

AGENDA (AMENDED)  
Regular Meeting  
BOARD OF TRUSTEES  
STATE CENTER COMMUNITY COLLEGE DISTRICT  
**Fresno City College, Old Administration Building, Room 251**  
**1101 E. University Avenue, Fresno, California**  
**2:00 p.m., February 7, 2012**  
**\*See Special Notice – Page 3\***

- I. Call to Order
- II. Strategic Conversations #1 – Connecting to the Vision
- III. Recess at 4:00 p.m.

**SCCCD Board Room**  
**1525 E. Weldon Avenue, Fresno, California**  
**4:30 p.m., February 7, 2012**  
**\*See Special Notice – Page 3**

- IV. Reconvene Meeting at 4:30 p.m.
- V. Pledge of Allegiance
- VI. Introduction of Guests
- VII. Approval of Minutes, Meetings of December 13, 2011, and January 10, 2012
- VIII. Delegations, Petitions, and Communications [see footnote]
- IX. Reports of Chancellor and Staff

A. PRESENTATIONS

- |                             |   |
|-----------------------------|---|
| 1. Campus Reports           | Tony Cantu, FCC<br>Mitjl Capet, RC<br>Terry Kershaw, NC |
| 2. Chancellor's Report      | Deborah G. Blue   |
| 3. Academic Senate Report   | Jeff Ragan, RC  |
| 4. Classified Senate Report | Ernie Garcia, FCC                                       |
| 5. SCCC Foundation Update   | Gurdeep Sihota-He'bert                                  |

- 6. California Endowment Project Anne Watts
- B. CONSIDERATION OF CONSENT AGENDA [12-04HR through 12-07HR]  
[12-04G through 12-09G]
- C. HUMAN RESOURCES
- D. GENERAL
  - 1. Consideration to Refinance Measure E Bonds [12-08] Ed Eng
  - 2. Acknowledgement of Quarterly Financial Status Report, General Fund [12-09] Ed Eng
  - 3. Consideration to Adopt 2012-13 Budget Development Calendar [12-10] Ed Eng
  - 4. Consideration to Approve Mid-Year Reduction Proposal [12-11] Ed Eng
  - 5. Governor's 2012-13 January Budget Proposal [12-12] Ed Eng
- X. Reports of Board Members
- XI. Future Agenda Items
- XII. Delegations, Petitions, and Communications [see footnote]
- XIII. Closed Session
  - A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE, Pursuant to Government Code Section 54957
  - B. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION, Pursuant to Government Code Section 54956.9(c)
  - C. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT, Pursuant to Government Code Section 54957
    - 1. Vice Chancellor, North Centers/Campus President, Willow International Community College Center
    - 2. Associate Vice Chancellor, Human Resources
  - D. PUBLIC EMPLOYEE EVALUATION, Pursuant to Government Code Section 54957
    - 1. Chancellor

XIV. Open Session

XV. Adjournment

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All supporting documents/materials pertaining to the open session agenda of a regular meeting are available for public inspection by contacting the Office of the Chancellor during the office hours of 8:00 a.m. to 5:00 p.m., Monday – Friday, at (559) 244-5902. Any person with a disability may request this agenda be made available in an appropriate alternative format. A request for a disability-related modification or accommodation may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting to Nina Acosta, Executive Secretary to the Chancellor, 1525 E. Weldon Avenue, Fresno, CA 93704, (559) 244-5902, 8:00 a.m. to 5:00 p.m., Monday – Friday, at least 48 hours before the meeting.

The Board chairperson, under Board Policy 2350, has set a limit of three minutes each for those who wish to address the Board. General comments will be heard under Agenda Section Delegations, Petitions and Communications at the beginning of the meeting. Those who wish to speak to items to be considered in Closed Session will be given the opportunity to do so following the completion of the open agenda and just prior to the Board's going into Closed Session. Individuals wishing to address the Board should fill out a Request Form and file it with the Associate Vice Chancellor–Human Resources, Randy Rowe, at the beginning of the meeting.

***\*SPECIAL NOTICE***

**The Board of Trustees will hold its first annual districtwide “Strategic Conversation” dialogue at the Fresno City College Old Administration Building, Room 251, on February 7, 2012. Registration and social hour will begin at 1:00 p.m., and the Strategic Conversation will begin at 2:00 p.m.**

**A recess will be called at 4:00 p.m. and the Board of Trustees will move the meeting to the district office board room, 1525 E. Weldon Avenue, Fresno, California. The Board of Trustees will reconvene the meeting promptly at 4:30 p.m. at this new location.**

CONSENT AGENDA  
BOARD OF TRUSTEES MEETING  
February 7, 2012

HUMAN RESOURCES

1. Employment, Retirement, Change of Status, Academic Personnel [12-04HR]
2. Employment, Promotion, Change of Status, Leave of Absence, Resignation, Retirement, Classified Personnel [12-05HR]
3. Consideration to Approve Reorganization of Vacant Instructional Aide Position #3092 to Physical Education Attendant, Reedley College [12-06HR]
4. Consideration to Approve Reorganization of Vacant Instructional Aide Position #4019 to Library Learning Resource Assistant I, Madera Center [12-07HR]

GENERAL

5. Review of District Warrants and Checks [12-04G]
6. Financial Analysis of Enterprise and Special Revenue Operations [12-05G]
7. Consideration to Approve Quarterly Budget Transfers and Adjustments Report [12-06G]
8. Consideration of Bids, Business Education Computer Laboratory Air Conditioning Installation, Fresno City College [12-07G]
9. Consideration to Accept Construction Project, Event Parking Signage Improvements, Fresno City College [12-08G]
10. Consideration to Approve Out-of-State Travel for Phi Theta Kappa Students, Fresno City College [12-09G]

***UNAPPROVED*** MINUTES OF MEETING OF  
BOARD OF TRUSTEES  
STATE CENTER COMMUNITY COLLEGE DISTRICT  
December 13, 2011

Call to Order                   A special meeting of the Board of Trustees of State Center Community College District was called to order by President Ron Feaver at 4:30 p.m., December 13, 2011, at the Clovis Center, 390 W. Fir Avenue, Room 308, Clovis, California.

Trustees Present               H. Ronald Feaver, President  
William J. Smith, Vice President  
Richard Caglia, Secretary  
Isabel Barreras  
Ronald H. Nishinaka  
Patrick E. Patterson  
Dorothy Smith  
Christopher Coronado

Also present were:

Deborah G. Blue, Chancellor, SCCCCD  
Ed Eng, Vice Chancellor – Finance and Administration, SCCCCD  
Tony Cantu, Interim President, Fresno City College  
Mitjl Capet, President, Reedley College  
Terry Kershaw, Vice Chancellor – North Centers  
Robert Fox, Interim Assoc. Vice Chancellor – Workforce Dev. & Ed. Services  
Randy Rowe, Assoc. Vice Chancellor – Human Resources, SCCCCD  
Nina Acosta, Executive Secretary to the Chancellor

Introduction of Guests       Among the others present, the following signed the guest list:

Teresa Patterson, SCCCCD  
Gurdeep He'Bert, SCCCCF  
Lucy Ruiz, RC  
Wil Schofield, SCCCCD  
Janell Mendoza, NC  
Marilyn Behringer, RC  
Randall Vogt, SCCCCD  
Brian Speece, SCCCCD  
Gregory Taylor, SCCCCD  
Robin Torres, SCCCCD  
Harry Zahlis, FCC  
Don Lopez, FCC

Introduction of Guests  
(continued)

Christine Miktarian, SCCCD  
Doris Barthold-McKay, SCCCD  
Paula Demanett, FCC  
Thomas Mester, NC  
Veronica P. Farwell, FCC  
Desteni Battle, ASG  
Cris M. Bremer, FCC  
Lorrie Hopper, NC  
Michael Bourbonnais, FCC  
Kelly Fowler, FCC  
Marty Dietz, Darden Architects  
Grisanti Valencia, FCC  
Cindy Quiralte, FCC, ASG President  
Claudia Habib, FCC  
Deborah Ikeda, NC

Delegations, Petitions, and  
Communications

None

2012- 2016 District  
Strategic Planning Process  
and Timelines

President Feaver announced that the order of the presentations would be changed.

Deborah G. Blue introduced Dr. Fran White with the College Brain Trust.

Dr. White reviewed the work plan and timeline established to complete the 2012-2016 District Strategic Plan.

- Phase 1 includes the discovery of documents and identifies campus/district and external stakeholders to be interviewed, to be completed by February 1, 2012.
- Phase 2 includes a visioning session with the board of trustees and strategic conversations/charettes with stakeholder groups, to be completed by March 1, 2012.
- Phase 3 includes submission of draft #1 for review and feedback, to be completed by March 30, 2012.
- Phase 4 includes revision of Draft #1, if appropriate and submission of draft #2 for review and comment, to be completed by April 15, 2012.
- Phase 5 includes preparation of final draft and submission to the Chancellor and Strategic Planning Committee for review and comment, to be completed by May 10, 2012.
- Phase 6 includes submission of final 2012-2016 strategic plan to chancellor, to be completed by May 25, 2012.

2012- 2016 District  
Strategic Planning Process  
and Timelines  
(continued)

Trustee Barreras asked who the external partners are and how this process will be advertised. Dr. White stated the external partners are business, community, and education leaders. They will be notified by invitation by the district. Dr. Blue said the Board will be involved in generating the list of people invited to participate in the process.

Mr. Patterson asked if there are specifics identified in the plan. Dr. White stated specifics will be developed identified as part of the process.

Ms. Smith stated this document should be a “living document” and it should change and evolve as the district changes and evolves. Dr. White stated there will be an annual review of the plan.

Technology Assessment  
Update

Deborah G. Blue reviewed the summary assessment report prepared by CampusWorks. On January 24, 2012, during a special board meeting, Liz Murphy and Carol Thomas from CampusWorks will present a detailed report of the assessment to the Board. In addition, they will go to each campus to make a presentation and address any campus-specific questions.

During the week of December 5, 2011, the CampusWorks team, consisting of Carol Thomas, Laura Grandgenett, Nick Laudato and Peter Bosco, met with approximately 100 individuals at the district office, Fresno City College, Reedley College, and Willow International. They visited classrooms and toured facilities at each site. In addition, they held open forums for faculty students and staff, met with senior leadership at the district office, and held focus groups. The following are the primary issues identified by CampusWorks during the week of December 5, 2011:

- Resources: The resources appear adequate; however, the district does not have a plan for information technology. As a result, it is impossible to determine what resources are required to meet the district’s goals. Dr. Blue stated the district’s technology master plan is outdated. The last time it was updated was in 2000.
- Technology Leadership: The district is in need of a Chief Informational Officer.
- Network Performance: There is network saturation between the district office and Reedley College. Reedley College is experiencing tremendous problems with the Polycom system. The wireless network is unreliable.
- Datatel/WebAdvisor: Students are having difficulty with

Technology Assessment  
Update  
(continued)

these programs due to a lack of training and implementation of the modules that are available.

- Technology Governance: The district needs a districtwide governance structure for technology.
- Academic Technology: Faculty, staff, and students are all asking for basic services.

Dr. Blue asked the Board to provide any questions they have regarding technology, and she will send them to CampusWorks to prepare answers for the January 24, 2012, special board meeting. Dr. Blue will send CampusWorks' PowerPoint presentation to the Board prior to the January 24, 2012, meeting.

Facility Master Plan  
Update/Future District  
Bond Measure

Brian Speece introduced Christine Miktarian, co-facilitator in this process, and Marty Dietz, managing partner with Darden and Associates. Mr. Speece provided an update for the Board on the Facilities Master Plan progress (FMP).

- Project Initiation: A consultant was hired (Darden and Associates), a work plan was identified, a projected schedule was completed, and contacts and groups were identified
- Develop Mission and Goals
- Site Assessments: Physical conditions, facilities suitability, site conditions, accessibility, energy efficiency, technology, sustainability
- Demographic Analysis: Enrollment projections, campus capacity and load ratios, campus utilization strategies, public-private partnerships considerations and asset assessment
- Educational Program Needs and Alternatives Analysis: Program and growth needs, facilities growth and modernization alternatives, impacts of new technologies in education
- Prioritization and Funding Analysis (January 2012): Campus and districtwide priorities, strategies to maximize state funding, funding options (grants, foundation, local and state bonds)
- Staff and Community Dialog, Implementation, and Board Review ( February 2012): Review with district staff and community, and review draft FMP with Board of Trustees
- Districtwide Facilities Master Plan Report (summer 2012): Final presentation of FMP and Board approval, districtwide FMP report encompassing all campuses, utilized to guide future facilities planning and development, utilized for future state and local bonds.



Facility Master Plan  
Update/Future District  
Bond Measure  
(continued)

Mr. Speece wants the facilities master plan team to partner with the strategic planning charette, as an item for discussion.

Mr. Patterson asked how this will work with the strategic planning process. Dr. Blue recommends the Board conduct some visioning sessions regarding their recommendations.

Ms. Smith asked about the energy efficiency and the 5 percent completeness. Mr. Speece said the Board needs to provide more input on this issue.

Mr. Smith said it might be more efficient to move toward distance education programs. Technology should be given some extra consideration in this plan. Mr. Speece said there has been a lot of input from the campus sites, including ideas regarding distance education and technology.

Mr. Patterson said distance education is the future.

Mr. Caglia asked if the district is working with the City of Fresno. Is the district looking at the city's 2025 general plan? Mr. Speece said his staff is participating in the City of Fresno general plan meetings.

Mr. Caglia asked if the district has received input from industry leaders. Mr. Speece said the charettes will include community leaders. Dr. Blue said CTE advisory committees include people from the business/industry community.

Mr. Speece asked if the Board wants to consider a future bond measure. If so, then when? Dr. Blue said as the facilities master plan process comes to completion, it would be a good time to consider a future bond measure. She asked Mr. Speece to bring this item forward to begin the conversation.

Mr. Smith is in favor of considering a future bond measure. The district is a mechanism for future success in the valley.

Ms. Smith said that planning is critical in proposing a new bond measure.

Ms. Barreras said it is a good time to look into the process. because state funds are dwindling.

Mr. Patterson is supportive, but very cautious about moving forward because financially times are difficult and people will be reluctant to approve any new measure. He is concerned about

Facility Master Plan  
Update/Future District  
Bond Measure  
(continued)

the cost. The last bond cost the district approximately \$300,000 dollars.

Mr. Speece reviewed the timeline for the last bond measure. Mr. Caglia stated it has been suggested to him that if Central, Madera, and Clovis Unified combined their programs and resources with the district's, they could produce a seamless career technical educational program. This could be the focus with regards to a bond measure.

Mr. Feaver stated it is important to know what the focus is, with regards to a bond.

Mr. Patterson one of the reasons the last bond was successful was because it was tied to the OAB.

Mr. Smith agrees with Mr. Caglia's idea. It would be a benefit to the valley.

Mr. Coronado stated it is important to include students in this issue because it benefits them.

District and Campus  
Reserves

Ed Eng reviewed the district and campus reserves and their fund balances. He also presented draft spreadsheets for current and future unfunded needs for Fresno City College, Reedley College, and the North Centers. Mr. Eng included analysis of other comparable community college districts throughout the state.

Dr. Blue stated the goal of this presentation is to include the college's requests and their projections for the costs of future projects. There has not been any discussion of allocations because this is the decision of the Board. This information will be presented again in a different format to identify more clearly the district's reserve balances.

Dr. Blue said the campuses had a balance in their reserves at the end of the fiscal year. In the past, the campuses have been given the authority to maintain their fund balances. Now is the time for the district to reevaluate the future of the district, what the direction to the campuses will be regarding unfunded positions, whether they will be filled, fund balances, and how much the campuses can keep at the end of the year, among other issues.

Mr. Eng said he polled other districts regarding this issue. All of them allow their campuses to carry a reserve. The rationale is that if they do not allow their campuses to carry a reserve, they will not spend the money wisely and there will not be any

District and Campus  
Reserves  
(continued)

incentive to be cautious with funds.  
Mr. Patterson is in favor of the reserves being returned to the district. He suggested that the Board discuss an amount each campus may to carry over in their reserves.

Mr. Smith said campuses should be given an incentive for saving money.

Mr. Coronado asked about the timeline for the projects.

Dr. Blue stated administration would like to make some recommendations regarding designated and undesignated reserves to the Board.

Closed Session

President Feaver stated that in closed session the Board would be discussing:

- A. PUBLIC EMPLOYMENT/EMPLOYMENT, pursuant to Government Code section 54957
  - 1. Vice Chancellor, North Centers
  - 2. Associate Vice Chancellor, Human Resources
  - 3. Associate Vice Chancellor, Workforce Development & Educational Services
  - 4. Vice President, Admissions & Records
  
- B. CONFERENCE WITH LABOR NEGOTIATOR [SCFT, Full-time Bargaining Unit; SCFT Part-time Bargaining Unit, California School Employees Association Bargaining Unit, and SCCCD Peace Officers Association]; Randy Rowe, Pursuant to Government Code Section 54957.6

Mr. Feaver called a recess at 6:00 p.m.

Open Session

The Board moved into open session at 7:20 p.m.

Report of Closed Session

Mr. Feaver stated there was no action to report from closed session.

Adjournment

The meeting was adjourned at 7:22 p.m. by the unanimous consent of the Board.

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Richard Caglia  
Secretary, Board of Trustees  
State Center Community College District

***UNAPPROVED*** MINUTES OF MEETING OF  
BOARD OF TRUSTEES  
STATE CENTER COMMUNITY COLLEGE DISTRICT  
January 10, 2012

Call to Order                    A regular meeting of the Board of Trustees of State Center Community College District was called to order by President Ron Feaver at 4:30 p.m., January 10, 2012, in the district office board room, 1525 E. Weldon Avenue, Fresno, California.

Trustees Present                H. Ronald Feaver, President  
Richard Caglia, Secretary (arrived at 4:35 p.m.)  
Isabel Barreras                (arrived at 4:36 p.m.)  
Ronald H. Nishinaka  
Patrick E. Patterson  
Dorothy Smith  
Christopher Coronado, FCC Student Trustee  
Kayla Urbano, RC Student Trustee

Absent: William J. Smith, Vice President

Also present were:

Deborah G. Blue, Chancellor, SCCC  
Ed Eng, Vice Chancellor – Finance and Administration, SCCC  
Tony Cantu, Interim President, Fresno City College  
Mitjl Capet, President, Reedley College  
Terry Kershaw, Vice Chancellor – North Centers  
Robert Fox, Interim Assoc. Vice Chancellor – Workforce Dev. & Ed. Services  
Randy Rowe, Assoc. Vice Chancellor – Human Resources, SCCC  
Nina Acosta, Executive Secretary to the Chancellor

Introduction of Guests        Among the others present, the following signed the guest list:

Lacy Barnes, SCFT, AFT 1533  
Donna Berry, RC  
Marilyn Behringer, RC  
Claudia Habib, FCC Academic Senate  
Melanie Highfill, RC Classified Senate  
Christine Miktarian, SCCC  
Michael White, RC  
Veronica Farwell, ASG  
Nathan Bean, Student  
Cheryl Sullivan, SCCC  
Teresa Patterson, SCCC  
Gurdeep He'Bert, SCCC

Introduction of Guests  
(continued)

Wil Schofield, SCCC  
Randall Vogt, SCCC  
Janell Mendoza, NC  
Rachel McKinley, FCC ASG  
Cindy Quiralte, FCC ASG  
Cris Monahan-Bremer, FCC  
Candy Hansen-Gage, CITD  
Juan Tirado, RC  
Chris Villa, FCC  
Jothany Blackwood, FCC  
Diane Clerou, SCCC  
Doris Barthold-McKay, SCCC  
Derek Hansen, U.S. Bank  
Steve Webb, U.S. Bank  
Carolyn Cox, U.S. Bank  
Greg Taylor, SCCC  
Tina Treis, Crowe Horwath, LLP

Approval of Minutes

The minutes of the regular meeting of December 6, 2011, were presented for approval.

There were corrections to the minutes on pages four and sixteen. The changes are highlighted in bold print.

A motion was made by Dottie Smith and seconded by Ron Nishinkaka to approve the minutes of the regular meeting of December 6, 2011, as corrected. The motion carried without objection.

Delegations, Petitions,  
and Communications

None

Campus Reports

Mr. Cantu reported on the following topics from Fresno City College. Copies of the report were provided for the Board and interested attendees.

- Fire Academy Class 36 held its graduation certificate ceremony in the OAB Auditorium on December 15.
- The FCC Registered Nursing Program held its Pinning Ceremony on December 15.
- Over the holidays, 45 students from Fresno City College's TRIO programs helped the Community Food Bank put together 4,919 meal boxes for families in need.
- On December 9, FCC architecture student, Harpreet Basi, received a \$1000 scholarship from the Klassen Corporation of Bakersfield.
- Fresno City College, the City of Fresno, the Housing Authority

Campus Reports  
(continued)

of the City and County of Fresno and the Fresno Redevelopment Agency conducted a ribbon cutting on December 20 at a home in the Lowell neighborhood. Last year FCC received a \$600,000 federal grant to provide introductory training on construction techniques and job-readiness skills for low-income residents. The first class of 16 students completed the six month intensive training in the FCC Applied Technology Housing Reconstruction Training program. Extensive hands-on training in construction skills were a significant component of the program. The Redevelopment Agency purchased the home for \$43,000 and contributed \$30,000 in building supplies for students to utilize for the remodeling project.

- This year's "opening of school" meeting was held in the OAB auditorium on January 5. At the meeting, faculty and staff received updates on the college communication plan, student discipline issues, SLOs and assessment, new textbook rental program, technology and the facilities master plan.
- FCC, in collaboration with the Fresno County Department of Social Services, will be hosting a foster youth event on January 28.

Dr. Capet reported on the following topics from Reedley College. Copies of the report were provided for the Board and interested attendees.

- Reedley College students Andrew Mancini, Chad Carter, and Matthew Henriksen were recognized with the Future Farmers of America's highest membership honor at the national convention in Indianapolis.
- The Animal Science/Aggie Club Fall Livestock Show Team Awards were held December 7. Sixteen students won awards.
- P.C. Club President Joel Flores and Vice President Jorge Villanueva donated 75 stuffed animals and toys to patients at Children's Hospital Central California on December 24.
- Reedley College classified staff members John Cunningham, Marjorie Facio, and Martin Herb were graduates of the Leadership State Center Class XI in December.
- Art instructor Garrett Masterson is showing his work in the Clay Mentors III art exhibit at the Clay Mix Art Gallery in Fresno, which runs through February 25.
- RCO Ag Credit, Inc., of Fresno established a \$25,000 endowment to benefit students enrolled in Reedley College agricultural programs.
- The college officially welcomed back faculty and staff on January 5 during its annual opening day conference. Dr. Nika Hogan of Pasadena City College gave a reading apprenticeship presentation.

Campus Reports  
(continued)

- Chancellor Dr. Deborah G. Blue will host “Colleagues in Conversation” on January 17 in the RC student center beginning at 11:30 a.m.
- On January 28, the agriculture and natural resources department will be hosting the Reedley College mid-winter FFA field day.

Dr. Kershaw reported on the following topics from the North Centers. Copies of the report were provided for the Board and interested attendees.

- The Madera Center’s Licensed Vocational Nursing Program held their pinning ceremony the evening of December 15
- The spring 2012 duty day for the North Center faculty and classified professionals was held on January 5. The state-of-the-centers report focused on the organizational reporting relationship of the centers, including the timeline for implementation of the Willow International Center transitional staffing plan. Dr. Blue provided a state-of- the -district report, along with presentations and workshops regarding accreditation and planning, program review, facilities master plan, Student Success Taskforce report, strategic planning, CSU transfer degree, student services, grants, and student learning outcomes assessment.
- Students were welcomed to the new semester by staff disseminating information at welcome booths at the Madera and Willow International Centers on January 9, and express counseling was provided the first week of the semester at the Willow International and Madera Centers.
- The Madera County Office of Education will hold its Academic Decathlon on January 27 at the Madera Center.
- The African mammals in the Oakhurst Center science lab were highlighted in a recent article in the *Sierra Star* newspaper. The collection was donated in 2006 by John Martin of Selma and is valued at \$122,000.

Chancellor’s Report

Dr. Blue reported the following:

- She traveled to Fresno City College, Reedley and Madera on January 5 for Spring Duty Day. The morning began at Fresno City with a continental breakfast and jazz music provided by the faculty. At Reedley College, she heard one of the student leaders speak to the college community. At Madera, Vice President Ikeda prepared a retrospective and showed some of the chronicles from all of the north center campuses throughout the years. The campus visits provided an opportunity to give a brief state-of-the district report including information on strategic planning efforts and the budget. She was encouraged by the

Chancellor's Report  
(continued)

positive “can-do” attitude of the faculty and staff even in tough economic times.

- She participated in the mayor's first live town hall meeting sponsored by channel 47 and Valley Public Television. There was great representation from the district with Tony Cantu and FCC counselor Lisa Vincent representing the mayor's task force on adult education. The emerging themes were jobs and education. Mayor Swearingin praised the work of the district and cited the work in the area of workforce development
- State Center Consortium along with Fresno Pacific University, Central Valley Educational Leadership Institute, California Partnership for the San Joaquin Valley and the Fresno County Office of Education will co-host the Exemplary Practices in Education Leadership conference on January 31. The conference is designed for educational leaders, from preschool to college. The conference will include breakout sessions on topics such as career education, partnerships with higher education and transforming school culture. I will be introducing the morning's keynote speaker, Dr. Anthony Muhammad. Dr. Muhammad is one of the most sought-after educational consultants in the U.S. He is a recognized expert with over 20 years of experience in helping to improve student success throughout the nation.
- The Board of Governor's approved the student task force recommendations on January 9. The taskforce released the draft recommendations with plans to increase graduation rates, certificate completion and transfer rates. Fresno City College hosted the only town hall and listening session in the central valley. The report will be sent to the legislature for review. The report is on the state chancellor's website.

Dr. Blue thanked the board for their leadership and guidance in 2011 and looks forward to another successful year.

Academic Senate  
Report

Ms. Claudia Habib, Fresno City College Academic Senate president, reported the following:

- Faculty continues to focus on the draft recommendations from the SB 1143 Student Success Task Force. Ms. Habib stated that while the conceptual framework for improving student success presented in the report may merit support, the academic senate urges all involved to take notice of the warnings from students and faculty regarding several proposals that have the potential to result in discriminatory practices, thus risking undermining the ability to serve students. Positive changes in education require a deep understanding of both student needs and system capacities, which is especially crucial now that the Board of Governors accepted the report and is advancing the recommendations towards implementation. The next steps should include broad



Academic Senate  
Report (continued)

- participation from all college stakeholders.
- Faculty attended the CampusWorks open forums and focus groups in early December 2011. It was an opportunity to provide feedback on district technology issues. A key recommendation in the preliminary report was that faculty, staff, administrators, and students are asking for basic services, not for things out of the ordinary or extravagant.
  - FCC academic senate subcommittees reviewed and approved changes to their operating agreements.
  - FCC academic senate reviewed the district strategic planning committee operating agreement. The senate forwarded some language changes meant to clarify and strengthen the agreement, and most of the amendments were accepted by the strategic planning committee. Proportional representation for FCC constituencies continues to be a point of discussion.
  - The senate nominated Bob Boyd for the Hayward Award and Laurel Blackerby-Slater for the Regina Stanback-Stroud Diversity Award, sponsored by ASCCC.
  - The Senate commended Lorraine Smith for her efforts in leading faculty through the outcomes and assessment process to meet the accreditation requirement of reaching proficiency level by the fall of 2012.

Classified Senate  
Report

Ms. Melanie Highfill, Reedley College Classified Senate president, reported the following:

- Classified senate will be working on electing new officers and senators this semester.
- The senate will continue bring policy, committee, and other proposed changes to the classified staff for their input and approval as they become available during the semester.
- The senate hopes to host a spring fundraiser to raise money for more scholarships for classified employees.
- The senate continues to fill vacancies, both on campus and districtwide.
- The next senate meeting is scheduled for February 9.

Strategic Conversations

Dr. Blue reminded the Board about the strategic conversation that will take place on February 7, 2012. This event will be hosted by the Board. An invitation will be sent to all faculty students. She introduced Dr. Jothany Blackwood and Diane Clerou to explain the details of the strategic conversation.

