



AGENDA  
**MEETINGS OF THE GOVERNING BOARD**  
**CHAFFEY COMMUNITY COLLEGE DISTRICT**  
Thursday, July 11, 2019  
Board Room, Marie Kane  
Center for Student Services/Administration

- I. **REGULAR SESSION**
  - A. CALL TO ORDER (2:00 p.m.)
- II. **CLOSED SESSION**
  - A. PUBLIC COMMENTS ON CLOSED SESSION AGENDA
  - B. RECESS TO CLOSED SESSION
- III. **STUDY SESSION**
  - A. CONVENE IN OPEN SESSION
  - B. AGENDA
    - 1. Alumni Partnership Report
- IV. **REGULAR SESSION**
  - A. RECONVENE IN REGULAR SESSION
    - 1. Pledge of Allegiance
  - B. ORGANIZATION
    - 1. Election of Governing Board Officers
  - C. PUBLIC COMMENTS
  - D. COMMUNITY LINKAGES
    - 1. Governing Board
    - 2. Legislative Update
    - 3. Presentations
      - a. Presentation of Plaque
    - 4. Foundation
  - E. REPORTS
    - 1. Closed Session Actions
  - F. CONSENT AGENDA
    - 1. Governance Process
      - a. Approval of Minutes, June 27, 2019
      - b. Board Meeting Date Change
      - c. Certify/Attest Board Actions
    - 2. Business/Fiscal Affairs
      - a. Approval of Resolution Requesting Board of Supervisors of San Bernardino County to Establish Tax Rate for Bonds of Chaffey Community College District Expected to Be Sold During Fiscal Year 2019-2020, and Authorizing Necessary Actions in Connection Therewith
      - b. Authorized Signature List

2. Business/Fiscal Affairs (Continued)
  - c. Currently and Formerly Incarcerated Students Reentry Program Grant
  - d. Designation of Newspaper for Publication Notice of the 2019-2020 Budget Public Hearing and Dates and Times for Public Inspection and Public Hearing
  - e. Disposal of District Property: Electronic Equipment and Miscellaneous Materials
  - f. Foothill-De Anza Community College District Subaward Agreement No. 19-007 for the California Virtual Campus – Online Education Initiative (CVC-OEI) Grant Award
  - g. Quarterly Budget Transfer Report
  - h. Rental Agreement: Ontario High School
  
3. Human Resources
  - a. Chaffey College Faculty Association Contract Negotiations
  - b. Management Personnel Plan/Employment Contracts

#### G. ACTION AGENDA

1. Business/Fiscal Affairs
  - a. Adoption of Resolution Authorizing the Issuance of Chaffey Community College District Election of 2018 General Obligation Bonds, Series A, and Actions Related Thereto
  - b. Adoption of Resolution Authorizing the Issuance of the Chaffey Community College District 2019 General Obligation Refunding Bonds
  - c. Adoption of Resolution for Approval of Certain Additional Work for the Measure L Build Out Projects
  - d. Contract, Purchase Order, and Warrant Lists

#### H. CEO/STAFF REPORTS

1. Superintendent/President
2. Faculty Senate
3. Classified Senate
4. California School Employees Association (CSEA)
5. Chaffey College Faculty Association (CCFA)
6. Child Development Center Faculty Association (CDCFA)

#### I. BOARD COMMENTS, REQUESTS, AND FUTURE AGENDA ITEMS

#### V. **ADJOURNMENT**

*The next regular meeting of the Governing Board will be Thursday, August 29, 2019.*

**Complete agenda may be viewed at [www.chaffey.edu/governing board](http://www.chaffey.edu/governing%20board)**

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC     **ELECTION OF GOVERNING BOARD OFFICERS**    

Communication No. IV.B.1

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SUPPORTS BOARD POLICY

**Board Policy 2305 Annual Organizational Meeting** – The purpose of the annual organizational meeting is to elect a Governing Board President, Governing Board Vice President, Clerk of the Governing Board, and a Governing Board Representative to the San Bernardino County School Boards Association and conduct any other business as required by law or determined by the Board.

PROPOSAL

Education Code Section 72000(c)(2)(A) requires the Governing Board hold an organizational meeting within fifteen days commencing with and including the first Friday in July to elect the following officers and representative for the 2019–2020 year:

1. Election of a president
2. Election of a vice president
3. Election of a clerk
4. Selection of one member to serve as the voting representative to the San Bernardino County Committee on School District Organization
5. It is recommended that an alternate be selected to serve as the voting representative to the San Bernardino County Committee on School District Organization in the event the regular voting member cannot serve

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

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TOPIC **APPROVAL OF MINUTES, JUNE 27, 2019**

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Communication No. IV.F.1.a

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SUPPORTS BOARD POLICY

**Board Policy 2360 Minutes** – The minutes shall record all actions taken by the Governing Board. The minutes shall be public records and shall be available to the public.

PROPOSAL

To approve the minutes of the June 27, 2019, regular meeting.

BACKGROUND

It is the practice of the board to approve the minutes of the board meeting(s) held the previous month. Those minutes are then made available to the public in the Chaffey College Library and on the college website.

BUDGET IMPLICATIONS

N/A

RECOMMENDATION

Approval of the minutes of the June 27, 2019, regular board meeting.

Submitted by: <u>Henry D. Shannon, Superintendent/President</u>
Recommended by: <u>Henry D. Shannon, Superintendent/President</u>

**OFFICIAL PROCEEDINGS  
OF THE GOVERNING BOARD  
CHAFFEY COMMUNITY COLLEGE DISTRICT**

A regular meeting of the Chaffey Community College District Governing Board was held on Thursday, June 27, 2019, in the boardroom of the Marie Kane Center for Student Services/Administration. Board President Brugger called the meeting to order at 2:00 p.m.

Members present: Ms. Brugger, Mr. McDougal, Ms. McLeod, Mr. Ovitt, Ms. Roberts, Ms. Williams (Student Trustee)

Members absent: None

**CLOSED SESSION**

The public is given an opportunity to address the Governing Board regarding the posted closed session agenda. No comments were made.

The Board convened in closed session at 2:00 p.m. Closed session was adjourned at 2:25 p.m.

**STUDY SESSION**

A study session commenced on the following topics:

2019-2020 Tentative Budget – Lisa Bailey, associate superintendent of business services and economic development, praised Anita Undercoffer, executive director of budgeting and fiscal services, and her staff for their hard work on a difficult budget. Ms. Bailey also thanked Trustee Ovitt for his participation in the budget development process. Dr. Shannon commented that one of the difficulties of developing the budget is forecasting when conditions change on a weekly basis.

Ms. Undercoffer's presentation included: 2018-2019 Chaffey College budget update, 2019-2020 Governor's May Revise Budget, 2019-2020 Chaffey College tentative budget, 2019-2020 state budget agreement, Student Centered Funding Formula (SCFF) funding issues; 2018-2019 SCFF funding instability, FTES, revenue and expense historical summary, tentative budget development, budget adjustment (income), and budget adjustments (expenses).

Anita Undercoffer explained that the tentative budget must be in place so spending can occur on July 1. The governor has not signed the state budget as of this date.

Mr. McDougal asked about the solar debt payment, which seemed low. Ms. Undercoffer responded that this amount reflects the increase to the 18-year payment schedule, rather than the whole payment.

Measure P Update – Vice President of Administrative Services Melanie Siddiqi presented on the Bond Citizens' Oversight Committee (COC), first bond issuance, 5-Year Construction Plan, bond program and project management services, and plans for the next six months.

Ms. Siddiqi explained that the COC members from Measure L would continue to serve for the Measure P bond. The COC conducted their first meeting on June 4. She further explained that the 5-Year construction plan is a mandated plan due to the Chancellor's Office by July 1 of each year. All projects not funded by the state in 2018-2019 will be funded in 2019-2020.

Dr. Shannon mentioned that if we had not passed Measure P, we would not have been able to provide the matching fund for the Chino instructional building. Ms. Siddiqi mentioned that the state looks favorably on renovation projects.

Ms. Siddiqi introduced Kitchell staff who were present at the Board meeting.

## REGULAR SESSION

The regular session reconvened at 3:30 p.m., and Trustee Lee McDougal led the Pledge of Allegiance to the Flag.

## PUBLIC COMMENTS

Kim Burden, grounds person, thanked the Board and stated that he has officially separated from the District after 19 years of service. Dr. Shannon remarked that Mr. Burden is a class act and will be missed.

Lorena Corona, manager of transitional services, addressed the Board to say thank you and farewell. She stated that it has been an honor to serve our community. She thanked the Board for helping her to become the person she is today. Dr. Shannon thanked Ms. Corona for her service to the College.

## COMMUNITY LINKAGES GOVERNING BOARD

Student Trustee Nikeenia Williams shared that Chaffey College Student Governing (CCSG) sent out applications for new senators, that she attended the Foundation Golf Tournament, and that she is looking forward to working with the Board in her role as the new student trustee.

Gary Ovitt reported that he attended the CIW program, in which he saw a young woman who he knew graduate with honors. He also attended the Foundation Golf Tournament dinner, and the Chino Valley School District Adult School HVAC visit with Carl Hampton.

Other events Mr. Ovitt attended included the Memorial Day Celebration at Bellevue Memorial Cemetery, Children's Fund Board meeting, Ontario Chaffey Community Show Band Board meeting, West End YMCA Board meeting, served pancakes at the Inland Valley Street Rods Rally and Cruise, First 5 Budget Commission meeting, Children's Fund Executive Assistant interviews, Children's Fund golf tournament, Chaffey College HVAC-R ribbon cutting ceremony, Ontario Chaffey Community Show Band Concert, Chaffey College budget review meeting, Relay for Life, Frontsight Ministries fundraiser for veterans, OPARC fundraiser, Parks and Recreation Commission meeting, Children's Fund Bank of America grant meeting, Ontario Chaffey Community Show Band Board meeting, West End YMCA Board meeting, and Foothill Family Shelter fundraiser.

Lee McDougal reported that this year's commencement was the best one yet, that he enjoyed each and every speaker, and that the event went very smoothly. He commended everyone involved. He also attended the Fontana Installation Dinner; the Foundation Golf Tournament, in which he had the chance to sit with his predecessor as Montclair City Manager, Mike Milheiser; chaired the Chino Community Center Oversight Committee; CIW/CIM Citizen Advisory Committee meetings, in which it was announced that the warden at CIM is retiring; and lastly he welcomed new Student Trustee Nikeenia Williams to the dais.

Katie Roberts stated that she will miss Lorena Corona, who she believes is one of the most honest and benevolent people she has ever met. She also reported that she attended the Chaffey College commencement; Inland Valley Street Rods Car Show with Rotary; and meetings of West End Family Counseling, YMCA and Rotary; and the Chino State of the City luncheon. She commented that the commencement ceremonies get better and better each year.

Gloria McLeod reported that she attended the Chino State of the City luncheon and has been out of commission for the last six weeks.

Board President Kathy Brugger announced that she is a member of the Senior Disability Fund for San Bernardino County, which meets monthly. She also had the pleasure of attending an American Association of University Women event in which Lisa Nashua was honored. Ms. Brugger also attended the Chino State of the City luncheon and the Foundation Golf Tournament dinner. Ms. Brugger thanked the Foundation Board for supporting our community by holding the event at Red Hill Country Club, which is in the Chaffey District.

## LEGISLATIVE UPDATE

Dr. Eric Bishop provided a presentation and showed the updated Governing Board website, which now includes the District maps for each Board member. Dr. Bishop highlighted the following legislation: AB 2; AB 302, which is controversial and largely opposed; social justice issue; AB 1313; and March 3, 2020 election timeline for Chaffey College Districts 3, 4 and 5. Dr. Bishop also distributed a California 2020 Primary Election, March 3, 2020, election calendar.

## FOUNDATION

Lisa Nashua, executive director, Foundation, provided a written report which included: scholarships, CCSG \$33,000 year end gift to increase their 2017 Senior Class Gift Endowment Fund, Foundation Finance and Investment Committee to meeting in August to evaluate endowment investment earnings for 2019-20 Scholarship Awards, private foundations Edison International, Rich & Marion Leonhard Equipment Donation Grant, Arconic Foundation, Wells Fargo Foundation, and San Manuel Band of Mission Indians; and the Chaffey College Foundation Golf Tournament.

Ms. Nashua thanked CCSG President Williams for the endowment fund and commented that she looked forward to working with her in the upcoming year.

## REPORTS

### CLOSED SESSION ACTIONS

Board Secretary Henry Shannon announced that the Board took action in closed personnel session this evening to approve the following by a unanimous (5:0) vote.

Employment or ratification of:

My Tran to the position of accounting technician, 1.0 FTE, 12 months, range 17, step A of the CSEA salary schedule, effective July 8, 2019.

Jesse Larios to the position of campus police officer, 1.0 FTE, 12 months, range 23, step A of the CSEA salary schedule, effective July 1, 2019.

Maria Rodriguez to the position of campus police officer, 1.0 FTE, 12 months, range 23, step A of the CSEA salary schedule, effective July 1, 2019.

Donald Essex to the position of counselor, disability programs and services, 1.0 FTE, 11-month tenure-track assignment effective July 1, 2019.

Louis Gutierrez to the position of educational services generalist, admissions and records, 1.0 FTE, 12 months, range 15, step A of the CSEA salary schedule, effective July 1, 2019.

Ryan Church to the classified management position of general counsel, effective August 1, 2019, through June 30, 2020, under the terms and conditions of the classified administrator employment agreement.

Christina Holdiness to the position of instructional specialist, 1.0 FTE, 11-month tenure-track assignment effective July 1, 2019.

Emilie Koenig to the position of instructor, English, 1.0 FTE, 10-month tenure-track assignment effective August 14, 2019.

Markazan Romero to the position of instructor, industrial electrical technology, 1.0 FTE, 10-month tenure-track assignment effective August 14, 2019.

Amanda Admire to the position of research analyst, 1.0 FTE, 12-months, range 33, step A of the CSEA salary schedule, effective July 15, 2019.

Hourly personnel including adjunct faculty, contract faculty overload, and short-term workers.

Darryl Seube to the temporary, unclassified, professional expert position of acting chief of police, effective July 1, 2019, through December 31, 2019, under the terms and conditions of the employment agreement.

Stephen Lux to the temporary, unclassified, professional expert position of administrator, campus police, effective July 1, 2019, through June 30, 2020, under the terms and conditions of the employment agreement.

Matthew Morin to the temporary, unclassified, professional expert position of director, adult education and high school partnerships, effective July 1, 2019, through June 30, 2020, under the terms and conditions of the employment agreement.

Irene Gishwiller to the temporary, unclassified, professional expert position of grant coordinator, effective July 1, 2019, through June 30, 2020, under the terms and conditions of the employment agreement.

Karena Jimenez to the temporary, unclassified, professional expert position of grant coordinator, effective July 1, 2019, through June 30, 2020, under the terms and conditions of the employment agreement.

Jeff Klein to the temporary, unclassified, professional expert position of head coach, men's basketball, effective July 1, 2019, through June 30, 2020, under the terms and conditions of the employment agreement.

Madonna Siao to the temporary, one-year position of instructor, child development/early childhood education, 1.0 FTE, effective August 14, 2019, through May 20, 2020, for the 2019-20 academic year.

Dina Mangini to the temporary, unclassified, professional expert position of job developer, effective July 1, 2019, through June 30, 2020, under the terms and conditions of the employment agreement.

Heather Nishioka to the temporary, unclassified, professional expert position of manager, major and capital gifts, effective July 1, 2019, through June 30, 2020, under the terms and conditions of the employment agreement.

James Morante to the temporary, unclassified, professional expert position of sector navigator, energy, construction and utilities, effective July 1, 2019, through June 30, 2020, under the terms and conditions of the employment agreement.

Utilization of volunteer services (This list has been made part of the minutes of this meeting.)

Appointment of:

The Governing Board approved the revised educational services coordinator assignments for the 2018–19 academic year.

The Governing Board approved the educational services coordinator assignments for the 2019–20 academic year.

Robert Rundquist to the position of interim dean, institutional effectiveness and intersegmental partnerships, 1.0 FTE, 12 months, range 32, step G of the management salary schedule, effective July 1, 2019, through June 30, 2020.

Diana Sanchez to the position of interim director, extended opportunity programs and services (EOPS)/CARE/CALWORKS, 1.0 FTE, 12 months, range 25, step F of the management salary schedule, effective July 1, 2019, through June 30, 2020.

Misty Burruel to the position of interim dean, visual and performing arts, 1.0 FTE, 12 months, range 32, step A of the management salary schedule, effective July 1, 2019, through June 30, 2020.

The Governing Board approved the temporary increase in assignments of .475 contract campus store employees to work a maximum of eight hours per day for no more than twenty consecutive days and for a period that will not exceed seventy-five days during the 2019–20 fiscal year.

By a unanimous vote in closed session, the Board accepted the resignation of a professional expert pursuant to a settlement agreement that included monetary and non-monetary provisions.

## MONITORING

The following reports were submitted to the Governing Board for their information:

Child Development Center: Program Self-Evaluation and Annual Report  
Curriculum Monitoring Report

Information Technology Services Monitoring Report – Trustee McDougal remarked that he enjoyed the graphics used in the report.

## CONSENT AGENDA

A motion was made by Trustee McDougal, seconded by Trustee Ovitt, to approve the consent agenda as presented.

Yeas: Ms. Brugger, Mr. McDougal, Mr. Ovitt, Ms. McLeod,  
Ms. Roberts  
Ms. Williams (advisory)  
Nays: None  
Absent: None

Through this action, the following were approved (Approval of Minutes, May 22, 2019 through Student Discipline).

## GOVERNANCE PROCESS

The minutes of the May 22, 2019 regular board meeting were approved as presented.

The Governing Board, by attached Resolution No. 62719, approved the changing of its regular election from June of even-numbered years to March of even-numbered years to comply with Senate Bills 415 and 568 making the next regular Board election March 3, 2020.

The Governing Board adopted the attached resolution to compensate Gloria Negrete-McLeod, Governing Board member, for the May 22, 2019, meeting from which she was absent.

## BUSINESS/FISCAL AFFAIRS

The Governing Board approved the Quality State San Bernardino (QSSB) award in the amount of \$2,500 for the period of May 5, 2018 through June 30, 2019.

The Governing Board approved the 2019-2020 appropriation limit of \$195,038,069.

The Governing Board approved the California Department of Education 2019-2020 California State Preschool Program Contract (CSPP-9418) in the amount of \$359,862 for the period of July 1, 2019 through June 30, 2020.

The Governing Board approved the California Department of Education 2019-2020 California State Preschool Program (CSPP) Expansion Funds in the amount of \$127,157 for the period of July 1, 2019 through June 30, 2020.

The Governing Board approved the California Department of Education 2019-2020 General Child Care and Dev Programs Contract (CCTR-9187) in the amount of \$445,305 for the period of July 1, 2019 through June 30, 2020.

The Governing Board approved the Sector Navigator Grant from the California Community Colleges Chancellor's Office in the amount of \$372,000 for the period of July 1, 2019 through June 30, 2020.

The Governing Board approved the 2019-2020 tentative budget as submitted.

The Governing Board authorized the District to issue and execute all necessary documents for the Measure L Build Out Project to reduce the amount of retention withheld from \$532,211.77 to \$31,912.57, in accordance with the terms and conditions of Contract No. 18PW40 with Robert Clapper Construction, Inc., of Rialto, California.

The Governing Board authorized the District to execute the proposed agreement with Kitchell/CEM, Inc., of Riverside, California for Program Management and Project Management Services in an amount not to exceed \$8,524,512.

The Governing Board authorized the District to award Bid No. 2019CS648 and to issue a purchase order in accordance with the terms and specifications of the Bid Documents to Jaken Medical of Chino, California, in the amount of \$81,564, which equals the total bid price plus sales tax in the amount of \$6,064, for a grand total of \$87,564.

The Governing Board approved the second amendment to the Inland Empire Health Plan (IEHP) agreement to design and provide Business Writing Skills training in the amount of \$19,776.

The Governing Board approved the receipt of Veterans Affairs (VA) grant funds in the amount of \$5,055 for the 2018-2019 fiscal year.

The Governing Board adopted Resolution 62719A, which delegates authority to the superintendent/president or his designee to sell or otherwise dispose of the electronic equipment and miscellaneous materials listed in Exhibit A of the resolution, and to execute all documents in connection therewith, in accordance with the terms and conditions of the resolution.

The Governing Board approved the 2021-2025 Five-Year Capital Construction Plan and authorized the superintendent/president of the College to sign the formal documents that authorize action on behalf of the District.

The Governing Board approved the agreement between Rancho Santiago Community College District and Chaffey Community College District for the Industry Sector Projects in Common (ISPIC) sub-grant in the amount of \$131,000 to support CTE program development and improvement efforts by providing a suite of tools, training, technical assistance and outcome and labor market data for the California Community Colleges.

The Governing Board authorized the District to let sole source purchase orders to Apple, Inc., without formal, public advertising and receiving of bids, for fiscal year 2019-2020 as needed, to buy Apple products for instructional and administrative use.

#### HUMAN RESOURCES

The Governing Board accepted the bargaining topics in preparation to open negotiations with the Chaffey College Faculty Association (CCFA).

The Governing Board approved the employment contracts between the Governing Board of the Chaffey Community College District and Level I, Level II, and Level III management employees.

#### STUDENT SERVICES

The Governing Board denied future readmission to the College for the former student with identification number 0683 from the Chaffey Community College District for violations of the Student Behavior Code and California Penal Code.

#### ACTION AGENDA

#### BUSINESS/FISCAL AFFAIRS

The contract, purchase order, and warrant lists were approved on the motion of Trustee McDougal, second of Trustee McLeod. (These lists have been made part of the minutes of this meeting.)

Yeas: Ms. Brugger, Mr. McDougal, Mr. Ovitt, Ms. McLeod,  
Ms. Roberts  
Ms. Williams (advisory)  
Nays: None  
Absent: None

## CEO/STAFF REPORTS

Henry Shannon, superintendent/president, provided a report which included: the InTech Center HVAC-R Ribbon Cutting at Chino Valley Adult School, Chino Community Center Oversight Committee, Region IX CEO meeting, Fontana Chamber Installation Gala, article on student who graduated from Los Osos High School and Chaffey College on the same day, San Bernardino County Superintendent's meeting, Workforce Development Board meeting, West End Real Estate Professionals speaking event, Local Vision Goals, Online Education Initiative Grants, and updates from the Offices of Instruction and Institutional Effectiveness and Student Services.

Dr. Shannon highlighted the Boys to Businessmen, Inc., monthly entrepreneur's breakfast, which featured Chaffey alum and award-winning animator and artist Leo Sullivan. President Shannon also presented a certificate of achievement to Dean Joy Haerens to commemorate her retirement and for her service to Chaffey College. In response, Ms. Haerens thanked everyone and stated that she has learned so much in her 30 years at the College, especially from students.

Faculty Senate President Misty Burruehl highlighted faculty leaving for sabbatical Carol Dickerson, Mary Jane Ross, Cindy Walker, and Kevin Cameron; faculty returning from sabbatical Charles Williams, Rachel Hanna, and Paula Snyder; faculty senate PSR; faculty hiring and Faculty Obligation Number (FON) workgroup; 16-week calendar committee; Guided Pathways: Academic and Career Communities; program maps; Guided Pathways: News, PD, and Curriculum; 2019 Fall Flex Workshops; AB 705; new curriculum development. Ms. Burruehl also highlighted the individual creative works and professional activities of Jackie Boboye, professor, counselor; Stan Hunter, professor, art, ceramics; Kristen Burleson, professor, career counselor; Wendy Whitney, professor, career counselor, Robin Witt, MATHSway professor. She also introduced Robin Witt and Nicole DeRose who are very active on Faculty Senate, who were present.

Classified Senate President Trisha Albertsen highlighted classified employees Roman Stollenwerk, assistant curator – Wignall Museum of Contemporary Art; Maria Jara, payroll technician; Leticia Mowrey, program assistant – EOPS; Christine Martinez, admissions and records; and Trisha Albertsen, accountant, business and fiscal services.

CSEA President Monica Han thanked the Board for approving Rob Rundquist's new position, interim dean, institutional effectiveness and intersegmental partnerships, and welcomed him back to the College after his service to the Chancellor's Office. Ms. Han also commended Dr. Michael McClellan for his leadership style and thanked him for his win-win spirit. She also congratulated all of those who are separating from the College for their service.

