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SANTA MONICA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES

REGULAR MEETING
MONDAY, AUGUST 4, 2003

Santa Monica College
1900 Pico Boulevard
Santa Monica, California

5:30 p.m. – Closed Session
Business Building Room 111

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

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

PUBLIC PARTICIPATION

ADDRESSING THE BOARD OF TRUSTEES

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

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

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

General Public Comments and Consent Agenda

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

Major Items of Business

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

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

Reference: *Board Policy Section 1570*
 Education Code Section 72121.5
 Government Code Sections 54954.2, 54954.3, 54957.9

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| BOARD OF TRUSTEES | REGULAR MEETING |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

A G E N D A

A meeting of the Board of Trustees of the Santa Monica Community College District is scheduled be held in the Santa Monica College Board Room (Business Building Room 117), 1900 Pico Boulevard, Santa Monica, California, on Monday, August 4, 2003.

5:30 p.m. – *Closed Session*
7:00 p.m. – *Public Meeting*

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

I. ORGANIZATIONAL FUNCTIONS

- A Call to Order
- B Roll Call

II. CLOSED SESSION (*Scheduled for 5:30 p.m.*)

- Collective Bargaining, pursuant to Government Code Section 54957.6
- Public Employee: Employment, Discipline, Dismissal, Release pursuant to Government Code Section 54957

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

- C Pledge of Allegiance
- #1 Approval of Minutes: July 7, 2003 (Regular meeting)
July 26, 2003 (Retreat)

IV. MAJOR ITEMS OF BUSINESS

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- #2 Public Hearing: Madison Theater Project 2
- #3 A Resolution of the Board of Trustees of the Santa Monica Community College District Certifying the Final Environmental Impact Report on the Santa Monica College Madison Theater Project 3
- #4 A Resolution of the Board of Trustees of the Santa Monica Community College District Making CEQA Findings Necessary to Approve Development of the Santa Monica College Madison Theater Project, Adopting Statement of Overriding Considerations, Adopting a Mitigation Monitoring Plan, and Approving Madison Theater Project 4

V. SUPERINTENDENT'S REPORT

VI. ACADEMIC SENATE REPORT

VII. CLASSIFIED SENATE REPORT

VIII. **COMMUNICATIONS OR PUBLIC COMMENTS**

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| The next regular meeting of the Santa Monica Community College District Board of Trustees will be Tuesday , September 2, 2003 at 7 p.m. (5:30 p.m. if there is a closed session) Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California. | |

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| BOARD OF TRUSTEES | REGULAR MEETING |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

I. ORGANIZATIONAL FUNCTIONS

A. CALL TO ORDER – 5:30 p.m.

B. ROLL CALL

Herbert Roney, Chair
Dr. Margaret Quiñones, Vice-Chair
Carole Currey
Dr. Dorothy Ehrhart-Morrison
Dr. Nancy Greenstein
Dr. Patrick Nichelson
Annette Shamey
Melvon George, Student Trustee

II. CLOSED SESSION

- Collective Bargaining, pursuant to Government Code Section 54957.6
- Public Employee: Employment, Discipline, Dismissal, Release pursuant to Government Code Section 54957

III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS

PLEDGE OF ALLEGIANCE

I. ORGANIZATIONAL FUNCTIONS

RECOMENDATION NO. 1

APPROVAL OF MINUTES

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

July 7, 2003 (Regular Meeting)

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

July 26, 2003 (Retreat)

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

Report of Action taken in Closed Session - July 26, 2003

The Board of Trustees met in closed session for the purpose of conducting the evaluation of the Superintendent/President. Following the evaluation, the Board unanimously approved the following amendment to the agreement between the Santa Monica Community College District and Piedad F. Robertson, Superintendent/President, effective January 1, 2004:

Section 1: Term

The District hereby employs the Superintendent for a period of four years, beginning on the 1st day of January, 2004 and terminating on the 31st day of December, 2007. As hereinafter provided, the Board, at its option, may extend this agreement in accordance with the Education Code.

Section 7 – Fringe Benefits

Add: Professional Development Leave

A six-week paid professional development leave for the purpose of professional growth and enrichment to be taken any time during the term of the current contract either in segments or as a whole at the discretion of the Superintendent/President in consultation with the Board of Trustees.

BOARD OF TRUSTEES**Action**

Santa Monica Community College District

August 4, 2003

MAJOR ITEMS OF BUSINESS**RECOMMENDATION NO. 2****PUBLIC HEARING - SANTA MONICA COLLEGE
MADISON THEATER PROJECT**

It is recommended that the Board of Trustees move to conduct a public hearing to receive input from the public on the plans for the Santa Monica College Madison Theater Project and the related environmental studies.

Project Description

The Madison Theater Project will be located on the SMC's Madison Campus, 1310 – 11th Street in Santa Monica. The project primarily consists of constructing a new 32,302 square foot, 535-seat performance theater (including orchestra seating) and converting the existing unused school auditorium into a classroom rehearsal hall. The proposed project increases the campus from approximately 39,540 square feet total 71,842 square feet of floor area. The theater includes stepped building heights of 14 feet, 31 feet, 56 feet and 70 feet above grade level. The existing parking lot will be reconfigured to add 12 new spaces to provide 301 parking spaces.

Project Objectives

Project objectives are to include teaching, practice, and performance into a single mid-sized, state-of-the-art, multi-purpose facility to accommodate theater, dance, voice, instrument, chamber orchestra, lectures and film and to operate the theater as a component of instruction in the performing arts at the Madison Campus site. The project will also support new admissions regarding of the University of California and the California State University for completion of one year of coursework in Visual and Performing Arts.

Environmental Impact Report

The Santa Monica Community College District acted as the lead agency in preparing an environmental impact report (EIR) for the Madison Theater Project. Public notification regarding the EIR preparation greatly exceeded requirements. A notice to solicit public comments and conduct a public scoping meeting was sent to all households within the City of Santa Monica in May, 2002. A notice of availability of the Draft EIR was mailed to all households within the City in March, 2003. Interested parties, organizations and individuals will invited to provide written comments to the District with respect to the adequacy and completeness of the EIR as part of the California Environmental Quality Act (CEQA) review process.

Open Public Hearing:

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY:

AYES:

NOES:

Public Comments:**Close Public Hearing:**

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY:

AYES:

NOES:

| | |
|---|----------------|
| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 3

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT ON THE SANTA MONICA COLLEGE MADISON THEATER PROJECT

It is recommended that the Board of Trustees adopt the following resolution certifying the final Environmental Impact Report on the Santa Monica College Madison Theater Project:

WHEREAS, a Notice of Preparation of an Environmental Impact Report ("EIR") on the Santa Monica College Madison Theater Project ("Project") was issued on May 9, 2002; and

WHEREAS, a Notice of Completion of the Draft EIR was filed and published in March 2003, in compliance with the California Environmental Quality Act ("CEQA") and the State and Santa Monica College CEQA Guidelines; and

WHEREAS, the Draft EIR was available for public review for a 45-day period; and

WHEREAS, on July 15, 2003, the Final EIR was published, including comments received and responses thereto; and

WHEREAS, a copy of the Final EIR was provided to all public agencies that submitted comments on the Draft EIR at least 10 days prior to certifying the Final EIR; and

WHEREAS, on August 4, 2003, the Board of Trustees, acting in its capacity as the Lead Agency pursuant to State CEQA Guidelines Section 15051(a), reviewed and considered the contents of the Final EIR in its decision-making process.

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

SECTION 1. The Board of Trustees has reviewed and considered the information contained in the Final EIR on the Madison Theater Project prior to acting on the Project.

SECTION 2. The Board of Trustees hereby certifies that the Final EIR for the Project was presented to the Board of Trustees, that the Final EIR for the project was completed in full compliance with CEQA and the State and College CEQA Guidelines, that there was adequate opportunity for public review of the Draft EIR, that the Board of Trustees has considered all comments on the Draft EIR and responses to comments, that the Final EIR adequately discusses all significant environmental issues of the Project, that the Final EIR reflects the independent judgment and analysis of the College, and that the Board of Trustees has reviewed and considered the information contained in the Final EIR in its decision-making process prior to approving the Project.

MOTION MADE BY:

SECONDED BY:

STUDENT TRUSTEE:

AYES:

NOES:

BOARD OF TRUSTEES

Action

Santa Monica Community College District

August 4, 2003

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 4

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT MAKING CEQA FINDINGS NECESSARY TO APPROVE DEVELOPMENT OF THE SANTA MONICA COLLEGE MADISON THEATER PROJECT, ADOPTING STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION MONITORING PLAN, AND APPROVING MADISON THEATER PROJECT

It is recommended that the Board of Trustees adopt the following resolution making CEQA findings necessary to approve the development of the Santa Monica College Madison Theater Project, adopting a statement of overriding consideration, adopting a mitigating monitoring plan, and approving the Madison Theater Project:

WHEREAS, an Environmental Impact Report ("EIR") has been prepared which analyzes the environmental effects of the Madison Theater Project; and

WHEREAS, the Board of Trustees of the Santa Monica Community College District reviewed the Final EIR in full compliance with the California Environmental Quality Act ("CEQA") and the State and Santa Monica College CEQA Guidelines, while acting in its capacity as Lead Agency pursuant to State CEQA Guidelines Section 15051(a); and

WHEREAS, on August 4, 2003, the Board of Trustees certified that the EIR for the Santa Monica College Madison Theater Project was prepared in full compliance with CEQA and the State and Santa Monica College CEQA Guidelines.

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

SECTION 1. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Final EIR Sections V.A, V.B, V.C, V.D, V.G, and V.I, the Board of Trustees finds that the Madison Theater Project will have less than significant impacts on aesthetics (except for aesthetics during construction), air quality, historical resources, hydrology and water quality, fire, parks and recreation, schools, solid waste, water conservation, waste water, noise from road traffic, noise from on-site equipment, noise from patrons, and noise from performance events within the theater. The Board of Trustees further finds that the Madison Theater Project will have less than significant adverse neighborhood effects, except as set forth in Sections 2(e) and 3(d) herein.