Dr. Blackwood explained the details of the process of strategic conversations. A strategic conversation is an informal but structured discussion on a strategic policy issue that results in a clearer understanding of that issue. Topics reflect policy issues facing the

Strategic Conversations  
(continued)

Board of Trustees, rather than operational issues. The Board and the district will utilize the process this spring in the development of the 2012-2016 Districtwide Strategic Plan, by linking three related processes; the Board’s visioning, the strategic conversation, and the charette. Once strategic conversations are institutionalized as an annual process, the Board of Trustees can provide systematic planning and leadership in the selection of policy issues that will drive the strategic conversation, and allow the Board to gain input from internal stakeholders who are affected by those policy decision. Dr. Blackwood reviewed the timeline and the details of the process. Ms. Clerou stated an electronic invitation will be sent the week of January 5, 2012, to all internal stakeholders for the February 7 strategic conversation. Attached to the invitation is a document called “Strategic Conversations – Just the Facts”, which addresses frequently asked questions about the process. The deadline for responses to attend is February 3, 2012. This event is self-selection participation and not mandatory. A second reminder will be sent to the stakeholders, along with a white paper document resulting from the January 24, 2012 visioning process. Ms. Clerou reviewed the details of the events that will take place during the strategic conversation.

Ms. Smith asked how themes will be developed. She wants to ensure that everyone’s voice is heard. She wants to make sure the comments and themes are unfiltered. Dr. Blackwood stated the themes will be developed from the January 24 visioning process. The outcomes will be memorialized in the minutes.

Mr. Nishinaka asked how will external stakeholders be identified? Dr. Blackwood said the Board and Chancellor’s Cabinet will establish the invitation list.

Consent Agenda  
Action

President Feaver asked for a motion to approve the consent agenda, as presented.

Student Trustee Coronado requested item 12-02G be pulled for discussion.

It was moved by Mr. Patterson and seconded by Ms. Barreras that the Board of Trustees approve consent agenda items 12-01HR through 12-03HR and 12-01G, 12-03G, and 12-04G, as presented.

The motion carried without objection.

Mr. Coronado asked for more details on the increase in some materials fees and the removal of other fees. The increase in fees is one of the main concerns of the ASG. Mr. Cantu stated that fees

Consent Agenda  
Action  
 (continued)

associated with classes with specialized training are passed on to the students. These are fees that go beyond the regular classroom. Dr. Capet stated the fee for the auto tech course to cover laundering of uniforms was removed. The students will have the option of laundering the uniforms themselves.

It was moved by Ms. Barreras and seconded by Mr. Nishinaka that the Board of Trustees approve consent agenda item 12-02G, as presented.

The motion carried without objection.

Employment,  
 Academic Personnel  
 [12-01HR]  
Action

Approve academic personnel recommendations, items A through B, as presented

Employment,  
 Promotion, Change of  
 Status, Resignation,  
 Classified Personnel  
 [12-02HR]  
Action

Approve academic personnel recommendations, items A through F, as presented

Consideration to  
 Approve a Limited  
 Term International  
 Trade Specialist, Center  
 for International Trade  
 Development  
 [12-03HR]  
Action

Approve the limited term international trade specialist position, Center for International Trade Development, effective January 11, 2012, through July 12, 2012

Review of District  
 Warrants and Checks  
 [12-01G]  
Action

Review and sign the warrants register for the following accounts:

<u>Account:</u>	<u>Amount:</u>	<u>For the Period of:</u>
District	\$12,612,802.84	November 19, 2011 to December 13, 2011
Fresno City College Bookstore	397,520.30	November 15, 2011 to December 12, 2011
Reedley College Bookstore	241,589.59	November 15, 2011 to December 12, 2011
Fresno City College Co-Curricular	98,462.34	November 14, 2011 to December 12, 2011
Reedley College	81,520.19	November 14, 2011 to

Co-Curricular		December 12, 2011
Total:	\$13,431,895.26	

Consideration to  
Approve Changes to  
Class Material Fees  
Schedule, Fresno City  
College  
[12-02G]  
Action

Adopt changes to the Fresno City College and Reedley College  
Material Fees Schedule beginning in 2012-13, as presented, with all  
other current materials remaining unchanged

Consideration to  
Accept Construction  
Project, Building A  
ADA Improvements,  
Fresno City College  
[12-03G]  
Action

- a) accept the project for Building A ADA improvements, Fresno  
City College; and
- b) authorize the chancellor or her designee to file a notice of  
completion with the county recorder

\*\*\*\*\*End of Consent Agenda\*\*\*\*\*

Public Hearing on  
SCCCD Peace  
Officers’ Association  
2011-12 Initial  
Bargaining Proposal  
Presented by Teamsters  
Local 856  
[12-01]  
No Action

Randy Rowe explained that Government Code Section 3547 sets  
forth the “sunshine” provisions of the Rodda Act. The Board of  
Trustees is required to hold a public hearing on the initial proposal  
of the employee group and those of the Board. The SCCCDC Peace  
Officers’ Association 2011-12 initial bargaining proposal has been  
made available for public review since the posting of this agenda.  
The initial proposal is as follows:

INITIAL BARGAINING PROPOSAL  
FROM THE  
STATE CENTER COMMUNITY COLLEGE DISTRICT  
PEACE OFFICERS’ ASSOCIATION  
TO THE  
STATE CENTER COMMUNITY COLLEGE DISTRICT

January 10, 2012

The State Center Community College District Peace Officers’  
Association (SCCCD-POA) submits the following proposals for a  
Collective Bargaining Agreement covering the full-time sworn  
officers in the rank of officer and/or sergeant. SCCCDC-POA intends  
that this document supersede and replace the document dated  
December 2, 2012.

1. Term: 2 years (through June 30, 2013)

Public Hearing on  
SCCCD Peace  
Officers' Association  
2011-12 Initial  
Bargaining Proposal  
Presented by Teamsters  
Local 856  
[12-01]  
No Action  
(continued)

2. Except as specifically described below, include all applicable terms and conditions of employment as described in the most recent Agreement between the District and the SCCCD-POA.
3. Change pension coverage to PERS public safety plan.
4. Compensation for P.O.S.T. Certificates: monthly stipend of \$100 for bargaining unit employees with an Intermediate P.O.S.T Certificate and \$150 for bargaining unit employees with an Advanced P.O.S.T. Certificate.
5. COLA plus 1%.
6. Special Assignment stipend of 5% for all hours spent serving as an assigned FTO or assigned as Rangemaster.
7. All overtime assignments to be based on seniority: on rotating basis, the same concept as currently followed for holiday assignments.
8. District contribution toward Health and Welfare Benefits to increase in proportion to any increase in plan costs. District/SCCCD-POA form benefits committee.
9. Establish minimum staffing levels of four patrol officers on days and 3 on swing shift, excluding weekends and holidays.

Public Hearing

At 5:25 p.m. Mr. Feaver opened the public hearing on the SCCCD Peace Officers' Association 2011-12 Initial Bargaining Proposal, presented by Teamsters Local 856.

There being no public comment, Mr. Feaver closed the public hearing at 5:26 p.m.

Consideration to  
Accept 2010-11 Audit  
Report  
[12-02]  
Action

Mr. Eng informed the Board that the district received another clean unqualified opinion of the district's audit for the past fiscal year. He recognized the vice presidents of administrative services from the campuses, and Director of Finance Wil Schofield for their contributions, which resulted in the positive outcome.

Ed Eng introduced Tina Treis of the audit firm Crowe Horwath LLC, who presented the 2010-11 district audit report to the Board for their acceptance. Ms. Treis reviewed some of the highlights of the report, including the financial opinion, compliance with the state chancellor's office, and compliance with the federal grant process.

Consideration to  
Accept 2010-11 Audit  
Report  
[12-02]  
Action  
(continued)

The report also included a review of the district’s adoption of new accounting guidelines, as well as pronouncements for the coming years. The final result of the audit revealed no deficiencies and no non-compliance issues.

A motion was made by Ms. Barreras and seconded by Ms. Urbano that the Board accept the 2010-11 audit report, as submitted by the firm of Crowe Horwath, LLC.

The motion carried without dissent.

Retirement Committee  
(GASB 45) Update and  
Consideration to  
Approve  
Recommendation  
[12-03]  
Action

Ed Eng reviewed the proposed GASB 45 investment recommendations. The three issues include a slight change to the asset allocation of the investment portfolio, two choices of investment strategies, and a change to the fees.

Mr. Patterson asked about the real estate investments. Derek Hansen from U.S. Bank stated the public market in real estate investment trust (REIT) is strong.

Ms. Barreras asked if the district was locked into this plan. Mr. Eng said the Board can revisit the status of the account at any time.

A motion was made by Mr. Patterson and seconded by Ms. Smith that the Board:

1. approve switching from proprietary mutual funds to ETF/Index;
2. approve adjusting the asset allocation range for a slightly higher exposure in equities and a corresponding slightly lower exposure in fixed income;
3. approve a reduced fee structure due to the use of EFT/Index investments; and
4. authorize the vice chancellor of finance and administration to sign related documents authorizing these changes.

The motion carried without dissent.

Resolution Authorizing  
Administration to Seek  
Opinion from the  
Attorney General  
[12-04]  
Action

Greg Taylor reviewed Trustee Patterson’s request made at the December board meeting to seek an opinion from the state Attorney General’s office, regarding the Board deliberating during closed session on the appointment of the personnel commissioner, pursuant to Education Code section 88065. The state Attorney General has issued guidance on the process for seeking an opinion from the attorney general. Requests for opinions from boards must come from the majority and not individual board members. He presented a resolution to the Board, which would allow the administration to satisfy the requirement of the Attorney General. He said if the

Resolution Authorizing  
Administration to Seek  
Opinion from the  
Attorney General  
[12-04]  
Action  
(continued)

Board desires to seek a state attorney general opinion, they should adopt resolution 2012-01.

Mr. Patterson asked where the guidelines for this recommendation are located. Mr. Taylor said they are located on the Attorney General's website. Mr. Taylor clarified that local boards, like the district's, do not have a statutory entitlement to receive an attorney general's opinion. However, other agencies that do have that ability often pose questions on behalf of local boards. Mr. Taylor said he received an opinion regarding the proposed resolution from outside counsel. Mr. Patterson asked if Mr. Taylor contacted the Attorney General's office. He replied, no, it was not necessary to do so. Mr. Patterson stated he is concerned that this is a change from what the Board has done in the past. He said it is important to have privacy to discuss some of the issues that could be brought up with regards to the privacy of the candidates. Mr. Patterson said the commission is part of a bargaining agreement and is part of negotiations and relations with our bargaining units, and falls under the requirement to discuss in closed session. Mr. Patterson says he received advice that he, as an individual, can ask for an attorney general's opinion. He said he expected administration to research this issue thoroughly and contacted the right people. He would like evidence of the opinion that the Board as a whole must adopt a resolution to seek an attorney general's opinion. Mr. Taylor stated that while Mr. Patterson acting as an individual may seek an attorney general's opinion, the Board on behalf of the district can only take any action by a majority of its members.

Mr. Feaver said this is really a moot point. The Board must move forward on this issue. The Attorney General's office could take six months or longer to provide an opinion on this issue.

Mr. Patterson wants to continue with past practice. He wants to be able to have open and frank discussion with the candidates in closed session.

Ms. Barreras asked if the Education Code addresses this issue. Mr. Taylor said it is identified in the Government Code, not the Education Code. Mr. Taylor reminded the Board that a personnel commissioner is not considered a public employee. Ms. Barreras asked if Mr. Taylor researched other districts, such as K-12s. He said he did and they conduct the interviews in open session.

Mr. Rowe clarified issues regarding bargaining. Education Code 8808 specifically states anything contained in a bargaining agreement is not the purview of the Personnel Commission. Mr. Patterson says it is still a part of the district's established

Resolution Authorizing  
Administration to Seek  
Opinion from the  
Attorney General  
[12-04]  
Action  
(continued)

negotiations, labor relations process and agreements. It is a bargaining issue to change it. Mr. Rowe said that is not correct. Education 88138 identifies how a commission is created or disassembled.

Ms. Smith asked how other district entities handle their appointments. Mr. Taylor could not address how CSEA appoints their representative, but stated the Commission interviews and appoints their appointee in public.

Mr. Feaver asked for a motion to adopt a resolution authorizing administration to seek an opinion from the state Attorney General. No motion was made. The resolution failed for lack of a motion.

Mr. Patterson stated he was going to continue to pursue the issue with the Attorney General.

Reports of Board  
Members

Trustee Nishinaka reported the following:

- He attended the North Centers and Fresno City College's pinning ceremonies
- He attended the holiday luncheons at Reedley College and the district
- He attended the Reedley College jazz concert in December
- He attended the district workshop on the prevention of harassment and discrimination
- He thanked Bill Turini for his service on the academic senate and his leadership for the past several years.

Mr. Feaver stated Ms. Barreras is interested in continuing to serve on the ACCT diversity committee. The Board supported this request.

Future Agenda Items

Ms. Smith stated the district needs to intensify its efforts in diversity. She recommends that the district conduct a diversity self-study. She also requested a presentation to the Board on placement testing.

Ms. Barreras would like the Board to review the student success taskforce recommendations

Delegations, Petitions,  
and Communications

None

Closed Session

President Feaver stated that in closed session the Board would be discussing:

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE,  
Pursuant to Government Code Section 54957



Closed Session  
(continued)

- B. CONFERENCE WITH LABOR NEGOTIATOR [SCFT, Full-time Bargaining Unit; SCFT Part-time Bargaining Unit; California School Employees Association Bargaining Unit; and SCCCDC Peace Officers Association]: Randy Rowe, Pursuant to Government Code Section 54957.6
- C. PUBLIC EMPLOYMENT, pursuant to Government Code Section 54957;
  - 1. Interim Dean of Students, North Centers

Mr. Feaver called a recess at 6:15 p.m.

Open Session

The Board moved into open session at 6:25 p.m.

Report of Closed  
Session

President Feaver stated there was no action to report from closed session.

Consideration to  
Appoint Interim Dean  
of Students, North  
Centers  
[12-05]  
Action

A motion was made by Mr. Nishinaka and seconded by Mr. Patterson that the Board appoint Dr. Erica Johnson as the interim dean of students, North Centers, with placement on the management salary schedule at Range 62 Step 8 (\$11,303 monthly), effective January 11, 2012.

The motion carried without dissent.

Adjournment

The meeting was adjourned at 7:59 p.m. with the consent of the Board.

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Richard Caglia  
Secretary, Board of Trustees  
State Center Community College District

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT:    Employment, Retirement, Change of Status,  
                 Academic Personnel

ITEM NO. 12-04HR

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EXHIBIT:    Academic Personnel Recommendations

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Recommendation:

It is recommended that the Board of Trustees approve the academic personnel recommendations, Items A through C, as presented.

ACADEMIC PERSONNEL RECOMMENDATIONS

A. Recommendation to employ the following persons:

Name	Campus	Class & Step	Salary	Position
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Medhurst, Nigel W.	FCC	V, 5	\$28,196	English Instructor
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(Current Adjunct Faculty)  
(One-Semester Temporary – February 8, 2012 through May 18, 2012)

Paul, Heather L.	FCC	II, 1	\$20,721	Reading Instructor
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(Current Adjunct Faculty)  
(One-Semester Temporary – February 8, 2012 through May 18, 2012)

Shepherd, Jamie L.	FCC	II, 2	\$21,723	Mathematics Instructor
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(Current Adjunct Faculty)  
(One-Semester Temporary – February 8, 2012 through May 18, 2012)

Valencia III, Carlos	FCC	IV, 6	\$28,042	Mathematics Instructor
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(Current Adjunct Faculty)  
(One-Semester Temporary – February 8, 2012 through May 18, 2012)

B. Recommendation to accept the resignation for the purpose of retirement from the following person:

Name	Campus	Effective Date	Position
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Hopkins, Amanda	DO	June 30, 2012	Director, State Center Consortium
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C. Recommendation to accept change of status for the following person:

Name	Campus	Effective Date	Position
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Kulbeth, Jean	FCC	August 9, 2012	Dental Hygiene Instructor
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(Reduction to part-time employment status prior to retirement per Article XVIII, Section 4 of the SCFT Collective Bargaining Unit Contract)

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Employment, Promotion, Change of Status,  
Leave of Absence, Resignation, Retirement,  
Classified Personnel

ITEM NO. 12-05HR

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EXHIBIT: Classified Personnel Recommendations

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Recommendation:

It is recommended that the Board of Trustees approve the classified personnel recommendations, Items A through I, as presented.

CLASSIFIED PERSONNEL RECOMMENDATIONS

A. Recommendation to employ the following persons as probationary:

Name	Location	Classification	Range/Step/Salary	Date
Crable, Gayle	WI	Bookstore Sales Clerk I - Seasonal Position No. 8114	37-A \$13.98/hr.	01/03/2012
Fuller, Patience	WI	Bookstore Sales Clerk I - Seasonal Position No. 8042	37-A \$13.98/hr.	01/03/2012
Harris, Laura	WI	Early Childhood Education Specialist Position No. 5015	53-A \$3,580.50	01/03/2012
Rickerd, Kaitlin	FCC	Sign Language Interpreter IV Position No. 8086	53-A \$20.66/hr.	01/03/2012
Mull, Kendra	RC	Instructional Aide - Child Development Lab (PPT) Position No. 3073	38-A \$14.32/hr.	01/17/2012
Meza, Ulises	FCC	Instructional Technician - Art Position No. 2479	50-A \$3,333.42	01/23/2012
Shubin, Helen	FCC	Custodian Position No. 2140	41-A \$2,666.58	01/23/2012

B. Recommendation to employ the following persons as provisional – filling vacant position of permanent full-time or permanent part-time pending recruitment/selection, or replacing regular employee on leave.

Name	Location	Classification	Hourly Rate	Date
Roth, Victoria	DO	Human Resources Technician Position No. 1040	51-A (Confidential) \$21.06/hr.	12/09/2011
Leitch, Daniel	WI	Instructional Technician – Microcomputer Lab Position No. 5012	50-A \$19.23/hr.	12/16/2011
Koch, Leila	FCC	Department Secretary Position No. 2232	44-A \$16.58/hr.	01/03/2012
Vang, Sonny	FCC	Bookstore Sales Clerk I Position No. 2086	37-A \$13.98/hr.	01/03/2012

- B. Recommendation to employ the following persons as provisional – filling vacant position of permanent full-time or permanent part-time pending recruitment/selection, or replacing regular employee on leave (cont'd).

Name	Location	Classification	Hourly Rate	Date
Vasquez, Crystal	RC	Office Assistant III Position No. 3006	48-A \$18.32/hr.	01/03/2012
Hynard, Terry	RC	Instructional Technician – Microcomputer Lab Position No. 3037	50-A \$19.23/hr.	01/04/2012
Ramirez, Connie	MC	Bookstore Sales Clerk I – Seasonal Position No. 8054	37-A \$13.98/hr.	01/04/2012
Alvarez, Linda	RC	Bookstore Sales Clerk I – Seasonal Position No. 8044	37-A \$13.98/hr.	01/06/2012
Fletes, Diana	MC	Bookstore Sales Clerk I – Seasonal Position No. 8055	37-A \$13.98/hr.	01/07/2012
Kelch, Calvin	WI	Reg-To-Go Orientation Assistant Position No. 5035	41-A \$15.38/hr.	01/09/2012
Nichols, Steven	RC	General Utility Worker Position No. 3058	43-A \$16.19/hr.	01/09/2012
Suvanto, Marci	FCC	Administrative Aide Position No. 2060	53-A \$20.66/hr.	01/09/2012
Marklund, Danielle	FCC	Bookstore Sales Clerk I – Seasonal Position No. 8009	37-A \$13.98/hr.	01/11/2012
Murrietta, Jason	RC	Instructional Aide Position No. 3092	32-A \$12.35/hr.	01/12/2012

- C. Recommendation to employ the following persons as limited term (Ed Code 88105):

Name	Location	Classification	Range/Step/Salary	Date
Anderson, Amy	DO	International Trade Specialist Position No. 1204	60-A \$24.53/hr.	01/13/2012

D. Recommendation to employ the following persons as retiree/hourly (Ed Code 88034):

Name	Location	Classification	Hourly Rate	Date
Archuleta, Irene	MC	Administrative Aide	\$26.96/hr.	01/03/2012
Kast, Nancy	DO	Director of Classified Personnel	\$55.38/hr.	01/03/2012

E. Recommendation to approve the promotion of the following regular employees:

Name	Location	Classification	Range/Step/Salary	Date
Vang, Maiku	RC	Office Assistant I Position No. 3102 to Office Assistant II Position No. 3102	38-A \$2,481.58 to 41-B \$2,805.50	12/01/2011

(Alternate series promotion per PC rule 3-9.5)

F. Recommendation to approve the change of status of the following regular employees:

Name	Location	Classification	Range/Step/Salary	Date
Aguilar, Norma	FCC	Financial Aid Assistant II Position No. 2104 to Director of Financial Aid Position No. 2854	60-E \$5,317.08 to 60-E + 15% \$6,110.92	09/08/2011 thru 10/21/2011
(Additional compensation for working out of class per Article 33, Section 8)				
Lorenzano, Adelfa	RC	College Center Assistant Position No. 3086 to College Relations Specialist Position No. 3086	57-E \$4,876.50 to 69-A \$5,364.75	10/01/2011 thru 11/30/2011
(Additional compensation for working out of class per Article 33, Section 8)				
Bruce, Eleanor	FCC	Accounting Clerk III Position No. 2073 to Accounting Technician I Position No. 2073	48-E \$4,028.67 to 57-B \$4,327.73	10/04/2011 thru 11/07/2011
(Additional compensation for working out of class per Article 33, Section 8)				
Florez, Abrian	FCC	Lead Custodian Position No. 2220 to Custodial Manager Position No. 2119	46-E \$3,765.42 to 46-E +15% \$4,330.25	11/21/2011 thru 12/21/2011
(Additional compensation for working out of class per Article 33, Section 8)				
Hawkins, Reynani	FCC	Student Services Specialist Position No. 2130 to Admissions & Records Manager Position No. 2166	52-D \$4,054.42 to 52-D + 15% \$4,662.58	01/03/2012 thru 06/29/2012
(Additional compensation for working out of class per Article 33, Section 8)				

F. Recommendation to approve the change of status of the following regular employees (cont'd):

Name	Location	Classification	Range/Step/Salary	Date
Klimek, Anastascia	RC	Director of EOP&S	54-E + 15%	01/03/2012
		Position No. 3612 to EOPS OASIS Assistant Position No. 3152	\$5,129.83 to 54-E \$4,460.75	
(Return to regular assignment)				
McKibben, Shannon	FCC	Secretary to the President	58-D (Confidential)	01/03/2012
		Position No. 2211 to Administrative Assistant Position No. 2045	\$5,526.67 to 55-E \$5,015.92	
(Return to regular assignment)				
Edwards, Sandi	DO	Human Resources Assistant	57-E (Confidential)	01/05/2012
		Position No. 1002 to HR/MIS Data Researcher Position No. 1018	\$5,328.08 to 63-D (Confidential) \$5,866.50	
(Additional compensation for working out of class per PC Rule 3-15)				
Garza, Frances	DO	HR/MIS Data Researcher	63-A (Confidential)	01/13/2012
		Position No. 1018 to Human Resources Technician Position No. 1040	\$4,930.67 to 51-E (Confidential) \$4,455.33	
(Return to regular assignment)				
Alaniz, Stephanie	FCC	Department Secretary	44-E	01/17/2012
		Position No. 2011 to Administrative Aide Position No. 2044	\$3,496.83 to 53-B \$3,762.67	
(Additional compensation for working out of class per Article 33, Section 8)				
Cooley, Jody	RC	Instructional Technician – Farm Lab	50-E	01/24/2012
	DO	Position No. 3051 to Groundskeeper III Position No. 1073	\$4,358.50 to 50-E \$4,358.50	
(Return to regular assignment)				
Gonzalez- Martinez, Mario	DO	Groundskeeper III	50-D	01/24/2012
		Position No. 1073 to Groundskeeper II Position No. 1078	\$3,957.25 to 46-E \$3,773.58	
(Return to regular assignment)				



F. Recommendation to approve the change of status of the following regular employees (cont'd):

Name	Location	Classification	Range/Step/Salary	Date
Mosqueda, Susan	FCC	Office Assistant III Position No. 2051 to Office Assistant II Position No. 2194	48-C \$3,596.83 to 41-E \$3,348.75	02/01/2012

(Return to regular assignment)

G. Recommendation to approve the leave of absence of the following employee (regular):

Name	Location	Classification	Date
Hopkins, Michael	FCC	Job Developer Position No. 2116	01/08/2012

(Unpaid health leave of absence per Article 14 of the CSEA contract)

H. Recommendation to accept the resignation of the following regular employees:

Name	Location	Classification	Date
Kepford, Robert	DO	Webmaster Position No. 1149	12/02/2011
Duran, Jaime	FCC	Educational Advisor Position No. 2108	12/23/2011
Cobb, Aaren	RC	Instructional Aide (PPT) Position No. 3153	01/06/2012
Gonzalez, Alberto Jr.	FCC	Bookstore Sales Clerk I – Seasonal Position No. 8013	01/13/2012
Martinez, Ernie Jr.	FCC	Custodian Position No. 2189	01/31/2012
Ross, Alisha	WI	College Center Assistant Position No. 5045	02/03/2012

I. Recommendation to accept the resignation for the purpose of retirement for the following regular employees:

Name	Location	Classification	Date
Rice, Mary	FCC	Student Services Specialist Position No. 2129	01/05/2012

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Consideration to Approve Reorganization of Vacant Instructional Aide Position #3092 to Physical Education Attendant, Reedley College

ITEM NO. 12-06HR

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EXHIBIT: None

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Background:

Instructional Aide position #3092 is currently vacant at Reedley College. This position provides support to the physical education department. A review was conducted by the college and human resources to assess the duties and requirements of the position. This instructional aide position (range 32) has been performing the same duties as the physical education attendant position (range 43) at Fresno City College. The physical education attendant classification is designed to perform duties related to the maintenance, issuance and set up of physical education equipment, following general instructions or procedures; whereas the instructional aide classification is designed to have closer supervision while assisting in the operation and maintenance of the instructional program. Therefore, for internal equity purposes, the Reedley College administration is requesting this reorganization of the vacant position.

Examples of Duties:

Duties include setting up for various physical education classes; repairing and maintaining working condition of various physical education equipment; washing, drying and folding towels and athletic team uniforms; issuing and receiving physical education supplies and equipment; ordering, receiving and processing supplies and equipment. This position also assigns and reviews the work of students assigned to the department; and perform other related duties, as needed.

Recommendation:

It is recommended the Board of Trustees approve the reorganization of Instructional Aide position #3092 to that of Physical Education Attendant, Reedley College, effective February 8, 2012.

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Consideration to Approve Reorganization of Vacant Instructional Aide Position #4019 to Library Learning Resource Assistant I, Madera Center

ITEM NO. 12-07HR

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EXHIBIT: None

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Background:

Instructional Aide position #4019 is currently vacant at the Madera Center. This position provides support to the Library Learning Resource Center at the Madera Center. A review was conducted by the center and human resources to assess the duties and requirements of the position. This instructional aide position (range 32) has been performing the same duties as the library learning resource assistant I position (range 38) at the other colleges. The library learning resource assistant I position is designed to perform duties related to a wide variety of clerical work, including typing, proof reading, filing, and assists instructors with student records and materials, with less supervision; whereas the instructional aide classification is designed to have closer supervision while assisting in the operation and maintenance of the instructional program. Therefore, for internal equity purposes, the Madera Center administration is requesting this reorganization of the vacant position.

Examples of Duties:

Duties include performing a wide variety of clerical work, as follows:

- Typing, proof reading, filing, and checking and recording information on records from rough drafts, notes, or general instructions;
- Maintaining files and assisting instructors with student records and instructional materials;
- Operating a variety of machines including movie, slide and overhead projectors, tape recorders, and other audio-visual equipment;
- Answering telephone and providing basic information regarding services;
- Receiving and checking in periodicals, films, and books according to the order;
- Contacting suppliers for error/omissions in shipment;
- Assisting in the location and check-out of materials;
- Entering and retrieving data from computer system in appropriate format; and
- Performing other related duties, as needed.

Item No. 12-07HR

Page 2

Recommendation:

It is recommended that Board of Trustees approve the reorganization of Instructional Aide position #4019 to that of Library Learning Resource Assistant I, Madera Center, effective February 8, 2012.