CCFA President Jonathan Ausubel echoed Ms. Han's sentiments to Dean Haerens and others for their service to the College. He also thanked the Board for their initial approval of the bargaining topics, and remarked that he believed that this is the earliest that the interest lists have ever been approved, and that CCFA looks forward to having a ratified contract in less than a year. He stated that they are currently working on a negotiations survey that they will distribute during the first week of classes. He further stated that he will be in Kauai, and that Emily Avila will be reporting on behalf of CCFA next month.

CDCFA had no report.

#### BOARD COMMENTS, REQUESTS, AND FUTURE AGENDA ITEMS

None.

#### ADJOURNMENT

The meeting was adjourned at 3:57 p.m. in memory of Anna Gail Gentile, former nursing instructor, and Willeen Avant, former financial aid supervisor and mother-in-law of Johnny Carpenter, technical support specialist.

The next regular meeting of the Chaffey Community College District Governing Board will be Thursday, July 11, 2019.

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President

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Clerk

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC BOARD MEETING DATE CHANGE

Communication No. IV.F.1.b

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SUPPORTS BOARD POLICY

**Board Policy 2310 Regular Meetings of the Governing Board** – By Governing Board action taken at a prior meeting, any future meetings may be added, cancelled, or rescheduled.

PROPOSAL

To change the date of the August Board meeting to Thursday, August 29, 2019.

BACKGROUND

To allow additional time for budget development.

BUDGET IMPLICATIONS

N/A

RECOMMENDATION

It is recommended that the Governing Board change the date of the August Board meeting to Thursday, August 29, 2019.

Prepared by: <u>Henry D. Shannon, Superintendent/President</u>
Recommended by: <u>Henry D. Shannon, Superintendent/President</u>

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019

Board Meeting Date

TOPIC           **CERTIFY/ATTEST BOARD ACTIONS**          

Communication No. IV.F.1.c

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SUPPORTS BOARD POLICY

**Board Policy 2210 Officers** – The clerk of the Governing Board shall certify or attest to certain actions taken by the Governing Board whenever such certification or attestation is required for any purpose.

PROPOSAL

To authorize the Governing Board clerk to attest to actions taken by the Governing Board.

BACKGROUND

A number of agencies require official certification of various actions of the Governing Board. With the election of board officers tonight, this action will update the official approved signatures list for the district.

BUDGET IMPLICATIONS

N/A

RECOMMENDATION

To authorize the Governing Board clerk to attest to actions taken by the Governing Board whenever such certification or attestation is required for any purpose.

Prepared by: <u>          Henry D. Shannon, Superintendent/President          </u>
Recommended by: <u>          Henry D. Shannon, Superintendent/President          </u>

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019

Board Meeting Date

TOPIC      **APPROVAL OF RESOLUTION REQUESTING BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY TO ESTABLISH TAX RATE FOR BONDS OF CHAFFEY COMMUNITY COLLEGE DISTRICT EXPECTED TO BE SOLD DURING FISCAL YEAR 2019-2020, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

Communication No.    IV.F.2.a

SUPPORTS BOARD POLICIES

Supports and complies with Policies: 6100 Delegation of Authority, 6300 Fiscal Management and 6600 Capital Construction

PROPOSAL

To adopt Resolution No. 71119B, a Resolution requesting the Board of Supervisors of San Bernardino County to establish a tax rate for bonds of Chaffey Community College District expected to be sold during fiscal year 2019-2020, and authorizing necessary actions in connection therewith.

BACKGROUND

An election was held in the San Bernardino Community College District on November 6, 2018 for the issuance and sale of general obligation bonds of the District for various college improvements in the maximum amount of \$700,000,000 (the "Measure P"). The schedule for issuing the first series of bonds authorized under Measure P (the "Bonds") currently anticipates selling such Bonds after the time that the Auditor-Controller calculates the taxes to be levied for District bonded debt during fiscal year 2019-20. Therefore, Resolution No. 71119B is being brought before the Governing Board now to formally request that, pursuant to Education Code Sections 15252-15254, the Board of Supervisors of San Bernardino County (the "County") adopt a tax rate and levy a tax for the Bonds. The tax rate will be based upon an estimated debt service schedule prepared by the District. The Resolution further authorizes the District officials to file a certified copy of the Resolution with the Board of Supervisors of the County and to deliver copies of the Resolution to the Auditor-Controller and Treasurer and Tax Collector of the County.

Adoption of this Resolution is necessary to ensure that property taxes are levied during fiscal year 2019-2020 for the payment of the Bonds. The Bonds are expected to be sold during fiscal year 2019-20.

BUDGET IMPLICATIONS

N/A

RECOMMENDATION

Staff recommends approval of Resolution No. 71119B requesting the Board of Supervisors of San Bernardino County to establish a tax rate for bonds of Chaffey Community College District expected to be sold during fiscal year 2019-2020, and authorizing necessary action in connection therewith.

Prepared by:	Kim Erickson, Executive Director, Business Services
Submitted by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**RESOLUTION NO. 71119B**

**RESOLUTION REQUESTING BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY TO ESTABLISH TAX RATE FOR BONDS OF CHAFFEY COMMUNITY COLLEGE DISTRICT EXPECTED TO BE SOLD DURING FISCAL YEAR 2019-20, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH.**

**WHEREAS**, this Governing Board (the “Board”) of the Chaffey Community College District (the “District”), located in San Bernardino County (the “County”), California, is authorized to, and intends to, issue a series of its bonds for purposes authorized by the voters of the District on November 6, 2018 (“Measure P”);

**WHEREAS**, the Board of Supervisors of the County is required to take action approving a tax rate for payment of indebtedness of the District during Fiscal Year 2019-20, and it is the responsibility of the Auditor-Controller of the County to calculate the several tax rates for the Board of Supervisors’ action thereon;

**WHEREAS**, this Board has determined that it is not possible or advisable to sell the District’s bonds in time to permit the Auditor-Controller, or other appropriate County official, of the County to calculate the tax rates necessary to pay debt service on such bonds in order that such tax rates may be reflected on 2019-20 property tax bills of taxpayers in the District;

**WHEREAS**, the Education Code of the State of California provides that the Board of Supervisors of each county shall annually, at the time of making the levy of taxes for county purposes, estimate the amount of money required to meet the payment of the principal of and interest on the bonds authorized by the electors of the District and not sold, and which the Governing Board of the District informs the Board of Supervisors in their belief will be sold before the next tax levy, and further provides that said Board of Supervisors shall levy a tax sufficient to pay the principal and interest so estimated; and

**WHEREAS**, this Board deems it necessary and desirable to issue a series of the District’s bonds during Fiscal Year 2019-20, as authorized by the Government Code, and that the County levy a tax for payment on debt service estimated to come due on such bonds during Fiscal Year 2019-20, and believes that said bonds will be sold during said Fiscal Year.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF CHAFFEY COMMUNITY COLLEGE DISTRICT:**

Section 1. Recitals. All of the above recitals are correct.

Section 2. Estimate of Tax Levy. The Superintendent/President or the Associate Superintendent, Business Services and Economic Development of the District or such other officer of the District as either authorized officer may designate (each, an “Authorized District Representative”), are hereby authorized and directed to prepare, or cause the investment banker to the District, to prepare, an estimate of all payments of principal and interest which shall become due on a series of Measure P bonds of the District expected to be sold prior to the making of the tax levy

for Fiscal Year 2019-20, and to cause the debt service schedule so prepared to be provided to the Board of Supervisors and the Auditor-Controller of the County and to any other officers of the County responsible for preparing the tax levy for bonds of the District and for levying said tax. The District estimates that the sale of its first series of bonds shall be in an estimated amount of \$200 million, an amount within the District's authorized but unissued bond allowance, and shall be issued during Fiscal Year 2019-20.

Section 3. Request to County to Levy Tax. The Board of Supervisors of the County is hereby requested, in accordance with Education Code Sections 15252-15254, to adopt a tax rate for bonds of the District expected to be sold during Fiscal Year 2019-20, based upon the estimated debt service schedule prepared by officers of the District, and to levy a tax in Fiscal Year 2019-20 on all taxable property in the District sufficient to pay said estimated debt service. The proceeds of such tax shall be deposited into the debt service fund of the District established pursuant to the Education Code for bonds of the District.

Section 4: Application of Tax Proceeds. In the event that the bonds of the District are not sold during Fiscal Year 2019-20, or sold in such amount and on such terms that the proceeds of the tax requested in Section 3 hereof, or any portion thereof, are not required for payment of debt service due on the bonds, or payment of other outstanding bonds of the District payable from the debt service fund of the District, this Board hereby requests that the Auditor-Controller, or other appropriate official of the County cause the remaining proceeds of the tax to be held in the debt service fund and applied to debt service on outstanding bonds of the District coming due in Fiscal Year 2020-21.

Section 5. Filing of Resolution. The Secretary of this Board is hereby authorized and directed to file forthwith a certified copy of this Resolution with the Clerk of the Board of Supervisors of the County, and to cause copies of this Resolution to be delivered to the Auditor-Controller and the Treasurer-Tax Collector of the County.

Section 6. Further Authorization. The President of this Board, the Secretary of this Board, or any Authorized District Representative, shall be and they are hereby authorized and directed to take such additional actions consistent with the intent of this Resolution in connection with the sale of the bonds of the District, which any of them deem necessary and desirable to accomplish the purpose hereof.

Section 7. Effective Date. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 11th day of July, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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Gloria Negrete-McLeod  
President of the Governing Board of the  
Chaffey Community College District

Attest:

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Henry D. Shannon, Ph.D.  
Secretary to the Governing Board of the  
Chaffey Community College District

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019

Board Meeting Date

TOPIC **AUTHORIZED SIGNATURE LIST**

Communication No. IV.F.2.b

SUPPORTS BOARD POLICY

**Board Policy 6150 Designation of Authorized Signatures** - The Governing Board, on recommendation of the Superintendent/President, approves a listing of designated employees whose signature is approved for essential District business for the fiscal year. Modified lists are submitted to the Governing Board as necessary.

PROPOSAL

To approve the revised district authorized signature list to be effective July 11, 2019. The changes include titles of Melanie Siddiqi from Vice President, Administrative Affairs to Associate Superintendent, Administrative Services; Eric Bishop from Vice President, Student Services to Associate Superintendent, Student Services & Legislative Engagement; replacing Alisha Serrano with Ruth Ann Valencia, Director, Career and Transfer Centers; and removing Eva Ramirez, Interim Director, Purchasing Services, and Morgan Stanley Smith Barney.

BACKGROUND

The signature list specifying persons authorized to sign official district documents is approved by the Governing Board. The signature list reflects the appropriate changes.

BUDGET IMPLICATIONS

*Funding Source – N/A*

*Status of Funds – N/A*

*Future Implications – N/A*

RECOMMENDATION

It is recommended the Governing Board approve the revised district authorized signature list to be effective July 11, 2019.

Submitted by:	Lisa Bailey, Associate Superintendent of Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

## DISTRICT AUTHORIZED SIGNATURE LIST

July 11, 2019

### DISTRICT OFFICIAL DOCUMENTS

Henry D. Shannon, Superintendent/President  
Laura Hope, Acting Associate Superintendent, Instruction and Institutional Effectiveness  
Lisa Bailey, Associate Superintendent, Business Services & Economic Development  
Melanie Siddiqi, Associate Superintendent, Administrative Services

### CONTRACTS

Henry D. Shannon, Superintendent/President  
Lisa Bailey, Associate Superintendent, Business Services & Economic Development  
Melanie Siddiqi, Associate Superintendent, Administrative Services  
Kimberly Erickson, Executive Director, Business Services  
Susan Hardie, Director, Human Resources and Risk Management

### PURCHASE ORDERS

Henry D. Shannon, Superintendent/President  
Lisa Bailey, Associate Superintendent, Business Services & Economic Development  
Kimberly Erickson, Executive Director, Business Services

### BOOKSTORE PURCHASE ORDERS

Henry D. Shannon, Superintendent/President  
Lisa Bailey, Associate Superintendent, Business Services & Economic Development  
Kimberly Erickson, Executive Director, Business Services  
Dawn Hatfield, Administrator, Campus Store

### AUDITOR-CONTROLLER SIGNATURE/FUND CUSTODIAN AUTHORIZATION

Lisa Bailey, Associate Superintendent, Business Services & Economic Development  
Kimberly Erickson, Executive Director, Business Services  
Laura Collins, Accountant  
Trisha Albertsen, Accountant

### NOTICES OF EMPLOYMENT-PERSONNEL AGREEMENTS

Henry D. Shannon, Superintendent/President  
Laura Hope, Acting Associate Superintendent, Instruction and Institutional Effectiveness  
Lisa Bailey, Associate Superintendent, Business Services & Economic Development  
Eric Bishop, Associate Superintendent, Student Services & Legislative Engagement  
Melanie Siddiqi, Associate Superintendent, Administrative Services  
Susan Hardie, Director, Human Resources and Risk Management  
Ruth Ann Valencia, Director, Career and Transfer Centers (Student NOE)

### CHECKING ACCOUNTS

District

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Kimberly Erickson, Executive Director, Business Services

Bookstore

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
- Kimberly Erickson, Executive Director, Business Services

#### Cafeteria

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
- Kimberly Erickson, Executive Director, Business Services

#### Associated Student Body

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
- Kimberly Erickson, Executive Director, Business Services

#### Auxiliary Services

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
- Kimberly Erickson, Executive Director, Business Services

#### Chaffey College Chino Community Center

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
- Kimberly Erickson, Executive Director, Business Services

#### Chaffey College Revolving Cash Fund

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
- Kimberly Erickson, Executive Director, Business Services

#### Clearing Account, Federal Student Grant Program

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
- Kimberly Erickson, Executive Director, Business Services
- Laura Collins, Accountant

#### State of California Cal Grant, Chaffey College Federal Grant, Federal Grant Program-Pell Second Chance and Full-time Student Success Grant Programs

- Henry D. Shannon, Superintendent/President
- Lisa Bailey, Associate Superintendent, Business Services & Economic Development
- Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
- Kimberly Erickson, Executive Director, Business Services
- Laura Collins, Accountant
- Trisha Albertsen, Accountant

#### PAYDEN & RYGEL

Henry D. Shannon, Superintendent/President

Lisa Bailey, Associate Superintendent, Business Services & Economic Development

Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services

Kimberly Erickson, Executive Director, Business Services

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019

Board Meeting Date

TOPIC CURRENTLY AND FORMERLY INCARCERATED STUDENTS REENTRY PROGRAM GRANT

Communication No. IV.F.2.c

SUPPORTS BOARD POLICY

**Board Policy 3280 Grants** – The Governing Board shall be informed about all grant awards received by the District. The Superintendent/President shall establish procedures to assure the timely application and processing of grant proposal applications and awards, and that the grants that are submitted directly support the purposes of the District.

PROPOSAL

To approve the Board of Governors and California Community Colleges Chancellor’s Office Currently and Formerly Incarcerated Students Reentry Program 2019-2020 grant award in the amount of \$113,636.

BACKGROUND

This grant will allow Chaffey College to build upon our existing relationship with the California Institute for Women (CIW) and the California Institute for Men (CIM) by introducing a new post-incarceration reentry program at Chaffey College and expanding current services to include pre-release transitional services at these locations.

BUDGET IMPLICATIONS

*Funding Source* – California Community Colleges Chancellor’s Office.

*Status of Funds* – Funds of \$113,636 for this grant will be included in the 2019-2020 restricted general fund adopted budget.

*Future Implications* – None

RECOMMENDATION

It is recommended that the Governing Board approve the Board of Governors and California Community Colleges Chancellor’s Office Currently and Formerly Incarcerated Students Reentry Program 2019-2020 grant award in the amount of \$113,636.

Prepared by:	Eric Bishop, Associate Superintendent of Student Services and Legislative Engagement
Submitted by:	Jim Fillpot, Dean, Institutional Research, Policy and Grants
Reviewed by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC **DESIGNATION OF NEWSPAPER FOR PUBLICATION NOTICE OF THE 2019-2020 BUDGET PUBLIC HEARING AND DATES AND TIMES FOR PUBLIC INSPECTION AND PUBLIC HEARING**

Communication No. IV.F.2.d

**SUPPORTS BOARD POLICY**

**Board Policy 6200 Budget Preparation** – Each year, the Superintendent/President shall present a budget or plan, prepared in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual to the Governing Board.

**PROPOSAL**

To approve:

- a. The designation of the *Inland Valley Daily Bulletin* as the newspaper for the publication of the notice of public hearing on the 2019-2020 budget.
- b. August 26, 27, and 28, 2019 between 8:00 a.m. and 4:30 p.m. as the dates and times the 2019-2020 budget will be available for public inspection in the Chaffey Community College District Budgeting and Fiscal Services Office.
- c. August 29, 2019, at 2:00 p.m. as the date and time of the budget public hearing to be held in the Chaffey Community College District board room.

**BACKGROUND**

Pursuant to California Administrative Regulations, Title 5, section 58301, this item designates the *Inland Valley Daily Bulletin* as the newspaper that notifies the public of the date, time, and location when the proposed final budget may be inspected and the date, time, and location of the public hearing on the adoption of the final budget for 2019-2020. The notification for the proposed budget will be published in the *Inland Valley Daily Bulletin*, a newspaper of general circulation in the district, at least three days prior to the availability of the proposed budget for public inspection.

**BUDGET IMPLICATIONS**

*Funding Source* – Unrestricted general fund.

*Status of Funds* – The cost for the advertisement is an annually budgeted item.

*Future Implications* – N/A

**RECOMMENDATION**

It is recommended the Governing Board approve:

- a. The designation of the *Inland Valley Daily Bulletin* as the newspaper for the publication of the notice of public hearing on the 2019-2020 budget.
- b. August 26, 27, and 28, 2019 between 8:00 a.m. and 4:30 p.m. as the dates and times the 2019-2020 budget will be available for public inspection in the Chaffey Community College District Budgeting and Fiscal Services Office.
- c. August 29, 2018, at 2:00 p.m. as the date and time of the budget public hearing to be held in the Chaffey Community College District board room.

Prepared by:	Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
Reviewed by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019

Board Meeting Date

TOPIC      **DISPOSAL OF DISTRICT PROPERTY: ELECTRONIC EQUIPMENT  
AND MISCELLANEOUS MATERIALS**

Communication No.    IV.F.2.e

SUPPORTS BOARD POLICIES

Supports and complies with Policies: 2710 Conflict of Interest, 6100 Delegation of Authority, 6330 Purchasing, 6340 Contracts, and 6550 Disposal of Property.

PROPOSAL

To adopt attached Resolution 71119C, which delegates authority to the superintendent/president or his designee to sell or otherwise dispose of the electronic equipment and miscellaneous materials listed in Exhibit A of the resolution, and to execute all documents in connection therewith, in accordance with the terms and conditions of the resolution.

BACKGROUND

The Chaffey Community College District is owner of the electronic equipment and miscellaneous materials listed on Exhibit A, attached to the resolution. The listed items have exceeded their useful life and are no longer suitable for district purposes and may be disposed of through auction sale.

Pursuant to California Education Code Section 81450 et seq., the resolution must be adopted by majority vote of those members present to be valid.

In accordance with the district's Governing Board Policy 6550 and California Education Code Section 81450 et seq., Resolution 71119C delegates authority to the superintendent/president or his designee to sell or otherwise dispose of the listed items and to execute all documents in connection therewith, subject to the terms and conditions of the resolution.

BUDGET IMPLICATIONS

N/A

RECOMMENDATION

It is recommended that the Governing Board adopt Resolution 71119C, which delegates authority to the superintendent/president or his designee to sell or otherwise dispose of the electronic equipment and miscellaneous materials listed in Exhibit A of the resolution, and to execute all documents in connection therewith, in accordance with the terms and conditions of the resolution.

Attachment:              Resolution 71119C

Prepared by:	Kim Erickson, Executive Director, Business Services
Submitted by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**RESOLUTION NO. 71119C**

**A RESOLUTION OF THE GOVERNING BOARD OF CHAFFEY  
COMMUNITY COLLEGE DISTRICT AUTHORIZING THE DISPOSAL OF  
ELECTRONIC EQUIPMENT AND MISCELLANEOUS MATERIALS**

**WHEREAS**, the Chaffey Community College District (“District”) is owner of the electronic equipment and miscellaneous materials listed on the attached Exhibit A; and

**WHEREAS**, the listed items have exceeded their useful life and are no longer suitable for district purposes and may be disposed of through auction sale; and

**WHEREAS**, pursuant to California Education Code Section 81450 et seq., this resolution must be adopted by majority vote of those members present to be valid; and

**WHEREAS**, in accordance with the District’s Governing Board Policy 6550, this resolution delegates authority to the superintendent/president, or his designee, to sell or otherwise dispose of the listed items, and to execute all documents in connection therewith, in accordance with Education Code Sections 81450 and 81452.

**NOW, THEREFORE, BE IT RESOLVED BY CHAFFEY COMMUNITY COLLEGE DISTRICT, AS FOLLOWS:**

Section 1. The Governing Board finds and determines that all of the recitals set forth above are true and correct.

Section 2. The Governing Board approves the delegation of authority to the district’s superintendent/president, or his designee, to sell or otherwise dispose of the electronic equipment and miscellaneous materials listed in the attached Exhibit A, and to execute all documents in connection therewith, in accordance with Education Code Sections 81450 and 81452.

Section 3. That this delegation of authority shall be valid for the sale or disposal of the items listed in the attached Exhibit A, or until rescinded by the Governing Board.

Section 4. That this resolution shall become effective upon its adoption.

**PASSED AND ADOPTED** by the Governing Board of the Chaffey Community College District at Rancho Cucamonga, California, this 11th day of July 2019, at a regular meeting by the following vote:

Ayes:  
Noes:  
Abstentions:  
Absent:

I, Lee McDougal, Clerk of the Governing Board of the Chaffey College Community College District of San Bernardino County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said board at the regular meeting thereof at the date and place and by vote stated, which resolution is on file and of record in the office of said board.

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Lee McDougal  
Clerk, Governing Board

**EXHIBIT A**

**DISPOSAL OF DISTRICT PROPERTY: ELECTRONIC EQUIPMENT AND  
MISCELLANEOUS MATERIALS**

**BOARD MEETING DATE: JULY 11, 2019**

<b><u>Quantity</u></b>	<b><u>Description (Make, Model, Color, Dimensions, Etc.)</u></b>	<b><u>Serial #s (Asset #'s)</u></b>
1	Mat Cutter, Esterly 32 x 40	3013 (13229)
1	Nikon D100 Digital camera #541538153	2252872 (122979)
3	Recorder Dual Format	089H1052 (123466), 089H1029 (123467), 089H1019 (123465),
1	Video Cassette Recorder (VCR)	0028947 (121426)
1	Crank HGT AD3 Table	GSV1836G (126332)
1	Club Car i2 Villager Gas Powered 4 Incl. lights, Diff. guard, hinged windshield, Wink Mirror, GCR seatbelts, GCR safety strobe light	1549612463 (137731)
1	2016 Club Car Villager 4 Gas Powered 14HP #99	SN1649703825 (139706)
2	Alto Shaam Combitherm Model #6 (Oven) – Chino Campus	8182914010 (NA), 8183616009 (NA)

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC **FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT SUBAWARD AGREEMENT NO. 19-007 FOR THE CALIFORNIA VIRTUAL CAMPUS – ONLINE EDUCATION INITIATIVE (CVC-OEI) GRANT AWARD**  
Communication No. IV.F.2.f

SUPPORTS BOARD POLICY

**Board Policy 3280 Grants** – The Governing Board shall be informed about all grant awards received by the District. The Superintendent/President shall establish procedures to assure the timely application and processing of grant proposal applications and awards, and that the grants that are submitted directly support the purposes of the District.

PROPOSAL

To approve the agreement between Foothill-De Anza Community College District and Chaffey Community College District for the California Virtual Campus – Online Education Initiative (CVC-OEI) sub-grant in the amount of \$306,205 for the period of July 1, 2019 through June 30, 2020.

BACKGROUND

The Budget Act of 2018 (SB840) and trailer bill (SB843) appropriated one-time funds for the 2019-2020 academic year of \$35 million to the Online Education Initiative (through Foothill – De Anza Community College District as grantee and fiscal agent). Chaffey College applied to the CVC-OEI IOP grant and has been awarded \$360,205 to build a Virtual Center for Career Pathways.

Chaffey College will utilize the CVC-OEI IOP funding to build upon the District's Student Success Center model by creating a new digitally interactive Virtual Center for Career Pathways. The Chaffey Virtual Center for Career Pathways (CVCCP) will add dimension, value and innovative practice as we implement district-wide education strategies which best serve our online students. Existing district resources will be leveraged with grant funds to accomplish the following three objectives within the one year project period: 1) Develop a robust and accessible virtual CTE, career and general academic guidance counseling platform; 2) Provide on demand instruction with a focus on career skills which lead to industry recognized proficiencies and badging system; and 3) Facilitate connections to local, regional and state employers and career opportunities.