SECTION 2. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, the Board of Trustees finds that most environmental impacts resulting from the project can be reduced to a level that is less than significant. More specifically, the potentially significant environmental effects, as identified in this Section 2, can feasibly be eliminated or substantially reduced to below a level of significance. However, significant adverse environmental effects in the areas of land use, parking lot noise, and traffic cannot feasibly be avoided or mitigated below a level of significance. Nor can the neighborhood effects in the areas of land use, parking lot noise, and traffic feasibly be avoided or mitigated below a level of significance. Nevertheless, these impacts are found to be acceptable due to overriding considerations as discussed in Section 6 below.

(a) The Final EIR determined that without mitigation, the project could have a potentially significant effect on aesthetics during construction. The Final EIR concluded that construction activities would adversely affect the aesthetic quality of the Madison campus and the immediate surrounding area on a short term and temporary basis. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section V.A of the Final EIR, the Board of Trustees finds that the following mitigation measures have been required of the project, which will mitigate or reduce the impact of the project on aesthetics during construction to below a level of significance:

1. Construction equipment, debris, and stockpiled materials shall be enclosed within a fenced off area visually shielded from the surrounding properties.
2. The project contractors shall post an informative and clearly noticeable sign on site that provides a contact number for logging complaints associated with construction site upkeep, debris and litter control during the construction period.
3. All barricades and fences shall be installed and maintained with public safety and community appearance in mind. Barricades shall be maintained in appearance throughout the construction period. If plywood barricades are used, they shall be painted a neutral color and marked for no posting. Both the plywood and chain link shall be checked daily for defects and/or required repairs. Graffiti shall be removed immediately upon discovery and covered with new paint.
4. Trash dumpsters used during construction shall be placed on-site, not on the public right-of-way.

(b) The Final EIR determined that without mitigation, the project could have a potentially significant effect on construction noise. Specifically, construction noise levels are expected to range from 74 to 85 dBA at a distance of 80 feet from the construction area on a short-term and intermittent basis throughout the construction period. Noise levels at the closest noise sensitive locations will therefore temporarily exceed the construction noise criteria during certain periods of construction at certain locations. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section V.F of the Final EIR, the Board of Trustees finds that the following mitigation measure has been required of the project, which will mitigate or reduce the impact of the project on construction noise to below a level of significance:

1. The College shall require all construction personnel to implement the following noise control measures to the maximum extent feasible during the construction period:
 - a. All equipment operating on site shall have properly operating mufflers.

- b. Siting of cranes, hoists, or other semi-stationary heavy equipment shall be as far from noise-sensitive uses as in practical, consistent with construction requirements.
- c. Electrically powered equipment shall be used instead of equipment driven by internal combustion engines where feasible.
- d. Equipment should not be left idling for long periods. Instead, it should be switched off.
- e. An area should be designated for delivery of materials and equipment to the site. This area shall be located as far from residential properties as is practical, consistent with construction requirements. This area shall be protected by a temporary barrier blocking the line-of-sight from the source to any operable residential window.

(c) The Final EIR determined that without mitigation, the project could have a potentially significant effect with regard to loading dock noise. Specifically, the theater loading dock is proposed on the west side of the building. The loading dock doors are located approximately 150 feet from residential properties to the west, across Tenth Street. The potential for activities at the loading dock to significantly impact neighboring residential properties depends upon many operational factors, including the time of day/night and the degree to which noisy activities can be avoided. There is a potential for significant noise impacts, particularly if loud activities were allowed to occur at night time. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in the Final EIR at Section V.F, the Board of Trustees finds that the following mitigation measures have been required of the project, which will mitigate or reduce the impact of the project on loading dock noise to below a level of significance:

- 1. Any party using the theater's loading dock shall be required to sign a contract agreeing to the following conditions.
- 2. In consideration of the theater's neighbors, noise from loading and unloading activities should be minimized using best practical means. Measures should include the following:
 - a. Truck engines should not be left idling at any time.
 - b. Listening to loud radios, or similar devices, should be avoided.
 - c. Items being loaded or unloaded should not be deliberately dropped in a manner that would create unnecessary noise.
 - d. As far as is practical, use of the loading dock shall be restricted to the hours between 8:00 a.m. to 10:00 p.m. If use of the loading dock outside of these hours is considered essential, then the theater user shall monitor noise level transfer at the closest residential property line on 10th Street. Noise levels shall be monitored using a calibrated sound level meter. In the event of any measured noise level attributable to activities at the loading dock exceeding a level of 50 dBA, then the noise monitoring person shall immediately instruct the persons using the loading dock to desist from the activity causing the noise level excess. If measured ambient noise levels are above 50 dBA during the monitoring period, then audibility of loading dock activities from the monitoring position will be used as the appropriate noise limit.

(d) The Final EIR determined that without mitigation, the project could have a potentially significant effect on parking. Specifically, there is the potential that theater parking demand, in combination with parking demand generated by other uses and activities at the Madison campus site, could exceed available parking supply absent proper parking management and Madison Theater scheduling. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in the Final EIR at Section V.H, the Board of Trustees finds that the following mitigation measures have been required of the project, which will mitigate or reduce the impact of the project on parking to below a level of significance:

1. The College shall prepare and implement a parking operations plan for the Madison campus. The parking operations plan shall ensure there is at all times a sufficient supply of on-campus parking for all persons utilizing the campus. The plan shall satisfy this requirement through a combination of measures, including: (1) limits on the scheduling of classroom activities prior to and during theater use to ensure classroom-related parking in combination with theater-related parking does not exceed campus parking capacity, (2) limits on theater ticket sales to ensure there is adequate parking for Madison Theater users after accounting for parking demand generated by other campus users, and (3) expanding the on-campus parking supply by use of an attendant/stacked parking system.
2. The parking operations plan shall provide that attendance at any and all events in the theater will not generate parking demand in excess of parking supply after accounting for non-theater parking demand during the time period affected by the theater event. When necessary to ensure that this requirement is met, the plan shall require that theater admissions shall be subject to a "cap" or maximum limit.
3. The parking operations plan shall incorporate a provision requiring notification to theater users that the neighborhood in which the Madison campus is located is protected by a preferential parking district which generally prohibits parking by nonresidents. Such notification will direct theater users to park on-campus and not utilize off-campus parking.
4. The parking operations plan shall include the name and phone number of a College contact person available to address any questions, comments or complaints about parking at the Madison campus.
5. The parking operations plan shall be reviewed and modified as necessary prior to the commencement of each academic session to account for any changes in parking demand due to changes in non-theater activities or anticipated theater events planned for the Madison campus.
6. The parking operations plan shall be available for public review.
7. The College shall maintain statistical information showing parking demand for theater and non-theater uses at the Madison campus during each academic session. This information shall be available for public review.

(e) The Final EIR determined that without mitigation, the Madison Theater Project could have potentially significant neighborhood effects in the following specific areas as set forth in Sections 2(a) through 2(d) herein: aesthetics during construction (Section 2(a)); construction noise (Section 2(b)); loading dock noise (Section 2(c)); and parking (Section 2(d)). Consistent with Sections 1405(l) and (m) of the College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in the Final EIR at Section V.J, the mitigation measures set forth in Sections 2(a) through 2(d) herein (Sections V.A, V.F and V.H of the Final EIR) will mitigate or reduce these neighborhood effects of the project to below a level of significance.

SECTION 3. Consistent with Sections 1405(l), (m) and (n) of the Santa Monica College CEQA Guidelines and Sections 15091, 15092 and 15093 of the State CEQA Guidelines, and as detailed in the Final EIR at Sections V.E, V.F and V.H, the Board of Trustees finds that the significant environmental effects identified below cannot feasibly be avoided or mitigated to below a level of significance. Nevertheless, their impacts are found to be acceptable due to overriding considerations as discussed in Section 6 herein.

(a) The Final EIR determined that without mitigation, the project's inconsistency with the allowable height for the R3 zone in which the theater is situated would constitute a significant impact. The Final EIR identifies no feasible mitigation measures to reduce the height of the proposed theater.

(b) The Final EIR determined that without mitigation, the project would generate activities in the parking lot in the late evening hours during theater departure periods. Based on representative noise surveys at similar College theater events, and employing conservative assumptions, a "worst case" factor for increased noise levels at the Madison parking lot was projected to be 4 dBA, with noise levels at the neighboring property line due to the increased number of cars ranging from 0 dBA to 4 dBA. On this basis, and assuming maximum attendance at the theater, a significant impact to the neighboring residential properties on Tenth Street and a possible impact to the neighboring residential properties on Eleventh Street would result during night time theater departure periods. The Final EIR identifies no feasible mitigation measures to reduce parking lot noise during theater departure periods.

(c) The Final EIR determined that without mitigation, the project would result in significant impacts on traffic. Specifically, the Final EIR identified significant adverse traffic impacts at five intersections (Ninth Street/Santa Monica Boulevard; Tenth Street/Wilshire Boulevard; Tenth Street/Santa Monica Boulevard; Twelfth Street/Santa Monica Boulevard; and Euclid Street/Santa Monica Boulevard) and five street segments (Arizona Avenue, west of Tenth Street; Arizona Avenue, east of Tenth Street; Arizona Avenue, east of Eleventh Street; Eleventh Street, south of Arizona Avenue; and Eleventh Street, south of Santa Monica Boulevard). The Final EIR determined there are no feasible mitigation measures available to mitigate the potential impacts on the five street segments. The Final EIR identified potential mitigation measures for the five intersections, consisting of the restriping of these intersections to improve traffic flow. However, all such mitigation measures are within the control of the City of Santa Monica and the City has informed the College that such mitigation measures are not acceptable to the City. In particular, the City notified the College that the City "does not believe the proposed mitigation of additional lane marking will effectively increase capacity," concluding that the City does "not believe that striping would be an effective mitigation measure." The City further indicated that the proposed restriping, which would eliminate some on-street parking spaces at one of the five affected intersections (10th Street and Wilshire Boulevard), would not be implemented by the City because "it is unacceptable to remove on-street parking." Consequently, there are no feasible mitigation measures to address the traffic impacts at these five intersections.

(d) The Final EIR determined that without mitigation, the project would result in significant adverse neighborhood effects in the following specific areas as set forth in Section 3(a) through 3(c) herein: land use (Section 3(a)); parking lot noise (Section 3(b)); and traffic (Section 3(c)). The Final EIR did not identify feasible mitigation measures to reduce these impacts below a level of significance, as more fully explained in Sections 3(a) through 3(c) herein.