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Review of District Warrants and Checks

ITEM NO. 12-04G

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EXHIBIT: None

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Recommendation:

It is recommended the Board of Trustees review and approve the warrants register for the following accounts:

<u>Account:</u>	<u>Amount:</u>	<u>For the Period of:</u>
District	\$12,075,904.18	December 14, 2011 to January 17, 2012
Fresno City College Bookstore	1,349,495.02	December 13, 2011 to January 17, 2012
Reedley College Bookstore	999,380.99	December 13, 2011 to January 17, 2012
Fresno City College Co-Curricular	74,571.32	December 13, 2011 to January 16, 2012
Reedley College Co-Curricular	52,793.15	December 13, 2011 to January 13, 2012
Total:	<u>\$14,552,144.66</u>	

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Financial Analysis of Enterprise  
and Special Revenue Operations

ITEM NO. 12-05G

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EXHIBIT: Financial Analysis

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Background:

The Enterprise and Special Revenue Operations report for the quarter ended December 31, 2011, consists of a combined balance sheet and combined statement of revenues and expenditures for the enterprise operations, which consists of the bookstores at Fresno City and Reedley College and the special revenue operations, which consists of the Reedley College cafeteria and residence hall. All operations reflect a negative financial position with expenditures exceeding revenues.

The enclosed statements are provided for Board information only. No action is required.

**STATE CENTER COMMUNITY COLLEGE DISTRICT  
ENTERPRISE & SPECIAL REVENUE OPERATIONS  
STATEMENT OF REVENUE & EXPENDITURES  
Period Ending DECEMBER 31, 2011**

	ENTERPRISE			SPECIAL REVENUE		
	FCC BOOKSTORE*	RC BOOKSTORE*	TOTAL	RC CAFETERIA*	RC RESIDENCE HALL*	TOTAL
<b>TOTAL SALES</b>	\$ 2,565,862	\$ 1,808,347	\$ 4,374,209	\$ 349,890	\$ 227,747	\$ 577,637
<b>LESS COST OF GOODS SOLD</b>						
Beginning Inventory	\$ 791,026	\$ 871,595	\$ 1,662,621	\$ 26,278	-	\$ 26,278
Purchases	3,456,024	2,210,387	5,666,411	149,946	-	149,946
Sub-Total	4,247,050	3,081,982	7,329,032	176,224	-	176,224
Ending Inventory	2,332,840	1,718,706	4,051,546	22,512	-	22,512
Cost of Sales	1,914,210	1,363,276	3,277,486	153,712	-	153,712
<b>GROSS PROFIT ON SALES</b>	\$ 651,652	\$ 445,071	\$ 1,096,723	\$ 196,178	\$ 227,747	\$ 423,925
<b>OPERATING EXPENDITURES</b>						
Salaries	\$ 369,457	\$ 300,303	\$ 669,760	\$ 149,583	\$ 95,256	\$ 244,839
Benefits	131,447	110,421	241,868	86,229	40,885	127,114
Depreciation	44,412	5,490	49,902	-	-	-
Supplies	6,234	8,415	14,649	2,046	1,057	3,103
Utilities & Housekeeping	13,379	11,194	24,573	-	53,500	53,500
Rents, Leases & Repairs	9,303	10,132	19,435	1,017	953	1,970
Other Operating	65,504	86,837	152,341	5,945	-	5,945
<b>TOTAL OPERATING EXPENDITURES</b>	\$ 639,736	\$ 532,792	\$ 1,172,528	\$ 244,820	\$ 191,651	\$ 436,471
<b>NET OPERATING REVENUE (LOSS)</b>	\$ 11,916	\$ (87,721)	\$ (75,805)	\$ (48,642)	\$ 36,096	\$ (12,546)
<b>OTHER REVENUE</b>						
Vending	-	-	-	2,450	-	2,450
Interest	-	108	108	609	2,379	2,988
Other	16,121	12,955	29,076	150	1,837	1,987
<b>OTHER EXPENSES</b>						
Transfer to Co-Curricular	72,000	-	72,000	-	-	-
Capital Outlay	-	-	-	328	135,185	135,513
<b>NET REVENUE (LOSS)</b>	<u>\$ (43,963)</u>	<u>\$ (74,658)</u>	<u>\$ (118,621)</u>	<u>\$ (45,761)</u>	<u>\$ (94,873)</u>	<u>\$ (140,634)</u>
District Provided General Fund Support				\$ 28,899	\$ 19,002	UNAUDITED

\*Does Not Include Indirect Charges

**STATE CENTER COMMUNITY COLLEGE DISTRICT  
ENTERPRISE & SPECIAL REVENUE OPERATIONS  
BALANCE SHEET  
As of DECEMBER 31, 2011**

	ENTERPRISE			SPECIAL REVENUE		
	FCC BOOKSTORE*	RC BOOKSTORE*	TOTAL	RC CAFETERIA*	RC RESIDENCE HALL*	TOTAL
<b>ASSETS</b>						
Cash in County Treasury				\$ 43,605	\$ 219,664	\$ 263,269
Cash in Bank	\$ 2,256,272	\$ 185,984	\$ 2,442,256	27,996	11,066	39,062
Revolving Cash Fund	20,200	21,000	41,200	10,500		10,500
Accounts Receivable	240,092	287,557	527,649	20,170	2,532	22,702
Due from Other Funds	700,000		700,000	4	62,681	62,685
Prepaid Expenses	6,936	6,841	13,777			-
Inventory	2,332,840	1,718,706	4,051,546	22,512		22,512
Total Current Assets	<u>\$ 5,556,340</u>	<u>\$ 2,220,088</u>	<u>\$ 7,776,428</u>	<u>\$ 124,787</u>	<u>\$ 295,943</u>	<u>\$ 420,730</u>
Fixed Assets (Net)	266,473	125,688	392,161	-	-	-
<b>TOTAL ASSETS</b>	<u><b>\$ 5,822,813</b></u>	<u><b>\$ 2,345,776</b></u>	<u><b>\$ 8,168,589</b></u>	<u><b>\$ 124,787</b></u>	<u><b>\$ 295,943</b></u>	<u><b>\$ 420,730</b></u>
<b>LIABILITIES &amp; FUND BALANCE</b>						
Accounts Payable	\$ 363,552	\$ 202,503	\$ 566,055	-	-	-
Due to Other Funds	71,366	767,315	838,681	\$ 92,333	\$ 4	\$ 92,337
Warrants Payable	-	-	-	100	4,137	4,237
Total Current Liabilities	<u>434,918</u>	<u>969,818</u>	<u>1,404,736</u>	<u>92,433</u>	<u>4,141</u>	<u>96,574</u>
Unreserved Fund Balance	3,034,855	(363,748)	2,671,107	(658)	291,802	291,144
Reserved Fund Balance	2,353,040	1,739,706	4,092,746	33,012	-	33,012
Total Fund Balance	<u>\$ 5,387,895</u>	<u>\$ 1,375,958</u>	<u>\$ 6,763,853</u>	<u>\$ 32,354</u>	<u>\$ 291,802</u>	<u>\$ 324,156</u>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<u><b>\$ 5,822,813</b></u>	<u><b>\$ 2,345,776</b></u>	<u><b>\$ 8,168,589</b></u>	<u><b>\$ 124,787</b></u>	<u><b>\$ 295,943</b></u>	<u><b>\$ 420,730</b></u>

\*Does Not Include Indirect Charges



STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Consideration to Approve Quarterly  
Budget Transfers and Adjustments Report

ITEM NO. 12-06G

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EXHIBIT: Report

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Background:

The Budget Transfers and Adjustments Report reflects budget adjustments through the period ending December 31, 2011. The adjustments represent changes to meet the ongoing needs of the district, including categorically funded programs, educational needs of the campuses, and new grants and agreements.

Recommendation:

It is recommended the Board of Trustees approve the December 31, 2011, Budget Transfers and Adjustments Report.

**STATE CENTER COMMUNITY COLLEGE DISTRICT  
GENERAL FUND - ALL FUNDING  
Revenue Budget Adjustments/Transfers  
As of 12/31/11**

	Adopted Budget	Budget Adj/Transfers	Current Budget
81000	FEDERAL REVENUES		
81200	\$ 7,244,705	\$ 767,953	\$ 8,012,658
81300	2,875,277	(173,207)	2,702,070
81400	251,494	16,570	268,064
81500	172,577	30,380	202,957
81600	17,795	-	17,795
81700	1,890,883	(18,868)	1,872,015
81990	3,944,557	506,276	4,450,833
	<u>16,397,288</u>	<u>1,129,104</u>	<u>17,526,392</u>
86000	STATE REVENUES		
86100	89,976,150	(1)	89,976,149
86200	6,903,051	382,147	7,285,198
86500	1,993,505	714,467	2,707,972
86700	500,000	-	500,000
86800	4,100,000	-	4,100,000
86900	-	-	-
	<u>103,472,706</u>	<u>1,096,613</u>	<u>104,569,319</u>
88000	LOCAL REVENUES		
88100	30,000,000	-	30,000,000
88200	-	-	-
88300	462,430	191,699	654,129
88400	19,033	-	19,033
88500	57,000	-	57,000
88600	575,200	-	575,200
88700	8,630,000	-	8,630,000
88800	2,606,789	-	2,606,789
88900	1,486,580	20,500	1,507,080
	<u>43,837,032</u>	<u>212,199</u>	<u>44,049,231</u>
	<u>\$ 163,707,026</u>	<u>\$ 2,437,916</u>	<u>\$ 166,144,942</u>

**STATE CENTER COMMUNITY COLLEGE DISTRICT**  
**GENERAL FUND - ALL FUNDING**  
**Revenue Budget Adjustments/Transfers**  
**As of 12/31/11**

	Adopted Budget	Budget Adj/Transfers	Current Budget
89000 OTHER FIN SOURCES			
89100 Proceeds/Fixed Assets	-	-	-
89400 Proceeds/Long-Term Debt	-	-	-
89800 Incoming Transfers	539,400	-	539,400
Total Other Financing Sources	\$ 539,400	-	\$ 539,400
Total District Revenues	<u>\$ 164,246,426</u>	<u>\$ 2,437,916</u>	<u>\$ 166,684,342</u>

**STATE CENTER COMMUNITY COLLEGE DISTRICT  
GENERAL FUND - ALL FUNDING  
Expenditure Budget Adjustments/Transfers  
As of 12/31/11**

	Adopted Budget	Budget Adj/Transfers	Current Budget
91000	ACADEMIC SALARIES		
91100	\$ 38,536,443	\$ 2,683	\$ 38,539,126
91200	18,085,775	425,230	18,511,005
91300	13,506,612	91,953	13,598,565
91400	3,988,832	253,886	4,242,718
	<u>74,117,662</u>	<u>773,752</u>	<u>74,891,414</u>
92000	CLASSIFIED SALARIES		
92100	28,403,213	15,698	28,418,911
92200	1,609,238	5,353	1,614,591
92300	3,826,336	109,454	3,935,790
92400	1,051,791	(12,780)	1,039,011
	<u>34,890,578</u>	<u>117,725</u>	<u>35,008,303</u>
93000	BENEFITS		
93100	5,806,917	48,362	5,855,279
93200	3,610,138	10,726	3,620,864
93300	3,536,524	14,829	3,551,353
93400	17,030,497	86,891	17,117,388
93500	1,668,098	19,438	1,687,536
93600	1,873,654	15,508	1,889,162
93700	91,084	3,079	94,163
93900	143,333	-	143,333
	<u>33,760,245</u>	<u>198,833</u>	<u>33,959,078</u>
94000	SUPPLIES & MATERIALS		
94200	96,422	21,000	117,422
94300	1,742,294	92,038	1,834,332
94400	2,605,446	(51,929)	2,553,517
94500	40,657	150	40,807
	<u>4,484,819</u>	<u>61,259</u>	<u>4,546,078</u>

**STATE CENTER COMMUNITY COLLEGE DISTRICT  
GENERAL FUND - ALL FUNDING  
Expenditure Budget Adjustments/Transfers  
As of 12/31/11**

	Adopted Budget	Budget Adj/Transfers	Current Budget
95000	OTHER OPER EXPENSES		
95100	4,778,989	3,659	4,782,648
95200	2,359,266	151,602	2,510,868
95300	1,862,606	167,859	2,030,465
95400	240,070	8,132	248,202
95500	3,854,520	21,982	3,876,502
95600	1,202,080	-	1,202,080
95700	929,807	7,094	936,901
95900	1,218,121	81,094	1,299,215
	<u>16,445,459</u>	<u>441,422</u>	<u>16,886,881</u>
	Total		
96000	CAPITAL OUTLAY		
96100	-	-	-
96200	62,688	-	62,688
96400	655,763	90,320	746,083
96500	1,827,129	259,458	2,086,587
96800	254,033	44,544	298,577
	<u>2,799,613</u>	<u>394,322</u>	<u>3,193,935</u>
	Total		
	<u>\$ 166,498,376</u>	<u>\$ 1,987,313</u>	<u>\$ 168,485,689</u>
	Total General Fund Expenditures		
97000	OTHER OUTGO		
97100	-	-	-
97200	345,000	-	345,000
97300	684,000	-	684,000
97500	-	50,000	50,000
97600	1,391,988	400,292	1,792,280
97900	289,022	-	289,022
	<u>\$ 2,710,010</u>	<u>\$ 450,292</u>	<u>\$ 3,160,302</u>
	Total Other Outgo		
	<u>\$ 169,208,386</u>	<u>\$ 2,437,605</u>	<u>\$ 171,645,991</u>
	Total District Expenditures		

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Consideration of Bids, Business Education  
Computer Lab Air Conditioning Installation,  
Fresno City College

ITEM NO. 12-07G

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EXHIBIT: None

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Background:

Bid #1112-06 provides for the work needed to deliver additional cooling to two classrooms in the Business Education building at Fresno City College. Project work consists of new ductwork, piping, bracing, and installation of new split system air conditioners to convert the two business education classrooms into computer labs. The project also consists of the installation of new electrical, data ports, communication, and cabling in support of the remodeled computer labs. This project was necessitated by the need to provide sufficient cooling and data infrastructure to support the business education computer labs.

Funding for this project will be provided by Fresno City College decision package funds. Bids were received from four contractors as follows:

<u>Bidder</u>	<u>Award Amount</u>
<b>Patton Air Conditioning</b>	<b>\$46,976.00</b>
Strategic Mechanical, Inc.	\$47,000.00
New England Sheet Metal Works, Inc.	\$50,916.00
Nolte Sheet Metal, Inc.	\$64,000.00

Fiscal Impact:

\$46,976.00 – State Scheduled Maintenance and Repair Program

Recommendation:

It is recommended the Board of Trustees award Bid #1112-06 in the amount of \$46,976.00 to Patton Air Conditioning, the lowest responsible bidder for the business education computer lab A/C installation at Fresno City College, and authorize the chancellor or vice chancellor, finance and administration, to sign an agreement on behalf of the district.

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Consideration to Accept Construction Project,  
Event Parking Signage Improvements, Fresno  
City College

ITEM NO. 12-08G

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EXHIBIT: None

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Background:

The project for Event Parking Signage Improvements, Fresno City College, is now substantially complete and ready for acceptance by the Board of Trustees.

Recommendation:

It is recommended the Board of Trustees:

- a) accept the project Event Parking Signage Improvements, Fresno City College; and
- b) authorize the chancellor or her designee to file a notice of completion with the county recorder.

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Consideration to Approve Out-of-State  
Travel for Phi Theta Kappa Students,  
Fresno City College

ITEM NO. 12-09G

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EXHIBIT: None

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Background:

Fresno City College is seeking Board authorization for approximately four Phi Theta Kappa (PTK) students to attend the Phi Theta Kappa Spring 2012 Leadership Conference in Las Vegas, Nevada, from March 9-11, 2012. Phi Theta Kappa is an international honors organization with a local chapter at the Fresno City College campus. Through membership in PTK, students engage in both intellectual activities (discussions, debates, presentations) and community service. The conference offers opportunities for student PTK members to learn valuable leadership skills that will help them in their future academic endeavors and careers, and will provide students with strategies to strengthen the local chapter and make connections with other chapters in the region for future collaboration on projects. In addition, students will participate in educational British-style debates related to the new National Phi Theta Kappa study topic, "The Culture of Competition," a subject they will be addressing through various activities at the local level as well. At least one of our student members will also be running for one of the regional offices and will be participating in speeches and debates related to her leadership goals.

Funding for conference registration, travel and accommodations will be allocated from the Fresno City College PTK Club SCCC Foundation account. L.S. Peters Honors Coordinator and PTK co-advisor, Michael Roberts, will drive students to the conference in a mini-van.

Recommendation:

It is recommended that the Board of Trustees approve out-of-state travel for approximately four Fresno City College Phi Theta Kappa students to attend the 2012 Leadership Conference from March 9-11, 2012, in Las Vegas, Nevada, with the understanding that the trip will be financed without requiring expenditures of district funds.



STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Consideration to Refinance Measure E Bonds

ITEM NO. 12-08

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EXHIBIT: Resolution

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Background:

On November 5, 2002, the district successfully obtained authorization from the district's voters to issue up to \$161,000,000 in general obligation bonds to acquire, construct, improve, and equip capital facilities throughout the district. To date, the district has issued four series of bonds totaling \$131,000,000, with \$30,000,000 outstanding:

<u>Date</u>	<u>Series</u>	<u>Amount</u>
June 17, 2003	2003A	\$20,000,000
July 15, 2004	2004A	\$25,000,000
June 27, 2007	2007A	\$66,000,000
August 1, 2009	2009A & 2009B	(\$10m each) \$20,000,000

Fiscal Impact:

Interest rates are currently favorable for refinancing Series 2003A and 2004A bonds. The district will not receive any benefit from the refinancing as the benefit will go to the property owners in the form of reduced property taxes. Any costs associated with refinancing will be deducted from the total savings; therefore, the district will not incur refinancing costs. It is the administration's hope to not refinance the bonds unless there is a total net savings of \$2,000,000 to taxpayers of the bond, after refinancing costs.

Recommendation:

It is recommended the Board of Trustees:

1. adopt Resolution No. 2012-02 authorizing the vice chancellor, finance and administration to refinance series 2003A and 2004A bonds; and
2. authorize the vice chancellor, finance and administration, to refinance the bonds if there is a total net savings of \$2,000,000 to taxpayers of the bond, after refinancing costs.

STATE CENTER COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 12-08

**RESOLUTION AUTHORIZING THE ISSUANCE OF THE STATE CENTER COMMUNITY COLLEGE DISTRICT (FRESNO, MADERA, TULARE AND KINGS COUNTIES, CALIFORNIA) 2012 GENERAL OBLIGATION REFUNDING BONDS**

**WHEREAS**, a duly called election was held in the State Center Community College District (hereinafter referred to as the “District”), on November 5, 2002 (the “Authorization”) and thereafter canvassed pursuant to law;

**WHEREAS**, at such election there was submitted to and approved by a vote of more than fifty-five percent of the qualified electors of the District 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 \$161,000,000, payable from the levy of an *ad valorem* tax against the taxable property in the District;

**WHEREAS**, pursuant to the Authorization, the Board of Supervisors of Fresno County (the “County Board”), on June 17, 2003, issued on behalf of the District \$20,000,000 of State Center Community College District (Fresno County, Madera County, Tulare County and Kings County, California) General Obligation Bonds, Election of 2002, Series 2003A (the “Series 2003A Bonds”);

**WHEREAS**, pursuant to the Authorization, the County Board, on July 15, 2004, issued on behalf of the District \$25,000,000 of State Center Community College District (Fresno County, Madera County, Tulare County and Kings County, California) General Obligation Bonds, Election of 2002, Series 2004A (the “Series 2004A Bonds, and together with the Series 2003A Bonds, the “Prior Bonds”);

**WHEREAS**, pursuant to Section 53550 *et seq.* of the California Government Code, 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**, 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 whereas the indebtedness of the District, including this proposed issue of Refunding Bonds, is within all limits prescribed by law; and

**WHEREAS**, this Board desires to appoint professionals related to the issuance of the Refunding Bonds.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE STATE CENTER COMMUNITY COLLEGE DISTRICT AS FOLLOWS:**

**SECTION 1. Purpose.** To refund all or a portion of the outstanding principal amount of the Prior Bonds and to pay all necessary legal, financial, and contingent costs in connection therewith, the District hereby authorizes the issuance of the Refunding Bonds in one or more series, to be styled as the “State Center Community College District (Fresno, Madera, Tulare and Kings Counties, California) 2012 General Obligation Refunding Bonds,” in an aggregate principal amount not-to-exceed \$30,000,000.

Additional costs authorized to be paid from the proceeds of the Refunding Bonds are all of the authorized costs of issuance set forth in Section 53550(e) and (f) and Section 53587 of the Government Code.

**SECTION 2. Paying Agent.** The Board does hereby appoint The Bank of New York Mellon Trust Company, N.A. as Paying Agent (defined herein) for the Refunding Bonds on behalf of the District.

**SECTION 3. Terms and Conditions of Sale.** The Refunding Bonds are hereby authorized to be sold at a negotiated sale upon the direction of the Chancellor of the District (the “Chancellor”) or the Vice Chancellor, Finance & Administration of the District (the “Vice Chancellor”). 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 (the “Purchase Contract”) by and between the District and RBC Capital Markets, LLC (the “Representative”), as representative of itself and E. J. De La Rosa & Co., Inc. (collectively, the “Underwriters”) for the purchase and sale of the Refunding Bonds, substantially in the form on file with the Secretary or Clerk of the Board, is hereby approved and the Chancellor, the Vice Chancellor, and such other officer or employee of the District as the Chancellor may designate (collectively, 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 the maximum interest rates of the Refunding Bonds shall not exceed the maximum rate permitted by law, and the underwriting discount shall not exceed 0.5% of the aggregate principal amount of the Refunding Bonds issued, excluding therefrom original issue discount thereon and reasonable expenses of the Underwriters. 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 \$30,000,000 and to enter into and execute the Purchase Contract with the Underwriters, 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) **“Authorization”** means the authorization received by the District to issue the Prior Bonds at an election held on November 5, 2002.

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

(c) **“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.

(d) **“Bond Payment Date”** means, unless otherwise provided by the Purchase Contract, February 1 and August 1 of each year commencing August 1, 2012 with respect to the interest on the Refunding Bonds, and August 1 of each year commencing August 1, 2012 with respect to the principal payments on the Refunding Bonds.

(e) **“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.

(f) **“Depository”** means, initially, DTC, and thereafter the securities depository acting as Depository pursuant to Section 6(c) hereof.

(g) **“DTC”** means The Depository Trust Company, New York, New York, 55 Water Street, New York, New York 10041, Tel: (212) 855- 1000 or Fax: (212) 855- 7320, a limited purpose trust company organized under the laws of the State of New York, in its capacity as Depository for the Refunding Bonds.

(h) **“Escrow Agent”** means The Bank of New York Mellon Trust Company, N.A., or any other successor thereto, in its capacity as escrow agent for the Refunded Bonds.

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

(j) **“Federal Securities”** means securities as permitted, in accordance with the authorizing resolutions of the County Board pursuant to which the Prior Bonds were issued, to be deposited with the Escrow Agent for the purpose of defeasing the Prior Bonds.

(k) **“Information Services”** means Financial Information, Inc.’s “Financial Daily Called Bond Service; Standard & Poor’s J.J. Kenny Information Services’ Called Bond Service; or Mergent Inc.’s Called Bond Department.

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

(m) **“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

(n) **“Owners”** or **“Registered Owner”** means the registered owner of a Bond as set forth on the registration books maintained by the Paying Agent pursuant to Section 6 hereof.

(o) **“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.

(p) **“Paying Agent”** means The Bank of New York Mellon Trust Company, N.A., or any successor financial institution, acting as paying agent, verification agent, transfer agent, bond registrar for the Refunding Bonds.

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

(r) **“Securities Depository”** means The Depository Trust Company, 55 Water Street, New York, New York 10041, Tel: (212) 855-1000 or Fax: (212) 855-7320 with Cede & Co. as its nominee.

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

**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 or any integral multiple thereof. The Refunding Bonds will be initially registered to “Cede & Co.,” the nominee of DTC.

Each Refunding Bond shall be dated the date of delivery of the Refunding Bonds or such other date as shall appear in the Purchase Contract (the “Date of Delivery”), and shall bear interest at the rate 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 each series 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.

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

In the event that a portion of any Term Bond is optionally redeemed pursuant to Section 6(b)(i) hereof, the remaining sinking fund payments shall be reduced proportionately or as otherwise directed by the District, in integral multiples of \$5,000, in respect to the portion of such Term Bond optionally redeemed.

(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, the Purchase Contract may provide that, 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.

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.

(iv) Notice of Redemption. When 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 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 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 with respect thereto shall cease to accrue.

With respect to any notice of redemption of Refunding Bonds pursuant to Section 6(b)(i) hereof, 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, and 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 notice of redemption 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 notice of redemption was given, that such moneys were not so received.

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

(A) At least 30 but not more than 60 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.

(B) At least 30 but not more than 60 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 each of the Securities Depository.

(C) At least 30 but not more than 60 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.

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 notices may state that no representation is made as to the accuracy or correctness of the CUSIP numbers printed therein or on the Bonds.

(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 transfer 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 Notice of Redemption. 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 by the Paying Agent (or an independent escrow agent selected by the District), as provided in Section 19 hereof, so as to be available therefor on such redemption date, and if notice of redemption thereof shall have been given as aforesaid, then from and after such redemption date, interest with respect to the Refunding Bonds to be redeemed shall cease to accrue and become payable. All money held by or on behalf of the Paying Agent (or an independent escrow agent selected by the District) for the redemption of Refunding Bonds shall be held in trust for the account of the Owners of the Refunding Bonds 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 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 the register of bonds ("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).

The District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such Participant holds an interest in such 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 the 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 the Refunding Bonds, including any notice of redemption; (iii) the selection by the Depository and its Participants of the beneficial interests in the Refunding Bonds to be prepaid in the event the District redeems the 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 the Refunding Bonds. The District and the Paying Agent may treat and consider the person in whose name each Refunding Bond is registered in the Bond Register as the absolute Owner of such the 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 the 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, and premium, if any, and interest on the 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, and premium, if any, and interest on the 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 the 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 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 the Refunding Bonds and all notices with respect to such Refunding Bonds 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 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 Board of Trustees of the District, by his or her manual or facsimile signature and countersigned by the manual or facsimile signature of the Secretary to the Board, 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. There shall be attached to each Refunding Bond the legal opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, and, immediately preceding such legal opinion, a certificate executed with the manual or facsimile signature of the Secretary to the Board of Trustees, said certificate to be in substantially the following form:

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)  
Secretary, Board of Trustees

**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 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, 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 Refunding Bond may be transferred on the Bond Register only upon presentation and surrender of the Refunding 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 Refunding Bond or Refunding Bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the transfer amount of the Refunding Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

If manual 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. 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 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 Refunding Bonds during a period beginning with the opening of business on the 15th business 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 notice of redemption 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 check mailed to such Owner on the Bond Payment Date at his address as it appears on such registration books or at such other address as he may have filed with the Paying Agent for that purpose on or before the Record Date. The Owner in an aggregate principal amount of \$1,000,000 or more may request in writing to the Paying Agent that such Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date. The principal, and redemption price, if any, payable on the Refunding Bonds shall be payable upon maturity or redemption upon surrender at the designated office of the Paying Agent. The interest, principal and premiums, if any, 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. The Refunding Bonds are general obligations of the District, payable without limit as to rate or amount solely from the levy of *ad valorem* property taxes upon all property subject to taxation within the District.

**SECTION 10. Form of Refunding Bonds.** The Refunding Bonds shall be in substantially the following form, 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:

(Form of Refunding Bond)

REGISTERED  
NO.

REGISTERED  
\$

STATE CENTER COMMUNITY COLLEGE DISTRICT  
(FRESNO, MADERA, TULARE AND KINGS COUNTIES, CALIFORNIA)  
2012 GENERAL OBLIGATION REFUNDING BONDS

INTEREST RATE:                      MATURITY DATE:                      DATED AS OF:                      CUSIP  
\_\_\_\_% per annum                      August 1, \_\_\_\_\_, 2012                      \_\_\_\_\_

REGISTERED OWNER:                      CEDE & CO.

