateo County Community College District Public Safety Department directly or to San Mateo County Community College District Public Safety Department indirectly through a campus security authority or local police department.
12. Firearms or other weapons shall be prohibited on any college or district center or in any facility of the District except for activities conducted under the direction of district officials or as authorized by an official law enforcement agency.
13. The Chancellor shall establish procedures for security and access to District facilities. The Chancellor shall establish procedures necessary to manage, control and protect the assets of the District, including but not limited to ensuring sufficient security to protect property, equipment and information from theft, loss or significant damage.

**References:** Education Code Sections 67380(a)(4), 72330.5 and 81600 et seq.; Penal Code Sections 626.9 and 626.10; 34 Code of Federal Regulations Part 668.46(b)(3)

(Revised ~~3/11~~ xx/xx)

### 8.16 Construction Bids – Prequalification of Bidders

1. The District shall seek bids involving expenditures for work to be done, or for materials to be furnished, sold or leased to the District pursuant to the limitations prescribed in the Public Contract Code.
2. The District will seek bids from diverse sources able to offer the best price for materials and supplies to be furnished, sold or leased to the District as set forth in the Public Contract Code. In seeking bidders, the District will advertise widely and through a variety of sources in order to assure that the maximum number of bidders is recruited representing various sized businesses ~~and businesses owned by persons from diverse cultures, ethnic and language groups.~~
3. Prequalification of Bidders
  - a. Pursuant to Public Contract Code section 20651.5, the District may require prequalification of prospective bidders on public works projects subject to public bidding requirements. Only prequalified bidders will be eligible to submit bids for the project(s) subject to prequalification, and the lowest among these will be selected as the "lowest responsible bidder."
  - b. The District may prequalify prospective bidders on a project by project basis or for a specific class of public works projects. The District may require prequalified bidders to present evidence of continuing qualification in the form of updated information during the prequalification period.
  - c. For prequalification, prospective bidders will be required to complete and submit a standardized questionnaire and financial statement in a form specified by the District. The questionnaire shall include a complete statement of the prospective bidder's financial ability; experience in performing public works projects; and compliance with State and Federal laws pertaining to public contract work. Bidder questionnaires and financial statements shall be verified under oath by the bidder. The questionnaire and financial statement are not public records and not open to public inspection.
  - d. The District shall adopt and apply a uniform system of rating prospective bidders on the basis of the standard questionnaires and financial statements. The District shall also adopt minimum requirements for financial status, public works experience and any other factors that the District deems necessary to determine a bidder's capability for competing projects. The District may prequalify prospective bidders for different sized projects based upon their financial data and experience.
  - e. In developing the prequalification questionnaire and rating instrument, the District will consult with a wide variety of persons and organizations, including local unions, businesses and contractors, other school districts and local public agencies.
  - f. If, in reviewing submittals, the District determines that a prospective bidder's submittal is "non-responsive," the District will notify the bidder of the failure and an opportunity to respond to the determination.
  - g. If the District determines that a prospective bidder is not qualified, the District will notify the bidder of the grounds for the determination and give the bidder an opportunity to respond to the determination in ~~a hearing before the Board~~ writing and request a hearing with Administrative staff.

#### 8.16 Construction Bids – Prequalification of Bidders (continued)

- h. The District reserves the right to reject all prospective bidders.
- i. The District reserves the right to disqualify a bidder during the term of prequalification if information that would impact the bidder's ability to perform is brought to the District's attention. In that event, the District shall afford the bidder the notice and opportunity to be heard as described in section ~~7~~ 3.g above.
- j. The Board authorizes the Chancellor to adopt regulations and procedures to implement this policy to the extent authorized by law.

#### 4. Informal Bidding Procedures

~~Public projects, as defined by the Uniform Public Construction Cost Accounting Act, of \$15,000 or less may be let to contract by informal procedures as set forth in the Public Contract Code.~~ Informal bidding of public projects is defined under Public Contracts Code Section 22000 through 22045. Public projects of \$45,000 or less may be performed by negotiated contract or by purchase order [PCC 22032(a)]. Public projects of \$175,000 or less may be let to contract by the informal procedures set forth in the Act [PCC 22032(b)]. Public projects of more than \$175,000 shall be let to contract by formal bidding procedures [PCC 22032(c)].

**References:** Public Contract Code Sections 22000 through 22045 and Section 20651.5

(~~Adopted 5/99~~ Revised xx/xx)

## 8.27 Records Management

~~1. A records management program, covering the life cycle of all records of the District and Colleges from the time they are originated, shall be implemented to:~~

~~a. Insure that records which are required to be preserved or which may be useful for future reference are permanently retained and safely stored, and that those which have outlived their usefulness are destroyed.~~

~~b. Minimize the cost of records keeping.~~

~~2. Destruction of records shall require the approval of the Board unless otherwise provided for or authorized by law. A report on the destruction of obsolete records shall be brought to the Board for approval annually.~~

~~Microfilm, photographic or electronic copies of any records may be made and the original of any records so copied may be destroyed upon authorization of the Board in accordance with Education Code provision.~~

The Chancellor shall establish procedures to assure the retention and destruction of all District records (including electronically stored information as defined by the Federal Rules of Civil Procedure) in compliance with Title 5 regulations. Such records shall include, but not be limited to student records, employment records and financial records.