SECTION 4. In addition to the mitigation measures contained in the Final EIR that address potentially significant environmental effects, the Final EIR also contains measures identified as mitigation measures that are not required to reduce otherwise significant environmental impacts to less than significant levels. Rather, these mitigation measures are proposed in areas where the Final EIR determined the project would have less than significant impacts absent any mitigation. Nevertheless, the College shall implement these mitigation measures as part of the Madison Theater Project, which consist of the following:

(a) The Final EIR includes the following air quality construction phase mitigation measures, notwithstanding the Final EIR's conclusion that the project will have less than significant construction phase impacts on air quality absent any mitigation:

1. The construction area and vicinity (500-foot radius) shall be swept (preferably with water sweepers) and watered at least twice daily. Site-wetting shall occur often enough to maintain a 10 percent surface soil moisture content throughout all earth-moving activities.
2. All unpaved roads, parking and staging areas shall be watered at least once every two hours of active operations.
3. Site access points shall be swept/washed within thirty minutes of visible dirt deposition.
4. On-site stockpiles of debris, dirt or rusty material shall be covered or watered at least twice daily.
5. All haul trucks hauling soil, sand and other loose materials shall either be covered or maintain two feet of freeboard.
6. All haul trucks shall have a capacity of no less than twelve and three-quarter (12.75) cubic yard.
7. At least 80 percent of all inactive disturbed surface areas shall be watered on a daily basis when there is evidence of wind-driven fugitive dust.
8. Operations on any unpaved surfaces shall be suspended when winds exceed 25 mph.
9. Traffic speeds on unpaved roads shall be limited to 15 miles per hour.
10. Operations on any unpaved surfaces shall be suspended during first and second stage smog alerts.

(b) The Final EIR includes the following hydrology (surface water run-off and drainage) mitigation measure, notwithstanding the Final EIR's conclusion that the project will have less than significant hydrology impacts absent any mitigation:

1. Prior to the commencement of any land disturbing activity, the College shall obtain a National Pollutant Discharge Elimination System (NPDES) statewide General Construction Activity Stormwater Permit regulated by the State Water Resource Control Board. Coverage under this permit shall not occur until the applicant has complied with the terms of such permit including the development of an adequate Storm Water Pollution Prevention Plan (SWPPP) for the project.

(c) The Final EIR includes the following police services-related mitigation measure, notwithstanding the Final EIR's conclusion that the project will have less than significant impacts on police services absent any mitigation:

1. The College shall prepare and the Santa Monica College Police Department ("SMCPD") shall implement a security plan addressing policies for crime prevention, crowd noise and traffic control measures for the Madison Campus before, during and after theater events.

(d) The Final EIR includes the following water conservation and waste water mitigation measures to reduce demand on water services and generation of waste water, notwithstanding the Final EIR's conclusion that the project will have less than significant impacts on water usage and waste water generation absent any mitigation:

1. Automatic sprinkler systems used to irrigate landscaping shall be programmed to operate during the cooler periods of the day (evening and early morning) to minimize water loss from evaporation, thereby ensuring the efficient use of irrigation water. Landscape irrigation schedules should be adjusted to accommodate the seasons.
2. Selection of drought-tolerant, low water consuming plant varieties shall be used to reduce irrigation water consumption in new landscaped areas.
3. Efficient irrigation systems shall be used where feasible in long piping systems (where water must be run for considerable periods before hot water is received at the outlet).
4. Plumbing fixtures shall be selected which reduce potential water loss from leakage due to excessive wear of washers.

SECTION 5. The Final EIR determined that the CEQA-mandated environmentally superior alternative is the Reduced Density Alternative, consisting of a 375 seat theater. As analyzed in Section VI.C of the Final EIR, the Reduced Density Alternative would result in impacts equal to or less than the impacts of the proposed project as well as the other alternatives considered. In addition, the No Project Alternative would result in impacts that would be equal to or less than the impacts of the proposed project. However, neither the Reduced Density Alternative nor the No Project Alternative are feasible because they do not satisfy the project objective of integrating teaching, practice and performing into a single mid-sized state-of-the-art multi-purpose facility that would accommodate theater, dance, voice, instrument, chamber orchestra, lectures and film with a seating capacity of up to 500 persons. Nor do the Reduced Density Alternative or the No Project Alternative meet the project objective of providing a theater that will operate as an integral component of classroom, workshop, and mentor program instruction in music, theater and dance as part of an integrated "Performing Arts Center." The Board of Trustees finds that a theater containing a minimum of 500 seats plus an orchestra area is essential for the theater to achieve these project objectives.

SECTION 6. As fully described in the Final EIR at Sections V.E, V.F, and V.H, the Final EIR found that the proposed project would result in significant and unavoidable adverse impacts in the areas of land use, parking lot noise, and traffic. Consistent with Section 15093 of the State CEQA Guidelines, the Board of Trustees hereby makes and adopts a Statement of Overriding Considerations and finds that the educational, social, cultural and economic benefits of the Madison Theater Project outweigh its unavoidable environmental impacts based upon the following reasons:

(a) The Madison Theater Project will address a significant deficiency in the College's facilities to support its performing arts and related educational and community-serving programs. At present, the College has a significant deficiency of facilities for music (both voice and instrument), dance, and theater performances. The College also has a significant deficiency of facilities for the public performance of visiting artists in music, dance, theater, and lecture. These public performances are both a component of the educational offering to the College's students and a service to the community.

The College's existing theater classroom, on the main campus, was built in 1952 and is severely deficient in terms of accessibility, dressing rooms, bathrooms, set design, storage, and stage elements. A renovation of this building is underway to remedy these deficiencies. The building will continue to operate as a theater classroom (the theater space is used exclusively by the theater arts program for set design, lighting classes, rehearsals, and classroom lectures) and is not available for music, dance, or public performances of visiting artists.

The College's only auditorium is on the main campus. The 240-seat auditorium includes only a rear projection booth and a stage area. The stage area is flat (providing poor visibility) and is concrete (unsuitable for dance). There are no side wings, back of stage areas, or fly towers. There are no bathrooms or dressing rooms. The auditorium has poor acoustics, and is deficient for individual voice, choral, and instrument. The auditorium is severely deficient for orchestra. The Madison Theater addresses these deficiencies by incorporating state-of-the-art staging, projection, acoustics and support facilities.

The seating capacity of the College's main campus auditorium is severely deficient. Santa Monica College is comparable in size to El Camino College (Marsee Fine Arts Theater, capacity 2,000), Pasadena City College (Sexson Auditorium, Capacity 1,950), Long Beach City College (City College Auditorium, Capacity 1,000), and East Los Angeles College (East Los Angeles Theater, capacity 1,950) and yet lacks a comparably-sized auditorium. The 500-seat Madison Theater is more than double the size of the College auditorium while not as large as the theaters on these comparable campuses.

The seating capacity of Santa Monica College's auditorium is also substantially less than that of local community colleges much smaller in size than the College, including Glendale College (Main Stage Auditorium, capacity 399) and West Los Angeles College (Fine Arts Auditorium, capacity 450). The 500-seat Madison Theater will be only slightly larger than the auditoriums at these smaller community colleges.

The Madison Theater Project will serve as a versatile facility for regularly scheduled classes and lectures, teaching and presenting college arts-related programs, special educational events and presentations that create a special arts education opportunity for students and the community, presenting professional arts programming, and presenting community programming. In doing so, the theater will become an integral component of classroom, workshop, and mentor program instruction in music, theater, and dance at the Madison campus site. Through careful attention to components and details, the theater has been specifically designed to accommodate the special staging requirements of theater, dance, voice, instrumental, chorale, symphony orchestra, lectures, and film. The theater will also contain appropriate loading facilities as there will not be any on-site set construction facilities.

(b) The Madison Theater Project will assist the College in meeting the needs of its students with respect to new state standards for arts education in California, which reflect state policy favoring improved arts educational opportunities. Specifically, on January 10, 2001, the State Department of Education adopted Visual and Performing Arts Content Standards. These standards describe what every student should know and be able to do in the visual and performing arts, prekindergarten through grade twelve in five strands: artistic perception; creative expression; historical and cultural context; aesthetic valuing; and connections, relationships and applications. The standards were adopted to prepare for the Fall 2003 implementation of a new entrance requirement for University of California and an existing requirement of the California State University (approved in 1999) of year-long coursework in dance, drama/theater, music, or visual arts; and the Fall 2004 implementation of a new requirement for teacher accreditation (approved in 2001) to include training in the teaching of visual and performing arts.

(c) The College serves as a community college from which many students transfer to University of California and California State University schools. The Madison Theater Project will assist college students in meeting the transfer requirements of the University of California and California State University, which are instituting a new policy that officially includes the arts as a college preparatory subject for all high school students who wish to enter the state's higher education institutions. This requirement will take effect in Fall 2003, and may be met by any two semesters of coursework in any of the categories. By 2006 all students entering the UC/CSU system must satisfy the visual and performing arts requirement by completing an appropriate single course in a yearlong sequence in dance, music, theatre or the visual arts.

To meet the UC/CSU admissions requirement guidelines, the College's courses in the visual and performing arts are intended to provide students with an experience in the arts that implements the intent of the California State Board of Education-approved Visual and Performing Arts Content Standards.

As UC President Richard Atkinson noted in a letter dated November 12, 2002, to the chair of the California Alliance for Arts Education, "Faculty and staff at the University agree that this requirement sends a message to K-12 students and to the broader educational community that the arts are crucial to the development of a well-rounded student and citizen."

(d) By expanding the College's performing arts facilities, the Madison Theater will help students improve their academic achievement. There is substantial evidence that student engagement in the arts improves academic achievement. A recent report from the National Art Education Association (NAEA) confirms that students enrolled in arts study score higher on both their Verbal and Math SAT tests than those who were not enrolled in arts courses. These findings were revealed in a recent College Board publication, Profile of College-bound Seniors National Report.

(e) The Madison Theater will provide an important new venue to enhance the College's educational and community partnerships in the performing arts and arts education. The Santa Monica area is home to many professionals active in visual and performing arts and is home to many members of the public who are active theatergoers and cultural arts patrons. As a consequence, the Madison Theater Project is anticipated to serve as the cornerstone of educational partnerships and provide substantial community benefit.