PRINCIPAL AMOUNT:

The State Center Community College District (the "District") in Fresno, Madera, Tulare and Kings Counties, 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 February 1 and August 1 of each year (the "Bond Payment Dates"), commencing August 1, 2012. 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 July 15, 2012, 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 Bank of New York Mellon Trust Company, N.A., as Paying Agent. Principal is payable upon presentation and surrender of this bond at the designated office of the Paying Agent. Interest is payable by check mailed by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown and at the address appearing on the bond register maintained by the Paying Agent at the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the "Record Date"). The Owner of Refunding Bonds in the aggregate principal amount of \$1,000,000 or more may request in writing to the Paying Agent that the Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of 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 (i) General Obligation Bonds, Election of 2002, Series 2003A and (ii) General Obligation Bonds, Election of 2002, Series 2004A; 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 Board of Trustees of the District adopted on February 7, 2012 (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* 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 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, 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 15th business 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 August 1, 20\_\_ are not subject to redemption prior to their fixed maturity dates. The Refunding Bonds maturing on or after August 1, 20\_\_ are subject to redemption on August 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 August 1, 20\_\_ are subject to mandatory sinking fund redemption on August 1 of each year on and after August 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 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 by lot by the District in such manner as the District 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 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 in any order of maturity selected by the District or, if not so selected, 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 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 payment in full for the bonds has been received; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the bonds; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay Principal and interest when due.

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 State Center Community College District, 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 Trustees of the District, and to be countersigned by the manual or facsimile signature of the Secretary of the Board of Trustees, all as of the date stated above.

STATE CENTER COMMUNITY COLLEGE  
DISTRICT

By: \_\_\_\_\_  
(Facsimile Signature)  
President, Board of Trustees

COUNTERSIGNED:

\_\_\_\_\_  
(Facsimile Signature)  
Secretary, Board of Trustees

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 \_\_\_\_\_, 2012.

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

By: \_\_\_\_\_  
Authorized Officer

ASSIGNMENT

For value received, the undersigned 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.

By: \_\_\_\_\_ (Facsimile Signature)  
Secretary to Board of Trustees

(Form of Legal Opinion)



**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 true transcript of proceedings with reference to the issuance of the Refunding Bonds, to the Underwriters 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 "State Center Community College District, 2012 General Obligation Refunding Bonds Escrow Fund" (the "Escrow Fund") established under the Escrow Agreement, 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 all as set forth in a certificate of an Authorized Officer. 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 may 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 "State Center Community College District, 2012 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. The Debt Service Fund shall be held by the County. 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 Refunding Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

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-Tax Collector of Fresno County 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 and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of 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, 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 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 "State Center Community College District 2012 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 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* 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 placed in the Debt Service Fund of the District and used for 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 Counties to take all actions necessary to levy such *ad valorem* tax in accordance with this Section 14 and Section 53559 of the Act.

**SECTION 15. Arbitrage Covenant.** The District 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.

**SECTION 16. Legislative Determinations.** 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 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 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 or Clerk 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 Underwriters 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 Underwriters 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 Underwriters are 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 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 that were past due interest components, 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 amounts transferred from the Debt Service Fund, if any, is sufficient to pay and discharge all Refunding Bonds outstanding and designated for defeasance (including all principal and interest represented thereby and prepayment 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 cash, if required, in such amount as will, in the opinion of an independent certified public accountant, together with interest to accrue thereon and moneys transferred from the Debt Service Fund, if any, together with the interest to accrue thereon, be fully sufficient to pay and discharge all Refunding Bonds outstanding and designated for defeasance (including all principal and interest represented thereby and prepayment 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 Paying Agent or an 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 (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, or "prerefunded" municipal obligations rated in the highest rating category by Moody's Investors Service or Standard & Poor's. 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 "AAA" by Standard & Poor's or "Aaa" by Moody's Investors Service.

**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 of such Refunded Bonds following the issuance of the Refunding Bonds.

(d) The Board hereby appoints The Bank of New York Mellon Trust Company, N.A. as Escrow Agent for the Refunding Bonds and approves the form of the Escrow Agreement substantially in the form on file with the Secretary or Clerk 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 either individual's execution and delivery thereof.

(e) The Board hereby appoints RBC Capital Markets, LLC and E. J. De La Rosa & Co., Inc. as Underwriters and Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, as Bond Counsel and Disclosure Counsel 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 Section 53558(b) of the Government Code.

**SECTION 21. Resolution to Treasurer-Tax Collector.** The Clerk of this Board is hereby directed to provide a certified copy of this Resolution to the Treasurer-Tax Collector of Fresno County immediately following its adoption.

**SECTION 22. 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 the date of issuance and delivery of the Refunding Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Any Bondholder 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 Refunding Bonds.

**SECTION 23. Recitals.** All the recitals in this Resolution above are true and correct and this Board so finds, determines and represents.

**SECTION 24. Effective Date.** This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 7<sup>th</sup> day of February, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

---

President, Board of Trustees  
State Center Community College District

Attest:

---

Secretary to Board of Trustees  
State Center Community College District

SECRETARY'S CERTIFICATE

I, \_\_\_\_\_, Secretary to the Board of Trustees of the State Center Community College District, hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Trustees of said District duly and regularly and legally held at the regular meeting place thereof on February 7, 2012, 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: \_\_\_\_\_, 2012

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Secretary

**NEW ISSUE -- FULL BOOK-ENTRY**

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

*In the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California ("Bond Counsel"), under existing statutes, regulations, rulings and judicial decisions, and assuming the accuracy of certain representations and compliance with certain covenants and requirements described herein, interest (and original issue discount) on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. In the further opinion of Bond Counsel, interest (and original issue discount) on the Bonds is exempt from State of California personal income tax. See "TAX MATTERS" with respect to tax consequences relating to the Bonds.*

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

**STATE CENTER COMMUNITY COLLEGE DISTRICT  
 (Fresno, Madera, Tulare and Kings Counties, California)  
 2012 General Obligation Refunding Bonds**

**Dated: Date of Delivery**

**Due: August 1, as shown below**

*This cover page contains information for quick reference only. It is not a summary of this issue. Investors must read the entire official statement to obtain information essential to the making of an informed investment decision. Capitalized terms used in this cover page and not otherwise defined shall have the meanings set forth herein.*

The State Center Community College District 2012 General Obligation Refunding Bonds (the "Bonds"), in the aggregate principal amount of \$ \_\_\_\_\_\* are being issued by the State Center Community College District (the "District") to (i) advance refund a portion of the District's outstanding General Obligation Bonds, Election of 2002, Series 2003A, (ii) advance refund a portion of the District's outstanding General Obligation Bonds, Election of 2002, Series 2004A, and (iii) to pay the costs associated with the issuance of the Bonds.

The Bonds represent general obligations of the District, payable solely from *ad valorem* property taxes. The Boards of Supervisors of each of Fresno, Madera, Tulare and Kings Counties (collectively, the "Counties") are empowered and obligated to annually levy *ad valorem* taxes for the payment of the principal of and interest on the Bonds upon all property subject to taxation by the District without limitation of rate or amount (except as to certain personal property which is taxable at limited rates).

The Bonds will be issued in book-entry form only, and will be initially issued and registered in the name of Cede & Co. as nominee of The Depository Trust Company, New York, New York (collectively referred to herein as "DTC"). Purchasers of the Bonds (the "Beneficial Owners") will not receive physical certificates representing their interests in the Bonds.

Interest on the Bonds accrues from the date of delivery and is payable semiannually on February 1 and August 1 of each year, commencing August 1, 2012. Principal is due on August 1 of the years and in the amounts set forth below. Payment to owners of \$1,000,000 or more in principal amount of the Bonds, at the owner's option, will be made by wire transfer. The Bonds are issuable as fully registered Bonds in denominations of \$5,000 principal amount or any integral multiple thereof.

Payments of principal of and interest on the Bonds will be made by The Bank of New York Mellon Trust Company, N.A., as the designated paying agent, bond registrar, transfer agent and authentication agent (the "Paying Agent"), to DTC for subsequent disbursement to DTC Participants (defined herein) who will remit such payments to the Beneficial Owners of the Bonds. See "THE BONDS – Book-Entry Only System."

**The Bonds are subject to optional redemption and mandatory sinking fund redemption as further described herein.**

**MATURITY SCHEDULE\***

Base CUSIP†: \_\_\_\_\_

\$ \_\_\_\_\_ Serial Bonds

<u>Maturity</u> <u>(August 1)</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>Yield</u>	<u>CUSIP</u> †
\$ _____	_____ %	_____ %	_____ %	_____

*The Bonds are offered when, as and if issued, and received by the Underwriters subject to the approval as to their legality by Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, Bond Counsel and Disclosure Counsel. Certain matters will be passed on for the Underwriters by Fulbright & Jaworski L.L.P., Los Angeles, California. The Bonds, in book-entry form, will be available for delivery through the facilities of DTC in New York, New York on or about \_\_\_\_\_, 2012.*

**RBC Capital Markets**

**De La Rosa & Co.**

Dated: \_\_\_\_\_, 2012

\* Preliminary, subject to change.

† CUSIP is a registered trademark of the American Bankers Association. CUSIP data herein is provided by CUSIP Global Services, managed by Standard & Poor's Financial Services LLC on behalf of The American Bankers Association. This data is not intended to create a database and does not serve in any way as a substitute for CUSIP Services. Neither the Underwriters nor the District is responsible for the selection or correctness of the CUSIP numbers set forth herein.

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



This Official Statement does not constitute an offering of any security other than the original offering of the Bonds of the District. No dealer, broker, salesperson or other person has been authorized by the District to give any information or to make any representations other than as contained in this Official Statement, and if given or made, such other information or representation not so authorized should not be relied upon as having been given or authorized by the District.

The issuance and sale of the Bonds have not been registered under the Securities Act of 1933 or the Securities Exchange Act of 1934, both as amended, in reliance upon exemptions provided thereunder by Section 3(a)2 and 3(a)12, respectively, for the issuance and sale of municipal securities. This Official Statement does not constitute an offer to sell or a solicitation of an offer to buy in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

Certain information set forth herein has been obtained from sources outside the District which are believed to be reliable, but such information is not guaranteed as to accuracy or completeness, and is not to be construed as a representation by the District. The information and expressions of opinions herein are subject to change without notice and neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District since the date hereof. This Official Statement is submitted in connection with the sale of the Bonds referred to herein and may not be reproduced or used, in whole or in part, for any other purpose.

When used in this Official Statement and in any continuing disclosure by the District in any press release and in any oral statement made with the approval of an authorized officer of the District or any other entity described or referenced in this Official Statement, the words or phrases “will likely result,” “are expected to,” “will continue,” “is anticipated,” “estimate,” “project,” “forecast,” “expect,” “intend” and similar expressions identify “forward looking statements” within the meaning of the Private Securities Litigation Reform Act of 1995. Such statements are subject to risks and uncertainties that could cause actual results to differ materially from those contemplated in such forward-looking statements. Any forecast is subject to such uncertainties. Inevitably, some assumptions used to develop the forecasts will not be realized and unanticipated events and circumstances may occur. Therefore, there are likely to be differences between forecasts and actual results, and those differences may be material.

The Underwriters have provided the following sentence for inclusion in this Official Statement:

“The Underwriters have reviewed the information in this Official Statement pursuant to their responsibilities to investors under the federal securities laws, but the Underwriters do not guarantee the accuracy or completeness of such information.”

IN CONNECTION WITH THIS OFFERING, THE UNDERWRITERS MAY OVERALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICES OF THE BONDS AT LEVELS ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME. THE UNDERWRITERS MAY OFFER AND SELL THE BONDS TO CERTAIN SECURITIES DEALERS AND DEALER BANKS AND BANKS ACTING AS AGENT AT PRICES LOWER THAN THE PUBLIC OFFERING PRICES STATED ON THE COVER PAGE OR INSIDE COVER PAGE AND SAID PUBLIC OFFERING PRICES MAY BE CHANGED FROM TIME TO TIME BY THE UNDERWRITERS.

The District maintains a website. However, the information presented on such website is not part of this Official Statement, is not incorporated herein by any reference, and should not be relied upon in making an investment decision with respect to the Bonds.

**STATE CENTER COMMUNITY COLLEGE DISTRICT**

**Board of Trustees**

H. Ronald Feaver, *President*  
William J. Smith, *Vice President*  
Richard M. Caglia, *Secretary*  
Isabel Barreras, *Trustee*  
Ronald H. Nishinaka, *Trustee*  
Patrick E. Patterson, *Trustee*  
Dorothy Smith, *Trustee*

**District Administration**

Dr. Deborah G. Blue, *Chancellor*  
Edwin Eng, *Vice Chancellor, Finance and Administration*  
Tony Cantu, *President, Fresno City College*  
Dr. Mitjil Carvalho Capet, *President, Reedley College*  
Dr. Terry Kershaw, *Vice Chancellor, North Centers/President Designate, Madera Center*

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**PROFESSIONAL SERVICES**

**Bond Counsel and Disclosure Counsel**

Stradling Yocca Carlson & Rauth,  
a Professional Corporation  
*San Francisco, California*

**Underwriters**

RBC Capital Markets, LLC  
*Los Angeles, California*

E. J. De La Rosa & Co., Inc.  
*Los Angeles, California*

**Paying Agent**

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

**Verification Agent**

Grant Thornton, LLP  
*Minneapolis, Minnesota*

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**STATE CENTER COMMUNITY COLLEGE DISTRICT**  
**(Fresno, Madera, Tulare and Kings Counties, California)**  
**2012 General Obligation Refunding Bonds**

**INTRODUCTION**

This Official Statement, which includes the cover page and appendices hereto, provides information in connection with the sale of State Center Community College District (Fresno, Madera, Tulare and Kings Counties, California) 2012 General Obligation Refunding Bonds (the “Bonds”).

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

**The District**

The State Center Community College District (the “District”) was established on July 1, 1964 and currently serves an area of approximately 5,580 square miles in Fresno County, California (the “County”), as well as part of Madera County, Tulare County and Kings County (together with the County, the “Counties”). The District serves a population area in excess of one million residents and is headquartered adjacent to the Fresno City College campus in central Fresno. The District operates two community colleges: Fresno City College and Reedley College. The District also operates regional educational centers in Oakhurst and Madera, as well as the Willow International and Career & Technology Centers in Fresno. For fiscal year 2011-12, the District has a projected enrollment of \_\_\_\_\_ students and an assessed valuation of \$\_\_\_\_\_. See “STATE CENTER COMMUNITY COLLEGE DISTRICT” for information regarding the District generally and “TAX BASE FOR REPAYMENT OF BONDS” for information regarding the District’s assessed valuation.

The governing board of the District is the Board of Trustees (the “Board”). The Board includes seven voting members elected by the voters of the District. The Trustees serve four-year terms. Elections for positions to the Board are held every two years, alternating between three and four available positions. The management and policies of the District are administered by a Chancellor appointed by the Board. Dr. Deborah G. Blue is currently serving as the District’s Chancellor. See “STATE CENTER COMMUNITY COLLEGE DISTRICT.”

**Security and Sources of Payment for the Bonds**

The Bonds are general obligations of the District, payable solely from the proceeds of *ad valorem* property taxes. The Boards of Supervisors of each of the Counties are empowered and obligated to annually levy *ad valorem* taxes for the payment of the principal of and interest on the Bonds upon all property within the District subject to taxation by the District, without limitation as to rate or amount (except for certain personal property which is taxable at limited rates). See “THE BONDS – Security and Sources of Payment.”

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\* Preliminary, subject to change.

## Purpose of Issue

The proceeds of the Bonds will be used to (i) advance refund a portion of the District's outstanding General Obligation Bonds, Election of 2002, Series 2003A (the "2003A Bonds"), (ii) advance refund a portion of the District's outstanding General Obligation Bonds, Election of 2002, Series 2004A (the "2004A Bonds"), and (iii) pay certain costs associated with the issuance of the Bonds. The portions of the 2003A and 2004A Bonds to be refunded with the proceeds of the Bonds are referred to herein as the "Refunded Bonds."

## Description of the Bonds

**Form, Registration and Denomination.** The Bonds will be issued in fully registered form only (without coupons), initially registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and will be available to actual purchasers of interests in the Bonds (the "Beneficial Owners") through the book-entry only system maintained by DTC, only through brokers and dealers who are or act through DTC Participants (defined herein). Beneficial Owners will not be entitled to receive physical delivery of the Bonds. See "THE BONDS – Book-Entry Only System." In event that the book-entry only system described herein is no longer used with respect to the Bonds, the Bonds will be registered in accordance with the Resolution (defined herein). See "THE BONDS – Transfer and Exchange of Bonds."

Individual purchases of interests in the Bonds will be available to purchasers of the Bonds in denominations of \$5,000 principal amount or any integral multiple thereof.

**Redemption.\*** The Bonds maturing on or after August 1, 20\_\_\* are subject to redemption prior to their respective stated maturity dates, at the option of the District, from any source of funds, on August 1, 20\_\_\* or on any date thereafter, as a whole or in part. The Term Bonds are subject to mandatory sinking fund redemption as further described herein. See "THE BONDS– Redemption."

**Payments.** Interest on the Bonds accrues from their initial date of delivery, and is payable semiannually on each February 1 and August 1 (each a "Bond Payment Date"), commencing August 1, 2012. Principal on the Bonds is payable on August 1 in the amounts and years as set forth on the cover page hereof. Payments of the principal of and interest on the Bonds will be made by The Bank of New York Mellon Trust Company, N.A., the designated paying agent, bond registrar, authenticating agent and transfer agent (the "Paying Agent"), to DTC for subsequent disbursement through DTC Participants to the Beneficial Owners of the Bonds. See "THE BONDS – Book-Entry Only System."

## Tax Matters

In the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California ("Bond Counsel"), based on existing statutes, regulations, rulings and judicial decisions, and assuming the accuracy of certain representations and compliance with certain covenants and requirements described herein, interest (and original issued discount) on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. In the further opinion of Bond Counsel, interest (and original issued discount) on the Bonds is exempt from State of California personal income tax. See "TAX MATTERS" herein with respect to tax consequences relating to the Bonds.

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\* Preliminary, subject to change.

## **Authority for Issuance of the Bonds**

The Bonds are issued pursuant to certain provisions of the State of California Government Code and other applicable law, and pursuant to a resolution adopted by the Board of Trustees of the District. See “THE BONDS – Authority for Issuance.”

## **Offering and Delivery of the Bonds**

The Bonds are offered when, as and if issued, subject to approval as to the validity by Bond Counsel. It is anticipated that the Bonds will be available for delivery through the facilities of DTC in New York, New York on or about \_\_\_\_\_ 2012.

## **Continuing Disclosure**

The District will covenant for the benefit of holders of the Bonds to make available certain financial information and operating data relating to the District and to provide notices of the occurrence of certain enumerated events, in order to assist the Underwriters in complying with S.E.C. Rule 15c2-12(b)(5) (the “Rule”). See “LEGAL MATTERS – Continuing Disclosure.” The specific nature of the information to be made available and of the notices of listed events required to be provided are summarized in APPENDIX C.

## **Professionals Involved in the Offering**

Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California is acting as Bond Counsel and Disclosure Counsel to the District with respect to the Bonds. Stradling Yocca Carlson & Rauth will receive compensation from the District contingent upon the sale and delivery of the Bonds. Certain matters will be passed on for the Underwriters (defined herein) by Fulbright & Jaworski L.L.P., Los Angeles, California. Grant Thornton, LLP, Minneapolis, Minnesota, is acting as verification agent for the Bonds.

## **Forward Looking Statements**

Certain statements included or incorporated by reference in this Official Statement constitute “forward-looking statements” within the meaning of the United States Private Securities Litigation Reform Act of 1995, Section 21E of the United States Securities Exchange Act of 1934, as amended, and Section 27A of the United States Securities Act of 1933, as amended. Such statements are generally identifiable by the terminology used such as “plan,” “expect,” “intend,” “estimate,” “project,” “budget” or other similar words. Such forward-looking statements include, but are not limited to, certain statements contained in the information regarding the District herein.

THE ACHIEVEMENT OF CERTAIN RESULTS OR OTHER EXPECTATIONS CONTAINED IN SUCH FORWARD-LOOKING STATEMENTS INVOLVE KNOWN AND UNKNOWN RISKS, UNCERTAINTIES AND OTHER FACTORS WHICH MAY CAUSE ACTUAL RESULTS, PERFORMANCE OR ACHIEVEMENTS DESCRIBED TO BE MATERIALLY DIFFERENT FROM ANY FUTURE RESULTS, PERFORMANCE OR ACHIEVEMENTS EXPRESSED OR IMPLIED BY SUCH FORWARD-LOOKING STATEMENTS. THE DISTRICT DOES NOT PLAN TO ISSUE ANY UPDATES OR REVISIONS TO THE FORWARD-LOOKING STATEMENTS SET FORTH IN THIS OFFICIAL STATEMENT.

## **Other Information**

This Official Statement speaks only as of its date, and the information contained herein is subject to change. Copies of documents referred to herein and information concerning the Bonds are available from the Vice Chancellor, Finance and Administration, State Center Community College District, 1525 E. Weldon Avenue, Fresno, California 93704. The District may impose a charge for copying, mailing and handling.

No dealer, broker, salesperson or other person has been authorized by the District to give any information or to make any representations other than as contained herein and, if given or made, such other information or representations must not be relied upon as having been authorized by the District. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the Bonds by a person in any jurisdiction in which it is unlawful for such person to make such an offer, solicitation or sale.

This Official Statement is not to be construed as a contract with the purchasers of the Bonds. Statements contained in this Official Statement which involve estimates, forecasts or matters of opinion, whether or not expressly so described herein, are intended solely as such and are not to be construed as representations of fact. The summaries and references to documents, statutes and constitutional provisions referred to herein do not purport to be comprehensive or definitive, and are qualified in their entireties by reference to each of such documents, statutes and constitutional provisions.

Certain information set forth herein, other than that provided by the District, has been obtained from official sources which are believed to be reliable but it is not guaranteed as to accuracy or completeness, and is not to be construed as a representation by the District. The information and expressions of opinions herein are subject to change without notice and neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District since the date hereof. This Official Statement is submitted in connection with the sale of the Bonds referred to herein and may not be reproduced or used, in whole or in part, for any other purpose.

Capitalized terms used but not otherwise defined herein shall have the meanings assigned to such terms in the Resolution.

## **THE BONDS**

### **Authority for Issuance**

The Bonds are issued pursuant to the provisions of Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California, commencing with Section 53550 *et seq.*, and other applicable law, and pursuant to a resolution adopted by the Board of Trustees of the District on February 7, 2012 (the "Resolution").

### **Security and Sources of Payment**

The Bonds are general obligations of the District, payable solely from the proceeds of *ad valorem* property taxes. The Boards of Supervisors of the Counties are empowered and obligated to annually levy *ad valorem* taxes for the payment of the principal of and interest on the Bonds upon all property subject to taxation by the District without limitation as to rate or amount (except for certain personal property which is taxable at limited rates). Such taxes, when collected, will be deposited by the County into the "State Center Community College District 2012 General Obligation Refunding Bonds Debt Service Fund" (the



“Debt Service Fund”), which is segregated and maintained by the County and which will be used for the payment of principal of and interest on the Bonds when due and for no other purpose. Although the Counties are obligated to levy an *ad valorem* tax for the payment of the Bonds, and the County will maintain the Debt Service Fund, the Bonds are not a debt of any of the Counties. See “TAX BASE FOR REPAYMENT OF BONDS.”

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Bonds, as the same become due and payable, will be transferred by the Treasurer-Tax Collector of the County (the “Treasurer”) to the Paying Agent, who in turn will transfer such funds to DTC to pay the principal of and interest on the Bonds. DTC will thereupon make payment of principal and interest on the Bonds to the DTC Participants who will thereupon make payments of principal and interest to its Indirect Participants (as defined herein) for subsequent disbursement to the Beneficial Owners of the Bonds.

The rate of the annual *ad valorem* taxes levied by the Counties to repay the Bonds will be determined by the relationship between the assessed valuation of taxable property in the District and the amount of debt service due on the Bonds in any year. Fluctuations in the annual debt service on the Bonds and the assessed value of taxable property in the District may cause the annual tax rates to fluctuate. Economic and other factors beyond the District’s control, such as general market decline in land values, disruption in financial markets that may reduce the availability of financing for purchasers of property, reclassification of property to a class exempt from taxation, whether by ownership or use (such as exemptions for property owned by the State of California (the “State”) and local agencies and property used for qualified education, hospital, charitable or religious purposes), or the complete or partial destruction of the taxable property caused by a natural or manmade disaster, such as earthquake, flood or toxic contamination, could cause a reduction in the assessed value of taxable property within the District and necessitate a corresponding increase in the respective annual tax rates. For further information regarding the District’s assessed valuation, tax rates, overlapping debt, and other matters concerning taxation, see “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS – Article XIII A of the California Constitution” and “TAX BASE FOR REPAYMENT OF BONDS.”

### **Description of the Bonds**

The Bonds will be issued in book-entry form only and will be initially issued and registered in the name of Cede & Co., as nominee for DTC. Purchasers will not receive certificates representing their interests in the Bonds. See “THE BONDS – Book Entry Only System.”

Interest with respect to the Bonds accrues from their date of delivery, and is payable semiannually on each Bond Payment Date, commencing August 1, 2012. Interest on the Bonds will be computed on the basis of a 360-day year of twelve, 30-day months. Each Bond shall bear interest 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 immediately preceding any Bond Payment Date to and including such Bond Payment Date, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before July 15, 2012, in which event it shall bear interest from its date of delivery; *provided*, that if, at the time of authentication of any Bond interest is in default on any outstanding Bonds, such Bond shall bear interest from the Bond Payment Date to which interest has previously been paid or made available for payment on the outstanding Bonds. The Bonds are issuable in denominations of \$5,000 principal amount or any integral multiple thereof and mature on August 1 in the years and amounts set forth on the cover hereof.

The principal of the Bonds will be payable in lawful money of the United States of America to the registered owner thereof, upon the surrender thereof at the office of the Paying Agent. The interest on

the Bonds will be payable in lawful money of the United States of America to the person whose name appears on the bond registration books of the Paying Agent as the registered owner thereof as of the close of business on the 15th day of the month next preceding any Bond Payment Date (a “Record Date”), whether or not such day is a business day, such interest to be paid by check or draft mailed on such Bond Payment Date to such registered owner at such registered owner’s address as it appears on such registration books or at such address as the registered owner may have filed with the Paying Agent for that purpose. The interest payments on the Bonds will be made in immediately available funds (e.g., by wire transfer) to any registered owner of at least \$1,000,000 of outstanding Bonds who have requested in writing such method of payment of interest on the Bonds prior to the close of business on the Record Date immediately preceding any Bond Payment Date.

### **Book-Entry Only System**

*The information in this section concerning DTC and DTC’s book-entry system has been obtained from sources that the District believes to be reliable, but the District takes no responsibility for the accuracy or completeness thereof. The District cannot and does not give any assurances that DTC, DTC Participants or Indirect Participants will distribute to the Beneficial Owners (a) payments of interest, principal or premium, if any, with respect to the Bonds, (b) certificates representing ownership interest in or other confirmation or ownership interest in the Bonds, or (c) redemption or other notices sent to DTC or Cede & Co., its nominee, as the registered owner of the Bonds, or that they will so do on a timely basis or that DTC, DTC Participants or DTC Indirect Participants will act in the manner described in this Official Statement. The current “Rules” applicable to DTC are on file with the Securities and Exchange Commission and the current “MMI Procedures” of DTC to be followed in dealing with DTC Participants are on file with DTC.*

The Depository Trust Company (“DTC”), New York, NY, will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of the Bonds, each in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world’s largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC is rated “AA+” by Standard & Poor’s. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com) and [www.dtc.org](http://www.dtc.org).

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each Beneficial Owner is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchases. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the District as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds of the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the District or the Paying Agent, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or the Paying Agent, disbursement of

such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.

The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

**So long as Cede & Co. is the registered Owner of the Bonds, as nominee of DTC, references herein to the Owners or Holders of the Bonds (other than under the caption “TAX MATTERS”) will mean Cede & Co. and will not mean the Beneficial Owners of the Bonds.**

### Redemption

**Optional Redemption.\*** The Bonds maturing on or before August 1, 20\_\_\* are not subject to redemption prior to their fixed maturity dates. The Bonds maturing on or after August 1, 20\_\_\* may be redeemed prior to their respective stated maturity dates at the option of the District, from any source of funds, in whole or in part, on August 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.