BUDGET IMPLICATIONS

*Funding Source* – California Community Colleges Chancellor's Office with Foothill–De Anza Community College District as the fiscal agent.

*Status of Funds* – Funds of \$360,205 for this agreement will be included in the 2019-2020 restricted general fund adopted budget.

*Future Implications* – None

RECOMMENDATION

It is recommended that the Governing Board approve the agreement between Foothill-De Anza Community College District and Chaffey Community College District for the California Virtual Campus – Online Education Initiative (CVC-OEI) sub-grant in the amount of \$306,205 for the period of July 1, 2019 through June 30, 2020.

Prepared by:	Matthew Morin, Director, Intersegmental Partnerships and Deliveries
Submitted by:	Jim Fillpot, Dean, Institutional Research, Policy and Grants
Reviewed by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC **QUARTERLY BUDGET TRANSFER REPORT**

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Communication No. IV.F.2.g

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SUPPORTS BOARD POLICY

**Board Policy 6250 Budget Management** – The budget shall be managed in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. Budget revisions shall be made only in accordance with these policies and as provided by law.

PROPOSAL

To approve the Budget Transfer Board Report for the period of April 1, 2019 through June 25, 2019.

BACKGROUND

Board Policy 6250, Budget Management, requires that transfers between expenditure classifications must be approved by a majority vote of the members of the Governing Board. Budget transfers between major expenditure classifications for district funds are routinely processed to facilitate modifications to the adopted budget. These modifications only affect the expenditure classification and do not increase or decrease the adopted budget.

BUDGET IMPLICATIONS

*Funding Source* – N/A

*Status of Funds* – N/A

*Future Implications* – N/A

RECOMMENDATION

It is recommended that the Governing Board approve the Budget Transfer Board Report for the period of April 1, 2019 through June 25, 2019.

Prepared by:	Anita D. Undercoffer, Executive Director, Budgeting and Fiscal Services
Submitted by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**CHAFFEY COMMUNITY COLLEGE DISTRICT  
 QUARTERLY BUDGET TRANSFER REPORT  
 From 04/01/2019 To 06/25/2019  
 July 11, 2019 Board Meeting**

<b>BUDGET TRANSFERS</b>	<b>FROM</b>	<b>TO</b>
<b><u>Fund 10: General Fund Unrestricted</u></b>		
1000 Academic Salaries	247,018	
2000 Classified Salaries	61,437	
3000 Benefits	237,999	
4000 Supplies & Materials		142,068
5000 Other Operating Expenses & Services		314,128
6000 Capital Outlay		89,947
7000 Other Outgo		311
	<b>546,454</b>	<b>546,454</b>
<b>Total Transfer Fund 10 Unrestricted</b>		
<b><u>Fund 10: General Fund Restricted</u></b>		
1000 Academic Salaries	358,928	
2000 Classified Salaries		1,116,549
3000 Benefits		222,951
4000 Supplies & Materials		87,984
5000 Other Operating Expenses & Services	1,120,120	
6000 Capital Outlay		9,165
7000 Other Outgo		42,399
	<b>1,479,048</b>	<b>1,479,048</b>
<b>Total Transfer Fund 10 Restricted</b>		
<b><u>Fund 33: Children's Center</u></b>		
1000 Academic Salaries	359	
2000 Classified Salaries		4,255
3000 Benefits		464
4000 Supplies & Materials	3,100	
5000 Other Operating Expenses & Services		240
6000 Capital Outlay	1,500	
	<b>4,959</b>	<b>4,959</b>
<b>Total Transfer Fund 33</b>		
<b><u>Fund 40: Bond Fund</u></b>		
4000 Supplies & Materials	2,311	
5000 Other Operating Expenses & Services		60,151
6000 Capital Outlay		22,639
7000 Other Outgo	80,479	
	<b>82,790</b>	<b>82,790</b>
<b>Total Transfer Fund 40</b>		
<b><u>Fund 71: Associated Students Fund</u></b>		
4000 Supplies & Materials		5,769
7000 Other Outgo	5,769	
	<b>5,769</b>	<b>5,769</b>
<b>Total Transfer Fund 71</b>		
<b>Total Transfers All Funds</b>		
	<b>2,119,020</b>	<b>2,119,020</b>

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

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TOPIC RENTAL AGREEMENT: ONTARIO HIGH SCHOOL

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Communication No. IV.F.2.h

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SUPPORTS BOARD POLICIES

Supports and complies with Policies: 2710 Conflict of Interest/Principles, 6100 Delegation of Authority, 6330 Purchasing, 6340 Contracts, and 6700 Civic Center and Other Facilities Use.

PROPOSAL

To approve and authorize the district to enter into a rental agreement with Chaffey Joint Union High School District ("CJUHSD"), for classroom space located at Ontario High School, 901 West Francis Street, Ontario, California, as a temporary facility for educational classes for the periods of August 19, 2019, through December 19, 2019, and a total rental fee of \$18,308.70, in accordance with the CJUHSD application and permit for use of school premises terms and conditions.

BACKGROUND

Since August 2007 the district has been a party to a rental agreement at Ontario High School for the rental of classroom space. Over the period of approximately eighteen weeks, five instructional classes will be scheduled at the school's facilities during various hours on Mondays and Wednesdays.

The proposed total rental fee of \$18,308.70 is based upon a fixed one-time processing fee of \$30, an hourly rate of \$35 per hour for the first hour and \$25 per hour every hour thereafter for each classroom, plus \$50.10 per hour for security guard services. The district intends to rent the facility from August 19, 2019, through December 19, 2019. The rates are established by CJUHSD board policy through the Civic Center Act under California Education Code Sections 38130, et seq., and permits the district to enter the proposed rental agreement for educational purposes.

Upon completion of due diligence review, the district has determined that continuing the rental agreement with CJUHSD for the property located at Ontario High School would best serve the interests of the community and advance the district's mission.

BUDGET IMPLICATIONS

*Funding Source* – Unrestricted General Fund.

*Status of Funds* – Funds of \$18,308.70 for this agreement are included in the 2019-2020 unrestricted general fund budget.

*Future Implications* – N/A

RENTAL AGREEMENT: ONTARIO HIGH SCHOOL

July 11, 2019

Page 2

RECOMMENDATION

It is recommended that the Governing Board approve and authorize the district to enter into a rental agreement with Chaffey Joint Union High School District (“CJUHSD”), for classroom space located at Ontario High School, 901 West Francis Street, Ontario, California, as a temporary facility for educational classes, for the periods of August 19, 2019, through December 19, 2019, and a total rental fee of \$18,308.70, at the rates as noted above, in accordance with the terms and conditions of the application and permit for use of school facilities as administered by CJUHSD’s civic center policies and procedures.

Prepared by:	<u>Kim Erickson, Executive Director, Business Services</u>
Submitted by:	<u>Lisa Bailey, Associate Superintendent, Business Services and Economic Development</u>
Recommended by:	<u>Henry D. Shannon, Superintendent/President</u>

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC           **CHAFFEY COLLEGE FACULTY ASSOCIATION CONTRACT NEGOTIATIONS**

Communication No. IV.F.3.a

SUPPORTS BOARD POLICY

**BP 7140 Collective Bargaining** – If eligible employees of the District select an employee organization as their exclusive representative, and if after recognition by the District or after a properly conducted election, an exclusive representative is certified as the representative of an appropriate unit of employees under the provisions of the Educational Employment Relations Act, Government Code Sections 3540 et seq., the District will meet and negotiate in good faith on matters within the scope of bargaining as defined by law. The District will assure that employees are treated equitably and evaluated regularly and systematically. Negotiated agreements with employee groups shall be fair, equitable, and affordable. The Superintendent/President shall: Conduct collective bargaining in a manner that is fair, applies principles of interest-based bargaining, and complies with Governing Board-established parameters. Approve collective bargaining contracts.

PROPOSAL

To adopt the District’s initial proposal and to open contract negotiations.

BACKGROUND

In May of 2019, the Chaffey College Faculty Association and representatives of the District met to exchange bargaining topics in preparation to open negotiations on the next Chaffey College Faculty Association agreement. Bargaining topics were submitted as an information item at the June’s Governing Board meeting and are again attached to this item.

Article 8, Section 3547 of the Government Code requires that the public be given an opportunity to express itself regarding the initial proposals of the representatives at a public meeting of the public-sector employer.

BUDGET IMPLICATIONS

N/A

RECOMMENDATION

To adopt the District’s initial proposal and to open contract negotiations.

Submitted by:	<u>Lisa Bailey, Associate Superintendent, Business Services and Economic Development</u>
Recommended by:	<u>Henry D. Shannon, Superintendent/President</u>

**AGENDA ITEM  
Chaffey Community College District  
GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC MANAGEMENT PERSONNEL PLAN/EMPLOYMENT CONTRACTS

Communication No. IV.F.3.b

SUPPORTS BOARD POLICY

**Board Policy 7250, Educational Administrators** - Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment.

**Board Policy 7260, Classified Supervisors, Managers, and Administrators** – If a classified administrator is employed by an appointment or contract, the appointment or contract shall be subject to the same conditions as applicable to educational administrators.

PROPOSAL

To approve the employment contract between the Governing Board of the Chaffey Community College District and the management employee in the position listed below:

<u>Level III</u> Director, Athletics	<u>Proposed Contract</u> <u>Expiration Date</u>  June 30, 2021
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BACKGROUND

The Chaffey Community College District Management Professional Development/Evaluation Personnel Plan approved by the Governing Board on May 24, 2018, consistent with the provisions of California Education Code, Section 72411, a provision enacted under AB1725, requires all instructional and student services administrators to be employed, and all other administrators may be employed, by the Governing Board of the district by an appointment or contract not to exceed four years. The applicable provisions of the Management Professional Development/Evaluation Personnel Plan approved by the Governing Board provides that managers appointed to Level I positions may be employed by the Governing Board under contract for a period not greater than four (4) years. Managers appointed to Level II, Level III, and Level IV positions may be employed by the Governing Board under contract for a period not greater than three (3) years.

BUDGET IMPLICATIONS

*Funding Source* – Restricted and unrestricted general fund  
*Status of Funds* – The personnel costs associated with these positions are included in the 2019–20 tentative budget.  
*Future Implications* – It is anticipated that these costs will be ongoing.

RECOMMENDATION

It is recommended the Governing Board approve the employment contract between the Governing Board of the Chaffey Community College District and the management employee in the position listed above.

Prepared by:	Susan Hardie, Director, Human Resources
Reviewed by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC      **ADOPTION OF RESOLUTION AUTHORIZING THE ISSUANCE OF CHAFFEY COMMUNITY COLLEGE DISTRICT ELECTION OF 2018 GENERAL OBLIGATION BONDS, SERIES A, AND ACTIONS RELATED THERETO**

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Communication No.    IV.G.1.a

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SUPPORTS BOARD POLICIES

Supports and complies with Policies: 6100 Delegation of Authority, 6300 Fiscal Management and 6600 Capital Construction.

PROPOSAL

To adopt Resolution No. 71119, a Resolution of the Governing Board of Chaffey Community College District authorizing the issuance of Chaffey Community College District (San Bernardino County, California) Election of 2018 General Obligation Bonds, Series A, and actions related thereto.

BACKGROUND

An election was held in the Chaffey Community College District (the "District") on November 6, 2018 for the issuance and sale of general obligation bonds of the District for various purposes in the maximum amount of \$700,000,000 ("Measure P"). The District now desires to issue its first series of bonds under Measure P in an amount not-to-exceed \$200,000,000 (the "Bonds"). The Bonds are being authorized for sale for the purpose of providing funds (i) to finance projects approved by Measure P, and (ii) to pay the costs of issuing the Bonds.

(a)      Bond Resolution. This Resolution authorizes the issuance of the Bonds, specifies the basic terms, parameters and forms of the Bonds, and approves the form of Purchase Contract and form of Preliminary Official Statement described below. In particular, Section 1 of the Resolution establishes the maximum aggregate initial principal amount of the Bonds to be issued (\$200,000,000). Section 4 of the Resolution states the maximum underwriter's discount (0.40%) with respect to the Bonds, the maximum legal interest rate on the Bonds, and authorizes the Bonds to be sold at a negotiated sale to RBC Capital Markets, LLC (the "Underwriter"). The Resolution authorizes the issuance of current interest bonds only; capital appreciation bonds are not authorized.

(b)      Form of Purchase Contract. Pursuant to the Purchase Contract, the Underwriter will agree to buy the Bonds from the District. All the conditions of closing the transaction are set forth in this document, including the documentation to be provided at the closing by various parties. Upon the pricing of the Bonds, the final execution copy of the Purchase Contract will be prepared following this form.

(c)      Form of Preliminary Official Statement. The Preliminary Official Statement ("POS") is the offering document describing the Bonds which may be distributed to prospective purchasers of the Bonds. The POS discloses information with respect to among other things (i) the proposed uses of proceeds of the Bonds, (ii) the terms of the Bonds (interest rate, redemption terms, etc.), (iii) the bond insurance policy for the Bonds, if any, (iv) the security for repayment of the Bonds (the *ad valorem* property tax levy), (v) information with respect to the District's tax base (upon which such *ad valorem* property taxes may be levied), (vi) District financial and operating data, (vii) continuing disclosure with respect to the Bonds and the District, and (viii) absence of litigation and other miscellaneous matters expected to be of interest to prospective purchasers of the Bonds. Following the pricing of the Bonds, a final Official Statement for the Bonds will be prepared, substantially in the form of the POS.

ADOPTION OF RESOLUTION AUTHORIZING THE ISSUANCE OF CHAFFEY COMMUNITY COLLEGE DISTRICT ELECTION OF 2018 GENERAL OBLIGATION BONDS, SERIES A, AND ACTIONS RELATED THERETO

July 11, 2019

Page 2

(d) Form of the Continuing Disclosure Certificate. The form of the Continuing Disclosure Certificate can be found in APPENDIX C to the POS. Effective July 3, 1995, all underwriters of municipal bonds are obligated to procure from any public agency issuing debt a covenant that such public agency will annually file "material financial information and operating data" with respect to such public agency through the web-based Electronic Municipal Market Access ("EMMA") system maintained by the Municipal Securities Rulemaking Board (a federal agency that regulates "broker-dealers," including investment bank firms that underwrite municipal obligations). This requirement is expected to be satisfied by the filing of the District's audited financial statements and other operating information about the District, in the same manner the District has filed in connection with prior bond issuances.

BUDGET IMPLICATIONS

N/A

RECOMMENDATION

Staff recommends approval of Resolution No. 71119 a resolution of the Governing Board of the Chaffey Community College District, San Bernardino County, California, authorizing the issuance of Chaffey Community College District (San Bernardino County, California) election of 2018 General Obligation Bonds, Series A, and actions related thereto.

Prepared by:	Kim Erickson, Executive Director, Business Services
Submitted by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**RESOLUTION NO. 71119**

**A RESOLUTION OF THE GOVERNING BOARD OF THE CHAFFEY COMMUNITY COLLEGE DISTRICT, SAN BERNARDINO COUNTY, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CHAFFEY COMMUNITY COLLEGE DISTRICT (SAN BERNARDINO COUNTY, CALIFORNIA) ELECTION OF 2018 GENERAL OBLIGATION BONDS, SERIES A, AND ACTIONS RELATED THERETO**

**WHEREAS**, a duly called election was held in the Chaffey Community College District (the “District”), San Bernardino County (the “County”), State of California, on November 6, 2018 (the “Election”) and thereafter canvassed pursuant to law, at which the following proposition (the “Bond Measure”) was submitted to the qualified electors of the District:

**“CHAFFEY COLLEGE AFFORDABLE LOCAL HIGHER EDUCATION, JOB TRAINING, UNIVERSITY TRANSFER, CLASSROOM REPAIR MEASURE.** To upgrade vocational, science, computer, technology classrooms/labs; repair deteriorating classrooms, roofs, gas, electrical, sewer lines; remove asbestos, lead paint; improve Veterans’ resources; qualify for State matching funds; shall Chaffey Community College District’s measure authorizing \$700,000,000 in bonds at legal rates, levying \$15/\$100,000 assessed valuation, averaging \$38,000,000 annually while bonds are outstanding, acquiring, constructing, repairing sites, facilities, equipment, be adopted, requiring audits, citizen oversight”

**WHEREAS**, at the Election the Bond Measure was approved by the requisite fifty-five percent vote of the qualified electors of the District voting on the proposition, as certified by the Registrar of Voters of the County (the “Authorization”);

**WHEREAS**, at this time this Governing Board of the District (the “Board”) has determined that it is necessary and desirable to issue the first series of bonds under the Authorization in an aggregate principal amount not-to-exceed \$200,000,000, to be styled as “Chaffey Community College District (San Bernardino County, California) Election of 2018 General Obligation Bonds, Series A” (the “Bonds”) for the purposes set forth in the Authorization;

**WHEREAS**, pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code (the “Government Code”), the Bonds are authorized to be issued by the District for purposes set forth in the ballot submitted to the voters at the Election;

**WHEREAS**, this Board desires to authorize the issuance of the Bonds in one or more Series of Taxable or Tax-Exempt Current Interest Bonds (as such terms are defined herein);

**WHEREAS**, this Board desires to appoint certain professionals to provide services related to the issuance of the Bonds; and

**WHEREAS**, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation bonds of the District, and the indebtedness of the District, including this proposed issue of Bonds, is within all limits prescribed by law;

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED BY THE GOVERNING BOARD OF THE CHAFFEY COMMUNITY COLLEGE DISTRICT, AS FOLLOWS:**

**SECTION 1. Authorization for Issuance of the Bonds.** To raise money for the purposes authorized by the voters of the District at the Election, and to pay all necessary legal, financial, engineering and contingent costs in connection therewith, the Board hereby authorizes the issuance of the Bonds pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code in one or more Series of Taxable or Tax-Exempt Current Interest Bonds, with appropriate series designation, all as more fully set forth in the executed Purchase Contract (as defined herein). The Board further orders such Bonds sold such that the Bonds shall be dated as of a date to be determined by an Authorized Officer (defined herein), shall be payable upon such terms and provisions as shall be set forth in the Bonds, and shall be in an aggregate principal amount not-to-exceed \$200,000,000.

**SECTION 2. Paying Agent.** This Board hereby appoints the Paying Agent, as defined herein, to serve as the paying agent, bond registrar, transfer agent and authentication agent for the Bonds on behalf of the District. This Board hereby approves the payment of the reasonable fees and expenses of the Paying Agent as they shall become due and payable. The fees and expenses of the Paying Agent which are not paid as a cost of issuance of the Bonds may be paid in each year from *ad valorem* property taxes levied and collected for the payment thereof, insofar as permitted by law, including specifically by Education Code Section 15232.

**SECTION 3. Terms and Conditions of Sale.** The Bonds shall be sold upon the direction of the Superintendent/President or the Associate Superintendent, Business Services and Economic Development, or such other officers or employees of the District as the Superintendent/President or the Associate Superintendent, Business Services and Economic Development may designate for such purpose (collectively, the “Authorized Officers”), and pursuant to such terms and conditions set forth in the Purchase Contract (defined herein). The Board hereby authorizes the sale of the Bonds at a negotiated sale, which is determined to provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the Bonds to fit the needs of particular purchasers, and a greater opportunity for the Underwriter (as defined herein) to pre-market the Bonds to potential purchasers prior to the sale, all of which will contribute to the District’s goal of achieving the lowest overall cost of funds.

**SECTION 4. Approval of Purchase Contract.** The form of Purchase Contract by and between the District and the Underwriter, substantially in the form on file with the Secretary to the Board, is hereby approved and the Authorized Officers, each alone, are hereby authorized and requested to execute such Purchase Contract, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve, such approval to be conclusively evidenced by his or her execution and delivery thereof; provided, however, (i) that the interest rates on the Bonds shall not exceed the maximum rate permitted by law; and (ii) the underwriting discount on the Bonds, excluding original issue discount, shall not exceed 0.40% of the aggregate principal amount of Bonds actually issued. The Authorized Officers, each alone, are further authorized to determine the principal amount of the Bonds to be specified in the Purchase Contract for sale by the District up to \$200,000,000 and to enter into and execute the Purchase Contract with the Underwriter, if the conditions set forth in this Resolution are satisfied.

**SECTION 5. Certain Definitions.** As used in this Resolution, the terms set forth below shall have the meanings ascribed to them (unless otherwise set forth in the Purchase Contract):

(a) **“Beneficial Owner”** means, when used with reference to book-entry Bonds registered pursuant to Section 6 hereof, the person who is considered the beneficial owner of such Bonds pursuant to the arrangements for book entry determination of ownership applicable to the Depository.

(b) **“Bond Insurer”** means any insurance company which issues a municipal bond insurance policy insuring the payment of Principal of and interest on the Bonds.

(c) **“Bond Payment Date”** means, unless otherwise provided by the Purchase Contract, June 1 and December 1 of each year commencing on December 1, 2019 with respect to interest on the Bonds, and the stated maturity dates of the Bonds with respect to payments of Principal of the Bonds.

(d) **“Bond Register”** means the registration books which the Paying Agent shall keep or cause to be kept on which the registered ownership, transfer and exchange of Bonds shall be recorded.

(e) **“Code”** means the Internal Revenue Code of 1986, as amended. Reference to any particular section of the Code shall be deemed to be a reference to any successor to any such section.

(f) **“Continuing Disclosure Certificate”** means that certain contractual undertaking of the District pursuant to paragraph (b)(5) of Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, and relating to the Bonds, dated as of the date of issuance thereof, as amended from time to time in accordance with the provisions thereof.

(g) **“Current Interest Bonds”** means Bonds, the interest on which is payable semiannually on each Bond Payment Date specified for each such Bond as designated and maturing in the years and in the amounts set forth in the Purchase Contract.

(h) **“Dated Date”** means the date of initial issuance and delivery of the Bonds, or such other date as shall appear in the Purchase Contract or Official Statement.

(i) **“Depository”** means the entity acting as securities depository for the Bonds pursuant to Section 6(c) hereof.

(j) **“DTC”** means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York, in its capacity as the initial Depository for the Bonds.

(k) **“Fair Market Value”** means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of Section 1273 of the Code) and, otherwise, the term “Fair Market Value” means the acquisition price in a bona fide arm's length transaction (as referenced above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated

interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Code, (iii) the investment is a United States Treasury Security—State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt, or (iv) any commingled investment fund in which the District and related parties do not own more than a ten percent (10%) beneficial interest therein if the return paid by the fund is without regard to the source of the investment.

(l) **“Holder” or “Owner”** means the registered owner of a Bond as set forth on the Bond Register maintained by the Paying Agent pursuant to Section 6 hereof.

(m) **“Information Services”** means the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access System; or, such other services providing information with respect to called municipal obligations as the District may specify in writing to the Paying Agent or as the Paying Agent may select.

(n) **“Long Current Interest Bonds”** means Current Interest Bonds that mature later than 30 years from the date of issuance thereof.

(o) **“Moody’s”** means Moody’s Investors Service, Inc., a corporation organized and existing under the laws of the State of Delaware, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, such other nationally recognized securities rating agency designated by the District.

(p) **“Nominee”** means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 6(c) hereof.

(q) **“Non-AMT Bonds”** means obligations the interest on which is excludable from gross income for federal income tax purposes under Section 103(a) of the Code and not treated as an item of tax preference under Section 57(a)(5)(C) of the Code, that are legal investments pursuant to Government Code Section 53601.

(r) **“Official Statement”** means the Official Statement for the Bonds, as described in Section 17 hereof.

(s) **“Outstanding”** means, when used with reference to the Bonds, as of any date, Bonds theretofore issued or thereupon being issued under this Resolution except:

(i) Bonds canceled at or prior to such date;

(ii) Bonds in lieu of or in substitution for which other Bonds shall have been delivered pursuant to Section 8 hereof; or

(iii) Bonds for the payment or redemption of which funds or Government Obligations in the necessary amount shall have been set aside (whether on or prior to the maturity or redemption date of such Bonds), in accordance with Section 19 of this Resolution.

(t) **“Participants”** means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(u) **“Paying Agent”** means initially U.S. Bank National Association, or any other Paying Agent as shall be named in the Purchase Contract or Official Statement, and afterwards any successor financial institution, acting as paying agent, transfer agent, authentication agent and bond registrar for the Bonds.