Current College programming already includes a partnership with LA Opera and an on-going Opera Camp for children ages 9-15 in coordination with the Santa Monica Malibu Unified School District ("SMMUSD") and with the provision of multiple scholarships; the Henry Mancini jazz clinic, with the participation of Malibu High School; visiting artists from the Kirov with over 1,000 SMMUSD and local private school children in attendance; a partnership with the SMMUSD Fine Arts Coordinator to bring school children to an ongoing series of free concerts at the Madison campus and other sites; the premiere of a new composition performed by the Los Angeles Master Chorale as part of the World Festival of Sacred Music for more than 700 school children; a Youth Arts Festival; and new performing arts partnerships with the Santa Monica Pier Restoration Corporation and Miles Playhouse. The Madison Theater will facilitate continuation and expansion of these collaborative efforts in the performing arts and arts education.

(f) The Madison Theater will provide opportunities for local residents, in Santa Monica and in neighboring communities, to attend both student and professional performing arts events, thus enriching the arts and cultural opportunities available in the Santa Monica community.

(g) The Madison Theater will add a significant missing piece to the Santa Monica community's array of performing and fine arts facilities, thus enhancing Santa Monica's reputation as a community which values the arts. The Madison Theater will, in combination with Santa Monica's other arts venues, programs and resources, make a substantial contribution to the local economy and Santa Monica's reputation as a visitor-serving community. The economic benefits of the arts in Santa Monica are documented in a report prepared for the City of Santa Monica by the independent research firm AMS Planning & Research in 1997 entitled, "Economic Impact Report of the Arts in Santa Monica." According to this City report, the "arts, culture and entertainment industries in Santa Monica account for up to \$1.27 billion in economic activity and 26,000 jobs." More particularly, this City report made the following findings:

- There are at least 467 arts, culture and entertainment-related non-profit and commercial organizations and businesses active in Santa Monica.
- Arts, culture and entertainment-related organizations directly employ at least 8,585 full-time, part-time and contracted workers in Santa Monica.
- Total annual revenues of Santa Monica's arts, culture and entertainment-related organizations and businesses are estimated to be at least \$407 million.
- The induced or secondary economic impact of the arts, culture and entertainment-related businesses in Santa Monica adds \$863 million annually to the estimated gross revenues and approximately 18,200 persons to the employment estimates.
- Arts, culture and entertainment-related businesses paid local tax and business license fees of over \$1 million in 1994-1995.
- An estimated 3,714,000 people attended arts festivals and art galleries in Santa Monica in 1994-1995.
- Art Galleries and dealers indicated an annual attendance of 1 million.
- Non-profit organizations reported at least 158,400 attendances.

- The cultural sector is growing and expects to continue to grow over the next three years.
- The City of Santa Monica's policies have a significant impact on arts, culture and entertainment-related businesses.

The Madison Theater will make a particularly valuable contribution to neighboring small businesses, including local restaurants, which will benefit from the additional customers generated by the Madison Theater. The City of Santa Monica will also benefit from the additional tax dollars generated by theater patrons.

(h) By promoting and encouraging enhanced opportunities in the performing arts and arts education, the Madison Theater will contribute to the role of the arts in facilitating a better understanding of, and appreciation for, diverse cultures and heritages, which has educational, social and economic benefits. According to State Senator Jack Scott (Dr. Scott is the former president of Pasadena City College), who chairs the California State Legislature Joint Committee on the Arts:

“When we view diversity as an advantage we maximize the opportunities for economic and social success -- avoiding any drain on previous time and financial resources in dealing with divisions in our society. In fact, our diversity holds out promise for extraordinary economic advances and gains, as we support and expand the best assets each culture offers to our state. This precept is essential for any long-term strategic plan for California's health, vitality and success. Clearly, the arts have become intricately woven into California's economy, culture and identity. Despite increased funding, the state is in danger of squandering its arts advantage. Just as every nation that sends a mission to California includes its Minister of Culture, California should similarly promote the arts when doing business abroad. Our challenge will be to find the most appropriate ways to foster and increase arts opportunities through the state. As one of the most multiethnic places in the world, California has a tremendous asset in its diversity and its impact on arts in the state.”

(i) The Madison Theater Project incorporates a series of mitigation measures delineated in the Final EIR and Section 4 herein in the areas of air quality during construction, hydrology (surface water run-off and drainage), police services, water conservation and waste water that are not required to mitigate otherwise significant environmental effects and yet will be implemented as part of this project. These mitigation measures will provide public benefits in these areas.

(j) In contrast to these extensive educational, cultural, social and economic benefits, the project's three adverse environmental effects which cannot be mitigated below a level of significance are comparatively minor in nature. Specifically:

- The project's inconsistency with the maximum allowable height in the City of Santa Monica's R3 zoning district relates solely to a small portion of the theater (i.e., the fly tower) that is set back substantially from neighboring properties. The height of the fly tower is essential for the proper functioning of the new theater facility for performing arts events.

- The Final EIR's finding that the project will have unmitigatable adverse noise impacts in the parking lot in the late evening hours during theater departure periods is based upon maximum theater attendance and a set of "worst case" assumptions about noise generation. These noise impacts, while significant under the Final EIR's threshold of significance for noise impacts, will be limited in frequency and duration. The EIR found the only feasible mitigation measure to mitigate this impact was to construct a block wall surrounding the perimeter of the surface parking lot. However, this measure was determined to be infeasible as it would result in adverse impacts associated with aesthetics and views (neighborhood compatibility) and public safety.
- The Final EIR's finding of significant adverse traffic impacts at five of the forty-two intersections studied stems from the Final EIR's use of the City's highly sensitive thresholds for measuring significant traffic impacts. The additional traffic caused by this project will constitute a very small percentage of both the overall traffic and the incremental additional traffic at these five intersections. In addition, the five intersections in question are unsignalized; the adverse traffic impacts at these five intersections are based upon delays experienced by cars entering major streets (i.e., Santa Monica Boulevard and Wilshire Boulevard) at unsignalized intersections. The City rejected proposed mitigation measures that would have reduced the adverse traffic impacts at these five intersections to a less than significant level.
- The Final EIR's finding of significant adverse traffic impacts at five of the thirteen street segments studied also stems from use of the City's highly sensitive thresholds for measuring significant traffic impacts. For four of the five street segments in question, the increase of a single vehicle trip constitutes a significant adverse impact. The additional traffic caused by this project will constitute a very small percentage of both the overall traffic and the incremental additional traffic at these five street segments.

SECTION 7. Consistent with Public Resources Code Section 21081.6 (a provision of CEQA), the Board of Trustees adopts the Mitigation Monitoring Plan, which is attached to the Final EIR as Table VI-1 and which is incorporated herein by this reference as Exhibit "A", to mitigate or avoid significant effects of the Madison Theater Project on the environment and to ensure compliance during project implementation.

SECTION 8. Consistent with Public Resources Code Section 21081.6(a)(2) (a provision of CEQA), the documents which constitute the record of proceedings for approving the Madison Theater Project are located in the office of Thomas J. Donner, Executive Vice President of Santa Monica College, located at 2714 Pico Blvd., Room 328, Santa Monica, CA 90405. The custodian of these records is Thomas J. Donner, Executive Vice President of Santa Monica College, who may be reached at (310) 434-4947.

SECTION 9. The Madison Theater Project is hereby approved. Based upon the record of the proceeding, the Board of Trustees finds that the Madison Theater Project advances the mission of Santa Monica College “to create a learning environment that both challenges our students and supports them in achieving their educational goals” and to “prepare our students to contribute to the global community as they develop an understanding of their personal relationship to the world’s social, cultural, political, economic, technological, and natural environments.” (Adopted Mission Statement.) The Madison Theater Project will also further Santa Monica College’s adopted goals in the area of promoting student success, advancing academic excellence, developing community partnerships and providing a supportive physical environment. Therefore, in accordance with Government Code Section 53094 and in full compliance therewith, the Board of Trustees hereby renders the City of Santa Monica’s zoning ordinance inapplicable to the Madison Theater Project. Notification of this action shall be communicated to the City of Santa Monica within 10 days of the date of adoption of this Resolution.

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

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| BOARD OF TRUSTEES | ACTION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA

It is recommended that the Board of Trustees take the action requested on Consent Agenda Recommendations #5-#19.

Recommendations pulled for separate action:

Action on Consent Agenda

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

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| BOARD OF TRUSTEES | ACTION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: PLANNING AND DEVELOPMENT

RECOMMENDATION NO. 5 ACCEPTANCE OF GRANTS

Requested Action: Acceptance

Title of Grant: Tech Prep Innovative Practices

Granting Agency: California Dept. of Education

Requested Funding: \$53,097

Matching Funds: N/A

Performance Period: June 1, 2003 – May 31, 2004

Summary: The project expands the LAUNCHPAD by providing intensive instruction in interactive media in two sessions – summer and winter. This innovative program brings together the power of the Tech Prep consortium and the established infrastructure of a successful program that provides training to underrepresented, underserved students. Specifically, the proposed faculty training and curriculum revisions will be designed to improve the academic performance, employment skills, and educational expectations of the participants through its rigor and complexity. Students are challenged to excel and their performance leads directly to enrollment in SMC's Academy of Entertainment and Technology or other postsecondary programs.

| | | |
|---------|----------------------------|----------|
| Budget: | Income: | |
| | State | \$53,097 |
| | Expenditures | |
| | 1000 Academic salaries | \$31,740 |
| | 3000 Employee benefits | 9,522 |
| | 4000 Supplies | 4,633 |
| | 5000 Contract Services | 5,160 |
| | 7000 Student Financial Aid | 2,042 |

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| BOARD OF TRUSTEES | ACTION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: PLANNING AND DEVELOPMENT

RECOMMENDATION NO. 6 **CONTRACTS AND CONSULTANTS**

6-A PAYMENT TO PROFESSIONAL DEVELOPMENT INSTITUTE MENTORS

Payment in the amount of \$500 per protégé to the following mentors selected by the Selection Committee of the Proposition 10 Grant Professional Development Institute for the first year of the grant, September 1, 2002 through August 31, 2003:

Corlene Flanagan
Bharti Patel

Funding Source: Proposition 10 Grant

Comment: In accordance with the Proposition 10 Grant, the Professional Development Institute's selected mentors are to be compensated in the amount of \$500 for each protégé they sponsor. These Mentors provided support in all areas of learning, i.e., collaboration with parents, communication with children, development of their professional skills, and continuation of their education and training.