**Mandatory Sinking Fund Redemption.\*** The Term Bonds maturing on August 1, 20\_\_, are subject to redemption prior to maturity from mandatory sinking fund payments on August 1 of each year, on and after August 1, 20\_\_, at a redemption price equal to the principal amount thereof, plus accrued interest to the date fixed for redemption, without premium. The principal amount represented by such Bonds to be so redeemed and the dates therefor and the final principal payment date is as indicated in the following table:

<u>Redemption Date</u> <u>(August 1)</u>	<u>Principal Amount</u>
Total	

<sup>(1)</sup> Final Maturity.

In the event that a portion of the Term Bonds are optionally redeemed prior to maturity, the remaining mandatory sinking fund payments shown above shall be reduced proportionately, in integral multiples of \$5,000, in respect of the portion of such Term Bonds optionally redeemed.

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

\* Preliminary, subject to change.

**Notice of Redemption.** Notice of any redemption of Bonds will be mailed, postage-prepaid, not less than 30 nor more than 60 days prior to the redemption date (i) to the Registered Owners thereof at the addresses appearing on the bond registration books of the Paying Agent, (ii) to the Securities Depository described below, and (iii) to one or more of the Information Services described below. Notice of redemption to the Securities Depository and the Information Services will be given by registered mail, facsimile transmission or overnight delivery service. Each notice of redemption will specify (a) 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, (b) the date of redemption, (c) the place or places where the redemption will be made, including the name and address of the Paying Agent, (d) the redemption price, (e) the CUSIP numbers (if any) assigned to the Bonds to be redeemed, (f) 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 principal amount of such Bond to be redeemed, and (g) the original issue date, interest rate and stated maturity date of each Bond to be redeemed in whole or in part.

“Information Services” means Financial Information, Inc.’s “Daily Called Bond Service,” 1 Cragwood Road, 2nd Floor, South Plainfield, New Jersey 07080, Attention: Editor; Mergent Inc., 585 Kingsley Park Drive, Fort Mill, South Carolina 29715, Attention: Called Bond Department; and Standard and Poor’s J.J. Kenny Information Services’ “Called Bond Record,” 55 Water Street, 45th Floor, New York, New York 10041.

“Securities Depository” shall mean The Depository Trust Company, 55 Water Street, New York, New York 10041, Fax (212) 855-1000 or Fax (212) 855-7320.

The actual receipt by an Owner of any Bond or by any Information Service or Securities Depository of notice of such redemption will not be a condition precedent to redemption, and failure to receive such notice nor shall any defect in such notice affect the validity of the proceedings for the redemption of such Bonds or the cessation of interest thereon on the date fixed for redemption.

The notice or notices required for redemption will be given by the Paying Agent or its designee. A certificate by the Paying Agent that notice of call and redemption has been given to owners of Bonds and to the appropriate Securities Depository and Information Services shall be conclusive as against all parties, and no Bond owner whose Bond is called for redemption may object thereto or object to the cessation of interest on the fixed redemption date by any claim or showing that said Bondowner failed to actually receive such notice of call and redemption.

**Payment of Redeemed Bonds.** When notice of redemption has been given substantially as described above, and, when the amount necessary for the redemption of the Bonds called for redemption (principal, interest, and premium, if any) is set aside irrevocably in trust for that purpose as prescribed in the Resolution, the Bonds designated for redemption in such notice will become due and payable on the date fixed for redemption thereof and upon presentation and surrender of said Bonds at the place specified in the notice of redemption with the form of assignment endorsed thereon executed in blank, said Bonds will be redeemed and paid at the redemption price thereof out of such monies irrevocably set aside for such purpose. All unpaid interest payable at or prior to the redemption date will continue to be payable to the respective Owners, but without interest thereon.

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

***Effect of Notice of Redemption.*** If on the applicable designated redemption date, money for the redemption of the Bonds to be redeemed, together with interest to such redemption date, is held by the the Paying Agent (or an independent escrow agent selected by the District) so as to be available therefor on such redemption date, and if notice of redemption thereof will have been given substantially as described above, then from and after such redemption date, interest with respect to the Bonds to be redeemed shall cease to accrue and become payable.

***Bonds No Longer Outstanding.*** When any Bonds (or portions thereof), which have been duly called for redemption prior to maturity, 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 by the Paying Agent (or an independent escrow agent selected by the District) irrevocably in trust for the payment of the redemption price of such Bonds or portions thereof, and, accrued interest with respect thereto to the date fixed for redemption, then such Bonds will no longer be deemed Outstanding and shall be surrendered to the Paying Agent for cancellation.

### **Transfer and Exchange of Bonds**

Any Bond may be exchanged for Bonds of like tenor, maturity and Transfer Amount (which with respect to any outstanding Bonds means the principal amount thereof) upon presentation and surrender at the designated corporate trust office of the Paying Agent, together with a request for exchange signed by the registered Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Bond may be transferred only on the Bond Register by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Bond for cancellation at the office of the Paying Agent, accompanied by delivery of a written instrument of transfer in a form approved by the Paying Agent, duly executed. Upon exchange or transfer, the Paying Agent shall register, 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 interest at the same rate and maturing on the same date.

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 15th business day next preceding any Bond Payment Date, the stated maturity of any of the Bonds or any date of selection of Bonds to be redeemed and ending with the close of business on the applicable Bond Payment Date, the close of business on the applicable stated maturity date or any day on which the applicable notice of redemption is given or (b) to transfer any Bonds which have been selected or called for redemption in whole or in part.

### **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 the Paying Agent or with an independent escrow agent selected by the District an amount of cash which together with amounts transferred from the Debt Service Fund is sufficient to pay all Bonds outstanding and designated for defeasance, including all principal, interest and premium, if any; or

(b) **Government Obligations:** by irrevocably depositing with the Paying Agent or with an independent escrow agent selected by the District noncallable Government Obligations together with cash, if required, in such a amount as will, in the opinion of an independent certified public accountant, together with interest to accrue thereon and moneys transferred from the Debt

Service Fund together with the interest to accrue thereon, be fully sufficient to pay and discharge all Bonds outstanding and designated for defeasance (including all principal and interest represented thereby and prepayment premiums, if any) at or before their maturity date;

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

“Government Obligations” means direct and general obligations of the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, or “prerefunded” municipal obligations rated in the highest rating category by Moody’s or Standard & Poor’s. 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 “AAA” by Standard & Poor’s Ratings Service, a Standard & Poor’s Financial Services LLC business (“Standard & Poor’s”) or “Aaa” by Moody’s Investors Service (“Moody’s”).

## **REFUNDING PLAN**

The proceeds from the sale of the Bonds will be used by the District to advance refund the Refunded Bonds and to pay certain costs associated with the issuance of the Bonds.

The net proceeds from the sale of the Bonds shall be deposited with The Bank of New York Mellon Trust Company, N.A., acting as escrow agent (the “Escrow Agent”), to the credit of the “State Center Community College District 2012 General Obligation Refunding Bonds Escrow Fund” (the “Escrow Fund”). Pursuant to an escrow agreement (the “Escrow Agreement”) by and between the District and the Escrow Agent, a portion of the amount deposited in the Escrow Fund will be used to purchase certain Federal Securities, as defined in the Escrow Agreement, the principal of and interest on which will be sufficient, together with any monies deposited in the Escrow Fund and held as cash, to enable the Escrow Agent to pay the principal of the Refunded Bonds on the first respective optional redemption dates therefor, as well as the interest due on such Refunded Bonds on and before such dates.

The sufficiency of the amounts deposited in the Escrow Fund, together with realizable interest and earnings thereon, to pay the redemption price of the Refunded Bonds, and the accrued interest due on the Refunded Bonds, on the above-referenced date will be verified by Grant Thornton, LLP (the “Verification Agent”). As a result of the deposit and application of funds so provided in the Escrow Agreement, and assuming the accuracy of the Verification Agent’s computations, the Refunded Bonds will be defeased and the obligation of the Counties to levy *ad valorem* taxes for payment of the Refunded Bonds will terminate.

Any accrued interest and surplus moneys in the Escrow Fund following the redemption of the Refunded Bonds shall be kept separate and apart in the Bonds Debt Service Fund and used by the District only for payment of principal of and interest on the Bonds. Any excess proceeds of the Bonds not needed for the authorized purposes for which the Bonds are being issued shall be transferred to the Bond 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.

Moneys in the Debt Service Fund are expected to be invested through the County of Fresno Investment Pool. See "COUNTY OF FRESNO INVESTMENT POOL."

**ESTIMATED SOURCES AND USES OF FUNDS**

The estimated sources and uses of funds with respect to the Bonds are as follows:

Sources of Funds

Principal Amount of the Bonds	
Original Issue Premium	_____
Total Sources	

Uses of Funds

Escrow Fund	
Costs of Issuance <sup>(1)</sup>	_____
Total Uses	

<sup>(1)</sup> Reflects all costs of issuance, including but not limited to the Underwriters' discount, demographics fees, filing fees, legal fees, fees of the Verification Agent, and the costs and fees of the Paying Agent and Escrow Agent.

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**DEBT SERVICE SCHEDULE**

The following table shows the debt service schedule with respect to the Bonds (assuming no optional redemptions are made):

<u>Year Ending (August 1)</u>	<u>Annual Principal Payment</u>	<u>Annual Interest Payment<sup>(1)</sup></u>	<u>Total Annual Debt Service</u>
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Total

<sup>(1)</sup> Interest payments on the Bonds will be made semiannually on February 1 and August 1 of each year, commencing August 1, 2012.

See “State Center Community College District – District Debt Structure – General Obligation Bonds” for a schedule of the combined debt service requirements for all of the District’s outstanding general obligation bonds.

**COUNTY OF FRESNO INVESTMENT POOL**

*The following information has been provided by the Treasurer of the County, and neither the District nor the Underwriters take any responsibility for the accuracy or completeness thereof. Further information may be obtained from the Treasurer.*

In accordance with Education Code Section 41001, substantially all District operating funds are required to be held by the Treasurer. Each county is required to invest such funds in accordance with California Government Code Sections 53601, *et seq.* In addition, counties are required to establish their own investment policies which may impose limitations beyond those required by the Government Code.

The following information provides a general description of the County’s investment policies, current portfolio holdings and valuation procedures.

Holdings in the County’s Investment Pool represent a portfolio of assets with a high degree of quality. As of September 30, 2011, the portfolio had a market value of \$2.0 billion with an average dollar-weighted quality of “Aaa,” according to Moody’s. Approximately 94% of the portfolio’s assets are invested in securities with virtually no credit risk (i.e. U.S. Agencies and cash). The dollar weighted

average life of the pool is 926 days. 20.9% of the portfolio at cost matures within 30 days, 23.3% matures within 90 days, and 24.9% within 180 days.

The following table summarizes the composition of the County of Fresno Investment Pool as of September 30, 2011.

**TREASURER'S INVESTMENT POOL**  
**Portfolio Management**  
**Portfolio Summary**  
**September 30, 2011**

<u>Investments</u>	<u>Par Value</u>	<u>Market Value</u>	<u>Cost Value</u>	<u>% of Portfolio</u>
U.S. Treasury	\$7,805,000	\$7,877,000	\$7,776,000	0.4%
U.S. Agency	1,321,038,000	1,374,366,000	1,357,005,000	67.7
Corporate Note	233,565,000	237,818,000	236,603,000	11.8
LAIF	50,000,000	50,000,000	50,000,000	2.5
Mutual Fund	322,165,000	322,165,000	322,165,000	16.1
ABS/MBS	5,499,000	5,543,000	5,551,000	0.3
Cash	<u>25,740,000</u>	<u>25,740,000</u>	<u>25,740,000</u>	<u>1.3</u>
	\$1,965,812,000	\$2,023,508,000	\$2,004,840,000	100.0%

Neither the District nor the Underwriters have made an independent investigation of the investments in the Pool and has made no assessment of the current County Investment Policy. The value of the various investments in the Pool will fluctuate on a daily basis as a result of a multitude of factors, including generally prevailing interest rates and other economic conditions. Additionally, the Treasurer, with the consent of the Treasury Oversight Committee and the County Board of Supervisors may change the County Investment Policy at any time. Therefore, there can be no assurance that the values of the various investments in the Pool will not vary significantly from the values described herein.

**CONSTITUTIONAL AND STATUTORY PROVISIONS**  
**AFFECTING DISTRICT REVENUES AND APPROPRIATIONS**

*The principal of and interest on the Bonds are payable from the proceeds of an ad valorem tax levied by the Counties for the payment thereof. See "THE BONDS – Security and Sources of Payment." Articles XIII A, XIII B, XIII C and XIII D of the Constitution, Propositions 98 and 111, and certain other provisions of law discussed below, are included in this section to describe the potential effect of these Constitutional and statutory measures on the ability of the Counties to levy taxes on behalf of the District and the District to spend tax proceeds for operating and other purposes, and it should not be inferred from the inclusion of such materials that these laws impose any limitation on the ability of the District to levy taxes for payment of the Bonds. The tax levied by the Counties for payment of the Bonds was approved by the District's voters in compliance with Article XIII A, Article XIII C, and all applicable laws.*

**Article XIII A of the California Constitution**

Article XIII A ("Article XIII A") of the State Constitution limits the amount of *ad valorem* taxes on real property to 1% of "full cash value" as determined by the county assessor. Article XIII A defines "full cash value" to mean "the county assessor's valuation of real property as shown on the 1975-76 bill under 'full cash value,' or thereafter, the appraised value of real property when purchased, newly constructed or a change in ownership has occurred after the 1975 assessment," subject to exemptions in certain circumstances of property transfer or reconstruction. Determined in this manner, the full cash value is also referred to as the "base year value." The full cash value is subject to annual adjustment to

reflect increases, not to exceed 2% for any year, or decreases in the consumer price index or comparable local data, or to reflect reductions in property value caused by damage, destruction or other factors.

Article XIII A has been amended to allow for temporary reductions of assessed value in instances where the fair market value of real property falls below the adjusted base year value described above. Proposition 8—approved by the voters in November of 1978—provides for the enrollment of the lesser of the base year value or the market value of real property, taking into account reductions in value due to damage, destruction, depreciation, obsolescence, removal of property, or other factors causing a similar decline. In these instances, the market value is required to be reviewed annually until the market value exceeds the base year value. Reductions in assessed value could result in a corresponding increase in the annual tax rate levied by the Counties to pay debt service on the Bonds. See “THE BONDS – Security and Sources of Payment” and “TAX BASE FOR REPAYMENT OF BONDS – Assessed Valuations.”

Article XIII A requires a vote of two-thirds or more of the qualified electorate of a city, county, special district or other public agency to impose special taxes, while totally precluding the imposition of any additional *ad valorem*, sales or transaction tax on real property. Article XIII A exempts from the 1% tax limitation any taxes above that level required to pay debt service (a) on any indebtedness approved by the voters prior to July 1, 1978, or (b) as the result of an amendment approved by State voters on July 3, 1986, on any bonded indebtedness approved by two-thirds or more of the votes cast by the voters for the acquisition or improvement of real property on or after July 1, 1978, or (c) bonded indebtedness incurred by a school district or community college district for the construction, reconstruction, rehabilitation or replacement of school facilities or the acquisition or lease of real property for school facilities, approved by fifty-five percent or more of the votes cast on the proposition, but only if certain accountability measures are included in the proposition. The tax for payment of the Refunded Bonds falls within the exception described in (c) of the immediately preceding sentence. In addition, Article XIII A requires the approval of two-thirds of all members of the State legislature to change any State taxes for the purpose of increasing tax revenues.

### **Legislation Implementing Article XIII A**

Legislation has been enacted and amended a number of times since 1978 to implement Article XIII A. Under current law, local agencies are no longer permitted to levy directly any property tax (except to pay voter-approved indebtedness). The 1% property tax is automatically levied by the relevant county and distributed according to a formula among taxing agencies. The formula apportions the tax roughly in proportion to the relative shares of taxes levied prior to 1979.

Increases of assessed valuation resulting from reappraisals of property due to new construction, change in ownership or from the annual adjustment not to exceed 2% are allocated among the various jurisdictions in the “taxing area” based upon their respective “situs.” Any such allocation made to a local agency continues as part of its allocation in future years.

All taxable property value included in this Official Statement is shown at 100% of taxable value (unless noted differently) and all tax rates reflect the \$1 per \$100 of taxable value.

Both the United States Supreme Court and the California State Supreme Court have upheld the general validity of Article XIII A.

### **Unitary Property**

Some amount of property tax revenue of the District is derived from utility property which is considered part of a utility system with components located in many taxing jurisdictions (“unitary

property”). Under the State Constitution, such property is assessed by the State Board of Equalization (“SBE”) as part of a “going concern” rather than as individual pieces of real or personal property. State-assessed unitary and certain other property is allocated to the counties by SBE, taxed at special county-wide rates, and the tax revenues distributed to taxing jurisdictions (including the District) according to statutory formulae generally based on the distribution of taxes in the prior year.

The California electric utility industry has been undergoing significant changes in its structure and in the way in which components of the industry are regulated and owned. Sale of electric generation assets to largely unregulated, nonutility companies may affect how those assets are assessed, and which local agencies are to receive the property taxes. The District is unable to predict the impact of these changes on its utility property tax revenues, or whether legislation may be proposed or adopted in response to industry restructuring, or whether any future litigation may affect ownership of utility assets or the State’s methods of assessing utility property and the allocation of assessed value to local taxing agencies, including the District. So long as the District is not a basic aid district, taxes lost through any reduction in assessed valuation will be compensated by the State as equalization aid under the State’s school financing formula. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Major Revenues” and “STATE CENTER COMMUNITY COLLEGE DISTRICT.”

### **Article XIII B of the California Constitution**

Article XIII B (“Article XIII B”) of the State Constitution, as subsequently amended by Propositions 98 and 111, respectively, limits the annual appropriations of the State and of any city, county, school district, authority or other political subdivision of the State to the level of appropriations of the particular governmental entity for the prior fiscal year, as adjusted for changes in the cost of living and in population and for transfers in the financial responsibility for providing services and for certain declared emergencies. As amended, Article XIII B defines

- (a) “change in the cost of living” with respect to school districts to mean the percentage change in California per capita income from the preceding year, and
- (b) “change in population” with respect to a school district to mean the percentage change in the average daily attendance of the school district from the preceding fiscal year.

For fiscal years beginning on or after July 1, 1990, the appropriations limit of each entity of government shall be the appropriations limit for the 1986-87 fiscal year adjusted for the changes made from that fiscal year pursuant to the provisions of Article XIII B, as amended.

The appropriations of an entity of local government subject to Article XIII B limitations include the proceeds of taxes levied by or for that entity and the proceeds of certain state subventions to that entity. “Proceeds of taxes” include, but are not limited to, all tax revenues and the proceeds to the entity from (a) regulatory licenses, user charges and user fees (but only to the extent that these proceeds exceed the reasonable costs in providing the regulation, product or service), and (b) the investment of tax revenues.

Appropriations subject to limitation do not include (a) refunds of taxes, (b) appropriations for debt service such as the Bonds, (c) appropriations required to comply with certain mandates of the courts or the federal government, (d) appropriations of certain special districts, (e) appropriations for all qualified capital outlay projects as defined by the legislature, (f) appropriations derived from certain fuel and vehicle taxes and (g) appropriations derived from certain taxes on tobacco products.

Article XIII B includes a requirement that all revenues received by an entity of government other than the State in a fiscal year and in the fiscal year immediately following it in excess of the amount permitted to be appropriated during that fiscal year and the fiscal year immediately following it shall be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years.

Article XIII B also includes a requirement that fifty percent of all revenues received by the State in a fiscal year and in the fiscal year immediately following it in excess of the amount permitted to be appropriated during that fiscal year and the fiscal year immediately following it shall be transferred and allocated to the State School Fund pursuant to Section 8.5 of Article XVI of the State Constitution. See “Propositions 98 and 111” below.

### **Article XIII C and Article XIII D of the California Constitution**

On November 5, 1996, the voters of the State of California approved Proposition 218, popularly known as the “Right to Vote on Taxes Act.” Proposition 218 added to the California Constitution Articles XIII C and XIII D (respectively, “Article XIII C” and “Article XIII D”), which contain a number of provisions affecting the ability of local agencies, including school districts, to levy and collect both existing and future taxes, assessments, fees and charges.

According to the “Title and Summary” of Proposition 218 prepared by the California Attorney General, Proposition 218 limits “the authority of local governments to impose taxes and property-related assessments, fees and charges.” Among other things, Article XIII C establishes that every tax is either a “general tax” (imposed for general governmental purposes) or a “special tax” (imposed for specific purposes), prohibits special purpose government agencies such as school districts from levying general taxes, and prohibits any local agency from imposing, extending or increasing any special tax beyond its maximum authorized rate without a two-thirds vote; and also provides that the initiative power will not be limited in matters of reducing or repealing local taxes, assessments, fees and charges. Article XIII C further provides that no tax may be assessed on property other than *ad valorem* property taxes imposed in accordance with Articles XIII and XIII A of the California Constitution and special taxes approved by a two-thirds vote under Article XIII A, Section 4. Article XIII D deals with assessments and property-related fees and charges, and explicitly provides that nothing in Article XIII C or XIII D will be construed to affect existing laws relating to the imposition of fees or charges as a condition of property development.

The District does not impose any taxes, assessments, or property-related fees or charges which are subject to the provisions of Proposition 218. It does, however, receive a portion of the basic one percent *ad valorem* property tax levied and collected by the County pursuant to Article XIII A of the California Constitution. The provisions of Proposition 218 may have an indirect effect on the District, such as by limiting or reducing the revenues otherwise available to other local governments whose boundaries encompass property located within the District thereby causing such local governments to reduce service levels and possibly adversely affecting the value of property within the District.

### **Proposition 26**

On November 2, 2010, voters in the State approved Proposition 26. Proposition 26 amends Article XIII C of the State Constitution to expand the definition of “tax” to include “any levy, charge, or exaction of any kind imposed by a local government” except the following: (1) a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege; (2) a charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable

costs to the local government of providing the service or product; (3) a charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof; (4) a charge imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property; (5) A fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government, as a result of a violation of law; (6) a charge imposed as a condition of property development; and (7) assessments and property-related fees imposed in accordance with the provisions of Article XIID. Proposition 26 provides that the local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity.

### **Propositions 98 and 111**

On November 8, 1988, voters approved Proposition 98, a combined initiative constitutional amendment and statute called the "Classroom Instructional Improvement and Accountability Act" (the "Accountability Act"). Certain provisions of the Accountability Act have, however, been modified by Proposition 111, discussed below, the provisions of which became effective on July 1, 1990. The Accountability Act changes State funding of public education below the university level and the operation of the State's appropriations limit. The Accountability Act guarantees State funding for K-12 school districts and community college districts (hereinafter referred to collectively as "K-14 school districts") at a level equal to the greater of (a) the same percentage of General Fund revenues as the percentage appropriated to such districts in 1986-87, and (b) the amount actually appropriated to such districts from the General Fund in the previous fiscal year, adjusted for increases in enrollment and changes in the cost of living. The Accountability Act permits the Legislature to suspend this formula for a one-year period.

The Accountability Act also changes how tax revenues in excess of the State appropriations limit are distributed. Any excess State tax revenues up to a specified amount would, instead of being returned to taxpayers, be transferred to K-14 school districts. Any such transfer to K-14 school districts would be excluded from the appropriations limit for K-14 school districts and the K-14 school district appropriations limit for the next year would automatically be increased by the amount of such transfer. These additional moneys would enter the base funding calculation for K-14 school districts for subsequent years, creating further pressure on other portions of the State budget, particularly if revenues decline in a year following an Article XIIB surplus. The maximum amount of excess tax revenues which could be transferred to K-14 school districts is 4% of the minimum State spending for education mandated by the Accountability Act.

Since the Accountability Act is unclear in some details, there can be no assurances that the Legislature or a court might not interpret the Accountability Act to require a different percentage of General Fund revenues to be allocated to K-14 school districts, or to apply the relevant percentage to the State's budgets in a different way than is proposed in the Governor's Budget.

On June 5, 1990, the voters approved Proposition 111 (Senate Constitutional Amendment No. 1) called the "Traffic Congestion Relief and Spending Limit Act of 1990" ("Proposition 111") which further modified Article XIIB and Sections 8 and 8.5 of Article XVI of the State Constitution with respect to appropriations limitations and school funding priority and allocation.

The most significant provisions of Proposition 111 are summarized as follows:

- a. Annual Adjustments to Spending Limit. The annual adjustments to the Article XIII B spending limit were liberalized to be more closely linked to the rate of economic growth. Instead of being tied to the Consumer Price Index, the “change in the cost of living” is now measured by the change in California per capita personal income. The definition of “change in population” specifies that a portion of the State’s spending limit is to be adjusted to reflect changes in school attendance.
- b. Treatment of Excess Tax Revenues. “Excess” tax revenues with respect to Article XIII B are now determined based on a two-year cycle, so that the State can avoid having to return to taxpayers excess tax revenues in one year if its appropriations in the next fiscal year are under its limit. In addition, the Proposition 98 provision regarding excess tax revenues was modified. After any two-year period, if there are excess State tax revenues, 50% of the excess are to be transferred to K-14 school districts with the balance returned to taxpayers; under prior law, 100% of excess State tax revenues went to K-14 school districts, but only up to a maximum of 4% of the schools’ minimum funding level. Also, reversing prior law, any excess State tax revenues transferred to K-14 school districts are not built into the school districts’ base expenditures for calculating their entitlement for State aid in the next year, and the State’s appropriations limit is not to be increased by this amount.
- c. Exclusions from Spending Limit. Two exceptions were added to the calculation of appropriations which are subject to the Article XIII B spending limit. First, there are excluded all appropriations for “qualified capital outlay projects” as defined by the Legislature. Second, there are excluded any increases in gasoline taxes above the 1990 level (then nine cents per gallon), sales and use taxes on such increment in gasoline taxes, and increases in receipts from vehicle weight fees above the levels in effect on January 1, 1990. These latter provisions were necessary to make effective the transportation funding package approved by the Legislature and the Governor, which expected to raise over \$15 billion in additional taxes from 1990 through 2000 to fund transportation programs.
- d. Recalculation of Appropriations Limit. The Article XIII B appropriations limit for each unit of government, including the State, is to be recalculated beginning in fiscal year 1990-91. It is based on the actual limit for fiscal year 1986-87, adjusted forward to 1990-91 as if Proposition 111 had been in effect.
- e. School Funding Guarantee. There is a complex adjustment in the formula enacted in Proposition 98 which guarantees K-14 school districts a certain amount of State general fund revenues. Under prior law, K-14 school districts were guaranteed the greater of (1) 40.9% of State general fund revenues (the “first test”) or (2) the amount appropriated in the prior year adjusted for changes in the cost of living (measured as in Article XIII B by reference to per capita personal income) and enrollment (the “second test”). Under Proposition 111, schools will receive the greater of (1) the first test, (2) the second test, or (3) a third test, which will replace the second test in any year when growth in per capita State general fund revenues from the prior year is less than the annual growth in California per capita personal income. Under the third test, schools will receive the amount appropriated in the prior year adjusted for change in enrollment and per capita State general fund revenues, plus an additional small adjustment factor. If the third test is used in any year, the difference between the third test and the second test will become a

“credit” to schools which will be paid in future years when State general fund revenue growth exceeds personal income growth.

### **Proposition 39**

On November 7, 2000, California voters approved an amendment (commonly known as “Proposition 39”) to the California Constitution. This amendment (1) allows school facilities bond measures to be approved by fifty-five percent (rather than two-thirds) of the voters in local elections and permits property taxes to exceed the current one percent limit in order to repay the bonds and (2) changes existing statutory law regarding charter school facilities. As adopted, the constitutional amendments may be changed only with another Statewide vote of the people. The statutory provisions could be changed by a majority vote of both houses of the Legislature and approval by the Governor, but only to further the purposes of the proposition. The local school jurisdictions affected by this proposition are K-12 school districts, including the District, community college districts, and county offices of education. As noted above, the California Constitution previously limited property taxes to one percent of the value of property. Property taxes may only exceed this limit to pay for (1) any local government debts approved by the voters prior to July 1, 1978 or (2) bonds to buy or improve real property that receive two-thirds voter approval after July 1, 1978.