(v) **“Permitted Investments”** means (i) any lawful investments permitted by Government Code Sections 16429.1 and 53601, including Non-AMT Bonds and Qualified Non-AMT Mutual Funds, (ii) shares in a California common law trust established pursuant to Title 1, Division 7, Chapter 5 of the Government Code which invests exclusively in investments permitted by Government Code Section 53635, but without regard to any limitations in such Section concerning the percentage of moneys available for investment being invested in a particular type of security, (iii) a guaranteed investment contract with a provider having a rating meeting the minimum rating requirements of the County investment pool maintained by the Treasurer, (iv) the Local Agency Investments Fund of the California State Treasurer, (v) the County investment pool described above, and (vi) State and Local Government Series Securities.

(w) **“Principal” or “Principal Amount”** means, with respect to any Bond, the initial principal amount thereof.

(x) **“Purchase Contract”** means the contract or contracts for purchase and sale of the Bonds, by and between the District and the Underwriter named therein. To the extent the Bonds are sold pursuant to more than one Purchase Contract, each shall be substantially in the form presented to the Board, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve.

(y) **“Qualified Non-AMT Mutual Fund”** means stock in a regulated investment company to the extent that at least 95% of the income of such regulated investment company is interest that is excludable from gross income under Section 103 of the Code and not an item of tax preference under Section 57(a)(5)(C) of the Code.

(z) **“Qualified Permitted Investments”** means (i) Non-AMT Bonds, (ii) Qualified Non-AMT Mutual Funds, (iii) other Permitted Investments authorized by an opinion of Bond Counsel to the effect that such investment would not adversely affect the tax-exempt status of the Bonds, and (iv) Permitted Investments of proceeds of the Bonds, and interest earned on such proceeds, held not more than thirty days pending reinvestment or Bond redemption. A guaranteed investment contract or similar investment agreement (e.g. a forward supply contract, GIC, repo, etc.) does not constitute a Qualified Permitted Investment.

(aa) **“Record Date”** means the close of business on the 15th day of the month preceding each Bond Payment Date.

(bb) **“Series”** means any Bonds executed, authenticated and delivered pursuant to the provisions hereof identified as a separate series of Bonds.

(cc) **“S&P”** means S&P Global Ratings, a business unit of Standard & Poor’s Financial Services LLC, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, such other nationally recognized securities rating agency designated by the District.

(dd) **“Taxable Bonds”** means any Bonds not issued as Tax-Exempt Bonds.

(ee) **“Tax-Exempt Bonds”** means any Bonds the interest on which is excludable from gross income for federal income tax purposes and is not treated as an item of tax preference for purposes of calculating the federal alternative minimum tax, as further described in an opinion of Bond Counsel supplied to the original purchasers of such Bonds.

(ff) **“Term Bonds”** means those Bonds for which mandatory redemption dates have been established in the Purchase Contract.

(gg) **“Transfer Amount”** means, with respect to any Outstanding Bond, the Principal Amount.

(hh) **“Treasurer”** means the Treasurer-Tax Collector of the County.

(ii) **“Underwriter”** means RBC Capital Markets, LLC.

**SECTION 6. Terms of the Bonds.**

(a) Denomination, Interest, Dated Dates and Terms. The Bonds shall be issued as fully registered Current Interest Bonds registered as to both Principal and interest, in denominations of \$5,000 Principal Amount or any integral multiple thereof. The Bonds shall bear interest at a rate not in excess of that authorized at the Election. The Bonds will initially be registered in the name of “Cede & Co.,” the Nominee of DTC.

Each Bond shall be dated as of the Dated Date, and shall bear interest at the rates set forth in the Purchase Contract, from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated during the period from the 16<sup>th</sup> day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from its Dated Date. Interest shall be payable on the respective Bond Payment Dates and shall be calculated on the basis of a 360-day year of 12, 30-day months.

To the extent the issuance of Bonds includes Long Current Interest Bonds, the useful life of any facility financed with such Long Current Interest Bonds will equal or exceed the maturity of such Long Current Interest Bonds.

(b) Redemption.

(i) Terms of Redemption. The Bonds shall be subject to optional or mandatory sinking fund redemption prior to maturity as provided in the Purchase Contract and the Official Statement.

(ii) Selection of Bonds for Redemption. Whenever provision is made in this Resolution for the optional redemption of Bonds and less than all Outstanding Bonds are to be redeemed,

the Paying Agent, upon written instruction from the District, shall select Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Bonds for redemption as directed by the District, and if not so directed, by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that with respect to redemption by lot, the portion of any Bond to be redeemed in part shall be in the Principal Amount of \$5,000 or any integral multiple thereof.

The Purchase Contract may provide that (i) in the event that a portion of any Term Bond is optionally redeemed prior to maturity pursuant to Section 6(b)(i) hereof, the remaining mandatory sinking fund payments with respect to such Term Bonds shall be reduced proportionately or as otherwise directed by the District, in integral multiples of \$5,000 principal amount, in respect of the portion of such Term Bonds optionally redeemed, and (ii) within a maturity, Bonds shall be selected for redemption on a “Pro Rata Pass-Through Distribution of Principal” basis in accordance with DTC procedures, provided further that, such redemption is made in accordance with the operational arrangements of DTC then in effect.

(iii) Redemption Notice. When optional redemption is authorized or required pursuant to Section 6(b)(i) hereof, the Paying Agent, upon written instruction from the District, shall give notice (a “Redemption Notice”) of the redemption of the Bonds (or portions thereof). Such Redemption Notice shall specify: the Bonds or designated portions thereof (in the case of redemption of the Bonds in part but not in whole) which are to be redeemed, the date of redemption, the place or places where the redemption will be made, including the name and address of the Paying Agent, the redemption price, the CUSIP numbers (if any) assigned to the Bonds to be redeemed, the Bond numbers of the Bonds to be redeemed in whole or in part and, in the case of any Bond to be redeemed in part only, the portion of the Principal Amount of such Bond to be redeemed, and the original issue date, interest rate and stated maturity date of each Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date, and that from and after such date, interest thereon shall cease to accrue.

The Paying Agent shall take the following actions with respect to each such Redemption Notice:

1. At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register.
2. At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service, to the Depository.
3. At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service, to one of the Information Services.
4. Provide the Redemption Notice to such other persons as may be required pursuant to the Continuing Disclosure Certificate.

A certificate of the Paying Agent or the District that a Redemption Notice has been given as provided herein shall be conclusive as against all parties. Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Bonds. Each check issued or other transfer of funds made by the Paying Agent for the purpose of redeeming Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer. Such Redemption Notice may state that no representation is made as to the accuracy or correctness of CUSIP numbers printed thereon, or on the Bonds.

With respect to any notice of optional redemption of Bonds (or portions thereof) pursuant to Section 6(b)(i) hereof, unless upon the giving of such notice such Bonds or portions thereof shall be deemed to have been defeased pursuant to Section 19 hereof, such notice shall state that such redemption shall be conditional upon the receipt by an independent escrow agent selected by the District, on or prior to the date fixed for such redemption, of the moneys necessary and sufficient to pay the Principal of, premium, if any, and interest on, such Bonds (or portions thereof) to be redeemed, and that if such moneys shall not have been so received said notice shall be of no force and effect, no portion of the Bonds shall be subject to redemption on such date and such Bonds shall not be required to be redeemed on such date. In the event that such Redemption Notice contains such a condition and such moneys are not so received, the redemption shall not be made and the Paying Agent shall within a reasonable time thereafter (but in no event later than the date originally set for redemption) give notice to the persons to whom and in the manner in which the Redemption Notice was given, that such moneys were not so received. In addition, the District shall have the right to rescind any Redemption Notice, by written notice to the Paying Agent, on or prior to the date fixed for such redemption. The Paying Agent shall distribute a notice of the rescission of such Redemption Notice in the same manner as such notice was originally provided.

(iv) Partial Redemption of Bonds. Upon the surrender of any Bond redeemed in part only, the Paying Agent shall authenticate and deliver to the Owner thereof a new Bond or Bonds of like tenor and maturity and of authorized denominations equal in Transfer Amounts to the unredeemed portion of the Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(v) Effect of Redemption Notice. Notice having been given as aforesaid, and the moneys for the redemption (including the interest accrued to the applicable date of redemption) having been set aside as provided in Section 19 hereof, the Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Bonds to be redeemed as provided in Section 6(b) hereof, together with interest accrued to such redemption date, shall be held in trust as provided in Section 19 hereof, so as to be available therefor on such redemption date, and if a Redemption Notice thereof shall have been given as aforesaid, then from and after such redemption date, interest on the Bonds to be redeemed shall cease to accrue and become payable. All money held for the redemption of Bonds shall be held in trust for the account of the Owners of the Bonds to be so redeemed.

All Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 6 shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Bond purchased by the District shall be cancelled by the Paying Agent.

(vi) Bonds No Longer Outstanding. When any Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys shall be held irrevocably in trust for the payment of the redemption price of such Bonds or portions thereof, and accrued interest thereon to the date fixed for redemption, all as provided in this Resolution, then such Bonds shall no longer be deemed Outstanding and shall be surrendered to the Paying Agent for cancellation.

All Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 6 shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Bond purchased by the District shall be cancelled by the Paying Agent.

(c) Book-Entry System.

(i) Election of Book-Entry System. The Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Bonds in authorized denominations. The ownership of each such Bond shall be registered in the Bond Register in the name of the Nominee, as nominee of the Depository and ownership of the Bonds, or any portion thereof may not thereafter be transferred except as provided in Section 6(c)(i)(4).

With respect to book-entry Bonds, the District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Bonds. Without limiting the immediately preceding sentence, the District and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Bonds, (ii) the delivery to any Participant or any other person, other than an Owner as shown in the Bond Register, of any notice with respect to book-entry Bonds, including any Redemption Notice, (iii) the selection by the Depository and its Participants of the beneficial interests in book-entry Bonds to be prepaid in the event the District redeems the Bonds in part, or (iv) the payment by the Depository or any Participant or any other person, of any amount with respect to Principal of, premium, if any, or interest on the book-entry Bonds. The District and the Paying Agent may treat and consider the person in whose name each book-entry Bond is registered in the Bond Register as the absolute Owner of such book-entry Bond for the purpose of payment of Principal of, premium and interest on and to such Bond, for the purpose of giving Redemption Notices and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent shall pay all Principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Owner, as shown in the Bond Register, or his or her respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payment of Principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Bond Register, shall receive a certificate evidencing the obligation to make payments of Principal of, premium, if any, and interest on the Bonds. Upon delivery by the Depository to the Owner and the Paying Agent, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word Nominee in this Resolution shall refer to such nominee of the Depository.

1. Delivery of Letter of Representations. In order to qualify the book-entry Bonds for the Depository's book-entry system, the District shall execute and deliver to the Depository

a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any way impose upon the District any obligation whatsoever with respect to persons having interests in such book-entry Bonds other than the Owners, as shown on the Bond Register. By executing a Letter of Representations, the District shall agree to take all action necessary at all times so that it will be in compliance with all representations in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify book-entry Bonds for the Depository's book-entry program.

2. Selection of Depository. In the event (i) the Depository determines not to continue to act as securities depository for book-entry Bonds, or (ii) the District determines that continuation of the book-entry system is not in the best interest of the Beneficial Owners of the Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such Outstanding book-entry Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in subsection (4) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Bonds shall no longer be restricted to being registered in such Bond Register in the name of the Nominee, but shall be registered in whatever name or names the Owners transferring or exchanging such Bonds shall designate, in accordance with the provisions of this Section 6(c).

3. Payments and Notices to Depository. Notwithstanding any other provision of this Resolution to the contrary, so long as all Outstanding Bonds are held in book entry form and registered in the name of the Nominee, all payments by the District or the Paying Agent with respect to Principal of, premium, if any, or interest on the Bonds and all notices with respect to such Bonds, including notices of redemption, shall be made and given, respectively to the Nominee, as provided in the Letter of Representations or as otherwise required or instructed by the Depository and agreed to by the Paying Agent notwithstanding any inconsistent provisions herein.

4. Transfer of Bonds to Substitute Depository.

(A) The Bonds shall be initially issued as described in the Official Statement described herein. Registered ownership of such Bonds, or any portions thereof, may not thereafter be transferred except:

(1) to any successor of DTC or its nominee, or of any substitute depository designated pursuant to Section 6(c)(i)(4)(A)(2) ("Substitute Depository"); provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

(2) to any Substitute Depository, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC (or its successor) is no longer able to carry out its functions as depository; provided that any such Substitute Depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(3) to any person as provided below, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC or its successor (or Substitute Depository or its successor) is no longer able to carry out its functions as depository.

(B) In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(1) or (2), upon receipt of all Outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent designating the Substitute Depository, a single new Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Bonds then Outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(3), upon receipt of all Outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, new Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Paying Agent shall not be required to deliver such new Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption or an advance refunding of any Bonds evidencing a portion of the Principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall make an appropriate notation on such Bonds indicating the date and amounts of such reduction in Principal, in form acceptable to the Paying Agent, all in accordance with the Letter of Representations. The Paying Agent shall not be liable for such Depository's failure to make such notations or errors in making such notations.

(D) The District and the Paying Agent shall be entitled to treat the person in whose name any Bond is registered as the Owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Paying Agent or the District; and the District and the Paying Agent shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any Beneficial Owners of the Bonds. Neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to any such Beneficial Owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Bonds, and the Paying Agent may rely conclusively on its records as to the identity of the Owners of the Bonds.

**SECTION 7. Execution of the Bonds.** The Bonds shall be signed by the President of the Board, or other member of the Board authorized to sign on behalf of the President, by their manual or facsimile signature and countersigned by the manual or facsimile signature of the Clerk of or Secretary to the Board, or the designee thereof, all in their official capacities. No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Bond is signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

**SECTION 8. Paying Agent; Transfer and Exchange.** So long as any of the Bonds remain Outstanding, the District will cause the Paying Agent to maintain and keep at its designated office all

books and records necessary for the registration, exchange and transfer of the Bonds as provided in this Section. Subject to the provisions of Section 9 below, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute Owner of that Bond for all purposes of this Resolution. Payment of or on account of the Principal of, premium, if any, and interest on any Bond shall be made only to or upon the order of such Owner; neither the District nor the Paying Agent shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District's liability upon the Bonds, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of like Series, tenor, maturity and Transfer Amount upon presentation and surrender at the designated office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Bond may be transferred on the Bond Register only upon presentation and surrender of the Bond at the designated office of the Paying Agent together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver a new bond or bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the Transfer Amount of the Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

If any Bond shall become mutilated, the District, at the expense of the Owner of said Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like Series, tenor, maturity and Transfer Amount in exchange and substitution for the Bond so mutilated, but only upon surrender to the Paying Agent of the Bond so mutilated. If any Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Paying Agent and, if such evidence be satisfactory to the Paying Agent and indemnity for the Paying Agent and the District satisfactory to the Paying Agent shall be given by the Owner, the District, at the expense of the Owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like Series, tenor, maturity and Transfer Amount in lieu of and in substitution for the Bond so lost, destroyed or stolen (or if any such Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Bond the Paying Agent may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Paying Agent and the District). The Paying Agent may require payment of a reasonable fee for each new Bond issued under this paragraph and of the expenses which may be incurred by the District and the Paying Agent.

If signatures on behalf of the District are required in connection with an exchange or transfer, the Paying Agent shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the District. In all cases of exchanged or transferred Bonds, the District shall sign and the Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and entitled to the same security and benefit under this Resolution as the Bonds surrendered upon that exchange or transfer.

Any Bond surrendered to the Paying Agent for payment, retirement, exchange, replacement or transfer shall be cancelled by the Paying Agent. The District may at any time deliver to the Paying Agent for cancellation any previously authenticated and delivered Bonds that the District may have acquired in any manner whatsoever, and those Bonds shall be promptly cancelled by the Paying Agent. Written

reports of the surrender and cancellation of Bonds shall be made to the District by the Paying Agent as requested by the District. The cancelled Bonds shall be retained for three years, then returned to the District or destroyed by the Paying Agent as directed by the District.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Bonds during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable Redemption Notice is given or (b) to transfer any Bonds which have been selected or called for redemption in whole or in part.

**SECTION 9. Payment.** Payment of interest on any Bond shall be made on any Bond Payment Date to the person appearing on the Bond Register of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by wire transfer to such Owner on the Bond Payment Date to the bank and account number on file with the Paying Agent for that purpose on or before the Record Date. The Principal, and redemption premiums, if any, payable on the Bonds shall be payable upon maturity or redemption upon surrender at the designated office of the Paying Agent. The Principal of, interest on, and redemption premiums, if any, on, the Bonds shall be payable in lawful money of the United States of America. The Paying Agent is hereby authorized to pay the Bonds when duly presented for payment at maturity, and to cancel all Bonds upon payment thereof. The Bonds are obligations of the District payable solely from the levy of *ad valorem* property taxes upon all property within the District subject to taxation, which taxes shall be without limit as to rate or amount. The Bonds do not constitute an obligation of the County except as provided in this Resolution and no part of any fund of the County is pledged or obligated to the payment of the Bonds.

**SECTION 10. Form of Bonds.** The Bonds shall be in substantially the form as set forth in Exhibit A hereto, allowing those officials executing the Bonds to make the insertions and deletions necessary to conform the Bonds to this Resolution, the Purchase Contract and the Official Statement, or to correct or cure any defect, inconsistency, ambiguity or omission therein. Pending the preparation of definitive Bonds, the Bonds may be executed and delivered in temporary form exchangeable for definitive Bonds when ready for delivery. If the Paying Agent delivers temporary Bonds, it shall execute and deliver definitive Bonds in an equal aggregate principal amount of authorized denominations, when available, and thereupon the temporary Bonds shall be surrendered to the Paying Agent. Until so exchanged, the temporary Bonds shall be entitled to the same benefits hereunder as definitive Bonds.

**SECTION 11. Delivery of Bonds.** The proper officials of the District shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Underwriter upon payment of the purchase price therefor.

**SECTION 12. Deposit of Proceeds of Bonds.** (a) The purchase price received from the Underwriter pursuant to the Purchase Contract, to the extent of the principal amount thereof, shall be paid to the County to the credit of the fund hereby authorized to be created to be known as the “Chaffey Community College District, Election of 2018 General Obligation Bonds, Series A Building Fund” (the “Building Fund”) of the District, shall be kept separate and distinct from all other District and County funds, and such proceeds shall be used solely for the purposes for which the Bonds are being issued and provided further that such proceeds shall be applied solely to the purposes authorized by the voters of the District at the Election. The County shall have no responsibility for assuring the proper use of the Bond proceeds by the District. At the election of the District, (i) to the extent the Bonds are issued in more than one Series, there shall be created a separate Building Fund for each such Series of Bonds, with appropriate

Series designation, and all references herein to the Building Fund shall be deemed to include any Building Fund created for a Series of Bonds, or (ii) the Building Fund may be established as a subaccount of, or otherwise combined with, a fund established by the County for the purpose of holding proceeds of bonds issued pursuant to the Authorization.

The purchase price received from the Underwriter pursuant to the Purchase Contract, to the extent of any accrued interest and any net original issue premium, shall be paid to the County to the credit of the fund hereby authorized to be created to be known as the “Chaffey Community College District Election of 2018 General Obligation Bonds, Series A Debt Service Fund” (the “Debt Service Fund”) for the Bonds and used for payment of principal of and interest on the Bonds, and for no other purpose. At the election of the District, (i) to the extent the Bonds are issued in more than one Series, there shall be created a separate Debt Service Fund for each such Series of Bonds, with appropriate Series designation, and all references herein to the Debt Service Fund shall be deemed to include any Debt Service Fund created for a Series of Bonds, or (ii) the Debt Service Fund may be established as a subaccount of, or otherwise with, a fund established by the County for the purpose of holding proceeds of *ad valorem* property tax levies made to pay bonds issued pursuant to the Authorization. Interest earnings on monies held in the Building Fund shall be retained in the Building Fund. Interest earnings on monies held in the Debt Service Fund shall be retained in the Debt Service Fund. Any excess proceeds of the Bonds on deposit not needed for the authorized purposes set forth herein for which the Bonds are being issued, upon written notice from the District shall be transferred to the Debt Service Fund and applied to the payment of Principal of and interest on the Bonds. If, after payment in full of the Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

The costs of issuance of the Bonds are hereby authorized to be paid either from premium withheld by the Underwriter upon the sale of the Bonds, or from the Principal Amount of the Bonds received from the Underwriter. To the extent costs of issuance are paid from such Principal Amount, the District may direct that a portion thereof, in an amount not-to-exceed 2.0% of such Principal Amount, in lieu of being deposited into the Building Fund, be deposited in a costs of issuance account to be held by a fiscal agent of the District appointed for such purpose. Any excess moneys in the cost of issuance account remaining after payment of all costs of issuance shall be transferred to the County for deposit into the Building Fund or Debt Service Fund, as appropriate.

(b) Moneys in the Debt Service Fund and the Building Fund shall be invested in Permitted Investments within the County investment pool. If at the time of issuance the District determines to issue the Bonds as Tax-Exempt Bonds without regard to the Internal Revenue Code “temporary period” restrictions, all investment of Bond proceeds shall be subject to paragraph (i) below; and the District, in consultation with the County, may provide for an agent to assist the County in investing funds pursuant to paragraph (i) below. If the District fails to direct the County or its agent, as the case may be, the County or its agent shall invest or cause the funds in the Building Fund to be invested in Qualified Permitted Investments, subject to the provisions of paragraph (i) below, until such time as the District provides written direction to invest such funds otherwise. Neither the County nor its officers and agents, as the case may be, shall have any responsibility or obligation to determine the tax consequences of any investment. The interest earned on the moneys deposited to the Building Fund shall be applied as set forth in subparagraph (i)(3) below:

(i) Covenant Regarding Investment of Proceeds.

1. Permitted Investments. Beginning on the delivery date, and at all times until expenditure for authorized purposes, not less than 95% of the proceeds of the Bonds

deposited in the Building Fund, including investment earnings thereon, will be invested in Qualified Permitted Investments. Notwithstanding the preceding provisions of this Section, for purposes of this paragraph, amounts derived from the disposition or redemption of Qualified Permitted Investments and held pending reinvestment or redemption for a period of not more than 30 days may be invested in Permitted Investments. The District hereby authorizes investments made pursuant to this Resolution with maturities exceeding five years.

2. Recordkeeping and Monitoring Relating to Building Fund.

(A) Information Regarding Permitted Investments. The District hereby covenants that it will record or cause to be recorded with respect to each Permitted Investment in the Building Fund the following information: purchase date; purchase price; information establishing the Fair Market Value of such Permitted Investment; face amount; coupon rate; periodicity of interest payments; disposition price; disposition date; and any accrued interest received upon disposition.

(B) Information in Qualified Non-AMT Mutual Funds. The District hereby covenants that, with respect to each investment of proceeds of the Bonds in a Qualified Non-AMT Mutual Fund pursuant to paragraph (i)(1) above, in addition to recording, or causing to be recorded, the information set forth in paragraph (i)(2)(A) above, it will retain a copy of each IRS information reporting form and account statement provided by such Qualified Non-AMT Mutual Fund.

(C) Monthly Investment Fund Statements. The District covenants that it will obtain, at the beginning of each month following the delivery date, a statement of the investments in the Building Fund detailing the nature, amount and value of each investment as of such statement date.

(D) Retention of Records. The District hereby covenants that it will retain the records referred to in paragraph (i)(2)(A) and each IRS information reporting form referred to in paragraph (i)(2)(B) with its books and records with respect to the Bonds until three years following the last date that any obligation comprising the Bonds is retired.

3. Interest Earned on Permitted Investments. The interest earned on the moneys deposited in the Building Fund shall be deposited in the Building Fund and used for the purposes of that fund.

Except as required to satisfy the requirements of Section 148(f) of the Code, interest earned on the investment of moneys held in the Debt Service Fund shall be retained in the Debt Service Fund and used by the County to pay the Principal of and interest on the Bonds when due.

**SECTION 13. Rebate Fund.** The following provisions shall apply to any Bonds issued as Tax-Exempt Bonds.

(a) The District shall create and establish a special fund designated the “Chaffey Community College District Election of 2018 General Obligation Bonds, Series A Rebate Fund” (the “Rebate Fund”). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to the extent required to

satisfy the requirement to make rebate payments to the United States (the “Rebate Requirement”) pursuant to Section 148 of the Code, and the Treasury Regulations promulgated thereunder (the “Treasury Regulations”). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and by the Tax Certificate to be executed by the District in connection with the Tax-Exempt Bonds (the “Tax Certificate”).