**References:** Title 5 Sections 59020 et seq.; Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

(Revised xx/xx)

### 8.30 Property **Management, Inventory and Transfer**

1. An historical inventory of property shall be maintained at each College and the District Office.
- ~~2. The historical inventory shall be verified at least triennially by a physical inventory.~~
- ~~3.2.~~ Administrative procedures for inventory shall include provisions for internal transfer of property.
- ~~4.3.~~ District ~~equipment- property~~ shall only be used for District operation or for approved Civic Center activities. No other use by any individual or organization is authorized. Any unauthorized use shall be the personal liability of the individual involved. ~~District property that is in the possession of a District employee is loaned to the employee for District use and must be returned upon separation from the District.~~
- ~~4.~~ The Chancellor is delegated the authority to act as the Board's negotiator regarding all property management matters that are necessary for the benefit of the District. No transaction regarding the lease, sale, use or exchange of real property by the District shall be enforceable until acted on by the Board itself.
- ~~5.~~ The Chancellor shall establish such procedures as may be necessary to assure compliance with all applicable laws relating to the sale, lease, use or exchange of real property by the District.

**Reference:** Education Code Sections 81300 et seq.

(Revised xx/xx)

### 8.51 Report of Injuries

1. All student injuries (on campus or on District- or College-sponsored activities) shall be reported immediately on the District Accident Report form by the instructor, advisor, or College nurse to the District Administrative Services Office and appropriate College administrator.
- ~~2. Request for payment for medical services pursuant to the Student Accident Insurance shall be handled by the Office of the Dean Vice President of Student Services. Forms submitted by students shall be maintained in the College Health Services Office as well as the Physical Education Department; a copy of each shall be maintained by the College nurse. A copy shall be given to the student to be presented to his/her physician. The Vice Presidents of Student Services shall maintain procedures ensuring that the students receive accident claim forms for reimbursement.~~
3. A report of an employee on-the-job injury shall be submitted to the ~~District Administrative Services~~Human Resources Office by the employee's supervisor or administrator as soon as the injury occurs. For an injury arising out of or occurring within the scope of employment, the injury report must be signed by the employee and the appropriate College administrator and filed within three working days of the injury or accident.
4. ~~The~~ All injury reports shall be forwarded by the ~~District Administrative Services~~ Executive Vice Chancellor's Office to the insurance carrier. ~~The Administrative Services Office shall provide a monthly report of all such injuries to the Chancellor Superintendent and College President.~~

(Revised xx/xx)

**~~8.60 Telephone Services~~**

- ~~1. All District telephones will be limited to use for District except in emergencies.~~
- ~~2. Private long distance calls of an emergency nature made on the District or College's telephone must be charged to the individual's home telephone.~~
- ~~3. Office telephones may not be used by students, with the exception of student assistants and members of student government who are conducting District/College business.~~

~~(Revised xx/xx)~~

**BOARD REPORT NO. 12-3-103B**

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor

PREPARED BY: José D. Nuñez, Vice-Chancellor, Facilities Planning, Maintenance & Operations, 358-6836

**APPROVAL TO EXECUTE AN AGREEMENT WITH A THIRD PARTY SUPPLIER  
FOR PURCHASE OF NATURAL GAS – DISTRICTWIDE**

In these times of fluctuating natural gas prices, the District continues its efforts to find ways to reduce its utility expenses.

In the past, the Board authorized the Executive Vice Chancellor to sign contracts with a third party supplier (Board Report Nos. 08-3-101B, 08-8-105B, 09-7-103B, 10-7-102B, and 11-6-103B) for purchase of natural gas for all of its natural gas accounts.

The District's current natural gas agreements are at fixed rates with Commercial Energy. Spot market prices for natural gas have been dropping the past several months due to continued excess reserves from suppliers. Our existing agreements are good through June 30, 2012. Having the flexibility to amend pricing options with the District's natural gas suppliers would allow us to take advantage of dips in natural gas prices during the coming fiscal year and possibly lock in rates at opportune times to have more budget certainty.

**RECOMMENDATION**

It is recommended that the Board authorize the Executive Vice Chancellor to execute pricing agreements with a third party natural gas supplier for provision of natural gas, as needed, for the fiscal year 2012-2013.

**BOARD REPORT NO. 12-3-104B**

TO: Members of the Board of Trustees  
FROM: Ron Galatolo, Chancellor  
PREPARED BY: Barbara Christensen, Director of Community/Government Relations, 574-6510

**CONTINUING DISCUSSION OF DISTRICT AND AT-LARGE ELECTIONS**

At the Board of Trustees Study Session of March 14, the Board conducted a continuing discussion of at-large and district elections. At that meeting, William Tunick of the law firm Dannis Woliver Kelley and Paul Mitchell of Redistricting Partners presented a report on the California Voting Rights Act (CVRA) and its impact on elections for District Trustees.

After the presentation and discussion, the Board indicated its intention to consider the following actions at the March 28<sup>th</sup> regular meeting of the Board:

1. Retain the services of a law firm familiar with the CVRA and related district election issues.
2. Authorize the Chancellor to seek bids for a professional services contract with a firm having expertise in the areas of analyzing voter populations and drawing boundaries for district voting areas for the potential purpose of holding district elections.
3. Appoint a two-member subcommittee of the Board to work with the above selected firms and routinely report its findings to the full Board.

**RECOMMENDATION**

It is recommended that the Board authorize the Chancellor to retain the services of a law firm and seek bids for a professional services contract as described above. It is further recommended that the Board appoint a subcommittee of the Board as described above.