The fifty-five percent vote requirement would apply only if the local bond measure presented to the voters includes: (1) a requirement that the bond funds can be used only for construction, rehabilitation, equipping of school facilities, or the acquisition or lease of real property for school facilities; (2) a specific list of school projects to be funded and certification that the school board has evaluated safety, class size reduction, and information technology needs in developing the list; and (3) a requirement that the school board conduct annual, independent financial and performance audits until all bond funds have been spent to ensure that the bond funds have been used only for the projects listed in the measure. Legislation approved in June 2000 places certain limitations on local school bonds to be approved by fifty-five percent of the voters. These provisions require that the tax rate levied as the result of any single election be no more than \$60 (for a unified school district), \$30 (for an elementary or high school district), or \$25 (for a community college district), per \$100,000 of taxable property value, when assessed valuation is projected to increase in accordance with Article XIII A of the Constitution. These requirements are not part of Proposition 39 and can be changed with a majority vote of both houses of the Legislature and approval by the Governor.

### **Proposition 1A and Proposition 22**

On November 2, 2004, California voters approved Proposition 1A, which amends the State constitution to significantly reduce the State’s authority over major local government revenue sources. Under Proposition 1A, the State cannot (i) reduce local sales tax rates or alter the method of allocating the revenue generated by such taxes, (ii) shift property taxes from local governments to schools or community colleges, (iii) change how property tax revenues are shared among local governments without two-thirds approval of both houses of the State Legislature or (iv) decrease Vehicle License Fee revenues without providing local governments with equal replacement funding. The State may shift to schools and community colleges a limited amount of local government property tax revenue if certain conditions are met, including: (i) a proclamation by the Governor that the shift is needed due to a severe financial hardship of the State, and (ii) approval of the shift by the State Legislature with a two-thirds vote of both houses. Under such a shift, the State must repay local governments for their property tax losses, with interest, within three years. Proposition 1A does allow the State to approve voluntary exchanges of local sales tax and property tax revenues among local governments within a county. Proposition 1A also amends the State Constitution to require the State to suspend certain State laws creating mandates in any year that the State does not fully reimburse local governments for their costs to comply with the



mandates. This provision does not apply to mandates relating to schools or community colleges or to those mandates relating to employee rights.

Proposition 22, The Local Taxpayer, Public Safety, and Transportation Protection Act, approved by the voters of the State on November 2, 2010, prohibits the State from enacting new laws that require redevelopment agencies to shift funds to schools or other agencies and eliminates the State's authority to shift property taxes temporarily during a severe financial hardship of the State. In addition, Proposition 22 restricts the State's authority to use State fuel tax revenues to pay debt service on state transportation bonds, to borrow or change the distribution of state fuel tax revenues, and to use vehicle license fee revenues to reimburse local governments for state mandated costs. Proposition 22 impacts resources in the State's general fund and transportation funds, the State's main funding source for schools and community colleges, as well as universities, prisons and health and social services programs. According to an analysis of Proposition 22 submitted by the Legislative Analyst's Office (the "LAO") on July 15, 2010, the expected reduction in resources available for the State to spend on these other programs as a consequence of the passage of Proposition 22 would be approximately \$1 billion in fiscal year 2010-11, with an estimated immediate fiscal effect equal to approximately 1 percent of the State's total general fund spending. The longer-term effect of Proposition 22, according to the LAO analysis, will be an increase in the State's general fund costs by approximately \$1 billion annually for several decades.

### **State Cash Management Legislation**

Since 2002, the State has engaged in the practice of deferring certain apportionments to community college districts in order to manage the State's cash flow. This practice has included deferring certain apportionments from one fiscal year to the next. These "cross-year" deferrals have been codified and are expected to be on-going. Legislation enacted with respect to fiscal year 2011-12 provides for additional inter-fiscal year deferrals.

On March 24, 2011, the Governor signed into law Senate Bill 82 ("SB 82"), which extended into fiscal year 2011-12 provisions of existing law designed to effectively manage the State's cash resources. With respect to the funding of California community college districts, SB 82 authorizes the deferral of \$200 million and \$100 million from the July 2011 and March 2012 apportionments. These State apportionments are authorized to be deferred to October 2011 and May 2012, respectively. SB 82 also provided for an exemption to either or both of these deferrals for a community college district for which the State Chancellor, in consultation with the State Director of Finance, determined, prior to June 1, 2011, that such proposed deferral presented an imminent threat to such district's fiscal integrity and security. The District did not apply for or receive an exemption from the deferrals authorized by SB 82.

### **Future Initiatives**

Article XIII A, Article XIII B, Article XIII C and Article XIII D of the California Constitution and Propositions 26, 98 and 111 were each adopted as measures that qualified for the ballot pursuant to the State's initiative process. From time to time other initiative measures could be adopted further affecting District revenues or the District's ability to expend revenues. The nature and impact of these measures cannot be anticipated by the District.

## TAX BASE FOR REPAYMENT OF BONDS

*The information in this section describes ad valorem property taxation, assessed valuation, and other measures of the tax base of the District. The Bonds are payable solely from ad valorem taxes levied and collected by the Counties on taxable property in the District. The District's general fund is not a source for the repayment of the Bonds.*

### **Ad Valorem Property Taxation**

District property taxes are assessed and collected by the Counties at the same time and on the same tax rolls as county, city and special district taxes. Assessed valuations are the same for both District and Counties taxing purposes.

Taxes are levied for each fiscal year on taxable real and personal property which is located in the District as of the preceding January 1. For assessment and collection purposes, property is classified either as "secured" or "unsecured" and is listed accordingly on separate parts of the assessment roll. The "secured roll" is that part of the assessment roll containing State assessed public utilities property and real property having a tax lien which is sufficient, in the opinion of the assessor, to secure payment of the taxes. Other property is assessed on the "unsecured roll." A supplemental roll is developed when property changes hands or new construction is completed. Each county levies and collects all property taxes for property falling within that county's taxing boundaries.

The valuation of secured property is established as of January 1 and is subsequently equalized in August. Property taxes are payable in two installments, due November 1 and February 1 respectively and become delinquent on December 10 and April 10 respectively. A 10% penalty attaches to any delinquent installment plus a \$10 cost on the second installment. Property on the secured roll with delinquent taxes is sold to the State on or about June 30 of the calendar year. Such property may thereafter be redeemed by payment of the delinquent taxes and the delinquency penalty, plus a \$ 15 redemption fee and a redemption penalty of 1.5% per month to the time of redemption. If taxes are unpaid for a period of five years or more, the property is deeded to the State and is then subject to sale by the tax-collecting authority of the relevant county.

Property taxes on the unsecured roll are due as of the January 1 lien date and become delinquent if they are not paid by August 31. In the case of unsecured property taxes, a 10% penalty attaches to delinquent taxes on property on the unsecured roll, and an additional penalty of 1.5% per month begins to accrue beginning November 1 of the fiscal year, and a lien may be recorded against the assessee. The taxing authority has four ways of collecting unsecured personal property taxes: (1) a civil action against the assessee; (2) filing a certificate in the office of the County Clerk specifying certain facts in order to obtain a judgment lien on specific property of the assessee; (3) filing a certificate of delinquency for record in the County Recorder's office in order to obtain a lien on specified property of the assessee; and (4) seizure and sale of personal property, improvements or possessory interests belonging or assessed to the assessee.

State law exempts from taxation \$7,000 of the full cash value of an owner-occupied dwelling, but this exemption does not result in any loss of revenue to local agencies, since the State reimburses local agencies for the value of the exemptions.

All property is assessed using full cash value as defined by Article XIII A of the State Constitution. State law provides exemptions from *ad valorem* property taxation for certain classes of property such as churches, colleges, non-profit hospitals, and charitable institutions.

Future assessed valuation growth allowed under Article XIII A (new construction, certain changes of ownership, 2% inflation) will be allocated on the basis of “situs” among the jurisdictions that serve the tax rate area within which the growth occurs. Local agencies and schools will share the growth of “base” revenues from the tax rate area. Each year’s growth allocation becomes part of each agency’s allocation in the following year. The availability of revenue from growth in tax bases to such entities may be affected by the establishment of redevelopment agencies which, under certain circumstances, may be entitled to revenues resulting from the increase in certain property values.

**Assessed Valuations**

The assessed valuation of property in the District is established by the tax assessing authority for the county in which such property is located, except for public utility property which is assessed by the State Board of Equalization. Assessed valuations are reported at 100% of the “full value” of the property, as defined in Article XIII A of the California Constitution. For a discussion of how properties currently are assessed and re-assessed, see “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS.” Certain classes of property, such as churches, colleges, not-for-profit hospitals, and charitable institutions, are exempt from property taxation and do not appear on the tax rolls.

Property within the District has a total assessed valuation for fiscal year 2011-12 of \$\_\_\_\_\_. Shown in the following table are the assessed valuations for the District for the period 2007-08 through 2011-12.

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**ASSESSED VALUATIONS**  
**Fiscal Years 2007-08 through 2011-12**  
**State Center Community College District**

	<u>Local Secured</u>	<u>Unsecured</u>	<u>Total</u>
	<u>Fresno County Portion</u>		
2007-08	\$53,092,765,084	\$2,725,328,370	\$55,818,093,454
2008-09	54,214,626,487	2,310,798,772	56,525,425,259
2009-10			
2010-11			
2011-12			
	<u>Tulare County Portion</u>		
2007-08	\$1,680,676,148	\$60,909,296	\$1,741,585,444
2008-09	1,786,169,585	64,233,856	1,850,403,441
2009-10			
2010-11			
2011-12			
	<u>Kings County Portion</u>		
2007-08	\$99,506,388	\$5,274,082	\$104,780,470
2008-09	111,678,309	5,547,115	117,225,424
2009-10			
2010-11			
2011-12			
	<u>Madera County Portion</u>		
2007-08	\$9,262,783,036	\$309,650,783	\$9,572,433,819
2008-09	9,884,748,395	341,059,600	10,225,807,995
2009-10			
2010-11			
2011-12			
	<u>Total District</u>		
2007-08	\$64,135,730,656	\$3,101,162,531	\$67,236,893,187
2008-09	65,997,222,776	2,721,639,343	68,718,862,119
2009-10			
2010-11			
2011-12			

<sup>(1)</sup> Local secured amounts includes utilities.  
Source: California Municipal Statistics, Inc.

Economic and other factors beyond the District's control, such as general market decline in property values, disruption in financial markets that may reduce availability of financing for purchasers of property, reclassification of property to a class exempt from taxation, whether by ownership or use (such as exemptions for property owned by the State and local agencies and property used for qualified education, hospital, charitable or religious purposes), or the complete or partial destruction of the taxable property caused by a natural or manmade disaster, such as earthquake, flood or toxic contamination, could cause a reduction in the assessed value of taxable property within the District. Any such reduction would result in a corresponding increase in the annual tax rate levied by the Counties to pay the debt service with respect to the Bonds. See "THE BONDS – Security and Sources of Payment."

## Assessed Valuation and Parcels by Land Use

The following table presents a breakdown of the District's secured assessed valuation by land use.

### ASSESSED VALUATION AND PARCELS BY LAND USE Fiscal Year 2011-12 State Center Community College District

<u>2011-12 Assessed Valuation</u> <sup>(1)</sup>	<u>% of Total</u>	<u>No. of Parcels</u>	<u>% of Total</u>
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<sup>(1)</sup> Local secured assessed valuation; excluding tax-exempt property.  
*Source: California Municipal Statistics, Inc.*

## Assessed Valuation of Single Family Homes

The following table displays the 2011-12 assessed valuations of single family residential parcels within the District.

**ASSESSED VALUATION OF SINGLE FAMILY HOMES**  
**Fiscal Year 2011-12**  
**State Center Community College District**

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<sup>(1)</sup> Improved single family residential parcels. Excludes condominiums and parcels with multiple family units.  
*Source: California Municipal Statistics, Inc.*

## Appeals and Adjustments of Assessed Valuations

Under California law, property owners may apply for a reduction of their property tax assessment by filing a written application, in form prescribed by the State Board of Equalization, with the appropriate county board of equalization or assessment appeals board. County assessors may independently reduce assessed values as well based upon the above factors or reductions in the fair market value of the taxable property. In most cases, an appeal is filed because the applicant believes that present market conditions (such as residential home prices) cause the property to be worth less than its current assessed value. Any reduction in the assessment ultimately granted as a result of such appeal applies to the year for which application is made and during which the written application was filed. Such reductions are subject to yearly reappraisals and may be adjusted back to their original values when market conditions improve. Once the property has regained its prior value, adjusted for inflation, it once again is subject to the annual inflationary factor growth rate allowed under Article XIII A. See "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS – Article XIII A of the California Constitution."

A second type of assessment appeal involves a challenge to the base year value of an assessed property. Appeals for reduction in the base year value of an assessment, if successful, reduce the assessment for the year in which the appeal is taken and prospectively thereafter. The base year is

determined by the completion date of new construction or the date of change of ownership. Any base year appeal must be made within four years of the change of ownership or new construction date.

No assurance can be given that property tax appeals in the future will not significantly reduce the assessed valuation of property within the District.

### **Tax Levies, Collections and Delinquencies**

Taxes are levied for each fiscal year on taxable real and personal property which is situated in the District as of the preceding January 1. A supplemental tax is levied when property changes hands or new construction is completed.

A 10% penalty attaches to any delinquent payment for secured roll taxes. In addition, property on the secured roll with respect to which taxes are delinquent becomes tax-defaulted. Such property may thereafter be redeemed by payment of the delinquent taxes and the delinquency penalty, plus a redemption penalty (i.e., interest) to the time of redemption. If taxes are unpaid for a period of five years or more, the property is subject to auction sale by the tax-collecting authority of the relevant county.

In the case of unsecured property taxes, a 10% penalty attaches to delinquent taxes on property on the unsecured roll, and an additional penalty of 1.5% per month begins to accrue beginning November 1 of the fiscal year, and a lien is recorded against the assessee. The taxing authority has four ways of collecting unsecured personal property taxes: (1) a civil action against the taxpayer; (2) filing a certificate in the office of the county clerk specifying certain facts in order to obtain a judgment lien on specific property of the taxpayer; (3) filing a certificate of delinquency for record in the county recorder's office in order to obtain a lien on specified property of the taxpayer; and (4) seizure and sale of personal property, improvements or possessory interests belonging or assessed to the assessee.

The Counties levy (except for levies to support prior voter-approved indebtedness) and collect all property taxes for property falling within the Counties' taxing boundaries.

### **Alternative Method of Tax Apportionment - Teeter Plan**

[TO BE UPDATED] Certain counties in the State of California operate under a statutory program entitled Alternative Method of Distribution of Tax Levies and Collections and of Tax Sale Proceeds (the "Teeter Plan"). Under the Teeter Plan, local taxing entities receive 100% of their tax levies net of delinquencies, but do not receive interest or penalties on delinquent taxes collected by the county.

The Boards of Supervisors of the County of Fresno, the County of Madera and the County of Tulare have each approved the implementation of the "Teeter Plan" within their respective counties, as provided for in Section 4701 *et seq.* of the California Revenue and Taxation Code. Under the Teeter Plan, each participating local agency levying property taxes, including school districts, receives from its county the amount of uncollected taxes credited to its fund, in the same manner as if the amount credited had been collected. In return, the county receives and retains delinquent payments, penalties and interest as collected, that would have been due the local agency. The Teeter Plan, once adopted by a county, remains in effect unless the county board of supervisors orders its discontinuance or unless, prior to the commencement of any fiscal year, the board of supervisors receives a petition for its discontinuance from two-thirds of the participating revenue districts in the county. A board of supervisors may, after holding a public hearing on the matter, discontinue the procedures under the Teeter Plan with respect to any tax levying agency in the county when delinquencies for taxes levied by that agency exceed 3%.

The Teeter Plan applies to the 1% general purpose property tax levy. Whether or not the Teeter Plan also is applied to other tax levies for local agencies, such as the tax levy for general obligation bonds of local agencies, varies by county.

The *ad valorem* property tax to be levied to pay the interest on and principal of the Bonds will be subject to the respective Teeter Plan of each of Fresno County, Madera County and Tulare County. The District will receive 100% of the *ad valorem* property tax levied to pay the Bonds irrespective of actual delinquencies in the collection of the tax by each of Fresno County, Madera County and Tulare County so long as the Teeter Plan for each such County remains in effect.

**Kings County has not adopted the Teeter Plan, and consequently the Teeter Plan is not available to local taxing entities within Kings County, such as the District. The District's receipt of property taxes from real property within Kings County is therefore subject to delinquencies.**

### **Assessed Valuation by Jurisdiction**

The following table is an analysis of the District's assessed valuation by jurisdiction for fiscal year 2011-12.

**ASSESSED VALUATION BY JURISDICTION<sup>(1)</sup>**  
**Fiscal Year 2011-12**  
**State Center Community College District**

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<sup>(1)</sup> Before deduction of redevelopment incremental valuation.  
*Source: California Municipal Statistics, Inc.*



**Tax Rates**

A representative tax rate area (“TRA”) located within the District is Tax Rate Area 05-001. The table below demonstrates the total *ad valorem* tax rates levied by all taxing entities in this TRA during the five-year period from 2007-08 through 2011-12.

**TYPICAL TAX RATE (TRA 05-001 - COUNTY OF FRESNO)  
Fiscal Year 2011-12  
State Center Community College District**

2007-08    2008-09    2009-10    2010-11    2011-12

Total

*Source: California Municipal Statistics, Inc.*

**Largest Property Owners**

The following table lists the 20 largest local secured taxpayers in the District in terms of their 2011-12 secured assessed valuations.

**LARGEST LOCAL SECURED TAXPAYERS  
Fiscal Year 2011-12  
State Center Community College District**

<u>Property Owner</u>	<u>Primary Land Use</u>	<u>2011-12 Assessed Valuation</u>	<u>% of Total<sup>(1)</sup></u>
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<sup>(1)</sup> 2011-12 secured assessed valuation: \$ \_\_\_\_\_.  
*Source: California Municipal Statistics, Inc.*

## Statement of Direct and Overlapping Debt

Set forth on the following page is a direct and overlapping debt report (the "Debt Report") prepared by California Municipal Statistics, Inc. effective \_\_\_\_\_, 2012, for debt issued as of \_\_\_\_\_, 2012. The Debt Report is included for general information purposes only. The District has not reviewed the Debt Report for completeness or accuracy and makes no representation in connection therewith.

The Debt Report generally includes long-term obligations sold in the public credit markets by public agencies whose boundaries overlap the boundaries of the District in whole or in part. Such long-term obligations generally are not payable from revenues of the District (except as indicated) nor are they necessarily obligations secured by land within the District. In many cases, long-term obligations issued by a public agency are payable only from the general fund or other revenues of such public agency.

The table shows the percentage of each overlapping entity's assessed value located within the boundaries of the District. The table also shows the corresponding portion of the overlapping entity's existing debt payable from property taxes levied within the District. The total amount of debt for each overlapping entity is not given in the table.

The first column in the table names each public agency which has outstanding debt as of the date of the report and whose territory overlaps the District in whole or in part. The second column shows the percentage of each overlapping agency's assessed value located within the boundaries of the District. This percentage, multiplied by the total outstanding debt of each overlapping agency (which is not shown in the table) produces the amount shown in the third column, which is the apportionment of each overlapping agency's outstanding debt to taxable property in the District.

**STATEMENT OF DIRECT AND OVERLAPPING BONDED DEBT**  
**State Center Community College District**

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*Source: California Municipal Statistics, Inc.*

## FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA

*The information in this section concerning State funding of community colleges is provided as supplementary information only, and it should not be inferred from the inclusion of this information in this Official Statement that the principal of or interest on the Bonds is payable from State revenues. The Bonds are payable from the proceeds of an ad valorem tax required to be levied by the County in an amount sufficient for the payment thereof.*

### Major Revenues

**General.** California community college districts (other than Basic Aid Districts, as described below) receive, on average, approximately 52 percent of their funds from the State, 44 percent from local sources, and 4 percent from federal sources. State funds include general apportionment, categorical funds, capital construction, the lottery (which is less than 3 percent), and other minor sources. Local funds include property taxes, student fees, and miscellaneous sources.

A bill passed the State's legislature ("SB 361"), and signed by the Governor on September 29, 2006, established a new community college funding system with immediate effect. The new system includes allocation of state general apportionment revenues to community college districts based on criteria developed by the Board of Governors of the California Community Colleges (the "Board of Governors") in accordance with prescribed statewide minimum requirements. In establishing these minimum requirements, the Board of Governors was required to acknowledge community college districts' need to receive an annual allocation based on the number of colleges and comprehensive centers in each respective district, plus funding received based on the number of credit and noncredit full-time equivalent students ("FTES") in each district.

SB 361 also specifies that, commencing with the 2006-07 fiscal year the minimum funding per FTES will be: (a) not less than \$4,367 per credit FTES (subject to cost of living adjustments funded through the budget act in subsequent fiscal years); (b) at a uniform rate of \$2,626 per noncredit FTES (adjusted for the change in cost of living provided in the budget act in subsequent fiscal years); and (c) set at \$3,092 per FTES (adjusted for the change in cost of living provided in the budget act in subsequent fiscal years) for a new instructional category of "career development and college preparation" ("CDCP") enhanced non-credit rate. Pursuant to SB 361, the Chancellor of the California Community Colleges (the "Chancellor") developed criteria for one-time grants for districts that would have received more funding under the prior system or a proposed rural college access grant, than under the new system.

Local revenues are first used to satisfy District expenditures. The major local revenue source is local property taxes that are collected from within District boundaries. Student enrollment fees from the local community college district generally account for the remainder of local revenues for the District. Property taxes and student enrollment fees are applied towards fulfilling the District's financial need. Once these sources are exhausted, State funds are used. State aid is subject to the appropriation of funds in the State's annual budget. Decreases in State revenues may affect appropriations made by the legislature to the District. The sum of the property taxes, student enrollment fees, and State aid generally comprise the District's revenue limit.

"Basic Aid" community college districts are those districts whose local property tax and student enrollment fee collections exceed the revenue allocation determined by the program-based model. Basic Aid districts do not receive any funds from the State. The current law in California allows these districts to keep the excess funds without penalty. The implication for Basic Aid districts is that the legislatively determined annual cost of living adjustment and other politically determined factors are less significant in

determining such districts' primary funding sources. Rather, property tax growth and the local economy become the determinant factors. The District is not a Basic Aid district.

A small part of a community college district's budget is from local sources other than property taxes and student enrollment fees, such as interest income, donations and sales of property. Every community college district receives the same amount of lottery funds per pupil from the State, however, these are not categorical funds as they are not for particular programs or students. The initiative authorizing the lottery does require the funds to be used for instructional purposes, and prohibits their use for capital purposes.

### **Tax Shifts and Triple Flip**

Assembly Bill No. 1755 ("AB 1755"), introduced March 10, 2003 and substantially amended June 23, 2003, requires the shifting of property taxes between redevelopment agencies and schools, including community college districts. On July 29, 2003, the Assembly amended Senate Bill No. 1045 to incorporate all of the provisions of AB 1755, except that the Assembly reduced the amount of the required Education Revenue Augmentation Fund ("ERAF") shift to \$135 million. Legislation commonly referred to as the "Triple Flip" was approved by the voters on March 2, 2004, as part of a bond initiative formally known as the "California Economic Recovery Act." This act authorized the issuance of \$15 billion in bonds to finance the 2002-03 and 2003-04 State budget deficits, which are payable from a fund established by the redirection of tax revenues through the "Triple Flip." Under the "Triple Flip," one-quarter of local governments' one percent share of the sales tax imposed on taxable transactions within their jurisdiction is redirected to the State. In an effort to eliminate the adverse impact of the sales tax revenue redirection on local government, the legislation redirects property taxes in the ERAF to local government. Because the ERAF monies were previously earmarked for schools, the legislation provides for schools to receive other state general fund revenues.

### **Budget Procedure**

On or before September 15, the Board of Trustees of the District is required under Section 58305 of the California Code of Regulations, Title V, to adopt a balanced budget. Each September, every State agency, including the Chancellor's Office of the California Community Colleges, submits to the Department of Finance ("DOF") proposals for changes in the State budget. These proposals are submitted in the form of Budget Change Proposals ("BCPs"), involving analyses of needs, proposed solutions and expected outcomes. Thereafter, the DOF makes recommendations to the governor, and by June 10 a proposed State budget is presented by the governor to the legislature. The Governor's Budget is then analyzed and discussed in committees and hearings begin in the State Assembly and Senate. In May, based on the debate, analysis and changes in the economic forecasts, the governor issues a revised budget with changes he or she can support. The law requires the legislature to submit its approved budget by June 15, and by June 30 the governor should announce his or her line item reductions and sign the State budget. In response to growing concern for accountability and with enabling legislation (AB 2910, Chapter 1486, Statutes of 1986), the statewide governing board of the California community colleges (the "Board of Governors") and the Chancellor's Office have established expectations for sound district fiscal management and a process for monitoring and evaluating the financial condition to ensure the financial health of California's community college districts. In accordance with statutory and regulatory provisions, the Chancellor has been given the responsibility to identify districts at risk and, when necessary, the authority to intervene to bring about improvement in their financial condition. To stabilize a district's financial condition, the Chancellor may, as a last resort, seek an appropriation for an emergency apportionment.

The monitoring and evaluation process is designed to provide early detection and amelioration that will stabilize the financial condition of a district before an emergency apportionment is necessary. This is accomplished by (1) assessing the financial condition of districts through the use of various information sources and (2) taking appropriate and timely follow-up action to bring about improvement in a district's financial condition, as needed. A variety of instruments and sources of information are used to provide a composite of each district's financial condition, including quarterly financial status reports, annual financial and budget reports, attendance reports, annual district audit reports, district input and other financial records. In assessing each district's financial condition, the Chancellor will pay special attention to each district's general fund balance, spending pattern, and full-time equivalent student patterns. Those districts with greater financial difficulty will receive follow-up visits from the Chancellor's Office where financial solutions to the district's problems will be addressed and implemented.

### **Minimum Funding Guarantees for California Community College Districts Under Propositions 98 and 111**

**General.** In 1988, California voters approved Proposition 98, an initiative that amended Article XVI of the State Constitution and provided specific procedures to determine a minimum guarantee for annual K-14 funding. The constitutional provision links the K-14 funding formulas to growth factors that are also used to compute the State appropriations limit. Proposition 111 (Senate Constitutional Amendment 1), adopted in May 1990, among other things, changed some earlier school funding provisions of Proposition 98 relating to the treatment of revenues in excess of the State spending limit and added a third funding "test" to calculate the annual funding guarantee. This third calculation is operative in years in which general fund tax revenue growth is weak. The amendment also specified that under Test 2 (see below), the annual cost of living adjustment ("COLA") for the minimum guarantee for annual K-14 funding would be the change in California's per-capita personal income, which is the same COLA used to make annual adjustments to the State appropriations limit (Article XIII B).

**Calculating Minimum Funding Guarantee.** There are currently three tests which determine the minimum level of K-14 funding. Under implementing legislation for Proposition 98 (AB 198 and SB 98 of 1989), each segment of public education (K-12 districts, community college districts, and direct elementary and secondary level instructional services provided by the State) has separately calculated amounts under the Proposition 98 tests. The base year for the separate calculations is 1989-90. Each year, each segment is entitled to the greater of the amounts separately computed for each under Test 1 or 2. Should the calculated amount under Proposition 98 guarantee (K-14 aggregated) be less than the sum of the separate calculations, then the Proposition 98 guarantee amount shall be prorated to the three segments in proportion to the amount calculated for each. This statutory split has been suspended in every year beginning with 1992-93. In those years, community colleges received less than was required from the statutory split.

Test 1 guarantees that K-14 education will receive at least the same funding share of the State general fund budget it received in 1986-87. Initially, that share was just over 40 percent. Because of the major shifts of property tax from local government to community colleges and K-12 which began in 1992-93 and increased in 1993-94, the percentage dropped to 33.0%.

Test 2 provides that K-14 education will receive as a minimum, its prior-year total funding (including State general fund and local revenues) adjusted for enrollment growth ("ADA") and per-capita personal income COLA.

A third formula, established pursuant to Proposition 111 as "Test 3," provides an alternative calculation of the funding base in years in which State per-capita General Fund revenues grow more

slowly than per-capita personal income. When this condition exists, K-14 minimum funding is determined based on the prior-year funding level, adjusted for changes in enrollment and COLA where the COLA is measured by the annual increase in per-capita general fund revenues, instead of the higher per-capita personal income factor. The total allocation, however, is increased by an amount equal to one-half of one percent of the prior-year funding level as a funding supplement.