(b) Within 45 days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate), (1) the District shall calculate or cause to be calculated with respect to the Bonds the amount that would be considered the “rebate amount” within the meaning of Section 1.148-3 of the Treasury Regulations, using as the “computation date” for this purpose the end of such Bond Year, and (2) the District shall deposit to the Rebate Fund from amounts on deposit in the other funds established hereunder or from other District funds, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the “rebate amount” so calculated. The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence, if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the “rebate amount” calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section. The District shall not be required to calculate the “rebate amount” and shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Bonds (including amounts treated as proceeds of the Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148(f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations, whichever is applicable, and otherwise qualify for the exception to the Rebate Requirement pursuant to whichever of said sections is applicable, (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a “bona fide debt service fund.” In such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) Any funds remaining in the Rebate Fund after redemption of all the Bonds and any amounts described in paragraph (2) of subsection (d) of this Section, or provision made therefor satisfactory to the District, including accrued interest, shall be remitted to the District.

(d) Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the “rebate amount” and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(1) not later than 60 days after the end of (i) the fifth Bond Year, and (ii) each fifth Bond Year thereafter, an amount that, together with all previous rebate payments, is equal to at least 90% of the “rebate amount” calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Treasury Regulations; and

(2) not later than 60 days after the payment of all Bonds, an amount equal to 100% of the “rebate amount” calculated as of the date of such payment (and any income attributable to the “rebate amount” determined to be due and payable) in accordance with Section 1.148-3 of the Treasury Regulations.

(e) In the event that, prior to the time any payment is required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is due, the District shall calculate (or have calculated) the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(f) Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service, on or before the date on which such payment is due, and shall be accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by the District.

(g) In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the “rebate amount” calculated in accordance with said subsection, the District may withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) The District shall retain records of all determinations made hereunder until three years after the complete retirement of the Bonds.

(i) Notwithstanding anything in this Resolution to the contrary, the Rebate Requirement shall survive the payment in full or defeasance of the Bonds.

**SECTION 14. Security for the Bonds.** There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* property tax annually during the period the Bonds are Outstanding in an amount sufficient to pay the Principal of and interest on the Bonds when due, which moneys when collected will be deposited in the Debt Service Fund of the District, and which fund is hereby designated for the payment of the principal of and interest on the Bonds when and as the same shall fall due, and for no other purpose. The District covenants to cause the County to take all actions necessary to levy such *ad valorem* property tax in accordance with this Section 14. Pursuant to Government Code Section 53515, the Bonds shall be secured by a statutory lien on all revenues received pursuant to the levy and collection of *ad valorem* property taxes for the payment thereof.

Pursuant to Government Code Sections 5450 and 5451, the District hereby pledges all revenues received from the levy and collection of *ad valorem* property taxes for the payment of each Series of Bonds and all amounts on deposit in the corresponding Debt Service Fund to the payment of such Series of Bonds. Such pledge shall constitute a lien on and security interest in such taxes and amounts in such Debt Service Fund. This pledge shall constitute an agreement between the District and the Owners of such Series of Bonds to provide security for the payment of such Bonds in addition to any statutory lien that may exist.

The moneys in the Debt Service Fund, to the extent necessary to pay the Principal of and interest on the Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to DTC to pay such Principal and interest. DTC will thereupon make payments of Principal of and interest on the Bonds to the DTC Participants who will thereupon make payments of such Principal and interest to the Beneficial Owners of the Bonds. Any moneys remaining in the Debt Service Fund after the Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District, pursuant to the Education Code Section 15234.

**SECTION 15. Arbitrage Covenant.** The District covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, so that the Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations prescribed thereunder or any predecessor section. Calculations for determining arbitrage requirements are the sole responsibility of the District.

**SECTION 16. Conditions Precedent.** The Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

**SECTION 17. Official Statement.** The Preliminary Official Statement relating to the Bonds, substantially in the form on file with the Clerk of or Secretary to the Board is hereby approved and the Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriter to be used in connection with the offering and sale of the Bonds. The Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement “final” pursuant to Rule 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the Underwriter a final Official Statement, substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Bonds, and such Underwriter is directed to deliver copies of any final Official Statement to the purchasers of the Bonds. Execution of the Official Statement shall conclusively evidence the District’s approval of the Official Statement.

**SECTION 18. Insurance.** In the event the District purchases bond insurance for the Bonds, and to the extent that the Bond Insurer makes payment of the Principal of and interest on the Bonds, it shall become the Owner of such Bonds with the right to payment of such Principal or interest, and shall be fully subrogated to all of the Owners’ rights, including the Owners’ rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims that were past due interest the Paying Agent shall note the Bond Insurer’s rights as subrogee on the registration books for the Bonds maintained by the Paying Agent upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Bonds, and (ii) in the case of subrogation as to claims for past due Principal, the Paying Agent shall note the Bond Insurer as subrogee on the Bond Register for the Bonds maintained by the Paying Agent upon surrender of the Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

**SECTION 19. Defeasance.** All or any portion of the Outstanding maturities of the Bonds may be defeased prior to maturity in the following ways:

- (a) Cash: by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with any amounts transferred from the Debt Service Fund, if any, is sufficient to pay all Bonds Outstanding and designated for defeasance (including all Principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date; or

(b) **Government Obligations:** by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations together with amounts transferred from the Debt Service Fund, if any, and any other cash, if required, in such amount as will, together with interest to accrue thereon, in the opinion of an independent certified public accountant, be fully sufficient to pay and discharge all Bonds Outstanding and designated for defeasance (including all Principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated Outstanding Bonds shall cease and terminate, except only the obligation of the independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the Owners of such designated Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, Government Obligations shall mean:

Direct and general obligations of the United States of America, obligations that are unconditionally guaranteed as to principal and interest by the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations secured or otherwise guaranteed, directly or indirectly, as to principal and interest by a pledge of the full faith and credit of the United States of America. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (i) a bank or trust company acts as custodian and holds the underlying United States obligations; (ii) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (iii) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed at least as high as direct and general obligations of the United States of America by either Moody's or S&P.

**SECTION 20. Nonliability of County.** Notwithstanding anything to the contrary contained herein, in the Bonds or in any other document mentioned herein, County, nor its officials, officers, employees or agents thereof, shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby, the Bonds are not a debt of the County or a pledge of the County's full faith and credit, and the Bonds and any liability in connection therewith, shall be paid solely from *ad valorem* property taxes lawfully levied to pay the Principal of or interest on the Bonds, which taxes shall be unlimited as to rate or amount.

**SECTION 21. Reimbursement of County Costs.** The District shall reimburse the County for all costs and expenses incurred by the County and its officials, officers, agents and employees thereof in issuing or otherwise in connection with the issuance of the Bonds.

**SECTION 22. Request to County to Levy Tax.** The Boards of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of *ad valorem* property taxes in each year sufficient to pay all Principal of and interest coming due on the Bonds in such year, and to pay from such taxes all amounts due on the Bonds. The District hereby requests the Boards of Supervisors

of the County to annually levy a tax upon all taxable property in the District sufficient to pay all such Principal and interest coming due on the Bonds in such year, and to pay from such taxes all amounts due on the Bonds. The Board hereby finds and determines that such *ad valorem* property taxes shall be levied specifically to pay the Bonds being issued to finance specific projects authorized by the voters of the District at the Election.

**SECTION 23. Other Actions.** (a) Officers of the Board and District officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

(b) The Board hereby appoints (i) RBC Capital Markets, LLC as Underwriter, and (ii) Stradling Yocca Carlson & Rauth, a Professional Corporation, as Bond Counsel and Disclosure Counsel, each with respect to the issuance of the Bonds.

(c) The provisions of this Resolution as they relate to the Bonds may be amended by the Purchase Contract or the Official Statement.

(d) Based on a good faith estimate from the Underwriter, the District finds that (i) the True Interest Cost of the Bonds (as defined in Government Code Section 5852.1) is expected to be approximately 3.68%, (ii) the total Finance Charge of the Bonds (as defined in Government Code Section 5852.1) is expected to be \$1,050,000, (iii) the total proceeds expected to be received by the District from the sale of the Bonds, less the Finance Charge of the Bonds and any reserves or capitalized interest paid or funded with proceeds of the Bonds, is \$200,000,000, and (iv) the District expects that the Total Payment Amount (as defined in Government Code Section 5852.1), calculated to the final maturity of the Bonds, will be \$389,970,837. The information presented in this Section 22(d) is included in satisfaction of Government Code Section 5852.1, and shall not abrogate or otherwise limit any provision of this Resolution.

**SECTION 24. Resolution to Treasurers.** The Clerk of or Secretary to this Board is hereby directed to provide a certified copy of this Resolution to the Treasurer of San Bernardino County immediately following its adoption.

**SECTION 25. Continuing Disclosure.** The District hereby covenants and agrees that it will comply with and carry out all of the provisions of that certain Continuing Disclosure Certificate executed by the District and dated as of the Dated Date, as originally executed and as it may be amended from time to time in accordance with the terms thereof. The Board hereby approves the form of the Continuing Disclosure Certificate appended to the form of the Preliminary Official Statement on file with the Clerk of or Secretary to the Board as of the date hereof, and the Authorized Officers, each alone, are hereby authorized to execute and deliver such Continuing Disclosure Certificate with such changes therein and modifications thereto as shall be approved by the Authorized Officer executing the same, such approval to be conclusively evidenced by such execution and delivery. Any Bond Holder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Section. Noncompliance with this Section shall not result in acceleration of the Bonds.

**SECTION 26. Effective Date.** This Resolution shall take effect immediately upon its passage.

**SECTION 27. Further Actions Authorized.** It is hereby covenanted that the District, and its appropriate officials, have duly taken all actions necessary to be taken by them, and will take any additional actions necessary to be taken by them, for carrying out the provisions of this Resolution.

[REMAINDER OF PAGE LEFT BLANK]

**SECTION 28. Recitals.** All the recitals in this Resolution above are true and correct and this Board so finds, determines and represents.

PASSED, ADOPTED AND APPROVED this 11th day of July, 2019, by the following vote:

AYES: MEMBERS \_\_\_\_\_

NOES: MEMBERS \_\_\_\_\_

ABSTAIN: MEMBERS \_\_\_\_\_

ABSENT: MEMBERS \_\_\_\_\_

\_\_\_\_\_  
Gloria Negrete-McLeod  
President of the Governing Board  
Chaffey Community College District

ATTEST:

\_\_\_\_\_  
Henry D. Shannon, Ph.D.  
Secretary to the Governing Board  
Chaffey Community College District

**SECRETARY’S CERTIFICATE**

I, Dr. Henry D. Shannon, Secretary to the Governing Board of the Chaffey Community College District, San Bernardino County, California, hereby certify as follows:

The foregoing is a full, true and correct copy of a Resolution duly adopted at a regular meeting of the Governing Board of said District duly and regularly and legally held at the regular meeting place thereof on July 11, 2019, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original Resolution adopted at said meeting and entered in said minutes.

Said Resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: July 11, 2019

---

Henry D. Shannon, Ph.D.  
Secretary to the Governing Board of the Chaffey  
Community College District

**EXHIBIT A**  
**FORM OF BONDS**

**REGISTERED  
NO.**

**REGISTERED  
\$**

**CHAFFEY COMMUNITY COLLEGE DISTRICT  
(SAN BERNARDINO COUNTY, CALIFORNIA)  
ELECTION OF 2018 GENERAL OBLIGATION BONDS, SERIES A**

<u>INTEREST RATE:</u> _____ % per annum	<u>MATURITY DATE:</u> June 1, _____	<u>DATED AS OF:</u> _____, 2019	<u>CUSIP</u>
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REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The Chaffey Community College District (the “District”) in San Bernardino County, California (the “County”), for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on June 1 and December 1 of each year (the “Bond Payment Date”), commencing on December 1, 2019. This bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before November 15, 2019, in which event it shall bear interest from the Dated Date. Interest shall be computed on the basis of a 360-day year of 12, 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered, such owner being the Registered Owner, on the Register maintained by the Paying Agent, initially U.S. Bank National Association. Principal is payable upon presentation and surrender of this bond at the designated office of the Paying Agent. Interest is payable by wire transfer by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown on the bond register maintained by the Paying Agent, and to the bank and account number on file with the Paying Agent, as of the close of business on the 15th day of the month next preceding that Bond Payment Date (the “Record Date”).

This bond is one of an authorization of bonds approved to raise money for the purposes authorized by voters of the District at the Election (defined herein) and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, and the requisite vote of the electors of the District cast at a general election held on November 6, 2018 (the “Election”), upon the question of issuing bonds in the amount of \$700,000,000 and the resolution of the Governing Board of the District adopted on July 11, 2019 (the “Bond Resolution”). This bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code. This bond and the issue of which this bond is one are

payable as to both principal and interest solely from the proceeds of the levy of *ad valorem* property taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount in accordance with Education Code Sections 15250 and 15252.

The bonds of this issue comprise \$\_\_\_\_\_ principal amount of Current Interest Bonds, of which this bond is a part (collectively, the “Bonds”).

This bond is exchangeable and transferable for Bonds of like series, tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the designated office of the Paying Agent by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required to (a) issue or transfer any Bond during a period beginning with the opening of business on the 16<sup>th</sup> day next preceding either any Bond Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) transfer any Bond which has been selected or called for redemption in whole or in part.

The Bonds maturing on or before June 1, 20\_\_ are not subject to optional redemption prior to their respective maturity dates. The Bonds maturing on or after June 1, 20\_\_ may be redeemed prior to their respective maturity dates at the option of the District, from any source of available funds, in whole or in part, on June 1, 20\_\_ or on any date thereafter, at a redemption price equal to the principal amount of the Bonds called for redemption, together with interest accrued thereon to the date fixed for redemption, without premium.

The Bonds maturing on June 1, 20\_\_ (the “20\_\_ Term Bonds”), are subject to redemption prior to maturity from mandatory sinking fund payments on June 1 of each year, on and after June 1, 20\_\_, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium. The principal amount represented by such 20\_\_ Term Bonds to be so redeemed, the dates therefor, and the final payment date are as indicated in the following table:

Redemption Dates

Principal Amounts

TOTAL

In the event that a portion of the 20\_\_ Term Bonds shown above is optionally redeemed prior to maturity, the remaining mandatory sinking fund payments with respect thereto shall be reduced proportionately, or as otherwise directed by the District, in integral multiples of \$5,000 principal amount, in respect of the portion of such 20\_\_ Term Bonds optionally redeemed.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected as directed by the District, and if not so directed, by lot. Redemption by lot shall be in such manner as the Paying Agent in its

discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called by the Paying Agent in any order directed by the District and, if not so directed, in the inverse order of maturity.

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

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

This bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.

[REMAINDER OF PAGE LEFT BLANK]

**IN WITNESS WHEREOF**, the Chaffey Community College District, San Bernardino County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signature of the President of the Governing Board of the District, and to be countersigned by the manual or facsimile signature of the Secretary to the Governing Board of the District, all as of the date stated above.

**CHAFFEY COMMUNITY COLLEGE DISTRICT**

By: \_\_\_\_\_ (Facsimile Signature)  
Gloria Negrete-McLeod  
President of the Governing Board

**COUNTERSIGNED:**

\_\_\_\_\_  
(Facsimile Signature)  
Henry D. Shannon, Ph.D.  
Secretary to the Governing Board

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the Bonds described in the Bond Resolution referred to herein which has been authenticated and registered on \_\_\_\_\_, 2019.

By: U.S. BANK NATIONAL ASSOCIATION, as Paying Agent

\_\_\_\_\_  
Authorized Officer

ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): \_\_\_\_\_ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

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

Signature Guaranteed:

\_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the within bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: \_\_\_\_\_

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

LEGAL OPINION

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation in connection with the issuance of, and dated as of the date of the original delivery of, the Bonds. A signed copy is on file in my office.

(Facsimile Signature)  
\_\_\_\_\_  
Henry D. Shannon, Ph.D.  
Secretary to the Governing Board

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC      **ADOPTION OF RESOLUTION AUTHORIZING THE ISSUANCE OF THE CHAFFEY COMMUNITY COLLEGE DISTRICT 2019 GENERAL OBLIGATION REFUNDING BONDS**

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Communication No.    IV.G.1.b

SUPPORTS BOARD POLICY

Supports and complies with Policies: 6100 Delegation of Authority, 6300 Fiscal Management and 6600 Capital Construction.

PROPOSAL

To adopt Resolution No. 71119A, a Resolution authorizing the issuance of the Chaffey Community College District (San Bernardino County, California) 2019 General Obligation Refunding Bonds

BACKGROUND

On March 5, 2002, the voters of the Chaffey Community College District (the "District") approved the issuance of not-to-exceed \$230,000,000 of general obligation bonds ("Measure L"). Pursuant to Measure L, the District previously issued (i) \$12,130,000 of its Election of 2002 General Obligation Bonds, Series 2012D, (ii) \$15,305,000 of its Election of 2002 General Obligation Bonds, Series 2012E and (iii) \$47,020,000 of its 2012 General Obligation Refunding Bonds (collectively, the "Prior Bonds"). The District now desires to advance refund the outstanding Prior Bonds (so refinanced, the "Refunded Bonds"), thereby generating savings for District taxpayers, through the issuance of general obligation refunding bonds (the "Refunding Bonds") pursuant to Government Code Section 53550 *et seq.*

All benefits from the refunding will be delivered to the property owners in the District. The final maturity of the Refunding Bonds will not be later than the final maturity date of the Refunded Bonds. By refunding these previously issued bonds, the taxpayers' interest rate will be reduced and they will realize a savings of approximately \$3,750,000.

(a)      Bond Resolution. This Resolution authorizes the issuance of the Refunding Bonds, in one or more series of federally taxable bonds. The Resolution authorizes the issuance of the Refunding Bonds, specifies the basic terms, parameters and forms of the Refunding Bonds, and approves the forms of the Purchase Contract, Continuing Disclosure Certificate, Escrow Agreement and Preliminary Official Statement described below. In particular, Section 1 of the Resolution establishes the maximum aggregate principal amount of the Refunding Bonds to be issued (\$52,500,000). Section 4 of the Resolution states the maximum underwriting discount (0.40%) with respect to the Refunding Bonds and authorizes the Refunding Bonds to be sold at a negotiated sale to RBC Capital Markets, LLC, as underwriter (the "Underwriter"). The Resolution authorizes the issuance of current interest bonds only; capital appreciation bonds are not authorized.

(b)      Form of Purchase Contract. Pursuant to the Purchase Contract, the Underwriter will agree to buy the Refunding Bonds from the District. All of the conditions of closing the transaction are set forth in this document, including the documentation to be provided at the closing by various parties. Upon the pricing of the Refunding Bonds, the final execution copy of the Purchase Contract will be prepared following this form.

ADOPTION OF RESOLUTION AUTHORIZING THE ISSUANCE OF CHAFFEY COMMUNITY COLLEGE DISTRICT 2019 GENERAL OBLIGATION REFUNDING BONDS

July 11, 2019

Page 2

(c) Form of Preliminary Official Statement. The Preliminary Official Statement (“POS”) is the offering document describing the Refunding Bonds which may be distributed to prospective purchasers of the Refunding Bonds. The POS discloses information with respect to, among other things, (i) the proposed uses of proceeds of the Refunding Bonds, (ii) the terms of the Refunding Bonds (interest rate, redemption terms, etc.), (iii) the bond insurance policy for the Refunding Bonds, if any, (iv) the security for repayment of the Refunding Bonds (the tax levy), (v) information with respect to the District’s tax base (upon which such *ad valorem* property taxes may be levied), (vi) District financial and operating data, (vii) continuing disclosure with respect to the Refunding Bonds and the District, and (viii) absence of litigation and other miscellaneous matters expected to be of interest to prospective purchasers of the Refunding Bonds. Following the pricing of the Refunding Bonds, a final Official Statement for the Refunding Bonds will be prepared, substantially in the form of the POS.

(d) Form of the Continuing Disclosure Certificate. The form of the Continuing Disclosure Certificate can be found in APPENDIX C to the POS. Effective July 3, 1995, all underwriters of municipal bonds are obligated to procure from a bond issuer a covenant that such bond issuer will annually file material financial information and operating data with respect to the issuer, as well as notices of the occurrence of certain enumerated events, through the web-based Electronic Municipal Market Access (“EMMA”) system maintained by the Municipal Securities Rulemaking Board (which is the federal agency that regulates “broker-dealers,” including investment bank firms that underwrite municipal obligation issuances). This requirement is expected to be satisfied annually by the filing of the District’s audited financial statements and other operating information about the District, and from time to time by the filing of notices of enumerated events, in the same manner the District has filed in connection with prior bond issuances. The purpose of the law is to provide investors in the Refunding Bonds with current information regarding the District.

(e) Escrow Agreement. Pursuant to the Escrow Agreement, proceeds from the sale of the Refunding Bonds will be deposited in an escrow fund (the “Escrow Fund”) held by U.S. Bank National Association (acting as “Escrow Agent”). The monies in the Escrow Fund will be used by the Escrow Agent to refund the Refunded Bonds on the first optional redemption date therefor. Following the deposit of proceeds into the Escrow Fund, the Refunded Bonds will be defeased, and the obligation of San Bernardino County to levy a tax for the payment thereof will cease.

BUDGET IMPLICATIONS

N/A

RECOMMENDATION

Staff recommends approval of Resolution No. 71119A, a resolution authorizing the issuance of Chaffey Community College District (San Bernardino County, California) election of 2019 General Obligation Refunding Bonds.

Prepared by:	<u>Kim Erickson, Executive Director, Business Services</u>
Submitted by:	<u>Lisa Bailey, Associate Superintendent, Business Services and Economic Development</u>
Recommended by:	<u>Henry D. Shannon, Superintendent/President</u>

**CHAFFEY COMMUNITY COLLEGE DISTRICT**

**RESOLUTION NO. 71119A**

**RESOLUTION AUTHORIZING THE ISSUANCE OF THE CHAFFEY COMMUNITY COLLEGE DISTRICT (SAN BERNARDINO COUNTY, CALIFORNIA) 2019 GENERAL OBLIGATION REFUNDING BONDS**

**WHEREAS**, a duly called election was held in the Chaffey Community College District (the “District”), San Bernardino County, California (the “County”), on March 5, 2002 (the “Election”) and thereafter canvassed pursuant to law;

**WHEREAS**, at the Election there was submitted to and approved by the requisite fifty-five percent or more of the voters of the District voting on a question as to the issuance and sale of general obligation bonds of the District for various purposes set forth in the ballot submitted to the voters, in the maximum amount of \$230,000,000, payable from the levy of an *ad valorem* property tax against the taxable property in the District (the “Authorization”);

**WHEREAS**, pursuant to the Authorization, the District previously caused the issuance of several series of bonds, including: (i) \$47,565,000 of its Election of 2002 General Obligation Bonds, Series 2002A (the “2002A Bonds”), (ii) \$75,000,000 of its Election of 2002 General Obligation Bonds, Series 2005B, (iii) \$12,130,000 of its Election of 2002 General Obligation Bonds, Series 2012D (the “2012D Bonds”), and (iv) \$15,305,000 of its Election of 2002 General Obligation Bonds, Series 2012E (the “2012E Bonds”);

**WHEREAS**, pursuant to Government Code Section 53550 *et seq.* (the “Act”), the District has previously issued its 2012 General Obligation Refunding Bonds (the “2012 Refunding Bonds,” and together with the 2012D Bonds and the 2012E Bonds, the “Prior Bonds”) to refund a portion of the then-outstanding 2002A Bonds and 2005B Bonds;

**WHEREAS**, pursuant to the Act, this Governing Board (the “Board”) finds that the District is authorized to issue general obligation refunding bonds (the “Refunding Bonds”) to refund all or a portion of the outstanding Prior Bonds (so refunded, the “Refunded Bonds”);

**WHEREAS**, this Board desires to authorize the issuance of the Refunding Bonds in one or more Series of Taxable or Tax-Exempt Current Interest Bonds (as such terms are defined herein);

**WHEREAS**, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation refunding bonds of the District, and whereas the indebtedness of the District, including this proposed issue of Refunding Bonds, is within all limits prescribed by law;

**WHEREAS**, at this time the Board desires to appoint professionals related to the issuance of the Refunding Bonds; and

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED BY THE GOVERNING BOARD OF THE CHAFFEY COMMUNITY COLLEGE DISTRICT, SAN BERNARDINO COUNTY, CALIFORNIA AS FOLLOWS:**

**SECTION 1. Purpose.** To refund all or a portion of the currently outstanding principal amount of the Prior Bonds and to pay all necessary legal, financial, and contingent costs in connection therewith, the Board hereby authorizes the issuance of the Refunding Bonds pursuant to the Act in an aggregate principal amount not-to-exceed \$52,500,000, in one or more Series of Taxable or Tax-Exempt Current Interest Bonds (each as defined herein), to be styled as the “Chaffey Community College District (San Bernardino County, California) 2019 General Obligation Refunding Bonds,” with appropriate additional Series designation if more than one Series of Refunding Bonds are issued. Additional costs authorized to be paid from the proceeds of the Refunding Bonds are all of the authorized costs of issuance set forth in Government Code Section 53550(e) and (f) and Government Code Section 53587.