These two mentors are in addition to the list of mentors approved by the Board at the July meeting.

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| BOARD OF TRUSTEES | ACTION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: ACADEMIC AND STUDENT AFFAIRS

RECOMMENDATION NO. 7 **CONTRACTS AND CONSULTANTS**

Requested Action: Approval

7-A WORK STUDY CONTRACTS

Renewal of contracts with the following institutions for fiscal year 2003-2004 for the purpose of placing work-study students at Santa Monica College:

| | |
|--------|--|
| CSUN | 45 percent of the students' salary paid by SMC |
| UCLA | 40 percent + share of Workers Comp; Unemployment and Medicare; and 5 percent Administrative Fees paid by SMC |
| Loyola | 25 percent of the students' salary paid by SMC |

Funding Source: 2003-2004 Budget/Academic Affairs (District's share)
(at the same reduced level instituted with 2002-03 mid-year budget cuts)

Comment: These renewal agreements allow university work-study students to be placed at Santa Monica College. The District pays the percentage of the students' wages as indicated. Tutors may work in English, Social Science, Math, Modern Language or Science fields.

7-B RENTAL AGREEMENT FOR KINESIOLOGY/ DANCE DEPARTMENT

Agreement with The Spectrum Club for the rental of space and equipment to conduct specific anaerobic exercise classes at a cost of \$50 per student for the 2003-2004 academic year.

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

Comment: Education Code section 26395 authorizes districts to impose a fee on participating students for the additional expenses incurred when physical education courses are required to use non-district facilities. At the present time, the District does not have the equipment necessary for these particular anaerobic exercise classes. (This is a substitute for the previously approved agreement with Bally's).

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| BOARD OF TRUSTEES | ACTION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: ACADEMIC AND STUDENT AFFAIRS

RECOMMENDATION NO. 7 **CONTRACTS AND CONSULTANTS** (continued)
Requested Action: Approval

7-C COMMUNITY SERVICES/EXTENSION SEMINARS/COURSES, FALL 2003

Seminars/courses for Santa Monica College Community Services/Extension for Fall 2003.

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

Comment: The list of Community Service seminars and courses is on file in the office of Community Services.

7-D COMMUNITY SERVICES FACILITIES, FALL 2003

Off-campus facilities for Community Services classes for Fall 2003, August 25 through December 16, 2003. Payment per class session is authorized as stated on the list.

Funding Source: 2003-2004 Budget/Community Services

Comment: The list of facilities is on file in the Office of Academic Affairs and Community Services.

7-E EMERITUS COLLEGE FACILITIES, FALL 2003

Off-campus facilities for Emeritus College classes for Fall 2003, September 2 through December 16, 2003. Payment per class session is authorized as stated on the list.

Funding Source: 2003-2004 Budget/Emeritus College

Comment: The list of facilities is on file in the Office of Academic Affairs and Emeritus College.

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| BOARD OF TRUSTEES | ACTION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 8 ACADEMIC PERSONNEL

Requested Action: Approval/Ratification

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

EFFECTIVE DATE

ELECTIONS

ADJUNCT

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

SEPARATIONS

LEAVE OF ABSENCE WITH PAY

| | | |
|--------------|---|---------------------|
| Bland, James | Instructor, Life Science | 08/19/03 - 12/16/03 |
| Comment: | Mr. Bland requested a reduction of his assignment to 70% (correction previously board approved reduction to 60% March 3, 2003). | |

LIMITED RETIREMENT

| | | |
|------------------|----------------------------|---------------------|
| Gerds, Donald A. | Instructor, Graphic Design | 08/26/03 - 06/30/08 |
|------------------|----------------------------|---------------------|

RESIGNATION

| | | |
|--------------------|--------------------------------|----------|
| Miller, Jeffrey A. | Instructor, Human Development | 08/01/03 |
| Rabuy, Marlo | Counselor, Counseling Services | 08/15/03 |

RETIREMENT

| | | |
|--------------------|--|----------|
| Brandt, Michael | Instructor, Transportation Technology | 08/04/03 |
| Donaldson, Charles | Instructor, English | 08/04/03 |
| Johncola, Richard | Instructor, Education & Public Affairs | 08/04/03 |
| Kidd, Josephine | Instructor, KDR | 08/04/03 |
| McKay, Janet | Instructor, CSIS/OIS | 08/04/03 |
| Roche, Audrey | Instructor, Business | 08/04/03 |
| Steeber, Sharon | Instructor, English | 08/04/03 |
| Stevenson, Lyle | Instructor, Transportation Technology | 08/04/03 |
| Verdugo, John | Instructor, Transportation Technology | 08/04/03 |
| Walters, Paul | Instructor, Transportation Technology | 08/04/03 |
| Young, Bruce | Instructor, Earth Science | 08/04/03 |

Comment: Two retirements previously approved by the Board and those listed above are part of the early retirement incentive provided by the memorandum of understanding with the Faculty Association.

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

BOARD OF TRUSTEES**ACTION**

SANTA MONICA COMMUNITY COLLEGE DISTRICT

August 4, 2003

CONSENT AGENDA: HUMAN RESOURCES**RECOMMENDATION NO. 9 CLASSIFIED PERSONNEL – REGULAR***Requested Action: Approval/Ratification*

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

EFFECTIVE DATEELECTIONSMANAGEMENT

Lopez Jr., Arthur, Custodial Operations Supv., Operations

07/16/03

PERMANENT EMPLOYEE WITH SUMMER ASSIGNMENT

Fredrickson, Donald, Accompanist-Voice, Music

08/01/03 - 08/14/03

Gray, Gary, Accompanist-Voice, Music

08/01/03 - 08/14/03

Osterhout, Roy, Bookstore Clerk/Cashier, Bookstore

08/01/03 - 08/31/03

CHANGE IN WORKSHIFT/PERMANENTDiaz, Mark (*amended from July agenda*)

07/01/03

Fr: Assessment Svcs Spec., A&R, 12mos, 40hrs

To: Assessment Svcs Spec./NS1, A&R, 12mos, 40hrs

SEPARATIONSRETIREMENT

Stokes, Clinton, Custodian/NS-II, Operations

07/21/03

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

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| BOARD OF TRUSTEES | ACTION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 10 CLASSIFIED PERSONNEL – LIMITED DURATION

Requested Action: Approval/Ratification

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

| <u>ELECTIONS</u> | <u>EFFECTIVE DATE</u> |
|---|-----------------------|
| <u>PROVISIONAL</u> | |
| Evenhuis, John, Instructional Assistant ESL, ESL | 07/01/03 - 07/30/03 |
| Jaffe-Berg, Erith, Instructional Assistant ESL, ESL | 07/01/03 - 07/30/03 |
| <u>LIMITED TERM</u> | |
| Abdulhamid, Ferid Y., Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Ahmed, Mawerdy, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Awosika, Kikelola, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Baker, Stephen, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Barr, Laura, Accounting Specialist II, Bookstore | 07/01/03 - 08/31/03 |
| Baskin, Patricia, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Berghkoff, Aaron, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Brinkmann, Johannes, Bookstore Clerk/Cashier | 07/01/03 - 12/31/03 |
| Cadena, Allison, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Cahya, Fransiska, Sign Language Interpreter III, DSC | 06/02/03 - 06/17/03 |
| Carreon, Guillermo, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Cason, Tracy, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Cruz, Jaime, Counseling Aide, Student Life | 07/01/03 - 02/18/04 |
| Dacosta, Richard, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Damtew, Meron, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Daniel, Bethel, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| De Leon, Aroldo, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Duvarado, Jan, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Ellison, Monti, Accompanist Percussion, KDR | 06/23/03 - 06/30/03 |
| Ellison, Monti, Accompanist Percussion, KDR | 07/01/03 - 08/01/03 |
| Enaiho, Patricia, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Frias, Laura, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Friha, Muhammed, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Garcia, Lucy, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Garcia, Renay, Registration Information Clerk, A & R | 07/01/03 - 06/30/04 |
| Gebremichael, Hermela, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Getachew, Bistrate, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Glasner, Marvin, Financial Aids Clerk, Trio | 07/01/03 - 08/01/03 |
| Gutierrez, Debbie, Counseling Aide, Student Life | 07/01/03 - 02/18/04 |
| Harge, Ronyee, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Hassan, Fauzia, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Hermawan, Miguel, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |

LIMITED TERM (cont'd.)

| | |
|---|---------------------|
| Holstein, Stephanie, Sign Language Interpreter Trainee, DSC | 05/19/03 - 06/17/03 |
| Hsu, Hung Gi (Cindy), Accompanist Voice, Dual Enrollment | 02/18/03 - 06/09/03 |
| Johnson, Andre, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Jones, Frances, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Kahn, Clarice, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Lemus, Karen, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Libman, Leonid, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Lopez, Jose Carlos, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Lopez, Waleska, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Malerstein, Janet, Sign Language Interpreter Trainee, DSC | 05/16/03 - 06/17/03 |
| Manhertz, Yvonne, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Matthews, Alexandre, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| McIntosh, Bryan, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| McMahon, Mandy, Registration Information Clerk, A & R | 07/01/03 - 06/30/04 |
| Mehary, Mehret, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Menjivar, Raul, Counseling Aide, EOPs | 07/01/03 - 08/22/03 |
| Moges, Aster, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Panghongkeon, Artee, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Perkins, Paul, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Sazonova, Yelena, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Serratos, Monica, Counseling Aide, Student Life | 07/01/03 - 12/19/03 |
| Shamsian, Dalia, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Sloane, William K. Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Smith, Ryan L., Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 12/31/03 |
| Thielkingm Alan d., Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Venezia, Rachel, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 12/31/03 |
| Washington, Mianca, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Weldemichael, Belanesh, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |
| Young, Mary Ellen, Bookstore Clerk/Cashier, Bookstore | 07/01/03 - 08/31/03 |