In order to make up for the lower funding level under Test 3, in subsequent years K-14 education receives a maintenance allowance equal to the difference between what should have been provided if the revenue conditions had not been weak and what was actually received under the Test 3 formula. This maintenance allowance is paid in subsequent years when the growth in per-capita State tax revenue outpaces the growth in per-capita personal income.

The enabling legislation to Proposition 111, Chapter 60, Statutes of 1990 (SB 98, Garamendi), further provides that K-14 education shall receive a supplemental appropriation in a Test 3 year if the annual growth rate in non-Proposition 98 per-capita appropriations exceeds the annual growth rate in per-pupil total spending.

### **State Assistance**

*California community college districts' principal funding formulas and revenue sources are derived from the budget of the State of California. The following information concerning the State's budgets has been obtained from publicly available information which the District believes to be reliable; however, the District does not guaranty the accuracy or completeness of this information and has not independently verified such information. Furthermore, it should not be inferred from the inclusion of this information herein that the principal of or interest on the Bonds is payable from the General Fund of the District. The Bonds are payable solely from the proceeds of an ad valorem tax required to be levied by the Counties in an amount sufficient for the payment thereof.*

**Senate Bill 70.** On March 24, 2011, the Governor signed into law Senate Bill 70 ("SB 70"), which implements several provisions included in the Governor's proposed State budget for fiscal year 2011-12. Significant features of SB 70 relating to the funding of community college districts include the following:

- SB 70 raises minimum student fees from \$26 per credit to \$36 per credit.
- SB 70 extends, for an additional two fiscal years, existing flexibility options available to community college districts with respect to the use of specified categorical program funding for any general education purpose.
- SB 70 authorizes several new cross-fiscal year deferrals of State apportionments, as follows: (1) \$21.5 million to be deferred from January to October, (2) \$21.5 million to be deferred from February to October, (3) \$43 million to be deferred from March to October, (4) \$21.5 million to be deferred from April to October, and (5) \$21.5 million to be deferred from May to October. Together with existing inter-fiscal year deferrals totaling \$221.5 million, the total amount of State apportionment deferred across fiscal years is \$961 million. These deferrals are also in addition to existing inter-fiscal year deferrals applicable to fiscal years 2010-11 and 2011-12. See "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS – State Cash Management Legislation" herein

- With respect to the existing \$221.5 million June-to-July deferral, SB 70 implements hardship provisions for certain community college districts. Up to \$52 million of such deferral may be paid out in June to community college districts that certify they will be unable to meet their financial obligations absent receipt of the apportionment.
- SB 70 authorizes the State Director of Finance to adjust the State's Proposition 98 calculation to ensure that any shift in property taxes previously received by redevelopment agencies does not affect the State's minimum funding obligations under Proposition 98.

The full text of SB 70 is available at <http://www.leginfo.ca.gov/bilinfo.html>. However, such information is not incorporated herein by any reference.

**2011-12 Budget.** The 2011-12 Budget Act (the "2011-12 Budget") was signed into law by the Governor on June 30, 2011. The Department of Finance has released its summary of the 2011-12 Budget (the "Department of Finance Report"). The following information is drawn from the Department of Finance Report.

The 2011-12 Budget seeks to close the \$26.6 billion deficit identified in the Governor's May revision to the proposed budget (the "May Revision") through a combination of measures totaling \$27.2 billion. Specifically, the 2011-12 Budget includes \$15 billion of expenditure reductions, \$900 million of targeted revenue increases, \$2.9 billion of other measures and a positive adjustment to the State's revenue outlook totaling \$8.3 billion.

The 2011-12 Budget reports that the State economy has continued to improve, with tax collections approximately \$1.2 billion above the amounts projected by the May Revision. As a result, the 2011-12 Budget projects an additional \$4 billion in revenues during fiscal year 2011-12. Although the 2011-12 Budget does not include any of the Governor's proposed tax extensions, the administration states that it plans to seek voter approval of a ballot measure, by November of 2012, which would protect public safety realignment and supplement the State's revenues.

With the implementation of all measures, the 2011-12 Budget assumes, for fiscal year 2010-11, year-end revenues of \$94.8 billion and expenditures of \$91.5 billion. The 2011-12 Budget also assumes the State ended fiscal year 2010-11 with a budget deficit of \$2 billion. For fiscal year 2011-12, the 2011-12 Budget projects total revenues of \$88.5 billion and authorizes total expenditures of \$85.9 billion. The 2011-12 Budget projects that the State will end fiscal year 2011-12 with a \$543 million surplus.

The 2011-12 Budget also includes a series of "trigger" reductions that are authorized to be implemented in the event the State's revenues are less than forecasted. The first series of reductions, totaling approximately \$600 million, would be implemented by January of 2012 if State revenues fall short of projections by more than \$1 billion. If by January of 2012 revenues are projected to fall short by more than \$2 billion, a second series of reductions totaling approximately \$1.9 billion would be implemented.

As part of the first series of "trigger" reductions, the 2011-12 Budget authorizes a reduction of \$30 million to community college apportionments which would be offset by a \$10 increase in per-credit student fees. As part of the second series of "trigger" reductions, the 2011-12 Budget authorizes a further reduction of \$72 million to community college apportionments.

Total Proposition 98 funding is decreased in fiscal year 2011-12 to \$48.7 billion, including \$32.8 billion from the State general fund, which reflects a decrease from the prior year of \$1.1 billion. This



decrease is a net figure reflective of all budgetary actions taken with respect to the State's share of Proposition 98 funding, including increases in baseline revenues, redirection of certain sales tax revenues related to the realignment of public safety programs, and the rebenching of the Proposition 98 minimum funding guarantee (discussed below). The 2011-12 Budget implements a net reduction of \$419 million to State general fund apportionments for community colleges resulting from a base reduction of \$400 million and a new deferral of \$129 million, both of which are offset by \$110 million in projected funding from increased student fees.

The 2011-12 Budget rebenches the Proposition 98 minimum funding guarantee to account for the following: (i) an increase of \$221.8 million, as part of the realignment of public programs from the State to local governments, to fund the delivery of certain mental health services by school districts, (ii) an increase of \$578.1 million to backfill general fund revenues lost from the suspension of sales and excise taxes on motor vehicle fuels, and (iii) a decrease of \$1.1 billion to reflect the exclusion of most child care programs from Proposition 98. The minimum funding guarantee is also rebenched to account for a \$1.7 billion decrease in State general fund revenues as a result of ABx1 27, a companion bill to the 2011-12 Budget. ABx1 27 authorizes redevelopment agencies to continue operations provided their establishing cities or counties agree to make a specified payment to school districts and county offices of education, which totals \$1.7 billion statewide. Pursuant to ABx1 26 (another companion bill to the 2011-12 Budget), redevelopment agencies whose establishing cities or counties elect not to make such payments will be required to shut down, and any net tax increment revenues, after payment of redevelopment bonds debt service and administrative costs, will be distributed to cities, counties, special districts and school districts. Following litigation challenging the constitutionality of both ABx1 26 and ABx1 27, the Supreme Court of California invalidated the provisions of ABx1 27. See “—Recent Litigation Regarding State Budgetary Provisions.”

Additional information regarding the 2011-12 Budget is available from the Department of Finance's website: [www.dof.ca.gov](http://www.dof.ca.gov). However, such information is not incorporated herein by any reference.

***Recent Litigation Regarding State Budgetary Provisions.*** On July 18, 2011, the California Redevelopment Association, the League of California Cities, and the Cities of Union City and San Jose filed petition for a writ of mandate (the “CRA Petition”) with the Supreme Court of California alleging that ABx1 26 and ABx1 27 violate the California Constitution, as amended by Proposition 22. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES – Proposition 1A and Proposition 22.” The petitioners alleged, among other things, that ABx1 26 and ABx1 27 seek to illegally divert tax increment revenue from redevelopment agencies by threatening such agencies with dissolution if payments are not made to support the State's obligation to fund education. The CRA Petition was accompanied by an application for a stay seeking to delay implementation of the provisions of ABx1 26 and ABx1 27 until the claims are adjudicated. On December 29, 2011, the Supreme Court upheld the legality of ABx1 26, reasoning that the Legislature has broad powers to establish or dissolve local agencies as it sees fit. The Court, however, invalidated ABx1 27 on the grounds that the payments required of redevelopment agencies in order to remain in existence could not be characterized as voluntary, and thus violated Proposition 22.

On September 28, 2011, the California School Boards Association, the Association of California School Administrators, the Los Angeles Unified School District, the San Francisco Unified School District and the Turlock Unified School District filed a petition for a writ of mandate in the Superior Court of the State of California in and for the County of San Francisco (the “CSBA Petition”). The petitioners allege that the 2011-12 Budget improperly diverted sales tax revenues away from the State general fund, resulting in a reduction to the minimum funding guarantee of approximately \$2.1 billion. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES

AND APPROPRIATIONS – State Budget Measures – 2011-12 Budget.” The CSBA Petition seeks an order from the Court compelling the State Director of Finance, Superintendent of Public Instruction and the State Controller to recalculate the minimum funding guarantee in accordance with the provisions of the California Constitution.

The District makes no representations regarding the viability of the claims in either the CRA Petition or the CSBA Petition, nor, with respect to the CSBA Petition, can the District predict whether any of the respective petitioners will be successful. Moreover, the District makes no representations as to how any final decision by the respective courts would affect the State’s ability to fund education in fiscal year 2011-12, or in future fiscal years.

**Fiscal Outlook Report.** On November 16, 2011, the LAO released a report entitled “The 2012-13 Budget: California’s Fiscal Outlook” (the “Fiscal Outlook Report”), which includes updated expenditure and revenue projections for fiscal year 2011-12. The following information has been adapted from the Fiscal Outlook Report.

The Fiscal Outlook Report provides the LAO’s projections of the State’s General Fund revenues and expenditures for fiscal years 2011-12 through 2016-17 under current law, absent any actions to close the projected State budgetary deficit, as further discussed below. The LAO’s projections primarily reflect current-law spending requirements and tax provisions, while relying on the LAO’s independent assessment of the outlook for the State’s economy, demographics, revenues, and expenditures.

The LAO currently forecasts total State revenues of \$84.8 billion, approximately \$3.7 billion less than the \$88.5 billion figure included in the 2011-12 Budget. The LAO also forecasts total expenditures of \$85.3 billion, slightly below the \$85.9 billion included in the 2011-12 Budget. Absent corrective action, the LAO estimates that the State will face a projected year-end deficit of approximately \$3 billion, as compared to the \$543 million year-end surplus assumed by the 2011-12 Budget.

The LAO’s estimates with respect to fiscal year 2011-12 are informed in part by the following:

- As a result of the revised revenue forecast, the LAO assumes the implementation of \$2 billion in midyear “trigger” reductions, as required by the 2011-12 Budget. This includes the implementation of all first tier trigger reductions, totaling \$600 million. The LAO also assumes the implementation of approximately \$1.4 billion of second tier trigger reductions, including a \$248 million reduction in home-to-school transportation funding, a \$72 million reduction to community college apportionments, and a \$1.1 billion reduction to K-12 revenue limit funding. The reduction to revenue limit funding reflects a pro-rated implementation of the second tier trigger reductions, based on the LAO’s revenue forecast. The final extent of the reductions are determined upon the release of the Department of Finance’s December 2011 revenue forecast. See “—Department of Finance Revenue Forecast” herein.
- The LAO’s forecast generally assumes that the State will prevail in current, on-going litigation regarding certain provisions of the 2011-12 Budget. See “—Recent Litigation Regarding State Budgetary Provisions” above. However, the LAO assumes that the State will only realize \$1.4 billion of additional general fund revenues from the elimination of redevelopment agencies, rather than the \$1.7 billion figure included in the 2011-12 Budget.
- The Fiscal Outlook Report does not assume the passage of the Governor’s proposed tax extensions at the November 2012 election. The LAO notes that, under the provisions

of the 2011-12 Budget, if no such ballot measure is passed, the State would be required to provide an additional \$2 billion of settle-up payments to K-12 education, reflecting a like increase to the Proposition 98 minimum funding guarantee for fiscal year 2011-12.

- The LAO also assumes (i) higher Medi-Cal costs of approximately \$400 million, and (ii) that the State will be unable to reduce departmental costs by \$250 million, as projected by the 2011-12 Budget.

Additional information regarding the Fiscal Outlook Report may be obtained from the LAO at [www.lao.ca.gov](http://www.lao.ca.gov). However, such information is not incorporated herein by any reference.

**Department of Finance Revenue Forecast.** On December 13, 2011, the Department of Finance released its revised revenue forecast for fiscal year 2011-12. The Department of Finance currently estimates total State revenues of \$86.2 billion, or approximately \$2.2 billion lower than the total revenues projected by the 2011-12 Budget. As such, the State Director of Finance has implemented most of the “trigger” reductions approved by the 2011-12 Budget. Specifically, the Director of Finance implemented most of the first tier trigger reductions, totaling \$581 million, including reductions to community college apportionments (\$30 million) and Proposition 98 funding for child care (\$5.9 million). The Director of Finance also implemented the second tier trigger reductions to community college apportionments (\$72 million), and home-to-school transportation funding (\$248 million). Significantly, the Director of Finance elected not to implement the bulk of the \$1.5 billion second tier reduction to school district revenue limit funding, limiting it to \$79.6 million.

Additional information regarding the Department of Finance’s revenue forecast may be obtained at [www.dof.ca.gov](http://www.dof.ca.gov). However, such information is not incorporated herein by any reference.

**Proposed 2012-13 Budget.** On January 5, 2012, the Governor released his proposed State budget for fiscal year 2012-13 (the “Proposed Budget”). On January 11, 2012, the LAO released its summary of the Proposed Budget. The following information is drawn from the LAO’s summary.

The Proposed Budget estimates that, absent corrective action, the State will end 2011-12 with a total deficit of \$4.1 billion. For fiscal year 2012-13, the Proposed Budget projects that State expenditures will exceed baseline revenues by approximately \$5.1 billion, bringing the total deficit to \$9.2 billion.

To bridge the gap, the Proposed Budget includes \$10 billion of proposed measures affecting both fiscal years 2011-12 and 2012-13. These measures include \$4 billion of expenditure reductions, \$4.6 billion of revenue increases, and \$1.4 billion of other solutions. With the implementation of all measures, the Proposed Budget assumes, for fiscal year 2011-12, year-end revenues of \$85.5 billion and expenditures of \$86.5 billion. The State is also projected to end fiscal year 2011-12 with a budget deficit of \$1.7 billion. For fiscal year 2012-13, the Proposed Budget projects total available revenues of \$94.4 billion and would authorize total expenditures of \$92.6 billion. The State is also projected to end the year with a \$1.1 billion reserve. As with the 2011-12 Budget, the Proposed Budget assumes an accelerated approval process with a target date of March 1 for the Legislature to approve some or all of the Governor’s proposals.

The LAO notes that the cornerstone of the Proposed Budget is voter approval of temporary tax increases at the November 2012 election. The Governor proposes to increase personal income tax (“PIT”) rates on the State’s wealthiest taxpayers by 1%, 1.5% or 2%, depending on filing status and total income, as well as temporary increase of the State sales and use tax by 0.5%. These tax increases are projected to generate an additional \$2.2 billion in fiscal year 2011-12 and \$4.7 billion in fiscal year 2012-13.

The Proposed Budget would also authorize \$5.4 billion in trigger cuts, to be implemented if these proposed tax increases are rejected by the voters. The trigger cuts include (i) a total reduction to the Proposition 98 minimum funding guarantee of \$4.8 billion (including \$2.4 billion in programmatic funding), (ii) a \$200 million reduction to each of the University of California and California State University systems, (iii) a \$125 million reduction to State courts, (iv) a \$15 million reduction to the Department of Forestry and Fire Protection, (v) a \$7 million reduction to Department of Water Resources flood control programs, (vi) a \$1 million reduction to Department of Justice law enforcement programs, and (vii) unallocated reductions to the Department of Fish and Game (\$4 million) and Department of Parks and Recreation (\$2 million). If implemented, these cuts would become effective as of January 1, 2013.

Assuming the passage of the Governor's tax proposals, the Proposition 98 minimum funding guarantee for fiscal year 2011-12 would be set at \$47.6 billion, including \$32.6 billion from the State general fund. For fiscal year 2012-13, the Proposed Budget would set total Proposition 98 funding at \$52.5 billion, including \$37.5 billion from the State general fund. This would represent a net increase of \$4.9 billion (or 10%) from the prior year.

To arrive at these funding levels, the Proposed Budget makes a permanent adjustment, or "rebenching," to the Proposition 98 minimum funding guarantee to reflect a \$1 billion increase in local property taxes resulting from the elimination of redevelopment agencies pursuant to ABx126. These increased property taxes would offset State general fund expenditures on K-14 education. The minimum funding guarantee would also be decreased by \$544 million, primarily by reversing the existing policy that holds the minimum funding guarantee harmless from the elimination of the sales tax on gasoline.

Significant features of the Proposed Budget as it relates to the funding of education include the following:

- *Apportionment Deferral Reduction.* The Proposed Budget would provide an increase of \$218.3 million of funding in fiscal year 2012-13 to partially restore State apportionment funding that is currently subject to deferrals. The Proposed Budget indicates that this increase is contingent on the approval of the Governor's proposed tax increases.
- *Cost-of-Living Adjustment; Enrollment Growth.* The Proposed Budget would not provide a cost-of-living adjustment for any K-14 program during fiscal year 2012-13. The Proposed Budget would also provide no enrollment growth funding for community college districts.
- *Program Flexibility.* The Proposed Budget would provide flexibility for community college districts to use almost all categorical program funding for any educational purpose. Under the Proposed Budget, only three programs—Disabled Students, Foster Care Education, and Telecommunications and Technology Services—would remain restricted.
- *K-14 Mandates.* The Proposed Budget also includes a proposal to eliminate 31 of 57 existing K-14 educational mandates. The remaining 26 educational mandates would be suspended, though school districts and community college districts could undertake the activities required by these remaining mandates in exchange for additional funding. Such additional funding would be provided through a new \$200 million block grant, composed of \$178 million in funding for school districts and \$22 million for community college districts. Districts that choose to receive this funding would

receive a per-student allocation. The Proposed Budget indicates that an auditing and compliance process will be established to ensure grant recipients undertake the required activities.

The LAO expresses concern regarding several features of the Proposed Budget. The LAO notes that the Proposed Budget's baseline revenue projections are higher than those calculated by the LAO as part of its November 2011 revenue forecast. See "—Fiscal Outlook Report" above. Specifically, the Proposed Budget projects \$1.5 billion more of such revenues in 2011-12, and \$3.2 billion more in 2012-13. The LAO indicates that this variance is due largely to differences in how the LAO and the Department of Finance project PIT collections from high-income taxpayers. Accordingly, the LAO indicates that the Proposed Budget may overstate growth in State revenues in future years, including the projected revenue growth that would result from the Governor's proposed tax increases. With respect to fiscal year 2012-13, the LAO projects that these proposed tax increases would generate \$2.1 billion less than what is assumed by the Proposed Budget.

The LAO also expresses concerns regarding the uncertainty generated by the proposed trigger cuts to education funding. The LAO notes that school districts and community college districts have limited ability to downsize operations midyear, and as such would likely be unable to bear the brunt of the proposed trigger reductions. Districts will therefore be compelled to adopt budgets that assume the trigger reductions are implemented, resulting in the overall programmatic reductions the Proposed Budget seeks to avoid.

Additional information regarding the Proposed Budget is available from the LAO's website: [www.lao.ca.gov](http://www.lao.ca.gov). However, such information is not incorporated herein by any reference.

**Future Actions.** The District cannot predict the impact such actions, or future actions, will have on State revenues available in the current or future years for education. The State budget will be affected by national and State economic conditions and other factors over which the District will have no control. Certain actions or results could produce a significant shortfall of revenue and cash, and could consequently impair the State's ability to fund schools. Continued State budget shortfalls in future fiscal years may also have an adverse financial impact on the financial condition of the District.

## STATE CENTER COMMUNITY COLLEGE DISTRICT

*The information in this section concerning the operations of the District and the District's finances is provided as supplementary information only, and it should not be inferred from the inclusion of this information in this Official Statement that the principal of or interest on the Bonds is payable from the General Fund of the District. The Bonds are payable only from the proceeds of an ad valorem tax levied by the Counties for the payment thereof. See "THE BONDS – Security and Sources of Payment."*

### Introduction

The State Center Community College District was established on July 1, 1964 and currently serves an area of approximately 5,580 square miles in Fresno County, California, as well as part of Madera County, Tulare County and Kings County. The District serves a population area in excess of one million residents and is headquartered adjacent to the Fresno City College campus in central Fresno. The District operates two community colleges: Fresno City College and Reedley College. The District also operates regional educational centers in Oakhurst and Madera, as well as the Willow International and Career & Technology Centers in Fresno. For fiscal year 2011-12, the District has a projected enrollment of \_\_\_\_\_ students and an assessed valuation of \$\_\_\_\_\_.

**Administration**

The District is governed by a seven-member Board of Trustees (the “Board”), each member of which is elected to a four-year term. Elections for positions to the Board are held every two years, alternating between three and four available positions. Current members of the Board, together with their office and the date their term expires, are listed below:

<u>Board Member</u>	<u>Office</u>	<u>Term Expires</u>
H. Ronald Feaver	President	December 2012
William J. Smith	Vice President	December 2012
Richard M. Caglia	Secretary	December 2012
Isabel Barreras	Trustee	December 2014
Ronald H. Nishinaka	Trustee	December 2014
Patrick E. Patterson	Trustee	December 2012
Dorothy Smith	Trustee	December 2014

The Chancellor of the District is appointed by the Board and reports to the Board. The Chancellor is responsible for management of the District’s day-to-day operations and supervises the work of other key administrators.

Brief biographies of key administrators follow:

*Dr. Deborah G. Blue, Chancellor.* [TO COME].

*Edwin Eng, Vice Chancellor, Finance & Administrative Services.* [TO COME].

**Full-Time Equivalent Students**

The following table shows the District’s actual and funded FTES for fiscal years 2005-06 through 2010-11 and a projection for fiscal years 2011-12:

**FULL-TIME EQUIVALENT STUDENTS  
State Center Community College District  
Fiscal Years 2005-06 through 2011-12**

<u>Fiscal Year</u>	<u>Total FTES</u>	<u>Funded FTES</u>
2005-06	26,298	26,298
2006-07	26,190	26,298
2007-08	27,605	26,698
2008-09		
2009-10		
2010-11		
2011-12 <sup>(1)</sup>		

<sup>(1)</sup> Projected.  
Source: State Center Community College District.

**Labor Relations**

The District currently employs \_\_\_ full-time and \_\_\_ part-time certificated professionals, \_\_\_ full-time and part-time classified employees and \_\_\_ managerial employees. These employees, except supervisors, management and some part-time employees, are represented by two bargaining units as noted below:

**BARGAINING UNITS  
State Center Community College District**

<u>Labor Organization</u>	<u>Number of Employees In Organization</u>	<u>Contract Expiration Date</u>
American Federation of Teachers - Full-time Faculty		
American Federation of Teachers - Part-time Faculty		
California School Employees Association Full-time Classified		

*Source: State Center Community College District.*

**Retirement Programs**

*The information set forth below regarding the STRS and PERS programs, other than the information provided by the District regarding its annual contributions thereto, has been obtained from publicly available sources which are believed to be reliable but are not guaranteed as to accuracy or completeness, and should not to be construed as a representation by either the District or the Underwriters.*

**STRS.** All full-time certificated employees, as well as certain classified employees, are members of the State Teachers’ Retirement System (“STRS”). STRS provides retirement, disability and survivor benefits to plan members and beneficiaries. Benefit provisions are established by State statutes, as legislatively amended, within the State Teachers’ Retirement Law. The District is currently required by such statutes to contribute 8.25% of eligible salary expenditures, while participants contribute 8% of their respective salaries. The State also contributes to STRS, currently in an amount equal to 2.541% of teacher payroll.

The District’s contribution to STRS was \$5,511,817 for fiscal year 2009-10, \$5,342,314 for fiscal year 2010-11, and is projected to be \$\_\_\_\_\_ for fiscal year 2011-12.

**PERS.** Classified employees working four or more hours per day are members of the Public Employees’ Retirement System (“PERS”). PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefit provision are established by the State statutes, as legislatively amended, with the Public Employees’ Retirement Laws. The District is currently required to contribute to PERS at an actuarially determined rate, which is 10.923% of eligible salary expenditures for fiscal year 2011-12, while participants contribute 7% of their respective salaries.

The District’s contribution to PERS was \$3,089,719 for fiscal year 2009-10, \$3,546,497 for fiscal year 2010-11, and is projected to be \$\_\_\_\_\_ for fiscal year 2011-12.

**State Pension Trusts.** Each of STRS and PERS issues a separate comprehensive financial report that includes financial statements and required supplemental information. Copies of such financial reports may be obtained from each of STRS and PERS as follows: (i) STRS, P.O. Box 15275, Sacramento, California 95851-0275; (ii) PERS, P.O. Box 942703, Sacramento, California 94229-2703.

Moreover, each of STRS and PERS maintains a website, as follows: (i) STRS: [www.calstrs.com](http://www.calstrs.com); (ii) PERS: [www.calpers.ca.gov](http://www.calpers.ca.gov). However, the information presented in such financial reports or on such websites is not incorporated into this Official Statement by any reference.

Both STRS and PERS have substantial statewide unfunded liabilities. The amount of these unfunded liabilities will vary depending on actuarial assumptions, returns on investments, salary scales and participant contributions. The following table summarizes information regarding the actuarially-determined accrued liability for both STRS and PERS.

**FUNDED STATUS**  
**STRS (Defined Benefit Program) and PERS**  
**As of a June 30, 2010 Valuation Date**  
**(Dollar Amounts in Millions) <sup>(1)</sup>**

<u>Plan</u>	<u>Accrued Liability</u>	<u>Value of Trust Assets</u>	<u>Unfunded Liability</u>
Public Employees Retirement Fund (PERS)	\$55,307	\$38,435 <sup>(2)</sup>	\$(16,872)
State Teachers' Retirement Fund Defined Benefit Program (STRS)	196,315	140,291 <sup>(3)</sup>	(56,024)

<sup>(1)</sup> Amounts may not add due to rounding.

<sup>(2)</sup> Reflects market value of assets as of June 30, 2010.

<sup>(3)</sup> Reflects actuarial value of assets as of June 30, 2010.

Source: CalPERS State & Schools Actuarial Valuation; CalSTRS Defined Benefit Program Actuarial Valuation.

Unlike PERS, STRS contribution rates for participant employers, employees and the State are set by statute and do not currently vary from year-to-year based on actuarial valuations. In recent years, the combined employer, employee and State contributions to STRS have been significantly less than actuarially required amounts. As a result, and due in part to investment losses, the unfunded liability of STRS has increased significantly. This unfunded liability is expected to continue to increase in the absence of legislation requiring additional or increased contributions. The District can make no representations regarding the future program liabilities of STRS, or whether the District will be required to make larger contributions to STRS in the future. The District can also provide no assurances that the District's required contributions to PERS will not increase in the future.

**Post-Employment Health Care Benefits**

**Benefits.** The District provides medical, dental and vision insurance coverage (the "Benefits"), as prescribed by the District's labor agreements, to retirees of the District meeting certain eligibility requirements. Specifically, employees participating in PERS must retire after a minimum of 10 years of service to the District, with an age of at least 50 years. Benefits for these employees are paid until each such employee reaches the age of 65 (with 10-14 years of service) or 70 (with 15-19 years of service). Employees with 20 or more years of service receive Benefits for life. For eligible retirees under the age of 65, the District's contributions towards the cost of the Benefits are capped at \$2,400 per year. For eligible employees over the age of 65, the District's contributions are capped at \$1,600 per year, increasing 2% each year.

Employees participating in STRS must retire after a minimum of 10 years of service to the District, and with an age of at least 55 years. Benefits for these employees are paid until each such employee reaches the age of 65 (with 10-14 years of service) or for life (with 15 or more years of service). For eligible retirees under the age of 65, the District's contributions towards the cost of the Benefits are capped at \$2,400 per year. For eligible employees over the age of 65, the District's contributions are capped at \$1,500 per year, increasing 2% each year.