**SECTION 2. Paying Agent.** The Board hereby appoints the Paying Agent, as defined in Section 5 hereof, to act as paying agent, bond registrar, authentication agent and transfer agent for the Refunding Bonds on behalf of the District. The Board hereby authorizes the payment of the reasonable fees and expenses of the Paying Agent, as they shall become due and payable. The fees and expenses of the Paying Agent which are not paid as a cost of issuance of the Refunding Bonds may be paid in each year from *ad valorem* property taxes levied and collected for the payment thereof, insofar as permitted by law, including specifically Education Code Section 15232.

**SECTION 3. Terms and Conditions of Sale.** The Refunding Bonds are hereby authorized to be sold at a negotiated sale to the Underwriter (as defined herein), upon the direction of the Superintendent/President, Associate Superintendent, Business Services and Economic Development, or such other officer or employee of the District as may be designated by the Superintendent/President or Associate Superintendent, Business Services and Economic Development for such purpose (collectively, the “Authorized Officers”). The Refunding Bonds shall be sold pursuant to the terms and conditions set forth in the Purchase Contract, as described below.

**SECTION 4. Approval of Purchase Contract.** The form of Purchase Contract by and between District and the Underwriter, substantially in the form on file with the Secretary to the Board, is hereby approved and the Authorized Officers, each alone, are hereby authorized to execute and deliver the Purchase Contract, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same may approve, such approval to be conclusively evidenced by his or her execution and delivery thereof; provided, however, that (i) the maximum interest rates on the Refunding Bonds shall not exceed that authorized by law, and (ii) the underwriting discount, excluding original issue discount, shall not exceed 0.40% of the aggregate principal amount of the Refunding Bonds issued. The Authorized Officers, each alone, are further authorized to determine the principal amount of the Refunding Bonds to be specified in the Purchase Contract for sale by the District up to \$52,500,000 and to enter into and execute the Purchase Contract with the Underwriter, if the conditions set forth in this Resolution are satisfied.

**SECTION 5. Certain Definitions.** As used in this Resolution, the terms set forth below shall have the meanings ascribed to them (unless otherwise set forth in the Purchase Contract):

(a) “**Authorizing Documents**” means the authorizing resolution(s), indenture, agreement or other legal document(s) pursuant to which the Prior Bonds were authorized and issued.

(b) “**Act**” means California Government Code Sections 53550 *et seq.*

(c) **“Beneficial Owner”** means, when used with reference to book-entry Refunding Bonds registered pursuant to Section 6 hereof, the person who is considered the beneficial owner of such Refunding Bonds pursuant to the arrangements for book-entry determination of ownership applicable to the Depository.

(d) **“Bond Insurer”** means any insurance company which issues a municipal bond insurance policy insuring the payment of principal of and interest on the Refunding Bonds.

(e) **“Bond Payment Date”** means, unless otherwise provided by the Purchase Contract, June 1 and December 1 of each year commencing December 1, 2019, with respect to the interest on the Refunding Bonds, and the stated maturity dates of the Bonds with respect to payments of Principal of the Bonds.

(f) **“Bond Register”** means the registration books which the Paying Agent shall keep or cause to be kept on which the registered ownership, transfer and exchange of Refunding Bonds will be recorded.

(g) **“Code”** means the Internal Revenue Code of 1986, as the same may be amended from time to time. Reference to a particular section of the Code shall be deemed to be a reference to any successor to any such section.

(h) **“Continuing Disclosure Certificate”** means that certain contractual undertaking executed by the District in connection with the issuance of the Refunding Bonds pursuant to paragraph (b)(5) of Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities and Exchange Act of 1934, dated as of the date of issuance of the Refunding Bonds, as amended from time to time in accordance with the provisions thereof.

(i) **“Current Interest Bonds”** means Refunding Bonds, the interest on which is payable semiannually on each Bond Payment Date specified for each such Refunding Bond as designated and maturing in the years and in the amounts set forth in the Purchase Contract.

(j) **“Date of Delivery”** means the date of initial issuance and delivery of the Refunding Bonds, or such other date as shall be set forth in the Purchase Contract or Official Statement.

(k) **“Depository”** means the entity acting as securities depository for the Refunding Bonds pursuant to Section 6(c) hereof.

(l) **“DTC”** means The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, in its capacity as the initial Depository for the Refunding Bonds.

(m) **“Escrow Agent”** means U.S. Bank National Association.

(n) **“Escrow Agreement”** means the Escrow Agreement relating to the Refunded Bonds, by and between the District and the Escrow Agent.

(o) **“Federal Securities”** means securities as permitted, in accordance with the Authorizing Documents, to be deposited with the Escrow Agent for the purpose of defeasing the Refunded Bonds.

(p) **“Holder”** or **“Owner”** means the registered owner of a Refunding Bond as set forth in the Bond Register maintained by the Paying Agent pursuant to Section 6 hereof.

(q) **“Information Services”** means the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access System; or, such other services providing information with respect to called municipal obligations as the District may specify in writing to the Paying Agent or, in the absence of such written specification, as the Paying Agent may select.

(r) **“Moody’s”** means Moody’s Investors Service, Inc., a corporation organized and existing under the laws of the State of Delaware, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, any other nationally recognized securities rating agency designated by the District.

(s) **“Nominee”** means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 6(c) hereof.

(t) **“Official Statement”** means the Official Statement for the Refunding Bonds, as described in Section 17 hereof.

(u) **“Outstanding”** means, when used with reference to the Refunding Bonds, as of any date, Bonds theretofore issued or thereupon being issued under this Resolution except:

(i) Refunding Bonds canceled at or prior to such date;

(ii) Refunding Bonds in lieu of or in substitution for which other Refunding Bonds shall have been delivered pursuant to Section 8 hereof; or

(iii) Refunding Bonds for the payment or redemption of which funds or Government Obligations in the necessary amount shall have been set aside (whether on or prior to the maturity or redemption date of such Refunding Bonds), in accordance with Section 19 of this Resolution

(v) **“Participants”** means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(w) **“Paying Agent”** means initially U.S. Bank National Association, or any other Paying Agent as shall be identified in the Purchase Contract or Official Statement, and afterwards any successor financial institution, acting as paying agent, transfer agent, authentication agent and bond registrar for the Refunding Bonds.

(x) **“Principal”** or **“Principal Amount”** means, with respect to any Refunding Bond, the initial principal amount thereof.

(y) **“Purchase Contract”** means the contract or contracts for purchase and sale of the Refunding Bonds, by and between the District and the Underwriter. To the extent the Refunding Bonds are sold pursuant to more than one Purchase Contract, each shall be substantially in the form presented to the Board, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve.

(z) **“Record Date”** means the close of business on the fifteenth day of the month preceding each Bond Payment Date.

(aa) **“Series”** means any Refunding Bonds executed, authenticated and delivered pursuant to the provisions hereof and identified as a separate series of bonds.

(bb) **“S&P”** means S&P Global Ratings, its successors and their assigns, or, if such entity shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, any other nationally recognized securities rating agency designated by the District.

(cc) **“Taxable Bonds”** means any Refunding Bonds not issued as Tax-Exempt Bonds.

(dd) **“Tax-Exempt Bonds”** means any Refunding Bonds the interest on which is excludable from gross income for federal income tax purposes and is not treated as an item of tax preference for purposes of calculating the federal alternative minimum tax, as further described in an opinion of Bond Counsel supplied to the original purchasers of such Refunding Bonds.

(ee) **“Term Bonds”** means those Refunding Bonds for which mandatory sinking fund redemption dates have been established in the Purchase Contract.

(ff) **“Transfer Amount”** means, with respect to any Outstanding Refunding Bond, the Principal Amount.

(gg) **“Treasurer”** means the Treasurer-Tax Collector of the County.

(hh) **“Underwriter”** means RBC Capital Markets, LLC.

#### **SECTION 6. Terms of the Refunding Bonds.**

(a) Denomination, Interest, Dated Dates. The Refunding Bonds shall be issued as bonds registered as to both principal and interest, in the denominations of \$5,000 principal amount or any integral multiple thereof. The Refunding Bonds will be initially registered in the name of “Cede & Co.,” the Nominee of DTC.

Each Refunding Bond shall be dated the Date of Delivery, and shall bear interest at the rates set forth in the Purchase Contract, from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from the Date of Delivery. Interest on the Refunding Bonds shall be payable on the respective Bond Payment Dates and shall be computed on the basis of a 360-day year of twelve 30-day months.

No Refunding Bond shall mature later than the final maturity date of the Refunded Bonds to be refunded from proceeds of such Refunding Bond.

(b) Redemption.

(i) Optional Redemption. The Refunding Bonds shall be subject to optional redemption prior to maturity as provided in the Purchase Contract or the Official Statement.

(ii) Mandatory Redemption. Any Refunding Bonds issued as Term Bonds shall be subject to mandatory sinking fund redemption as provided in the Purchase Contract or the Official Statement.

(iii) Selection of Refunding Bonds for Redemption. Whenever provision is made in this Resolution for the redemption of Refunding Bonds and less than all Outstanding Refunding

Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select Refunding Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Refunding Bonds for redemption by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that with respect to redemption by lot, the portion of any Refunding Bond to be redeemed in part shall be in the principal amount of \$5,000 or any integral multiple thereof.

The Purchase Contract may provide that (i) in the event that a portion of any Term Bond is optionally redeemed prior to maturity pursuant to Section 6(b)(i) hereof, the remaining mandatory sinking fund payments with respect to such Term Bonds shall be reduced proportionately or as otherwise directed by the District, in integral multiples of \$5,000 principal amount, in respect to the portion of such Term Bond optionally redeemed, or (ii) within a maturity, Refunding Bonds shall be selected for redemption on a “Pro Rata Pass-Through Distribution of Principal” basis in accordance with DTC procedures, provided further that, such pro-rata redemption is made in accordance with the operational arrangements of DTC then in effect.

(iv) Redemption Notice. When redemption is authorized pursuant to this Resolution, the Paying Agent, upon written instruction from the District, shall give notice (a “Redemption Notice”) of the redemption of the Refunding Bonds. Such Redemption Notice shall specify: the Refunding Bonds or designated portions thereof (in the case of redemption of the Refunding Bonds in part but not in whole) which are to be redeemed; the date of redemption; the place or places where the redemption will be made, including the name and address of the Paying Agent; the redemption price; the CUSIP numbers (if any) assigned to the Refunding Bonds to be redeemed, the Refunding Bond numbers of the Refunding Bonds to be redeemed in whole or in part and, in the case of any Refunding Bond to be redeemed in part only, the portion of the principal amount of such Refunding Bond to be redeemed; and the original issue date, interest rate and stated maturity date of each Refunding Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Refunding Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date thereon, and that from and after such date, interest thereon shall cease to accrue.

With respect to any Redemption Notice of Refunding Bonds, unless upon the giving of such notice such Refunding Bonds shall be deemed to have been defeased pursuant to Section 19 hereof, such notice shall state that such redemption shall be conditional upon the receipt by the Paying Agent (or an independent escrow agent selected by the District) on or prior to the date fixed for such redemption of the moneys necessary and sufficient to pay the principal of, premium, if any, and interest on, such Refunding Bonds to be redeemed, and that if such moneys shall not have been so received said notice shall be of no force and effect, the Refunding Bonds shall not be subject to redemption on such date and the Refunding Bonds shall not be required to be redeemed on such date. In the event that such Redemption Notice contains such a condition and such moneys are not so received, the redemption shall not be made and the Paying Agent shall within a reasonable time thereafter give notice, to the persons to whom and in the manner in which the Redemption Notice was given, that such moneys were not so received. In addition, the District shall have the right to rescind any Redemption Notice, by written notice to the Paying Agent, on or prior to the date fixed for such redemption. The Paying Agent shall distribute a notice of such rescission in the same manner as the Redemption Notice was originally provided.

The Paying Agent shall take the following actions with respect to such Redemption Notice:

(1) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Refunding Bonds designated

for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register.

(2) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service to the Depository.

(3) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service to one of the Information Services.

(4) The Paying Agent shall provide a Redemption Notice to such other persons as may be required pursuant to the Continuing Disclosure Certificate.

A certificate of the Paying Agent to the effect that a Redemption Notice has been given as provided herein shall be conclusive as against all parties. Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Refunding Bonds. Each check issued or other transfer of funds made by the Paying Agent for the purpose of redeeming Refunding Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Refunding Bonds being redeemed with the proceeds of such check or other transfer. Such Redemption Notice may state that no representation is made as to the accuracy or correctness of CUSIP numbers printed thereon.

(v) Partial Redemption of Refunding Bonds. Upon the surrender of any Refunding Bond redeemed in part only, the Paying Agent shall execute and deliver to the Owner thereof a new Refunding Bond or Refunding Bonds of like tenor and maturity and of authorized denominations equal in principal amounts to the unredeemed portion of the Refunding Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(vi) Effect of Redemption Notice. Notice having been given as aforesaid, and the moneys for the redemption (including the interest accrued to the applicable date of redemption) having been set aside as provided in Section 19 hereof, the Refunding Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Refunding Bonds to be redeemed as provided in Section 6(b)(i) hereof, together with interest accrued to such redemption date, shall be held in trust as provided in Section 19 hereof, so as to be available therefor on such redemption date, and if a Redemption Notice thereof shall have been given as aforesaid, then from and after such redemption date, interest on the Refunding Bonds to be redeemed shall cease to accrue and become payable. All money held for the redemption of Refunding Bonds shall be held in trust for the account of the Owners of the Refunding Bonds so to be redeemed.

All Refunding Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 6 shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Refunding Bond purchased by the District shall be cancelled by the Paying Agent.

(vii) Refunding Bonds No Longer Outstanding. When any Refunding Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys shall be irrevocably held in trust as provided in Section 19 hereof for the payment of the redemption price of such Refunding Bonds or portions thereof, and accrued interest thereon to the date fixed for redemption, all as provided in this Resolution, then such Refunding Bonds shall no longer be deemed Outstanding and shall be surrendered to the Paying Agent for cancellation.

(c) Book-Entry System.

(i) Election of Book-Entry System. The Refunding Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Refunding Bonds in an authorized denomination. The ownership of each such Refunding Bond shall be registered in Bond Register maintained by the Paying Agent in the name of the Nominee, as nominee of the Depository and ownership of the Refunding Bonds, or any portion thereof may not thereafter be transferred except as provided in Section 6(c)(i)(4).

With respect to book-entry Refunding Bonds, the District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Refunding Bonds. Without limiting the immediately preceding sentence, the District and the Paying Agent shall have no responsibility or obligation with respect to: (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Refunding Bonds; (ii) the delivery to any Participant or any other person, other than an Owner as shown in the Bond Register, of any notice with respect to book-entry Refunding Bonds, including any Redemption Notice; (iii) the selection by the Depository and its Participants of the beneficial interests in book-entry Refunding Bonds to be prepaid in the event the District redeems such Refunding Bonds in part; (iv) or the payment by the Depository or any Participant or any other person, of any amount with respect to principal, premium, if any, or interest on book-entry Refunding Bonds. The District and the Paying Agent may treat and consider the person in whose name each book-entry Refunding Bond is registered in the Bond Register as the absolute Owner of such Refunding Bond for the purpose of payment of principal of and premium and interest on and to such Refunding Bond, for the purpose of giving notices of redemption and other matters with respect to such Refunding Bond, for the purpose of registering transfers with respect to such Refunding Bond, and for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on book-entry Refunding Bonds only to or upon the order of the respective Owner, as shown in the Bond Register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payment of principal of, premium, if any, and interest on book-entry Refunding Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Bond Register, shall receive a certificate evidencing the obligation to make payments of principal of, premium, if any, and interest on book-entry Refunding Bonds. Upon delivery by the Depository to the Owner and the Paying Agent, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word "Nominee" in this Resolution shall refer to such nominee of the Depository.

(1) Delivery of Letter of Representations. In order to qualify the Refunding Bonds for the Depository's book-entry system, the District and the Paying Agent shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of

Representations shall not in any way impose upon the District or the Paying Agent any obligation whatsoever with respect to persons having interests in the Refunding Bonds other than the Owners, as shown on the Bond Register. By executing a Letter of Representations, the Paying Agent shall agree to take all action necessary at all times so that the District will be in compliance with all representations of the District in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District and the Paying Agent shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify the Refunding Bonds for the Depository's book-entry program.

(2) Selection of Depository. In the event (i) the Depository determines not to continue to act as securities depository for the Refunding Bonds, or (ii) the District determines that continuation of the book-entry system is not in the best interest of the Beneficial Owners of the Refunding Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such Refunding Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in subsection (4) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Refunding Bonds shall no longer be restricted to being registered in such Bond Register in the name of the Nominee, but shall be registered in whatever name or names the Owners transferring or exchanging such Refunding Bonds shall designate, in accordance with the provisions of this Section 6(c).

(3) Payments and Notices to Depository. Notwithstanding any other provision of this Resolution to the contrary, so long as all Outstanding Refunding Bonds are held in book-entry and registered in the name of the Nominee, all payments by the District or Paying Agent with respect to principal of and premium, if any, or interest on book-entry Refunding Bonds and all notices with respect to such Refunding Bonds, including notices of redemption, shall be made and given, respectively to the Nominee, as provided in the Letter of Representations or as otherwise instructed by the Depository and agreed to by the Paying Agent notwithstanding any inconsistent provisions herein.

(4) Transfer of Refunding Bonds to Substitute Depository.

(A) The Refunding Bonds shall be initially issued as described in the Official Statement. Registered ownership of such Refunding Bonds, or any portions thereof, may not thereafter be transferred except:

(1) to any successor of DTC or its Nominee, or of any substitute depository designated pursuant to Section 6(c)(i)(4)(A)(2) ("Substitute Depository"); provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

(2) to any Substitute Depository, upon (a) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (b) a determination by the District that DTC (or its successor) is no longer able to carry out its functions as depository; provided that any such Substitute Depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(3) to any person as provided below, upon (a) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (b) a

determination by the District that DTC or its successor (or Substitute Depository or its successor) is no longer able to carry out its functions as depository.

(B) In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(1) or (2), upon receipt of all Outstanding Refunding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent designating the Substitute Depository, a single new Refunding Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Refunding Bonds then Outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(3), upon receipt of all Outstanding Refunding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, new Refunding Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Paying Agent shall not be required to deliver such new Refunding Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption or advance refunding of any Refunding Bonds evidencing a portion of the principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall make an appropriate notation on such Refunding Bonds indicating the date and amounts of such reduction in principal, in form acceptable to the Paying Agent, all in accordance with the Letter of Representations. The Paying Agent shall not be liable for such Depository's failure to make such notations or errors in making such notations.

(D) The District and the Paying Agent shall be entitled to treat the person in whose name any Refunding Bond is registered as the Owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Paying Agent or the District; and the District and the Paying Agent shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any Beneficial Owners of the Refunding Bonds. Neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to any such Beneficial Owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Refunding Bonds, and the Paying Agent may rely conclusively on its records as to the identity of the Owners of the Refunding Bonds.

**SECTION 7. Execution of Refunding Bonds.** The Refunding Bonds shall be signed by the President of the Governing Board, or by such other member of the Board authorized to sign on behalf of the President, by his or her manual or facsimile signature, and countersigned by the manual or facsimile signature of the Secretary to or Clerk of the Board, or the designees thereof, all in their official capacities. No Refunding Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Refunding Bond is signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the Refunding Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

**SECTION 8. Paying Agent; Transfer and Exchange.** So long as any of the Refunding Bonds remain Outstanding, the District will cause the Paying Agent to maintain and keep at its designated corporate trust office all books and records necessary for the registration, exchange and transfer of the Refunding Bonds as provided in this Section. Subject to the provisions of Section 9 below, the person in whose name a Refunding Bond is registered on the Bond Register shall be regarded as the absolute Owner of that Refunding Bond for all purposes of this Resolution. Payment of or on account of the principal of

and premium, if any, and interest on any Refunding Bond shall be made only to or upon the order of that person; neither the District nor the Paying Agent shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District's liability upon the Refunding Bonds, including interest, to the extent of the amount or amounts so paid.

Any Refunding Bond may be exchanged for Refunding Bonds of like tenor, Series, maturity and principal amount upon presentation and surrender at the principal corporate trust office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Refunding Bond may be transferred on the Bond Register only upon presentation and surrender of the Refunding Bond at the principal corporate trust office of the Paying Agent together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver a new Refunding Bond or Refunding Bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the principal amount of the Refunding Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

If any Refunding Bond shall become mutilated, the District, at the expense of the Owner of said Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Refunding Bond of like Series, tenor, maturity and principal amount in exchange and substitution for the Refunding Bond so mutilated, but only upon surrender to the Paying Agent of the Refunding Bond so mutilated. If any Refunding Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Paying Agent and, if such evidence be satisfactory to the Paying Agent and indemnity for the Paying Agent and the District satisfactory to the Paying Agent shall be given by the Owner, the District, at the expense of the Owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Refunding Bond of like Series, tenor, maturity and principal amount in lieu of and in substitution for the Refunding Bond so lost, destroyed or stolen (or if any such Refunding Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Refunding Bond, the Paying Agent may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Paying Agent and the District). The Paying Agent may require payment of a reasonable fee for each new Refunding Bond issued under this paragraph and of the expenses which may be incurred by the District and the Paying Agent.

If signatures on behalf of the District are required in connection with an exchange or transfer, the Paying Agent shall undertake the exchange or transfer of Refunding Bonds only after the new Refunding Bonds are signed by the authorized officers of the District as provided in Section 7. In all cases of exchanged or transferred Refunding Bonds, the District shall sign and the Paying Agent shall authenticate and deliver Refunding Bonds in accordance with the provisions of this Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Refunding Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and entitled to the same security and benefit under this Resolution as the Refunding Bonds surrendered upon that exchange or transfer.

Any Refunding Bond surrendered to the Paying Agent for payment, retirement, exchange, replacement or transfer shall be cancelled by the Paying Agent. The District may at any time deliver to the Paying Agent for cancellation any previously authenticated and delivered Refunding Bonds that the District may have acquired in any manner whatsoever, and those Refunding Bonds shall be promptly cancelled by the Paying Agent. Written reports of the surrender and cancellation of Refunding Bonds shall be made to the District by the Paying Agent as requested by the District. The cancelled Refunding Bonds shall be retained for three years, then destroyed by the Paying Agent as directed by the District.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Refunding Bonds during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Refunding Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable Redemption Notice is given or (b) to transfer any Refunding Bonds which have been selected or called for redemption in whole or in part.

**SECTION 9. Payment.** Payment of interest on any Refunding Bond on any Bond Payment Date shall be made to the person appearing on the registration books of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date. The principal of and redemption premium, if any, payable on the Refunding Bonds shall be payable upon maturity or redemption upon surrender at the principal corporate trust office of the Paying Agent. The principal of, premiums, if any, and interest on the Refunding Bonds shall be payable in lawful money of the United States of America. The Paying Agent is hereby authorized to pay the Refunding Bonds when duly presented for payment at maturity, and to cancel all Refunding Bonds upon payment thereof. Except as otherwise required by the Act, the Refunding Bonds are obligations of the District payable solely from the levy of *ad valorem* property taxes upon all property subject to taxation within the District, which taxes are unlimited as to rate or amount. The Refunding Bonds do not constitute an obligation of the County and no part of any fund of the County is pledged or obligated to the payment of the Refunding Bonds.

**SECTION 10. Form of Refunding Bonds.** The Refunding Bonds shall be in substantially the form attached as Exhibit A, allowing those officials executing the Refunding Bonds to make the insertions and deletions necessary to conform the Refunding Bonds to this Resolution, the Purchase Contract and the Official Statement, or to correct or cure any defect, inconsistency, ambiguity or omission therein. The Paying Agent is authorized to deliver the Refunding Bonds in temporary form and, if so, the Paying Agent shall execute and deliver definitive Bonds in an equal aggregate principal amount of authorized denominations, when available, and thereupon the temporary Refunding Bonds shall be surrendered to the Paying Agent. Until so exchanged, the temporary Refunding Bonds shall be entitled to the same benefits hereunder as definitive Refunding Bonds.