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| BOARD OF TRUSTEES | ACTION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: HUMAN RESOURCES

Requested Action: Approval/Ratification

RECOMMENDATION NO. 11 CLASSIFIED PERSONNEL – NON MERIT

Requested Action: Approval/Ratification

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

ELECTIONS

STUDENT EMPLOYEES

| | |
|---|-----|
| CalWORKS Student Assistant \$7.00/hr | 9 |
| College Student Assistant \$7.00/hr | 184 |
| College Work-Study Student Assistant \$7.00/hr | 34 |

SPECIAL SERVICES

| | |
|--|----|
| Art Model \$14.00/hr | 26 |
| Community Services Specialist II \$38.00/hr | 6 |
| Recreation Director II \$10.59/hr | 1 |
| Volunteer | 2 |

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

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|---|----------------|
| BOARD OF TRUSTEES | Action |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 12
Requested Action: Adoption

**RESOLUTION FOR TEMPORARY CASH
TRANSFERS FROM THE LOS ANGELES COUNTY
TREASURY**

WHEREAS, sufficient cash is needed to pay obligations for current operating requirement lawfully incurred in the fiscal year; and

WHEREAS, Article XVI, Section 6, of the California Constitution allows for borrowing from the county treasury; and

WHEREAS, the following restrictions apply to this authorization:

1. Maximum amount of authorized borrowing: \$50 million
2. For Fiscal Year: 2003-2004
3. Shall not exceed 85 percent of the anticipated revenues accruing to the District
4. Shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year.
5. Shall be replaced from revenues accruing to the District before any other obligations of the District is met from such revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Santa Monica Community College District hereby requests the Los Angeles County Treasurer to make temporary transfers of funds.

Comment: The Los Angeles County Office of Education encourages Districts to take this action during the summer months as a safeguard in the event of a protracted delay in the finalization of the State budget. Only the general fund is permitted to borrow from county treasury and the District is required to use our Tax and Revenue Anticipation Notes first before borrowing from the county treasury.

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| BOARD OF TRUSTEES | Action |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 13 **ARBITRAGE REBATE ANALYSIS OF 1997 CERTIFICATES OF PARTICIPATION**

13-A PREPARATION OF ANALYSIS
Requested Action: Ratification

Agreement with BOND LOGISTICS LLP to prepare the Arbitrage Rebate Analysis for the 1997 Certificates of Participation for a fee of \$6,000.

13-B ARBITRAGE REBATE PAYMENT
Requested Action: Authorization

Authorize the District to rebate to the Federal Government the amount of \$2,730.11 as excess earnings for the 1997 Certificates of Participation.

Funding Source: 2003-2004 Capital Outlay Budget

Comment: The District is required to calculate the investment earnings from the Certificates of Participation less the interest paid on those certificates to determine if any excess earnings were derived from the tax-exempt status of the Certificates. Any excess earning must be rebated to the federal government as arbitrage. The Arbitrage Rebate Analysis performed by Bond Logistics determined the District payment for excess earnings of the 1997 COP over the last five years.

RECOMMENDATION NO. 14 **AUTHORIZATION FOR WARRANT APPROVAL**
Requested Action: Authorization

The following District employees are authorized to approve warrant requests on behalf of the Santa Monica Community College District.

- Cheryl Miller, Associate Vice President, Business Services
- Robert Parker, Controller
- Victor Tellez, Accounting Manager, Restricted Funds
- Robin Quaile, Accounts Payable Supervisor

Comment: Warrant requests must be approved daily by a designated representative of the District. As a result of the higher security requirements of the new PeopleSoft system, the Los Angeles County Office of Education has requested that the Board take this action.

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| BOARD OF TRUSTEES | Action |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 15 **CONTRACTS AND CONSULTANTS**

Requested Action: Approval

15-A AGREEMENT FOR UPDATED CAPITAL ASSET INVENTORY

Agreement with MAXIMUS to update the District's capital asset inventory. Payment for services not to exceed \$4,000 for the period of July 1, 2003 through June 30, 2004.

Funding Source: 2003-2004 Business Services Budget

Comment: The District addressed the issue specified in previous audit reports of the need to complete a capital asset inventory by contracting with Maximus to complete a campus-wide inventory in 2001. The information provided by the updated capital asset inventory will keep the District up to date.

15-B AGREEMENT FOR KCRW

Agreements with the following consultants for the period of July 1, 2003 through June 30, 2004

CHRIS DOURIDAS for program services associated with "New Ground" and various music programs for a fee of \$120 per program for "New Ground" and varying rates for other music programs for a total not to exceed \$8,500.

JOHN J. DAVIS ASSOCIATES for broadcast engineering feasibility studies required for various FCC authorized projects including preparation of applications related to station transmitters and proposed transmitter sites. Total not to exceed \$8,000.

TOM KING COMMUNICATIONS for broadcast engineering services including enabling KCRW's on-air operations; remote emergency response and diagnostic services for remote transmitters. Payable at \$500 per month for a total not to exceed \$8,000.

Funding Source: KCRW Donations and Grants

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

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| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 16 FACILITIES

Requested Action: Approval

16-A CHANGE ORDER NO. 8, LIBRARY EXPANSION AND REMODEL

Change Orders No. 8 with NIELSEN-DILLINGHAM on the LIBRARY EXPANSION AND REMODEL project.

| | |
|---------------------------|------------------|
| Original Contract Amount | \$22,050,000.00 |
| Change Orders No. 1-No. 7 | -413,767.00 |
| Change Order No. 8 | <u>25,454.00</u> |
| Revised Contract Amount | \$21,661,687.00 |

Funding Source: FEMA/State Capital Outlay/District

Comment: This change order provides for new metal door frame, additional site demolition, additional surface preparation of irregular floors for carpet installation, wood door jambs at "boat", additional excavation and repairs at sink hole, sealing of non-structural cracks in preparation of exterior walls painting, provide fire rated framing and drywall at rooftop utility enclosure above west elevator, modify under floor data cabling, stainless steel trim over stair embeds in lieu of bead blasted finish, modifications to instructor's console, provide fritted glass at new skylights and patch concrete treads at existing stairs. This change order also provides credits to contract amount of (\$7,680) for deletion of new paddle arm gate; remove and reinstall existing gate from Temporary Library; (\$18,922) for deletion of precast concrete pavers at north and east entries; replace with concrete paving to match site conditions.

16-B FACILITY RENTAL AGREEMENT

Agreement with PACIFIC BELL WIRELESS, LLC, dba CINGULAR WIRELESS for the lease of space on the roof of the Science Building for the placement of wireless communication equipment for a five-year period. Commencing with the installation of the equipment Pacific Bell Wireless shall pay the District the amount of \$2,500 per month for year one. Rent shall be increased at the beginning of years two through five by an amount equal to 3 percent of the previous year's rent. Pacific Bell Wireless will pay all utility costs. Agreement subject to renewal by Pacific Bell Wireless for five additional five-year terms.

Comment: This is rental income for the District.

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| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 16 FACILITIES (continued)

16-C REJECT ALL BIDS, RENOVATION OF TEMPORARY LIBRARY

Reject all bids for the Renovation of Temporary Library project and authorize the District to re-bid the project

Funding Source: Measure U/FEMA

Comment: All bids were above the budget for the project. The project will be reevaluated, scaled down and re-bid in an effort to bring prospective bids into alignment with the budget for the project.

16-D AGREEMENT FOR SIGNAGE DESIGN SERVICES, MADISON THEATER

Agreement with SAM FIDLER for signage consulting services associated with the Madison Theater project for an amount not to exceed \$25,000 plus reimbursable expenses.

Funding Source: SMC Foundation

Comment: This agreement provides for the design of signage at the Madison Theater project. Services will include collaboration with the Owner and Architect to design a system of environmental graphics that enhance the guest experience at the proposed Madison Theater by providing directional and informational signage and project identification.

16-E AGREEMENT FOR AUDIO/VISUAL DESIGN SERVICES, MADISON THEATER

Agreement with SOUND IMAGE, INC. for the design of audio, video and control systems for the Madison Theater project for an amount not to exceed \$10,000, plus reimbursable expenses.

Funding Source: SMC Foundation

Comment: This agreement provides the design of an audio/video/control systems at the Madison Theater project that will allow instructional classroom/lecture use of the theater hall that is independent of the theater control rooms, and requiring minimal or no staff other than lecturer to operate.

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| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 16 FACILITIES (continued)

16-F EMERGENCY LIGHTING MAINTENANCE AGREEMENT

Agreement with GRAHAM COMPANY for regular quarterly maintenance on the District's emergency lighting system for the period ending June 30, 2004. The maintenance fee in the amount of \$2,800 is to be paid in advance.

Funding Source: 2003-2004 Budget/Facilities - Maintenance

Comment: This is a continuation of the maintenance agreement for the emergency lighting system.

16-G AMENDMENT TO AGREEMENT FOR ENVIRONMENTAL SERVICES – LIBERAL ARTS REPLACEMENT PROJECT

Amend the agreement with CHRISTOPHER A. JOSEPH & ASSOCIATES for environmental assessment services associated with the Liberal Arts Replacement project for an additional amount not to exceed \$15,000 plus reimbursable expenses. The new amended total of the agreement is \$39,200 plus reimbursable expenses.

Funding Source: FEMA/District Capital Outlay

Comment: The original scope of services was to prepare a joint California Environmental Quality Act (CEQA) / National Environmental Protection Act (NEPA) document to satisfy both State and federal laws. FEMA requested separate NEPA documentation, splitting the analysis into two distinct phases and requiring additional work.

16-H AMENDMENT TO AGREEMENT FOR ENVIRONMENTAL SERVICES – MADISON THEATER PROJECT

Amend the agreement with CHRISTOPHER A. JOSEPH & ASSOCIATES for environmental services associated with the Madison Theater project for an additional amount not to exceed \$30,000 plus reimbursable expenses. The new amended total of the agreement is \$140,320 plus reimbursable expenses.

Funding Source: 2003-2004 District Capital Outlay Fund

Comment: The scope of the project changed to include additional intersection traffic analysis and methodology requested by the City of Santa Monica and the addition of a Historic and Cultural Resources analysis in the EIR.

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| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 16 FACILITIES (continued)

16-I ANNUAL POOL PAYMENT UNDER JOINT USE OF FACILITIES AGREEMENT WITH THE CITY OF SANTA MONICA

Annual payment to the CITY OF SANTA MONICA for the District's share of maintenance and operation costs of the new pool under the terms of the Joint Use of Facilities Agreement. Payment for the period of July 1, 2002 through June 30, 2003 is \$221,252.83.

Funding Source: 2002-2003 District General Fund

Comment: Under the terms of the Joint Use of Facilities Agreement with the City of Santa Monica, the District pays a pro rata share of the maintenance and operational costs of the new pool based on the number of hours the College uses the pool compared to the total hours of pool use by all parties. The District is in discussion with the City on ways to reduce the cost in the future.

RECOMMENDATION NO. 17 PAYMENTS FROM AUXILIARY OPERATIONS

Payments were authorized upon delivery and acceptance of the items ordered, or performance of the service. All payments were made in accordance with Education Code requirements and allocated to approved budgets in the Bookstore fund, Trust fund and other Auxiliary funds.

| | | |
|------------------------|---------------|-------------|
| June 1 – June 30, 2003 | 88989 – 89422 | \$1,242,836 |
|------------------------|---------------|-------------|

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

RECOMMENDATION NO. 18 DIRECT PAYMENTS

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

| | | |
|------------------------|------------------|----------------|
| June 1 – June 30, 2003 | D001468 – 001612 | \$1,125,536.68 |
|------------------------|------------------|----------------|

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| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 19 PURCHASING

19-A AWARD OF PURCHASE ORDERS

Requested Action: Approval

| | |
|-------------------------------------|--------------|
| <u>Purchase Orders - FY 2002/03</u> | <u>Total</u> |
| A) P. O. 86879 – 86992 | \$679,167.00 |

Comment: This is a correction of the Purchase Order number sequence for the period of May 23, 2003 and June 30, 2003. The amount approved at the July 7, 2003 meeting was correct.

| | |
|-------------------------------------|----------------|
| <u>Purchase Orders - FY 2003/04</u> | <u>Total</u> |
| A) July 1, 2003 - July 25, 2003 | \$1,030,000.04 |
| B) Change Orders | \$0 |

Comment: Lists of orders placed or amended between July 1, 2003 and July 25, 2003 are part of records on file in Purchasing Department.

19-B PARTICIPATION IN PURCHASE AGREEMENT

Requested Action: Authorization

Authorize the use of the State of California Department of General Services California Multiple Awards Schedule (CMAS) contracts #3-96-70-0028AF and #3-99-58-0007E with ANIXTER for the purchase and installation of the telecommunications cabling systems for the Emeritus College project at 1227-2nd Street for an amount not to exceed \$36,341.84

Authorize the award of purchase orders to Anixter for the purchase and installation of the telecommunications cabling systems for the Emeritus College project at 1227-2nd Street.

Funding Source: SMC Foundation/Emeritus College

Comment: Public Contract Code §20652 allows the District to purchase through other public agencies without advertising for bid. Public Contract Code §12110 authorizes the Department of General Services to purchase data processing or telecommunications goods and services for other public agencies.

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| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

CONSENT AGENDA: BUSINESS AND ADMINISTRATION

RECOMMENDATION NO. 19 PURCHASING

19-C CORRECTION OF DONOR NAME (DONATION OF EQUIPMENT)

Requested Action: Approval

Donation of exercise equipment from IRONMAN MAGAZINE. The exercise equipment will be used in the Kinesiology/Dance and Athletics programs.

Comment: This is a correction of donor name for an item approved by the Board at the June 2, 2003 meeting

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| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 20

PUBLIC HEARING ON CSEA PROPOSAL ON THE EFFECTS AND IMPACT OF LAYOFFS

It is recommended that the Board of Trustees move to conduct a public hearing on the California School Employees Association (CSEA) Chapter 36 proposal on the effects of layoff/reductions for lack of work/lack of funds.

Comment: The CSEA proposal was submitted to the Board of Trustees at the meeting on July 7, 2003. The District will give consideration to the CSEA proposal during negotiations.

Open Public Hearing:

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

Public Comments:

Close Public Hearing:

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

| | |
|---|----------------|
| BOARD OF TRUSTEES | Action |
| Santa Monica Community College District | August 4, 2003 |

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 21

SANTA MONICA COLLEGE AND THE CITY OF
SANTA MONICA STAFF TO WORK TOGETHER
TO ADDRESS MUTUAL PLANNING ISSUES

It is recommended that the Board of Trustees direct Santa Monica Community College District staff to continue working with the City of Santa Monica staff to explore new ways the two institutions can better address planning issues affecting both the City and the College.

Comment: The Santa Monica City Council, at its July 8, 3002 meeting, held a public hearing approving the advancement of \$10.2 million in annual pass-through redevelopment tax increment funds from the Earthquake Recovery Project Area to Santa Monica College to fund construction of a replacement Liberal Arts Building. As part of this item the Council also passed several related resolutions and authorized execution of a cooperation agreement with SMC for carrying out the project. This vote was the culmination of an effort by the college to secure redevelopment funds to replace earthquake-damaged buildings that began in the mid 1990's.

Following the unanimous vote of the council (6-0, Council member Katz had a conflict of interest) on the Redevelopment funds, Mayor Bloom made a second motion. This motion, also approved unanimously by the council, "directed staff [city] to work with the college to explore ways the two institutions can better address together planning issues affecting both the city and college."

To further a working partnership between the City and SMC, the Board may want to consider a similar motion requesting SMC staff to work with City staff with respect to issues of mutual interest regarding development, which does not have to be limited to land use alone but can be broadly defined to encourage the development of creative and community serving projects.

Financial Impact: As the direction is only to meet, there is no financial impact at this time.

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

| | |
|---|--------------------|
| BOARD OF TRUSTEES | INFORMATION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

INFORMATION ITEM D

SUBMITTAL OF GRANTS

Title of Grant: Early Childhood Education Institute

Granting Agency: Verizon Foundation

Requested Funding: \$50,000

Matching Funds: N/A

Performance Period: June 2003 – July 2004

Summary: Funding will support the development of an Early Childhood Education Institute, patterned after the college's highly successful Business and Science Summer Institutes. High school students will have the opportunity to develop their skills under the guidance of qualified instructors. Additionally, these students work closely with local ECE employers who act as mentors, also offering work-based related feedback and training. Santa Monica College ECE courses will lay the groundwork for this program. Students enrolled in the ECE Institute will also visit highly successful Early Childhood Education Centers such as the Growing Place, giving them an inside perspective from highly-gearred leaders and their teams.

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| BOARD OF TRUSTEES | INFORMATION |
| SANTA MONICA COMMUNITY COLLEGE DISTRICT | August 4, 2003 |

INFORMATION ITEM E

CITIZENS' BOND OVERSIGHT COMMITTEE
2002-2003 ANNUAL REPORT

STATEMENT OF COMPLIANCE

This Annual Report is submitted to the Board of Trustees by the Santa Monica Community College District Citizens' Bond Oversight Committee.

The Committee advises that, to the best of its knowledge, the Santa Monica Community College District is in compliance with the requirements in Article XIII A, Section 1(b)(3) of the California Constitution. In particular, bond revenue has been expended only for the purposes so described in Measure U and, as prohibited by Article XIII A, Section 1(b)(3)(a) of the California Constitution, no funds were used for any teacher or administrative salaries or other operating expenses.

Respectfully Submitted by Graham Pope, Chair
Citizens' Bond Oversight Committee
Date: July 16, 2003

SUMMARY OF THE COMMITTEE'S PROCEEDINGS AND ACTIVITIES FOR 2002-03

The Santa Monica Community College District was successful at the election conducted on March 5, 2002 in obtaining authorization from the District's voters to issue up to \$160 million aggregate principal amount of the District's general obligation bonds. The election was conducted under Proposition 39 (chaptered as the Strict Accountability in Local School Construction Bonds Action of 2000, Education Code Section 15264 *et seq.*)

Pursuant to Education Code Section 15278, the District established the Citizens' Bond Oversight Committee at a special meeting of the Board of Trustees held on April 15, 2002 in order to satisfy the accountability requirements of Proposition 39. The Board of Trustees adopted the Bylaws setting forth the duties and rights of the Committee and approved the appointment of the 15 members to the Committee, comprised of citizens as required in Assembly Bill 1908, Chapter 44, Chapter 1.5, Article 2.

Luis Barrera
Jeff Gordon (who subsequently became ineligible)*
Nancy Greenstein
Paul Leoni
Eleanore Meyer
Ed Moosbrugger
James Mount
Graham Pope
Herb Rose
Bertrand Staggars
Linda Sullivan
Irma Vargas
Pierce Watson
Joe Weichman
Allen Weiss

Herb Reich (added *)

Meetings of the Citizens' Bond Oversight Committee

The Committee conducts its meetings in accordance with provisions of the Ralph M. Brown Public Meetings Act, Government Code Sections 54950 *et seq.* Meetings notices and agendas are sent to members of the Committee within the required period of time and are also posted at eight SMC campus locations and satellite sites. Meeting notices, agendas, minutes and all documents and reports received by the Committee members are a matter of public record and made available on the SMC website:

(www.smc.edu/admin/trustees/CitizensBondOversightCommittee/default.htm)

July 16, 2002 - Organizational Meeting
Board Room (Business Building Room 117)
Santa Monica College
1900 Pico Boulevard
Santa Monica California

Graham Pope was elected Chair and Linda Sullivan was elected Vice-Chair. The committee members drew lots to determine two- and three-year terms, as follows:

Two-Year Terms, 2002-2004

Paul Leoni
Ed Moosbrugger
James Mount
Graham Pope
Herb Reich
Herb Rose
Bertrand Staggers
Pierce Watson

Three-Year Terms, 2002-2005

Luis Barrera
Nancy Greenstein
Eleanore Meyer
Linda Sullivan
Irma Vargas
Joe Weichman
Allen Weiss

The Committee reviewed and discussed the Bylaws approved by the Board of Trustees on May 6, 2002. The Committee was briefed on its purpose:

- (a) To review quarterly expenditures reports produced by the District to ensure that bond proceeds are expended only for the purposes set forth in the ballot measure; that no bond proceeds are used for any teacher or administrative salaries or other operating expenses; and that bond proceeds are maximized.
- (b) To present to the Board of Trustees an annual written report which shall include a statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and a summary of the Committee's proceedings and activities for the preceding year.