**SECTION 11. Delivery of Refunding Bonds.** The proper officials of the District shall cause the Refunding Bonds to be prepared and, following their sale, shall have the Refunding Bonds signed and delivered, together with a final transcript of proceedings with reference to the issuance of the Refunding Bonds, to the Underwriter upon payment of the purchase price therefor.

**SECTION 12. Deposit of Proceeds of Refunding Bonds; Escrow Agreement.** An amount of proceeds from the sale of the Refunding Bonds necessary to purchase certain Federal Securities, or to otherwise refund the Refunded Bonds, shall be transferred to the Escrow Agent for deposit in the escrow fund established under the Escrow Agreement (the "Escrow Fund"), which amount, if uninvested, shall be sufficient, or if invested, together with an amount or amounts of cash held uninvested therein, shall be sufficient to refund the Refunded Bonds. The Board hereby authorizes the deposit of all or a portion of the premium received from the sale of the Refunding Bonds into the Escrow Fund. Premium or proceeds received from the sale of the Refunding Bonds desired to pay all or a portion of the costs of issuing the Refunding Bonds are hereby authorized to be deposited in the fund of the District held by a fiscal agent selected thereby and shall be kept separate and distinct from all other District funds, and those proceeds shall be used solely for the purpose of paying costs of issuance of the Refunding Bonds.

Any accrued interest received by the District from the sale of the Refunding Bonds shall be kept separate and apart in the fund hereby created and established and to be designated as the "Chaffey Community College District 2019 General Obligation Refunding Bonds Debt Service Fund" (the "Debt Service Fund") for the Refunding Bonds and used only for payments of principal of and interest on the

Refunding Bonds. At the election of the District (i) to the extent the Refunding Bonds are sold in the more than one Series, there shall be created a separate Debt Service Fund for each such Series of Refunding Bonds, and all references herein to a Debt Service Fund shall be deemed to include each Debt Service Fund created for a Series of Refunding Bonds, and (ii) the Debt Service Fund may be established as a subaccount of, or otherwise combined with, any fund established by the County for the purpose of holding proceeds of *ad valorem* tax levies made to pay any bonds issued pursuant to the Authorization. A portion of the premium received by the District from the sale of the Refunding Bonds may be transferred to the Debt Service Fund or applied to the payment of cost of issuance of the Refunding Bonds, or some combination of deposits. Any excess proceeds of the Refunding Bonds not needed for the authorized purposes set forth herein for which the Refunding Bonds are being issued shall be transferred to the Debt Service Fund and applied to the payment of the principal of and interest on the Refunding Bonds. If, after payment in full of the Bonds, there remain any such excess proceeds, such amounts will be transferred to any other debt service fund for general obligation bond indebtedness of the District and in the event there is no such debt outstanding, shall be transferred to the general fund of the District upon the order of the County Auditor/Controller, as provided in Education Code Section 15234.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to DTC to pay the principal of and interest on the Refunding Bonds. DTC will thereupon make payments of principal of and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of such principal and interest to the Beneficial Owners of the Refunding Bonds. Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District.

Except as required below to satisfy the requirements of Section 148(f) of the Code, interest earned on the investment of monies held in the Debt Service Fund shall be retained in the Debt Service Fund and used to pay principal of and interest on the Refunding Bonds when due.

### **SECTION 13. Rebate Fund.**

(a) General. If necessary, there shall be created and established a special fund designated the “Chaffey Community College District 2019 General Obligation Refunding Bonds Rebate Fund” (the “Rebate Fund”). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to the extent required to satisfy the requirement to make rebate payments to the United States (the “Rebate Requirement”) pursuant to Section 148 of the Code, as the same may be amended from time to time, and the Treasury Regulations promulgated thereunder (the “Rebate Regulations”). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and Section 14 of this Resolution and by the that certain tax certificate concerning certain matters pertaining to the use and investment of proceeds of the Refunding Bonds, executed and delivered to the District on the date of issuance of the Refunding Bonds, including any and all exhibits attached thereto (the “Tax Certificate”).

(b) Deposits.

(i) Within forty-five (45) days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate) (1) the District shall calculate or cause to be calculated with respect to the Refunding Bonds the amount that would be considered the “rebate amount” within the meaning of Section 1.148-3 of the Rebate Regulations, using as the “computation date” for this purpose the end of such five Bond Years, and (2) the District shall deposit to the Rebate Fund from deposits from the District or from amounts available therefor on deposit in the other funds established

hereunder, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the “rebate amount” so calculated.

(ii) The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the “rebate amount” calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section.

(iii) The District shall not be required to calculate the “rebate amount” and the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Refunding Bonds (including amounts treated as the proceeds of the Refunding Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148 (f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations or the small issuer exception of Section 148(f)(4)(D) of the Code, whichever is applicable, and otherwise qualify for the exception of the Rebate Requirement pursuant to whichever of said sections is applicable, or (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a “bona fide debt service fund.” In such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) Withdrawal Following Payment of Refunding Bonds. Any funds remaining in the Rebate Fund after redemption of all the Refunding Bonds and any amounts described in paragraph (ii) of subsection (d) of this Section, including accrued interest, shall be transferred to the General Fund of the District.

(d) Withdrawal for Payment of Rebate. Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the “rebate amount” and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(i) not later than sixty (60) days after the end of (a) the fifth (5th) Bond Year, and (b) each fifth (5th) Bond Year thereafter, an amount that, together with all previous rebate payments, is equal to at least 90% of the “rebate amount” calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Rebate Regulations; and

(ii) not later than sixty (60) days after the payment of all Refunding Bonds, an amount equal to one hundred percent (100%) of the “rebate amount” calculated as of the date of such payment (and any income attributable to the “rebate amount” determined to be due and payable) in accordance with Section 1.148-3 of the Rebate Regulations.

(e) Rebate Payments. Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service Center, Ogden, Utah 84201, on or before the date on which such payment is due, and shall be accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by or on behalf of the District.

(f) Deficiencies in the Rebate Fund. In the event that, prior to the time of any payment required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is due, the District shall calculate the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(g) Withdrawals of Excess Amount. In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the “rebate amount” calculated in accordance with said subsection, upon written instructions from the District, the District may withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) Record Retention. The District shall retain records of all determinations made hereunder until three years after the retirement of the Refunding Bonds.

(i) Survival of Defeasance. Notwithstanding anything in this Resolution to the contrary, the Rebate Requirement shall survive the payment in full or defeasance of the Refunding Bonds.

**SECTION 14. Security for the Refunding Bonds.** There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* property tax annually during the period the Refunding Bonds are Outstanding in an amount sufficient to pay the principal of and interest on the Refunding Bonds when due, which moneys when collected will be deposited in the Debt Service Fund of the District, and which moneys shall be applied to the payment of the principal of and interest on the Refunding Bonds when and as the same fall due, and for no other purpose. The District covenants to cause the County to take all actions necessary to levy such *ad valorem* property tax in accordance with this Section 14 and Section 53559 of the Act. Pursuant to Government Code Section 53515, the Refunding Bonds shall be secured by a statutory lien on all revenues received pursuant to the levy and collection of *ad valorem* property taxes for the payment thereof.

Pursuant to Government Code Sections 5450 and 5451, the District hereby pledges all revenues received from the levy and collection of *ad valorem* property taxes for the payment of the Refunding Bonds and all amounts on deposit in the Debt Service Fund to the payment of the Refunding Bonds. Such pledge shall constitute a lien on and security interest in such taxes and amounts in the Debt Service Fund. This pledge shall constitute an agreement between the District and the Owners of the Refunding Bonds to provide security for the payment of the Refunding Bonds in addition to any statutory lien that may exist.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to DTC to pay such principal and interest. DTC will thereupon make payments of principal of and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of such principal and interest to the Beneficial Owners of the Refunding Bonds. Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District.

**SECTION 15. Arbitrage Covenant.** The District covenants that it will restrict the use of the proceeds of the Refunding Bonds in such manner and to such extent, if any, as may be necessary, so that the Refunding Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations prescribed under that Section or any predecessor section. Calculations for determining arbitrage requirements shall be the sole responsibility of the District.

**SECTION 16. Legislative Determinations.** The Board hereby determines that all acts and conditions necessary to be performed thereby or to have been met precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Refunding Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the

Refunding Bonds. Furthermore, the Board hereby finds and determines pursuant to Section 53552 of the Act that the prudent management of the fiscal affairs of the District requires that it issue the Refunding Bonds without submitting the question of the issuance of the Refunding Bonds to a vote of the qualified electors of the District.

**SECTION 17. Official Statement.** The Preliminary Official Statement relating to the Refunding Bonds, substantially in the form on file with the Secretary to the Board is hereby approved and the Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriter to be used in connection with the offering and sale of the Refunding Bonds. The Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement “final” pursuant to 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the Underwriter a final Official Statement, substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as an Authorized Officer executing such final Official Statement shall approve. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Refunding Bonds and is directed to deliver copies of any final Official Statement to the purchasers of the Refunding Bonds. Execution of the Official Statement shall conclusively evidence the District’s approval of the Official Statement.

**SECTION 18. Insurance.** In the event the District purchases bond insurance for the Refunding Bonds, and to the extent that the Bond Insurer makes payment of the principal of or interest on the Refunding Bonds, it shall become the Owner of such Refunding Bonds with the right to payment of principal or interest on the Refunding Bonds, and shall be fully subrogated to all of the Owners’ rights, including the Owners’ rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims of past due interest, the Paying Agent shall note the Bond Insurer’s rights as subrogee on the registration books for the Refunding Bonds maintained by the Paying Agent upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Refunding Bonds, and (ii) in the case of subrogation as to claims for past due principal, the Paying Agent shall note the Bond Insurer as subrogee on the registration books for the Refunding Bonds maintained by the Paying Agent upon surrender of the Refunding Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

**SECTION 19. Defeasance.** All or any portion of the Outstanding maturities of the Refunding Bonds may be defeased prior to maturity in the following ways:

(a) **Cash:** by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with any amounts transferred from the Debt Service Fund, is sufficient to pay all Refunding Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date; or

(b) **Government Obligations:** by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations together with any amounts transferred from the Debt Service Fund and any other cash, if required, in such amount as will, together with interest to accrue thereon, in the opinion of an independent certified public accountant, be fully sufficient to pay and discharge all Refunding Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Refunding Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated Outstanding Refunding Bonds shall cease and terminate, except only the obligation of the independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the Owners of such designated Refunding Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, "Government Obligations" shall mean:

Direct and general obligations of the United States of America, obligations that are unconditionally guaranteed as to principal and interest by the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations secured or otherwise guaranteed, directly or indirectly, as to principal and interest by a pledge of the full faith and credit of the United States of America. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed at least as high as direct and general obligations of the United States of America by either Moody's or S&P.

#### **SECTION 20. Other Actions, Determinations and Approvals.**

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

(b) The Board hereby finds and determines that both the total net interest cost to maturity on the Refunding Bonds plus the principal amount of the Refunding Bonds will be less than the total net interest cost to maturity on the Refunded Bonds plus the principal amount of the Refunded Bonds.

(c) The Board anticipates that the Refunded Bonds will be redeemed on the first optional redemption date therefor following the issuance of the Refunding Bonds.

(d) The Board hereby appoints U.S. Bank National Association as the Escrow Agent for the Refunded Bonds, and further approves the form of the Escrow Agreement, substantially in the form on file with the Secretary to the Board. The Authorized Officers, each alone, are hereby authorized to execute the Escrow Agreement with such changes as they shall approve, such approval to be conclusively evidenced by such individual's execution and delivery thereof.

(e) The Board hereby appoints RBC Capital Markets, LLC, as Underwriter and Stradling Yocca Carlson & Rauth, a Professional Corporation, as Bond Counsel and Disclosure Counsel, each with respect to the issuance of the Refunding Bonds.

(f) The provisions of this Resolution as they relate to the terms of the Refunding Bonds may be amended by the Purchase Contract. If the Purchase Contract so provides, the Refunding Bonds may be

issued as crossover refunding bonds pursuant to Government Code Section 53558(b). All or a portion of the Refunding Bonds are further authorized to be issued on a forward delivery basis.

(g) Based on a good faith estimate received by the District from the Underwriter, the Board hereby finds that (i) the True Interest Cost of the Refunding Bonds (as defined in Government Code Section 5852.1(a)(1)(A)) is expected to be approximately 2.87%, (ii) the total Finance Charge of the Refunding Bonds (as defined in Government Code Section 5852.1(a)(1)(B)) is expected to be \$357,100, (iii) the total proceeds expected to be received by the District from the sale of the Refunding Bonds, less the Finance Charge of the Bonds, is \$51,775,000, and (iv) the District expects that the Total Payment Amount (as defined in Government Code Section 5852.1(a)(1)(D)), calculated to the final maturity of the Refunding Bonds, will be \$63,880,361. The information presented in this section is included in satisfaction of Government Code Section 5852.1, and shall not abrogate or otherwise limit any other provision of this Resolution.

**SECTION 21. Resolution to Treasurer.** The Secretary to the Board is hereby directed to provide a certified copy of this Resolution to the Treasurer immediately following its adoption.

**SECTION 22. Request to County to Levy Tax.** The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of *ad valorem* property taxes in each year sufficient to pay all principal of and interest coming due on the Refunding Bonds in such year, and to pay from such taxes all amounts due on the Refunding Bonds. The District hereby requests the Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to pay all such principal and interest coming due on the Refunding Bonds in such year, and to pay from such taxes all amounts due on the Refunding Bonds. The Board hereby finds and determines that such *ad valorem* property taxes shall be levied specifically to pay the Refunding Bonds being issued to finance and refinance specific projects authorized by the voters of the District at the Election.

**SECTION 23. Continuing Disclosure.** The District hereby covenants and agrees that it will comply with and carry out all of the provisions of that certain Continuing Disclosure Certificate executed by the District and dated as of the Date of Delivery, as originally executed and as it may be amended from time to time in accordance with the terms thereof. The Board hereby approves the form of Continuing Disclosure Certificate appended to the Preliminary Official Statement on file with the Secretary to the Board, and the Authorized Officers, each alone, are hereby authorized to execute the Continuing Disclosure Certificate with such changes thereto as the Authorized Officers executing the same shall approve, such approval to be conclusively evidenced by such execution and delivery. Noncompliance with the Continuing Disclosure Certificate shall not result in acceleration of the Refunding Bonds.

**SECTION 24. Further Actions Authorized.** It is hereby covenanted that the District, and its appropriate officials, have duly taken all actions necessary to be taken by them, and will take any additional actions necessary to be taken by them, for carrying out the provisions of this Resolution.

**SECTION 25. Recitals.** All the recitals in this Resolution above are true and correct and the Board so finds, determines and represents.

**SECTION 26. Effective Date.** This Resolution shall take effect immediately upon its passage.

**PASSED AND ADOPTED** this 11th day of July, 2019.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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Gloria Negrete-McLeod  
President, Governing Board  
Chaffey Community College District

Attest:

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Henry D. Shannon, Ph.D.  
Secretary to the Governing Board  
Chaffey Community College District

**SECRETARY’S CERTIFICATE**

I, Dr. Henry D. Shannon, Secretary to the Governing Board of the Chaffey Community College District, San Bernardino, California, hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Governing Board of said District duly and regularly and legally held at the regular meeting place thereof on July 11, 2019, of which meeting all of the members of the Board had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: July 11, 2019.

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Henry D. Shannon, Ph.D.  
Secretary to the Governing Board of the  
Chaffey Community College District

(Form of Refunding Bond)

REGISTERED  
NO.

REGISTERED  
\$

CHAFFEY COMMUNITY COLLEGE DISTRICT  
(SAN BERNARDINO COUNTY, CALIFORNIA)  
2019 GENERAL OBLIGATION REFUNDING BONDS

INTEREST RATE:                      MATURITY DATE:                      DATED AS OF:                      CUSIP  
\_\_\_\_% per annum                      June 1, 20\_\_

REGISTERED OWNER:                      CEDE & CO.

PRINCIPAL AMOUNT:

The Chaffey Community College District (the “District”) in San Bernardino County, California, for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on June 1 and December 1 of each year (the “Bond Payment Dates”), commencing December 1, 2019. This bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before November 15, 2019, in which event it shall bear interest from the Date of Delivery. Interest on this bond shall be computed on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the “Registered Owner”) on the Register maintained by the Paying Agent, initially U.S. Bank National Association. Principal is payable upon presentation and surrender of this bond at the designated corporate trust office of the Paying Agent. Interest is payable by wire transfer by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown on the bond register maintained by the Paying Agent as of, and to the bank and account number on file with the Paying Agent as of, the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the “Record Date”).

This bond is one of an authorization of bonds issued by the District pursuant to California Government Code Section 53550 *et seq.* (the “Act”) for the purpose of refunding certain of the District’s outstanding bonded indebtedness and to pay all necessary legal, financial, and contingent costs in connection therewith. The bonds are being issued under authority of and pursuant to the Act, the laws of the State of California, and the resolution of the Governing Board of the District adopted on July 11, 2019 (the “Bond Resolution”). This bond and the issue of which this bond is one are general obligation bonds of the District payable as to both principal and interest solely from the proceeds of the levy of *ad valorem* property taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.

The bonds of this issue comprise \$\_\_\_\_\_ Principal Amount of current interest bonds, of which this bond is a part (each a “Refunding Bond”).

This bond is exchangeable and transferable for bonds of like tenor, maturity and principal amount and in authorized denominations at the principal corporate trust office of the Paying Agent by the Registered Owner, upon presentation and surrender hereof to the Paying Agent, together with a request for exchange or an assignment signed by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute Owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Refunding Bonds maturing on or before June 1, 20\_\_ are not subject to redemption prior to their fixed maturity dates. The Refunding Bonds maturing on or after June 1, 20\_\_ are subject to redemption on or after June 1, 20\_\_ or on any date thereafter at the option of the District, as a whole or in part, at a redemption price equal to the principal amount of the Refunding Bonds called for redemption, plus interest accrued thereon to the date fixed for redemption, without premium.

The Refunding Bonds maturing on June 1, 20\_\_ are subject to mandatory sinking fund redemption on June 1 of each year on and after June 1, 20\_\_, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium. The principal amounts represented by such Refunding Bonds to be so redeemed and the dates therefore and the final payment date is as indicated in the following table:

<u>Redemption Dates</u>	<u>Principal Amounts</u>
TOTAL	\$

The principal amount to be redeemed in each year shown above will be reduced proportionately or as otherwise directed by the District, in integral multiples of \$5,000, by any portion of the Refunding Term Bond optionally redeemed prior to the mandatory sinking fund redemption date.

If less than all of the Refunding Bonds of any one maturity shall be called for redemption, the particular Refunding Bonds or portions thereof of such maturity to be redeemed shall be selected by lot by the Paying Agent in such manner as the Paying Agent in its discretion may determine; provided, however, that the portion of any Refunding Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof. If less than all of the Refunding Bonds stated to mature on different dates shall be called for redemption, the particular Refunding Bonds or portions thereof to be redeemed shall be called by the Paying Agent in any order of maturity as directed by the District or, if the Paying Agent is not so directed, in the inverse order of maturity.

Reference is made to the Bond Resolution for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the Refunding Bonds, the rights, duties and

obligations of the District, the Paying Agent and the Registered Owners, and the terms and conditions upon which the Refunding Bonds are issued and secured. The Registered Owner of this bond assents, by acceptance hereof, to all of the provisions of the Bond Resolution.

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

This bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.

[REMAINDER OF PAGE LEFT BLANK]

IN WITNESS WHEREOF, the Chaffey Community College District, San Bernardino County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signatures of the President of the Board of Education of the District and to be countersigned by the manual or facsimile signature of the [Secretary to/Clerk of] the Board of the District, all as of the date stated above.

CHAFFEY COMMUNITY COLLEGE DISTRICT

By: \_\_\_\_\_  
(Facsimile Signature)  
Gloria Negrete-McLeod  
President of the Governing Board

COUNTERSIGNED:

\_\_\_\_\_  
(Facsimile Signature)  
Henry D. Shannon, Ph.D.  
Secretary to the Governing Board

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on \_\_\_\_\_, 2019.

U.S. BANK NATIONAL ASSOCIATION, as Paying  
Agent

By: \_\_\_\_\_  
Authorized Representative

ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): \_\_\_\_\_ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

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

Signature Guaranteed:

\_\_\_\_\_

Notice: The assignor’s signature to this assignment must correspond with the name as it appears upon the within bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: \_\_\_\_\_

Unless this bond is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any bond issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

LEGAL OPINION

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation in connection with the issuance of, and dated as of the date of the original delivery of, the bonds. A signed copy is on file in my office.

\_\_\_\_\_  
(Facsimile Signature)  
Henry D. Shannon, Ph.D.  
Secretary to the Governing Board

(Form of Legal Opinion)

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

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**TOPIC    ADOPTION OF RESOLUTION FOR APPROVAL OF CERTAIN ADDITIONAL WORK FOR THE MEASURE L BUILD OUT PROJECTS**

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Communication No.    IV.G.1.c

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SUPPORTS BOARD POLICY

Supports and complies with policies: 2710 Conflict of Interest, 6100 Delegation of Authority, 6305 Reserves, 6330 Purchasing, 6340 Contracts, and 6600 Capital Construction.

PROPOSAL

To adopt Resolution No. 71119D, a resolution of the Governing Board of the District approving and authorizing Change Order No. 11 in the amount of \$306,104 to contract No. 2018PW40 with Robert Clapper Construction Services for the Measure L Build Out Projects.

BACKGROUND

On September 17, 2017, the District awarded construction contract No. 2018PW40 for the Measure L Build Out Projects. Five projects were identified and recommended to the Board as a Measure L Build Out Plan at a study session on January 22, 2015, and funding for the projects was authorized by the Board on April 23, 2015. The five projects, which were bid as a single project under Bid No. 2018PW40, Measure L Build Out Projects, included the Theatre Wings Renovation, Planetarium Renovation, Museum Renovation, Campus Center Shade Structure, and Campus Center East Plaza.

Although paths of travel for these projects were indicated on as-built drawings of previous work that had been approved by the Division of the State Architect (DSA), the inspector of record was tasked by the DSA field engineer to identify elements within the paths of travel that were no longer in compliance. This, in turn, has resulted in additional corrective work necessary to satisfy accessibility requirements and other associated work in order to obtain the five DSA project certifications.

The projects are nearing final completion per the contract. Change Orders (CO) Nos. 1 through 10 have been executed for additional related work necessary to complete the projects. The final CO No. 11 is required to complete the work required for access compliance and other associated close out work; however, the execution of the CO No. 11 will exceed the 10 percent change order threshold for total change orders for this prime contractor.

Staff has determined that it would be costly and time consuming to bid the change order work for CO No. 11 since it is integral to the projects and work being performed by the contractor and that competitive bidding of the change order work would result in the delay of the completion of the projects.

Additionally, bidding of the change order work would not produce an advantage to the District since such competitive bidding could result in multiple contractors being required to perform the same work that could be more efficiently and effectively performed by one contractor. Robert Clapper Construction Services is intimately familiar with the projects and is ready, willing, and able to perform the additional work set forth in Exhibit "A" to the Board resolution.

ADOPTION OF RESOLUTION FOR APPROVAL OF CERTAIN ADDITIONAL WORK FOR THE  
MEASURE L BUILD OUT PROJECTS

July 11, 2019

Page 2

By the attached resolution, District staff requests Board approval to authorize CO No. 11 in the amount of \$306,104 to contract No. 2018PW40 with Robert Clapper Construction Services, as described in the resolution.

BUDGET IMPLICATIONS

*Funding Source* – Measure L bond funds and 2015-2016, 2016-2017 State Physical Plant and Instructional Support Block Grants; Project 3.4.6, 3.8.2, 4.8.1, 8.9.5 and 8.9.6. The combined projects budget total is \$16,305,917.

*Status of Funds* – Funds of \$306,104 for CO No. 11 will be included in the 2019-2020 adopted Measure L bond budget, which includes a transfer of \$250,000 from the Measure L bond reserve.