Committee meetings for 2002-03 were scheduled to be held quarterly on the third Wednesday of the month as follows:

October 15, 2002
January 22, 2003
April 16, 2003

Reports Received: Sale of Bonds and Use of Funds as of 7/11/2002

Documents Received with Minutes of Meeting:

- Revised Schedule of Meetings
- Report "Measure U Expenditures from Initial Offerings" including definition of direct and indirect costs
- CD - Facilities Assessment Report prepared by 3-D International, 8/2001

October 16, 2002

SMC Academy of Entertainment and Technology, Room 220
1660 Stewart Street
Santa Monica, California

- Piedad Robertson, SMC Superintendent/President and Tom Donner, Executive Vice-President of Business and Administration, presented an update to the Committee on the SMC Facilities Master Plan.
- Tom Donner also briefed the Committee on contracts that have been entered into for Measure U projects. The list was distributed at the meeting and attached to the minutes. None of the expenses were for any faculty or administrative salaries or other operating expenses of the District.

January 29, 2003

BAE Systems Facility
Bundy Building, Finance Two Conference Room
3171 Centinela Avenue
Los Angeles, California

- The Committee accepted the resignation of Nancy Greenstein (she was elected to the SMCCD Board of Trustees and no longer eligible to serve on the CBOC).
- Chair Graham Pope distributed a draft of a Master Plan showing the correlation between construction of Measure U projects with the allocation of funds. It was determined that this would become the foundation for a report that would be continuously updated and distributed to the Committee.
- A number of documents were requested for the next meeting in April, including (1) Master List of Projects, (2) Status of Projects (timeline), (3) Summary of Internal Control Environment, (4) Letter from auditor as of 6/30/2002, (5) Audit Report, and (6) Legislation governing purpose and duties of committee.
- A tour of the BAE facility followed the business of the meeting.

April 30, 2003

Drescher Hall, Room 300E (the Loft)
Santa Monica College
1900 Pico Boulevard
Santa Monica, California

- The Committee received the following reports:
 - Internal Control Environment Report
 - Audit Statement (as of June 30, 2002)
 - Project List and Timeline (this report will be updated for each meeting)
- The schedule of meetings for 2003-04 was adopted, as follows:
 - July 16, 2003 (annual meeting)
 - October 15, 2003
 - January 21, 2004

| | |
|---|--------------------------------------|
| BOARD OF TRUSTEES Santa Monica Community College District | INFORMATION August 4, 2003 |
|---|--------------------------------------|

INFORMATION ITEM F

REVIEW OF DISTRICT INVESTMENTS

The attached statement shows the status of District investments as of June 30, 2003 and is presented for Board review. The report provides information required by California Government Code §53646. The investment portfolio is in compliance with District investment policy and will allow the District Trust Fund to meet expenditure requirements for the next six months. All investments are in government securities and high investment grade bonds and notes.

COMBINED TRUST FUND INVESTMENTS

6/30/2003

| <u>TYPE OF INVESTMENT</u> | <u>ISSUER</u> | <u>DATE OF MATURITY</u> | <u>QUANTITY</u> | <u>TOTAL COST</u> | <u>MARKET VALUE AS OF 6/30/2003</u> | <u>SOURCE OF MARKET VALUATION</u> |
|---------------------------|-----------------------------|-------------------------|-----------------|-------------------|-------------------------------------|-----------------------------------|
| MONEY FUND | CITIGROUP GLOBAL MARKETS | | | 104,029 | 104,029 | CITIGROUP GLOBAL MARKETS |
| US GOVERNMENT | FEDERAL HOME LOAN BANK CONS | Jul 07, 2003 | 500,000 | 510,370 | 500,315 | CITIGROUP GLOBAL MARKETS |
| US GOVERNMENT | FEDERAL HOME LOAN BANK CONS | Sep 15, 2003 | 500,000 | 510,775 | 504,220 | CITIGROUP GLOBAL MARKETS |
| US GOVERNMENT | FEDERAL HOME LOAN BANK CONS | Aug 13, 2004 | 1,000,000 | 1,036,561 | 1,000,630 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | BEAL BANK | Jul 16, 2003 | 96,000 | 96,000 | 95,974 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | FREMONT INVESTMENT & LOAN | Jul 16, 2003 | 96,000 | 96,000 | 95,972 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | JUNIPER BANK | Jul 16, 2003 | 96,000 | 96,000 | 95,974 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | EAGLE NAT'L BANK | Oct 10, 2003 | 96,000 | 96,000 | 95,847 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | MATRIX CAPITAL BANK | Oct 15, 2003 | 96,000 | 96,000 | 95,839 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | ADVANTA BANK CORP | Oct 16, 2003 | 96,000 | 96,000 | 95,838 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | GMAC COMMERCIAL MTG | Oct 16, 2003 | 96,000 | 96,000 | 95,853 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | WESTERNBANK | Apr 08, 2004 | 84,000 | 84,000 | 83,638 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | CAPITAL ONE BANK | Apr 14, 2004 | 100,000 | 100,000 | 99,918 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | NEW SOUTH FEDERAL SAVINGS | Apr 16, 2004 | 96,000 | 96,000 | 95,576 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | PARKWAY BANK & TRUST | Aug 12, 2004 | 96,000 | 96,000 | 95,945 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | UNITED COMMUNITY BANK | Aug 12, 2004 | 96,000 | 96,000 | 95,892 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | PNB FINANCIAL BANK | Oct 15, 2004 | 96,000 | 96,000 | 95,508 | CITIGROUP GLOBAL MARKETS |
| MONEY FUND | MARKET PORTFOLIO CL Y | | | 23,313 | 23,313 | BEAR STEARNS |
| TOTAL | | | | 3,425,048 | 3,370,281 | |

SIMON TRUST FUND INVESTMENTS

6/30/2003

| <u>TYPE OF INVESTMENT</u> | <u>ISSUER</u> | <u>DATE OF MATURITY</u> | <u>QUANTITY</u> | <u>TOTAL COST</u> | <u>MARKET VALUE AS OF 6/30/2003</u> | <u>SOURCE OF MARKET VALUATION</u> |
|---------------------------|-----------------------------|-------------------------|-----------------|-------------------|-------------------------------------|-----------------------------------|
| MONEY FUND | CITIGROUP GLOBAL MARKETS | | | 491,129 | 491,129 | CITIGROUP GLOBAL MARKETS |
| US GOVERNMENT | FEDERAL HOME LOAN BANK | Feb 24, 2004 | 1,060,000 | 1,060,000 | 1,060,000 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | FRANKLIN NAT'L BANK | Aug 13, 2003 | 96,000 | 96,000 | 95,937 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | CITIBANK WEST | Nov 14, 2003 | 96,000 | 96,000 | 95,797 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | COMMUNITY BANK OF NAPLES FL | May 04, 2004 | 96,000 | 96,000 | 95,507 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | NATIONAL BANK OF COMMERCE | Oct 29, 2004 | 96,000 | 96,000 | 95,495 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | FIRST AMERICAN BANK | Nov 05, 2004 | 96,000 | 96,000 | 95,488 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | STILLWATER NAT'L BANK | Nov 05, 2004 | 96,000 | 96,000 | 95,360 | CITIGROUP GLOBAL MARKETS |
| MONEY FUND | MARKET PORTFOLIO CL Y | | | 157,204 | 157,204 | BEAR STEARNS |
| TREASURY NOTE | U.S. GOVERNMENT | Nov. 15, 2005 | 300,000 | 305,627 | 330,657 | BEAR STEARNS |
| CORPORATE BOND | NATIONSBANK | Jul. 15, 2004 | 125,000 | 125,227 | 131,230 | BEAR STEARNS |
| CORPORATE BOND | BANKAMERICA | Sep. 15, 2005 | 125,000 | 127,037 | 135,939 | BEAR STEARNS |
| TOTAL | | | | 2,842,224 | 2,879,743 | |

ASSOCIATED STUDENT BODY

6/30/2003

| <u>TYPE OF INVESTMENT</u> | <u>ISSUER</u> | <u>DATE OF MATURITY</u> | <u>QUANTITY</u> | <u>TOTAL COST</u> | <u>MARKET VALUE AS OF 6/30/2003</u> | <u>SOURCE OF MARKET VALUATION</u> |
|---------------------------|---------------------------|-------------------------|-----------------|-------------------|-------------------------------------|-----------------------------------|
| MONEY FUND | CITIGROUP GLOBAL MARKETS | | | 283,308 | 283,308 | CITIGROUP GLOBAL MARKETS |
| CORPORATE BOND | BALTIMORE GAS & ELEC | Jul 01, 2003 | 26,000 | 25,870 | 26,000 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | FREMONT INVESTMENT & LOAN | Aug 21, 2003 | 96,000 | 96,000 | 95,920 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | E*TRADE BANK | Aug 25, 2003 | 96,000 | 96,000 | 95,922 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | HOUSEHOLD BANK | Aug 25, 2003 | 26,000 | 26,000 | 26,202 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | SI BANK & TRUST | Mar 04, 2004 | 23,000 | 23,000 | 22,890 | CITIGROUP GLOBAL MARKETS |
| CERTIFICATES OF DEP. | NATIONAL BANK OF COMMERCE | Oct 29, 2004 | 96,000 | 96,000 | 95,495 | CITIGROUP GLOBAL MARKETS |
| TOTAL | | | | 696,500 | 697,266 | |

| | |
|---|--------------------|
| BOARD OF TRUSTEES | Adjournment |
| Santa Monica Community College District | August 4, 2003 |

ADJOURNMENT

The meeting will be adjourned in memory of **Margaret Maddox**, sister of SMC Police Chief Eileen Miller; **Alfred Martin**, father of SMC Warehouse Delivery Clerk Luis Martin; **Susan Sanford Wakefield**, former SMC art instructor; entertainer and humanitarian **Bob Hope**, and the victims of the tragic accident at the Santa Monica Farmers Market on, July 15, 2003.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on **Tuesday**, September 2, 2003 at 7 p.m. (5:30 p.m. if there is a closed session) in the Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.