*Future Implications* – N/A

RECOMMENDATION

To adopt Resolution No. 71119D, a resolution of the Governing Board of the district approving and authorizing Change Order No. 11 in the amount of \$306,104 to contract No. 2018PW40 with Robert Clapper Construction Services for the Measure L Build Out Projects

Prepared by:	Kim Erickson, Executive Director, Business Services
Reviewed by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

**RESOLUTION NO. 71119D**

**A RESOLUTION OF THE GOVERNING BOARD OF CHAFFEY  
COMMUNITY COLLEGE DISTRICT FOR APPROVAL OF CERTAIN  
ADDITIONAL WORK FOR THE MEASURE L BUILD OUT PROJECTS**

**WHEREAS**, construction is nearing completion of the Chaffey Community College District (“District”) Measure L Build Out Projects (“Projects”); and

**WHEREAS**, the District previously awarded a contract for the Projects to Robert Clapper Construction Services (“Contractor”) in the amount of \$9,809,000; and

**WHEREAS**, subsequent to the award of the contract to Contractor, it was determined that additional related work was necessary to complete the Projects (“Change Order Work”); and

**WHEREAS**, the current Change Order Work includes work set forth in the Change Orders #1-10 in the amount of \$836,235.35 (the “Change Orders”); and

**WHEREAS**, Change Order No. 11, as more fully described in Exhibit “A” is needed to complete the Projects; and

**WHEREAS**, the Contractor is intimately familiar with the Projects and is ready, willing and able to perform the additional work set forth in the Change Order No. 11; and

**WHEREAS**, the total cost for the Change Order No. 11 is \$306,104, resulting in a Contract Sum of \$10,951,339.35, including all change orders, and would exceed the limitations set forth in the Public Contract Code Section 20118.4; and

**WHEREAS**, it would be more costly and time-consuming to bid the Change Order Work as detailed in Exhibit “A” since it is integral to the Project and the work being performed by the Contractor; and

**WHEREAS**, competitive bidding of the Change Order Work would result in the delay of the completion of the projects; and

**WHEREAS**, the additional work must be performed before the Projects can be completed; and

**WHEREAS**, it would not produce any advantage to the District to competitively bid the Change Order Work since such competitive bidding could result in multiple contractors being required to perform the same work that could be more efficiently and effectively performed by one contractor; and

**WHEREAS**, Meakin v. Steveland (1977) 68 Cal.App.3d 490 and Los Angeles Dredging v. Long Beach (1930) 210 Cal. 348 hold that statutes requiring competitive bidding do not apply when competitive bidding would not produce any advantage;

**NOW, THEREFORE, BE IT RESOLVED BY CHAFFEY COMMUNITY COLLEGE DISTRICT, AS FOLLOWS:**

Section 1. That all of the recitals set forth above are true and correct, and the Board so finds and determines.

Section 2. That it would not produce any advantage to the District to competitively bid the completion of the Change Order Work.

Section 3. That the District approves the immediate completion of the Change Order Work without competitively bidding such work and approves the District’s payment to the Contractor in accordance with the terms and conditions set forth in the Change Orders.

Section 4. That the Governing Board delegates to the Superintendent/President or his/her designee, authority to execute all agreements and complete all necessary documents for the Change Order Work.

**APPROVED, PASSED AND ADOPTED** by the Governing Board of the Chaffey Community College District at Rancho Cucamonga, California, this 11th day of July 2019, at a regular meeting by the following vote:

Ayes:  
Noes:  
Abstentions:  
Absent:

I, Lee McDougal, Clerk of the Governing Board of the Chaffey College Community College District of San Bernardino County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said board at the regular meeting thereof at the date and place and by vote stated, which resolution is on file and of record in the office of said board.

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Lee McDougal  
Clerk, Governing Board

**EXHIBIT "A"**

**DESCRIPTION OF SERVICE**

Summary: Change Order No. 11 is to increase the contract sum for additional construction services to provide the necessary demolition and replacement work services of existing concrete and asphalt surfaces at various locations to satisfy accessibility requirements and other associated work in order to obtain DSA project certification for the Measure L Build Out Projects, as approved by Bernards.

Requested By: Construction Manager

Reason: Unforeseen field condition

**AGENDA ITEM**  
**Chaffey Community College District**  
**GOVERNING BOARD**

July 11, 2019  
Board Meeting Date

TOPIC CONTRACT, PURCHASE ORDER, AND WARRANT LISTS

Communication No. IV.G.1.d

SUPPORTS BOARD POLICY

**Board Policy 6310 Accounting** – Present to the Governing Board at a regular Governing Board meeting a list of all purchase order and/or District warrants for Governing Board review and ratification.

PROPOSAL

To ratify the contract, purchase order, and warrant lists as presented.

BACKGROUND

The attached reports represent all contracts, purchase orders, and district warrants for the month of June 2019.

BUDGET IMPLICATIONS

*Funding Source* – All Funds

*Status of Funds* – Funding for these contracts, purchase orders, and warrants are included in the 2018-2019 adopted district budgets.

*Future Implications* – None

RECOMMENDATION

It is recommended the Governing Board ratify the attached contract, purchase order, and warrant lists.

Prepared by:	Kim Erickson, Executive Director, Business Services
Submitted by:	Lisa Bailey, Associate Superintendent, Business Services and Economic Development
Recommended by:	Henry D. Shannon, Superintendent/President

## CONTRACT AND CHANGE ORDER LIST<sup>1</sup>

Contract Number	Vendor	City, State	Description of Service	Amount	Funding Source
2019CS744	Action Sales	Monterey Park, CA	For a not-to-exceed amount, to furnish and install one new gas oven at the Chino Campus, for the period of June 1, 2019 through June 30, 2019, as approved by Chino Campus. <sup>2</sup>	\$20,325.00	Restricted General Fund
2019CS118	Aimee Mele	Ontario, CA	Amendment 3 to increase the not-to-exceed amount, for additional on-call sign language interpreting services, as approved by Disability Programs and Services. <sup>3</sup>	1,220.00	Restricted General Fund
2019PW780	Alert Security Systems, Inc.	Orange, CA	For a not-to-exceed amount, to remove and replace existing electrical and data wiring at Wargin Hall Building, rooms 171 and 181, located at the Rancho Cucamonga Campus, for the period of June 15, 2019 through June 30, 2019, as approved by Facilities Development.	14,100.00	Unrestricted General Fund
2019CS761	Amanda J. Bosson	Rancho Cucamonga, CA	For a not-to-exceed amount, to deliver seminars, workshops, and training for programs in math, reading and language for the Summer Youth Academy, for the period of June 3, 2019 through July 31, 2019, as approved by Career Development.	20,285.75	Unrestricted General Fund
2019CS259	Amberwick Corporation	Long Beach, CA	Amendment 1 to increase the not-to-exceed amount, for additional hazardous waste disposal services, as approved by Facilities/Physical Plant.	13,000.00	Unrestricted General Fund
2019CS739	Anaheim Fence Co.	Anaheim, CA	For a not-to-exceed amount, to furnish and install new chain link fencing in the Fontana InTech Center basement, for the period of May 28, 2019 through June 30, 2019, as approved by Facilities Development. <sup>4</sup>	4,088.00	Restricted General Fund
2019CS260	Aqua Backflow and Chlorination	Riverside, CA	Amendment 1 to increase the not-to-exceed amount, for as-needed state mandated testing of water backflow devices, as approved by Facilities/Physical Plant.	192.00	Unrestricted General Fund
2020CS5	Betty Lynn Hunter	Rancho Cucamonga, CA	For a not-to-exceed amount, to provide medical services as a nurse practitioner for the period of July 1, 2019 through June 30, 2020, as approved by Student Health Services. <sup>5</sup>	16,500.00	Restricted General Fund
2019CS727	BSN Sports, LLC	Corona, CA	For a not-to-exceed amount, to install two polyester windscreen panels at the Softball Field, located at the Rancho Cucamonga Campus, for the period of May 10, 2019 through June 30, 2019, as approved by Student Services.	1,496.04	Unrestricted General Fund
2019PW756	Champion Electric Inc.	Riverside, CA	For a not-to-exceed amount, to replace existing underground conduit and wire to feed the electrical panel at the Baseball Field located at the Rancho Cucamonga Campus, for the period of April 23, 2019 through June 30, 2019, as approved by Facilities Development. <sup>6</sup>	7,025.00	Restricted General Fund

<sup>1</sup> Funding for all contracts and change orders on this list are included in the 2018-2019 adopted district budgets.

<sup>2</sup> Funded by Strong Workforce budget.

<sup>3</sup> Funded by Disability Programs and Services (DPS) budget.

<sup>4</sup> Funded by Economic Development grant funds.

<sup>5</sup> Funded by restricted Student Health Services budget.

<sup>6</sup> Funded by Physical Plant & Instructional Support Block grant budget.

Contract Number	Vendor	City, State	Description of Service	Amount	Funding Source
2019CS213	Cheyne Burris Inc.	Huntington Beach, CA	Amendment 1 to increase the not-to-exceed amount, for additional expenses related to the purchase and installation of four (4) vehicle lifts in the Automotive Technology building, as approved by Business and Applied Technology <sup>7</sup> .	\$1,648.23	Restricted General Fund
2019CS179	Chris Severn Creative LLC	San Francisco, CA	Amendment 1 to extend the contract end date to June 30, 2019, to complete the mobile/desktop web application, as approved by Center of Excellence. <sup>8</sup>	No Cost Impact	Restricted General Fund
16P3	DLR Group, Inc.	Riverside, CA	Amendments 4 & 5 to extend the term end date to December 31, 2019 and to increase the not-to-exceed amount, for additional architectural design services for the Measure L Renovation Projects primarily due to an increase in the construction value on which compensation is based, as approved by Administrative Affairs.	86,308.00	Measure L Bond Fund
2019CS745	Edgar Pazmino	Ontario, CA	For a not-to-exceed amount, provide DJ services for <i>To Chaffey and Beyond</i> celebration, on Wednesday, May 22, 2019, as approved by Transfer Center.	210.00	Unrestricted General Fund
2019PW778	Enviser	Garden Grove, CA	For a not-to-exceed amount, to replace two compressors on the large Eastside Split System of the Main Instructional Building, located at the Chino Campus, for the period of June 12, 2019 through July 30, 2019, as approved by Facilities Development. <sup>9</sup>	14,989.00	Restricted General Fund
2019PW779	Floor Technology Group	Orange, CA	For a not-to-exceed amount, to remove and dispose of existing glued down carpet and replace with new carpet tiles in Wargin Hall building, rooms 171 and 181, at the Rancho Cucamonga Campus, for the period of June 13, 2019 through June 30, 2019, as approved by Facilities Development.	11,973.24	Unrestricted General Fund
2019CS65	Forsberg Consulting Services	Roseville, CA	Amendments 2 & 3 to increase the not-to-exceed amount, for additional professional consulting services, related to classification, compensation, and other ad hoc services, as approved by Human Resources.	22,500.00	Unrestricted General Fund
2019CS768	Gabrielle Estrada	Fontana, CA	For a not-to-exceed amount, create video for Title III STEM program, for the period of January 14, 2019 through May 7, 2019, as approved by Math and Science. <sup>10</sup>	325.00	Restricted General Fund
2019CS767	Garrett Sutterman	Rancho Cucamonga, CA	For a not-to-exceed amount, create video for Title III STEM program, for the period of January 14, 2019 through May 7, 2019, as approved by Math and Science. <sup>11</sup>	750.00	Restricted General Fund
2019CS437	Get Community Inc.	Orange, CA	Amendment 1 to extend the term end date to June 30, 2019 and to increase the not-to-exceed amount, for additional social media consulting services for the interior design program, as approved by Chino Campus. <sup>12</sup>	6,000.00	Restricted General Fund

<sup>7</sup> Funded by Strong Workforce budget.

<sup>8</sup> Funded by Center of Excellence funds.

<sup>9</sup> Funded by Physical Plant & Instructional Support Block grant budget.

<sup>10</sup> Funded by Title III, STEM grant funds.

<sup>11</sup> Funded by Title III, STEM grant funds.

<sup>12</sup> Funded by Strong Workforce budget.

Contract Number	Vendor	City, State	Description of Service	Amount	Funding Source
2019CS546	Gregg D. Ander, LLC	Sacramento, CA	Amendment 1 to increase the not-to-exceed amount, for additional consulting services to the District's Energy and Utilities Sector to focus attention on California Community College Systems activities that align and support legislative mandates (SB350, AB398, SB100 and others), executive orders, and regulations, as approved by Economic Development. <sup>13</sup>	\$5,000.00	Restricted General Fund
2020CS4	Haissam N. Bouz, M.D.	San Dimas, CA	For a not-to-exceed amount, to provide medical services as a Physician, for the period of July 1, 2019 through June 30, 2020, as approved by Student Health Services. <sup>14</sup>	32,000.00	Restricted General Fund
2019CS763	Hobsons	Delaware	For an online software subscription, which includes a matching platform for colleges and universities to strategically reach best-fit students, those most likely to both apply and succeed at the institution, and help reach institutional enrollment goals, for the period of May 30, 2019 through June 29, 2020, as approved by Student Services.	10,000.00	Unrestricted General Fund
2019PW674	Inland Signs Inc.	Ontario, CA	For a not-to-exceed amount, to install exterior signage at the Rancho Cucamonga, Chino, and Fontana Campuses, for the period of April 25, 2019 through July 31, 2019, as approved by Facilities Development.	59,999.00	Measure L Bond Fund
2019CS747	Jaime Chavez	Fontana, CA	For a not-to-exceed amount, create video for Title III STEM program, for the period of January 14, 2019 through May 7, 2019, as approved by Math and Science. <sup>15</sup>	350.00	Restricted General Fund
2019PW743	Jergensen Construction	Oakhills, CA	For a not-to-exceed amount, to lay concrete at Soccer Field, located at the Rancho Cucamonga Campus, for the period of June 3, 2019 through June 15, 2019, as approved by Facilities Development. <sup>16</sup>	27,639.00	Restricted General Fund
2019CS785	Kids that Code	San Bernardino, CA	For a not-to-exceed amount, to provide Introductory Computer Programming workshops for Upward Bound students, for the period of November 1, 2018 through June 30, 2019, as approved by Fontana Center. <sup>17</sup>	4,125.00	Restricted General Fund
2018PW234	Knowland Construction Services, Inc.	Rancho Palos Verdes, CA	Amendment 3 to extend the term end date to December 31, 2019 due to additional services related to Measure L Renovation Projects, as approved by Administrative Affairs.	No Cost Impact	Measure L Bond Fund
2019CS748	Kwik Flash Photo	Inglewood, CA	For a not-to-exceed amount, to provide photo booth services for the <i>Chaffey College 102<sup>nd</sup> Commencement Ceremony</i> on May 23, 2019, as approved by Student Services.	800.00	Unrestricted General Fund
2019CS766	Luis Calderon	Rialto, CA	For a not-to-exceed amount, create video for Title III STEM program, for the period of January 14, 2019 through May 7, 2019, as approved by Math and Science. <sup>18</sup>	750.00	Restricted General Fund

<sup>13</sup> Funded by Economic Development grant funds.

<sup>14</sup> Funded by restricted Student Health Services budget.

<sup>15</sup> Funded by Title III, STEM grant funds.

<sup>16</sup> Funded by Physical Plant & Instructional Support Block grant budget.

<sup>17</sup> Funded by Upward Bound grant funds.

<sup>18</sup> Funded by Title III, STEM grant funds.

<b>Contract Number</b>	<b>Vendor</b>	<b>City, State</b>	<b>Description of Service</b>	<b>Amount</b>	<b>Funding Source</b>
2019CS728	Mariachi Alfaro	Los Angeles, CA	For a not-to-exceed amount, to provide a Mariachi music performance for the annual Chaffey College Latino Faculty and Staff Association (CCLFSA) graduation ceremony, on May 19, 2019, as approved by Special Populations and Equity. <sup>19</sup>	\$375.00	Restricted General Fund
2019CS746	Mark Kitchen Equipment Services, Inc.	Monterey Park, CA	For a not-to-exceed amount, to remove and dispose of existing oven and install new oven at the Chino Campus, for the period of June 4, 2019 through June 20, 2019, as approved by Facilities Development. <sup>20</sup>	2,011.19	Restricted General Fund
2020CS3	Nahel Al Bouz, M.D.	La Verne, CA	For a not-to-exceed amount, to provide medical services as a physician, for the period of July 1, 2019 through June 30, 2020, as approved by Student Health Services. <sup>21</sup>	22,500.00	Restricted General Fund
2019CS757	Painting and Décor Inc.	Orange, CA	For a not-to-exceed amount, to paint the Panther Express located at the Rancho Cucamonga Campus, for the period of June 5, 2019 through June 30, 2019, as approved by Facilities Development.	3,390.00	Campus Store Fund
2019CS254	Precision Security and Protective Services, Inc.	Santa Ana, CA	Amendment 1 to increase the not-to-exceed amount, for additional unarmed security services, as approved by Campus Police. <sup>22</sup>	13,194.00	Restricted General Fund
2019CS46	Print & Finishing Solutions	Placentia, CA	Amendment 1 to increase the not-to-exceed amount, for additional preventative maintenance on the Kodak offset printing press, as approved by Lithography.	227.90	Unrestricted General Fund
2019PW540	Promised Land	Menifee, CA	Change Order 1 to increase the not-to-exceed amount, for additional work requested for the soccer field sod replacement, including loosening soil levels, located at the Rancho Cucamonga Campus, as approved by Student Services.	7,500.00	Unrestricted General Fund
2019CS773	Qarma Consulting	La Puente, CA	For a not-to-exceed amount, to provide training and consulting services for workers of District's business clients and community partners in the areas of, but not limited to: business skills, continuous improvement, manufacturing skills, commercial skills, health care, literacy skills, computer skills, management skills and safety skills, for the period of May 10, 2019 through June 30, 2019, as approved by Economic Development. <sup>23</sup>	5,000.00	Restricted General Fund
2019CS177	Quick Caption Inc.	Riverside, CA	Amendment 1 to increase the not-to-exceed amount for additional on-site and remote computer aided Communication Access Real-time Translation (CART) services for persons who are deaf or hard of hearing, as approved by Disability Programs and Services. <sup>24</sup>	5,150.00	Restricted General Fund
2019CS113	RISE Interpreting, Inc.	Rancho Cucamonga, CA	Amendment 3 to increase the not-to-exceed amount, for sign language interpreting services, as approved by Disability Programs and Services. <sup>25</sup>	40,000.00	Restricted General Fund

<sup>19</sup> Funded by Student Equity budget.

<sup>20</sup> Funded by Strong Workforce budget.

<sup>21</sup> Funded by restricted Student Health Services budget.

<sup>22</sup> Funded by restricted Parking budget.

<sup>23</sup> Funded by Economic Development grant funds.

<sup>24</sup> Funded by Disability Programs and Services (DPS) budget.

<sup>25</sup> Funded by Disability Programs and Services (DPS) budget.

<b>Contract Number</b>	<b>Vendor</b>	<b>City, State</b>	<b>Description of Service</b>	<b>Amount</b>	<b>Funding Source</b>
2019CS75	RISE Interpreting, Inc.	Riverside, CA	Amendment 2 to increase the not-to-exceed amount, for sign language interpreting services for hearing impaired individuals, as approved by Human Resources.	\$5,000.00	Unrestricted General Fund
2018PW233	Smith-Emery Laboratories	Los Angeles, CA	Amendment 4 to extend the term end date to October 31, 2019 and to increase the not-to-exceed amount, for additional special inspection services for the Measure L Build Out Project, as approved by Administrative Affairs.	20,310.00	Measure L Bond Fund
2019PW781	Sneary Construction, Inc.	Upland, CA	For a not-to-exceed amount, renovate Wargin Hall, Rooms 171 and 181, for the period of June 15, 2019 through June 30, 2019, as approved by Facilities Development.	20,400.00	Unrestricted General Fund
2019CS777	TierFive, Inc.	San Dimas, CA	For a not-to-exceed amount, to provide digital conversion and indexing services of analog paper records for wide format construction drawings, for the period of June 11, 2019 through October 31, 2019, as approved by Purchasing Services.	24,380.00	Unrestricted General Fund
2019CS754	Tried and True Tutoring, LLC.	Woodland Hills, CA	For a not-to-exceed amount, provide instruction for a STEM Course, for the period of June 17, 2019 through June 30, 2019, as approved by Fontana Campus. <sup>26</sup>	6,450.00	Restricted General Fund
2019PW749	Trinity Construction, Inc.	Upland, CA	For a not-to-exceed amount, to install scoreboard at Soccer Field, located at the Rancho Cucamonga Campus, for the period of June 8, 2019 through August 31, 2019, as approved by Facilities Development.	58,860.00	Unrestricted General Fund
2019PW751	Trinity Construction, Inc.	Upland, CA	For a not-to-exceed amount, to remove and replace existing walkway at multiple areas in the path of travel on the Rancho Cucamonga Campus, for the period of June 3, 2019 through July 3, 2019, as approved by Facilities Development. <sup>27</sup>	31,456.00	Restricted General Fund
2019CS723	University Enterprises Corp at CSUSB	San Bernardino, CA	For a not-to-exceed amount, develop and present workshops to workers of District's business clients and community partners, for the period of April 16, 2019 through June 30, 2019, as approved by Economic Development. <sup>28</sup>	6,000.00	Restricted General Fund
2019PW772	Valued Engineering	Upland, CA	For a not-to-exceed amount, provide engineering services for the College Drive East Repair Project at the Rancho Cucamonga Campus, for the period of March 22, 2019 through June 30, 2019, as approved by Facilities Development. <sup>29</sup>	18,700.00	Restricted General Fund
2019CS705	WaterShield Services, LLC.	Tustin, CA	For a not-to-exceed amount, perform annual cleaning and sanitizing of Central Plant cooling towers, at the Rancho Cucamonga Campus, for the period of April 1, 2019 through June 30, 2019, as approved by Facilities/Physical Plant.	4,400.00	Capital Projects Fund
2019CS332	Western Exterminator Company	Chino, CA	Amendment 1 to increase the not-to-exceed amount, for additional pest control services, as approved by Facilities/Physical Plant.	100.00	Unrestricted General Fund

<sup>26</sup> Funded by Upward Bound grant funds.

<sup>27</sup> Funded by Physical Plant & Instructional Support Block grant budget.

<sup>28</sup> Funded by Economic Development grant funds.

<sup>29</sup> Funded by Physical Plant & Instructional Support Block grant budget.

<b>Contract Number</b>	<b>Vendor</b>	<b>City, State</b>	<b>Description of Service</b>	<b>Amount</b>	<b>Funding Source</b>
2020CS6	Whole Mind Wellness Services	Montebello, CA	Affiliation Agreement to provide as-needed psychological services for students in individual counseling and group sessions, for the period of July 1, 2019 through June 20, 2020, as approved by Student Health Services. <sup>30</sup>	\$19,800.00	Restricted General Fund
2019CS717	WLC Architects Inc.	Rancho Cucamonga, CA	For a not-to-exceed amount, to provide a preliminary plan/rendering for the new Veterans Center, for the period of May 1, 2019 through June 30, 2019, as approved by Student Services.	8,000.00	Unrestricted General Fund

**List reflects contracts entered into and change orders to existing contracts for the period of June 1 – 24, 2019.**<sup>31</sup>

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<sup>30</sup> Funded by restricted Student Health Services budget.

<sup>31</sup> Funding for all contracts and change orders on this list are included in the 2018-2019 adopted district budgets.

# CHAFFEY COMMUNITY COLLEGE

## WARRANT REGISTER REPORT

FOR THE MONTH OF JUNE 2019

### GENERAL FUNDS ( 10 )

PAYROLL	7,293,669.26	
COMMERCIAL	<u>4,161,913.06</u>	
<b>TOTAL FUND ( 10 )</b>		11,455,582.32

**SCHEDULED MAINTENANCE FUND ( 42 )** 14,058.68

**BUILDING FUND (40)** 216,676.54

**EARLY RETIREMENT FUND ( 61 )** 95,192.12

**VACATION LIABILITY (69)** 20,298.43

**CAPITAL OUTLAY PROJECT FUND ( 41 )** 46,533.49

### CHILD DEVELOPMENT FUND ( 33 )

PAYROLL	75,556.23	
COMMERCIAL	<u>138,052.87</u>	
<b>TOTAL FUND ( 33 )</b>		213,609.10

**TOTAL ALL FUNDS** **\$ 12,061,950.68**

### PAYROLL WARRANT/ADVICE NUMBERS

125763-125879      408876-411722      *(125765, 409152-409961 voided)*

### COMMERCIAL WARRANT NUMBERS

1013854-1013987      1717848-1718838

### PURCHASE ORDER NUMBERS

BPO's	13936	\$	1,000.00	<i>13935 voided</i>
PO's	52843-52871	\$	159,000.83	