**Actuarial Valuation.** The District has commissioned and received several actuarial studies of its outstanding liability with respect to the Benefits. The most recent of these studies, dated July 1, 2010, concluded that the District's actuarial accrued liability with respect to the Benefits was \$22,482,531. As of the June 1, 2010 valuation date, the study estimated the actuarial value of assets in the District's OPEB Trust (defined herein) to be \$6,051,686, resulting in an unfunded actuarial accrued liability ("UAAL") of \$16,430,845. The study also calculated the annual required contribution ("ARC") to be \$1,994,296. The ARC is the amount that would be necessary to fund the value of future benefits earned by current employees during each fiscal year (the "Normal Cost") and the amount necessary to amortize the UAAL, in accordance with the Governmental Accounting Standards Board Statements Nos. 43 and 45. The ARC is expected to increase each year based on covered payroll.

The District has established an irrevocable trust (the "OPEB Trust") to begin funding the UAAL. As of \_\_\_\_\_, 2012, the OPEB Trust had a net value of assets of \$ \_\_\_\_\_. This balance includes a transfer of \$ \_\_\_\_\_ during fiscal year 2010-11. The District [does][does not] expect to transfer funds into the OPEB Trust during fiscal year 2011-12.

**Net Obligation.** As of June 30, 2011, the District recognized a net long-term obligation (the "Net OPEB Liability") of \$1,463,294, based on its contributions towards the ARC during fiscal year 2010-11. See also "STATE CENTER COMMUNITY COLLEGE DISTRICT – District Debt – Long-Term Debt" herein and "APPENDIX A – EXCERPTS FROM THE 2010- 11 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 9 – Other Postemployment Benefits."

### **Risk Management**

The District is a member of the Valley Insurance Program ("VIP") and Fresno Area Self-Insurance Benefit Organization ("FASBO," and, together with VIP, the "JPAs") public entity risk pools. VIP provides workers' compensation insurance; FASBO provides employee medical benefits. The District pays an annual premium to each entity commensurate with the level of coverage requested. The relationships between the District and the JPAs are such that they are not component units of the District for financial reporting purposes. See APPENDIX A – EXCERPTS FROM THE 2010-11 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 12 – Joint Powers Agreements."

### **Accounting Practices**

The accounting policies of the District conform to generally accepted accounting principles in accordance with policies and procedures of the California Community College Budget and Accounting Manual. This manual, according to Section 84030 of the California Education Code, is to be followed by all California community college districts. The Governmental Accounting Standards Board ("GASB") has released Statement No. 34, which makes changes in the annual financial statements for all governmental agencies in the United States, especially in recording of fixed assets and their depreciation, and in the way the report itself is formatted. These requirements became effective on May 15, 2002 for the District, as well as for any other governmental agency with annual revenues of between \$10 million and \$100 million. Revenues are recognized in the period in which they become both measurable and available to finance expenditures of the current fiscal period. Expenditures are recognized in the period in which the liability is incurred.

## General Fund Budgeting

The following table shows the District's general fund budgets for fiscal years 2008-09 through 2011-12, the District's unaudited actual results for fiscal years 2008-09 through 2010-11, and projected results for fiscal year 2011-12.

### GENERAL FUND BUDGETING State Center Community College District Fiscal Years 2008-09 Through 2011-12

	Fiscal Year 2008-09		Fiscal Year 2009-10		Fiscal Year 2010-11		Fiscal Year 2011-12	
	<u>Budgeted</u>	<u>Unaudited<sup>(1)</sup></u>	<u>Budgeted</u>	<u>Unaudited<sup>(1)</sup></u>	<u>Budgeted</u>	<u>Unaudited<sup>(1)</sup></u>	<u>Budgeted</u>	<u>Projected<sup>(2)</sup></u>
<b>REVENUES:</b>								
Federal	\$10,402,237	\$11,214,292	\$13,589,689	\$12,454,493	\$12,732,764	\$12,497,275	\$16,397,288	
State	118,616,478	121,635,009	110,434,065	110,812,194	105,929,253	113,833,146	103,472,706	
Local	<u>40,304,625</u>	<u>43,550,621</u>	<u>43,387,898</u>	<u>46,119,904</u>	<u>46,939,553</u>	<u>43,931,175</u>	<u>43,837,032</u>	
<b>TOTAL REVENUES</b>	169,323,340	176,399,922	167,411,652	169,386,591	165,601,570	170,261,596	163,707,026	
<b>EXPENDITURES:</b>								
Academic Salaries	74,845,814	75,977,292	74,776,758	75,530,971	74,698,463	73,130,102	74,117,662	
Classified Salaries	34,630,657	34,777,004	34,673,563	33,984,333	34,552,142	34,080,429	34,890,578	
Employee Benefits	30,292,297	30,243,405	30,929,909	29,754,793	32,613,018	31,059,600	33,760,245	
Books and Supplies	4,740,107	4,442,566	4,726,016	4,173,168	4,905,931	4,013,715	4,484,819	
Services and Other Operating Expenditures	15,899,522	17,537,633	16,134,964	16,057,969	15,655,763	15,289,269	16,445,459	
Capital Outlay	<u>3,601,241</u>	<u>3,441,311</u>	<u>3,074,386</u>	<u>4,221,817</u>	<u>3,153,315</u>	<u>3,963,957</u>	<u>2,799,613</u>	
<b>TOTAL EXPENDITURES</b>	164,009,638	166,419,211	164,315,596	163,723,051	165,578,632	161,537,072	166,498,376	
<b>EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES</b>	5,313,702	9,980,711	3,096,056	5,663,540	22,938	8,724,524	(2,791,350)	
<b>OTHER FINANCING SOURCES (USES)</b>	362,191	232,898	226,768	232,556	491,648	4,796,166	539,400	
<b>OTHER OUTGO</b>	5,071,588	5,350,105	3,298,955	1,624,222	2,112,224	6,019,827	2,710,010	
<b>NET INCREASE (DECREASE) IN FUND BALANCES</b>	604,305	4,863,504	23,869	4,271,874	(1,597,638)	7,500,863	(4,961,960)	
<b>BEGINNING FUND BALANCE</b>	26,854,620	26,854,620	31,718,125	31,718,125	34,872,173	34,872,173	42,373,036	
<b>Prior Year Adjustments</b>	--	1	--	(1,117,826)	--	--	--	
<b>Adjusted Beginning Fund Balance</b>	<u>--</u>	<u>26,854,621</u>	<u>--</u>	<u>30,600,299</u>	<u>--</u>	<u>34,872,173</u>	<u>--</u>	
<b>ENDING FUND BALANCE</b>	<u>\$27,458,925</u>	<u>\$31,718,125</u>	<u>\$31,741,994</u>	<u>\$34,872,173</u>	<u>\$33,274,535</u>	<u>\$42,373,036</u>	<u>\$37,411,076</u>	

<sup>(1)</sup> From the District's CCFS-311 Reports filed with the California Community Colleges Chancellor's Office. Unaudited results for fiscal years 2008-09 through 2010-11 in object-oriented format provided for comparison. For audited results of those fiscal years in revised reporting format, see "STATE CENTER COMMUNITY COLLEGE DISTRICT – Comparative Financial Statements."

<sup>(2)</sup> As of \_\_\_\_\_, 2012.

Source: State Center Community College District.

## Comparative Financial Statements

The following table reflects the District's audited revenues, expenditures and changes in net assets from fiscal years 2007-08 through 2010-11:

### SUMMARY OF AUDITED REVENUES, EXPENDITURES AND CHANGES IN NET ASSETS FOR FISCAL YEARS 2007-08 THROUGH 2010-11 State Center Community College District

	<u>2007-08</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>
<b>OPERATING EXPENSES</b>				
Tuition and fees	\$17,763,353		\$24,806,544	\$24,272,746
Less: Scholarship Discounts and Allowances	<u>(7,919,226)</u>		<u>(13,342,531)</u>	<u>(13,753,790)</u>
Net Tuition and Fees	9,844,127		11,464,013	10,518,956
Grant and Contracts, Noncapital:				
Federal	44,619,842		77,658,011	18,430,753
State	19,944,258		16,489,268	13,444,304
Local	1,886,922		2,731,916	2,307,740
Auxiliary Enterprise Sales and Charges				
Bookstore	2,905,641		3,122,977	2,519,682
Food Services	870,171		664,482	615,492
Other Enterprise	1,410,896		--	--
Other Operating Local Revenues	<u>--</u>		<u>1,398,576</u>	<u>1,158,828</u>
<b>TOTAL OPERATING REVENUES</b>	<u>81,481,857</u>		<u>113,529,243</u>	<u>48,995,755</u>
<b>OPERATING EXPENSES</b>				
Salaries	110,203,838		111,451,921	108,970,054
Employee Benefits	34,131,953		32,492,092	32,731,097
Supplies, Materials and Other Operating Expenses and Services	26,621,631		25,645,416	22,118,692
Equipment, Maintenance and Repairs	2,264,481		2,504,906	2,513,900
Financial Aid	41,528,603		72,001,212	68,538,334
Depreciation	<u>4,390,467</u>		<u>5,926,150</u>	<u>7,045,352</u>
<b>TOTAL OPERATING EXPENSES</b>	<u>219,140,973</u>		<u>250,021,697</u>	<u>241,917,429</u>
<b>OPERATING LOSS</b>	<u>(137,659,116)</u>		<u>(136,492,454)</u>	<u>(192,921,674)</u>
<b>NON-OPERATING REVENUES (EXPENSES)</b>				
State Apportionments, non-capital	91,548,455		94,875,306	99,569,992
Local Property Taxes	42,790,919		37,971,820	37,430,444
State Taxes and Other Revenues	7,033,428		4,093,082	5,303,459
Pell Grant	--		--	56,921,091
Investment Income – net	--		939,500	1,006,689
Investment Income-Noncapital	2,532,793		--	--
Investment Income, Capital	<u>(3,454,581)</u>		<u>--</u>	<u>--</u>
Interest expense on capital-asset related debt	--		(5,742,707)	(5,664,566)
Interest income on capital related debt	3,613,734		917,845	491,483
Other Non-Operating, net	<u>168,807</u>		<u>1,004,871</u>	<u>(78,339)</u>
<b>TOTAL NON-OPERATING REVENUES (EXPENSES)</b>	<u>144,233,555</u>		<u>134,059,717</u>	<u>194,980,253</u>
<b>INCOME (LOSS) BEFORE OTHER REVENUES, EXPENSES, GAINS OR (LOSSES)</b>	<u>6,574,439</u>		<u>(2,432,737)</u>	<u>2,058,579</u>
<b>OTHER REVENUES, EXPENSES, GAINS OR (LOSSES)</b>				
State Revenues, Capital	1,174,963		1,149,936	--
Local Revenues, Capital	<u>631,300</u>		<u>1,105,172</u>	<u>1,759,516</u>
<b>TOTAL OTHER REVENUES, EXPENSES, GAINS OR (LOSSES)</b>	<u>1,806,263</u>		<u>2,255,108</u>	<u>1,759,516</u>
<b>INCREASE/ (DECREASE) IN NET ASSETS</b>	<u>8,380,702</u>		<u>(177,629)</u>	<u>3,818,095</u>
<b>NET ASSETS, BEGINNING OF YEAR</b>	<u>226,802,210</u>		<u>255,203,494</u>	<u>254,280,477</u>
Prior Period Adjustment	--		(745,388) <sup>(1)</sup>	--
Restated Net Assets	<u>--</u>		<u>254,458,106</u>	<u>--</u>
<b>NET ASSETS, END OF YEAR</b>	<u>\$235,182,912</u>		<u>\$254,280,477</u>	<u>\$258,098,572</u>

<sup>(1)</sup> Reflects a net restatement to the District's reported losses on investments in the OPEB Trust and interest payable on the District's general obligation bonds as of July 1, 2009. See "APPENDIX A - EXCERPTS FROM THE 2010-11 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 14."  
Source: State Center Community College District.

**Educational Foundation**

The State Center Community College Foundation (the “Foundation”) is a not-for-profit public benefit corporation organized under Section 501(c)(3) of the Code. The Foundation was established to support the District and its students through fundraising efforts. Under GASB rules, the Foundation is a component unit of the District for financial reporting purposes. See “APPENDIX A – EXCERPTS FROM THE 2010-11 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 1 – Summary of Significant Accounting Policies – Reporting Entity.” As of June 30, 2011, the Foundation had net assets valued at \$12,503,682.

**District Debt Structure**

**Long-Term Debt.** General long-term debt as of June 30, 2011 consisted of the following:

	Beginning Balance <u>July 1, 2010</u>	<u>Additions</u>	<u>Reductions</u>	Ending Balance <u>June 30, 2011</u>
General Obligation Bonds	\$113,575,000	--	\$2,865,000	\$110,710,000
Premium on General Obligation Bonds	616,055	--	32,424	583,631
Other postemployment benefits <sup>(1)</sup>	476,801	1,987,867	1,001,374	1,463,294
Compensated absences	<u>3,441,019</u>	<u>--</u>	<u>23,233</u>	<u>3,417,786</u>
	<u>\$118,108,875</u>	<u>\$1,987,867</u>	<u>\$3,922,031</u>	<u>\$116,174,711</u>

<sup>(1)</sup> Reflects the change in the District’s Net OPEB Liability, based on its contributions towards the ARC. See “STATE CENTER COMMUNITY COLLEGE DISTRICT – Post-Employment Health Care Benefits.”

**General Obligation Bonds.** At an election held on November 5, 2002, the voters of the District authorized the issuance of \$161,000,000 of general obligation bonds (the “2002 Authorization”). The following table summarizes the issuances of bonds under the 2002 Authorization. The proceeds of each such issuance of bonds have been used to renovate, construct and acquire District sites and facilities. The bonds are payable solely from *ad valorem* taxes levied by the Counties upon all property subject to taxation by the District without limitation of rate or amount (with the exception of certain personal property which is taxable at limited rates). The District’s general fund is not a source of payment for the General Obligation Bonds.

**OUTSTANDING GENERAL OBLIGATION BONDS – 2002 AUTHORIZATION\***  
**State Center Community College District**

<u>Issuance</u>	<u>Initial Principal Amount</u>	<u>Principal Outstanding<sup>(1)</sup></u>	<u>Date of Delivery</u>
Series 2003A	\$20,000,000		June 17, 2003
Series 2004A	25,000,000		July 15, 2004
Series 2007A	66,000,000		June 27, 2007
Series 2009A <sup>(2)</sup>	10,000,000		July 8, 2009
Series 2009B <sup>(2)</sup>	10,000,000		July 8, 2009

<sup>(1)</sup> As of February 1, 2012. For the Series 2003A and 2004A Bonds, reflects outstanding principal prior to the issuance of the bonds and deposit of funds as described in “REFUNDING PLAN.”

<sup>(2)</sup> Following the issuance thereof, \$30,000,000 of general obligation bonds authorized by the 2002 Authorization remain unissued.

\* Preliminary, subject to change.

The following table displays the annual debt service requirements of the District for all outstanding general obligation bonds, including the Bonds (and assuming no optional redemptions):

**GENERAL OBLIGATION BOND DEBT SERVICE\***  
**State Center Community College District**

Year Ending August 1	Series 2003A Bonds <sup>(1)</sup>	Series 2004A Bonds <sup>(1)</sup>	Series 2007A Bonds	Series 2009A Bonds	Series 2009B Bonds <sup>(2)</sup>	The Bonds	Total Debt Service
2012	\$1,126,512.50	\$1,388,475.00	\$3,565,325.00	\$524,937.50	\$800,000.00		
2013	1,124,012.50	1,389,475.00	3,691,325.00	548,637.50	800,000.00		
2014	1,125,262.50	1,389,475.00	3,821,525.00	571,637.50	800,000.00		
2015	1,125,012.50	1,388,475.00	3,960,525.00	593,387.50	800,000.00		
2016	1,128,262.50	1,388,037.50	4,102,725.00	616,187.50	800,000.00		
2017	1,124,762.50	1,390,762.50	4,252,725.00	639,187.50	800,000.00		
2018	1,126,762.50	1,386,387.50	4,408,275.00	655,187.50	800,000.00		
2019	1,127,562.50	1,390,175.00	4,573,250.00	678,400.00	800,000.00		
2020	1,127,162.50	1,386,600.00	4,745,250.00	703,850.00	800,000.00		
2021	1,124,575.00	1,390,925.00	4,924,250.00	728,600.00	800,000.00		
2022	1,124,725.00	1,387,625.00	5,104,250.00	755,850.00	800,000.00		
2023	1,128,387.50	1,386,962.50	5,294,500.00	778,825.00	800,000.00		
2024	1,125,350.00	1,391,212.50	5,498,750.00	804,537.50	800,000.00		
2025	1,128,500.00	1,390,037.50	5,700,500.00	831,475.00	800,000.00		
2026	1,124,750.00	1,390,975.00	5,909,000.00	--	1,750,000.00		
2027	1,128,750.00	1,385,800.00	6,123,000.00	--	1,754,000.00		
2028	--	1,387,325.00	7,256,250.00	--	1,746,600.00		
2029	--	--	8,641,750.00	--	1,743,200.00		
2030	--	--	8,643,500.00	--	1,738,000.00		
2031	--	--	8,641,500.00	--	1,735,600.00		
2032	--	--	--	--	1,725,200.00		
2033	--	--	--	--	1,711,800.00		
Total	\$18,020,350.00	\$23,608,725.00	\$108,858,175.00	\$9,430,700.00	\$25,104,400.00		

<sup>(1)</sup> Includes debt service on the Refunded Bonds expected to be refinanced with proceeds of the Bonds.

<sup>(2)</sup> The Series 2009B Bonds were designated as "Build America Bonds" pursuant to an irrevocable election by the District to have Sections 54AA and Section 54 AA(g) of the Code apply thereto. The District expects to receive a cash subsidy payment from the United States Department of the Treasury equal to 35% of the interest payable on such bonds on or about each semi-annual interest payment date.

\* Preliminary, subject to change.

## TAX MATTERS

In the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California (“Bond Counsel”), under existing statutes, regulations, rulings and judicial decisions, and assuming the accuracy of certain representations and compliance with certain covenants and requirements described herein, interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. Bond Counsel notes that, with respect to corporations, interest on the Bonds may be included as an adjustment in the calculation of alternative minimum taxable income which may affect the alternative minimum tax liability of corporations. In the further opinion of Bond Counsel, interest on the Bonds is exempt from State of California personal income tax.

The difference between the issue price of a Bond (the first price at which a substantial amount of the Bonds of the same series and maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Bond constitutes original issue discount. Original issue discount accrues under a constant yield method, and original issue discount will accrue to a Bond Owner before receipt of cash attributable to such excludable income. The amount of original issue discount deemed received by the Bond Owner will increase the Bond Owner’s basis in the Bond. In the opinion of Bond Counsel, the amount of original issue discount that accrues to the owner of the Bond is excluded from the gross income of such owner for federal income tax purposes, is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, and is exempt from State of California personal income tax.

Bond Counsel’s opinion as to the exclusion from gross income of interest (and original issue discount) on the Bonds is based upon certain representations of fact and certifications made by the District and others and is subject to the condition that the District complies with all requirements of the Internal Revenue Code of 1986, as amended (the “Code”), that must be satisfied subsequent to the issuance of the Bonds to assure that interest (and original issue discount) on the Bonds will not become includable in gross income for federal income tax purposes. Failure to comply with such requirements of the Code might cause the interest (and original issue discount) on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. The District has covenanted to comply with all such requirements.

The amount by which a Bond Owner’s original basis for determining loss on sale or exchange in the applicable Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable Bond premium, which must be amortized under Section 171 of the Code; such amortizable Bond premium reduces the Bond Owner’s basis in the applicable Bond (and the amount of tax-exempt interest received), and is not deductible for federal income tax purposes. The basis reduction as a result of the amortization of Bond premium may result in a Bond Owner realizing a taxable gain when a Bond is sold by the Owner for an amount equal to or less (under certain circumstances) than the original cost of the Bond to the Owner. Purchasers of the Bonds should consult their own tax advisors as to the treatment, computation and collateral consequences of amortizable Bond premium.

The Internal Revenue Service (the “IRS”) has initiated an expanded program for the auditing of tax-exempt bond issues, including both random and targeted audits. It is possible that the Bonds will be selected for audit by the IRS. It is also possible that the market value of the Bonds might be affected as a result of such an audit of the Bonds (or by an audit of similar bonds). No assurance can be given that in the course of an audit, as a result of an audit, or otherwise, Congress or the IRS might not change the Code (or interpretation thereof) subsequent to the issuance of the Bonds to the extent that it adversely affects the exclusion from gross income of interest on the Bonds or their market value.

It is possible that subsequent to the issuance of the Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal, state, or local tax treatment of the Bonds or the market value of the Bonds. Recently, proposed legislative changes have been introduced in Congress, which, if enacted, could result in additional federal income or state tax being imposed on owners of tax-exempt state or local obligations, such as the Bonds. The introduction or enactment of any of such changes could adversely affect the market value or liquidity of the Bonds. No assurance can be given that subsequent to the issuance of the Bonds such changes (or other changes) will not be introduced or enacted or interpretations will not occur. Before purchasing any of the Bonds, all potential purchasers should consult their tax advisors regarding possible statutory changes or judicial or regulatory changes or interpretations, and their collateral tax consequences relating to the Bonds.

Bond Counsel's opinions may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. Bond Counsel has not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolution and the Tax Certificate relating to the Bonds permit certain actions to be taken or to be omitted if a favorable opinion of bond counsel is provided with respect thereto. Bond Counsel expresses no opinion as to the effect on the exclusion from gross income of interest (and original issue discount) on the Bonds for federal income tax purposes with respect to any Bond if any such action is taken or omitted based upon the advice of counsel other than Stradling Yocca Carlson & Rauth.

Although Bond Counsel has rendered an opinion that interest (and original issue discount) on the Bonds is excluded from gross income for federal income tax purposes provided that the District continues to comply with certain requirements of the Code, the ownership of the Bonds and the accrual or receipt of interest (and original issue discount) on the Bonds may otherwise affect the tax liability of certain persons. Bond Counsel expresses no opinion regarding any such tax consequences. Accordingly, before purchasing any of the Bonds, all potential purchasers should consult their tax advisors with respect to collateral tax consequences relating to the Bonds.

A copy of the proposed form of opinion of Bond Counsel for the Bonds is attached hereto as APPENDIX B.

## **LEGAL MATTERS**

### **Continuing Disclosure**

The District has covenanted for the benefit of Owners of the Bonds to provide certain financial information and operating data relating to the District (the "Annual Report") by not later than nine months following the end of the District's fiscal year (the District's fiscal year ends on June 30), commencing with the report for the 2011-12 fiscal year, and to provide notices of the occurrence of certain enumerated events. The Annual Report and the notices of listed events will be filed in accordance with the requirements of the Rule. The specific nature of the information to be made available and to be contained in the notices of listed events is described in the form of Continuing Disclosure Certificate attached hereto as APPENDIX C. These covenants have been made in order to assist the Underwriters in complying with the Rule.

[TO BE UPDATED] The District has, for the past \_\_\_ fiscal years, failed to file certain portions of its required annual reports and material event notices relating to bond insurer downgrades, in a timely manner as required by its prior continuing disclosure obligations. The District has since filed such reports and notices of material events and is current with respect to all filings required under its existing continuing disclosure obligations.

## **Legality for Investment in California**

Under provisions of the California Financial Code, the Bonds are legal investments for commercial banks in California to the extent that the Bonds, in the informed opinion of the bank, are prudent for the investment of funds of depositors, and under provisions of the California Government Code, are eligible for security for deposits of public moneys in the State.

## **Absence of Material Litigation**

No litigation is pending or threatened concerning the validity of the Bonds, and a certificate to that effect will be furnished to purchasers at the time of the original delivery of the Bonds. The District is not aware of any litigation pending or threatened questioning the political existence of the District or contesting the District's ability to receive *ad valorem* taxes to collect other revenues or contesting the District's ability to issue and retire the Bonds.

[Currently, there are no lawsuits or claims pending against the District.]

## **Information Reporting Requirements**

On May 17, 2006, the President signed the Tax Increase Prevention and Reconciliation Act of 2005 ("TIPRA"). Under Section 6049 of the Code, as amended by TIPRA, interest paid on tax-exempt obligations is subject to information reporting in a manner similar to interest paid on taxable obligations. The purpose of this change was to assist in relevant information gathering for the IRS relating to other applicable tax provisions. TIPRA provides that backup withholding may apply to such interest payments made after March 31, 2007 to any bondholder who fails to file an accurate Form W-9 or who meets certain other criteria. The information reporting and backup withholding requirements of TIPRA do not affect the excludability of such interest from gross income for federal income tax purposes.

## **Legal Opinion**

The validity of the Bonds and certain other legal matters are subject to the approving opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, as Bond Counsel. A copy of the proposed form of such legal opinion is attached to this Official Statement as APPENDIX B.

## **Verification**

Upon delivery of the Bonds, Grant Thornton, LLP will deliver a report on the mathematical accuracy of certain computations based upon certain information and assertions provided to them by the Underwriters relating to the adequacy of the amounts in the Escrow Fund to pay the redemption price of and accrued interest on the Refunded Bonds.



## Financial Statements

Portions of the financial statements with supplemental information for the year ended June 30, 2011, the independent auditor's report of the District, and the related statements of activities and of cash flows for the year then ended, and the report dated December 21, 2011 of Crowe Horwath LLP (the "Auditor"), are included in this Official Statement as APPENDIX A. In connection with the inclusion of portions of the financial statements and the report of the Auditor thereon in APPENDIX A to this Official Statement, the District did not request the Auditor to, and the Auditor has not undertaken to, update its report or to take any action intended or likely to elicit information concerning the accuracy, completeness or fairness of the statements made in this Official Statement, and no opinion is expressed by the Auditor with respect to any event subsequent to the date of its report.

## RATINGS

Moody's and Standard & Poor's, have assigned ratings of "\_\_\_" and "\_\_\_," respectively, to the Bonds. Such ratings reflect only the views of such organization and any desired explanation of the significance of such ratings should be obtained from the rating agency furnishing the same, at the following addresses: Moody's Investors Service, 7 World Trade Center at 250 Greenwich, New York, New York 10007 and Standard & Poor's, 55 Water Street, New York, New York 10041. Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. There is no assurance such ratings will continue for any given period of time or that such ratings will not be revised downward or withdrawn entirely by the respective rating agency, if in the judgment of such rating agency, circumstances so warrant. Any such downward revision or withdrawal of such ratings may have an adverse effect on the market price for the Bonds.

## UNDERWRITING

The Bonds are being purchased by RBC Capital Markets, LLC and E. J. De La Rosa & Co., Inc. (the "Underwriters"). The Underwriters have agreed to purchase the Bonds at a price of \$\_\_\_\_\_ (reflecting the initial principal amount of the Bonds, plus original issue premium of \$\_\_\_\_\_, and less the underwriting discount of \$\_\_\_\_\_). The Purchase Contract for the Bonds provides that the Underwriters will purchase all of the Bonds if any are purchased, the obligation to make such purchase being subject to certain terms and conditions set forth in said agreement, the approval of certain legal matters by counsel and certain other conditions.

The Underwriters may offer and sell Bonds to certain dealers and others at prices lower than the offering prices stated on the cover page hereof. The offering prices may be changed from time to time by the Underwriters.

**ADDITIONAL INFORMATION**

Quotations from and summaries and explanations of the Bonds, the Resolution providing for issuance of the Bonds, and the constitutional provisions, statutes and other documents referenced herein, do not purport to be complete, and reference is made to said documents, constitutional provisions and statutes for full and complete statements of their provisions.

Some of the data contained herein has been taken or constructed from District records. Appropriate District officials, acting in their official capacities, have reviewed this Official Statement and have determined that, as of the date hereof, the information contained herein is, to the best of their knowledge and belief, true and correct in all material respects and does not contain an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made herein, in light of the circumstances under which they were made, not misleading. This Official Statement has been approved by the District's Board of Trustees.

Any statements in this Official Statement involving matters of opinion, whether or not expressly so stated, are intended only as such and not as representations of fact. This Official Statement is not to be construed as a contract or agreement between the District and the purchasers or Owners, beneficial or otherwise, of any of the Bonds.

This Official Statement and the delivery thereof have been duly approved and authorized by the District.

**STATE CENTER COMMUNITY COLLEGE  
DISTRICT**

By \_\_\_\_\_  
Dr. Deborah G. Blue  
Chancellor

**APPENDIX A**

**EXCERPTS FROM THE 2010-11 AUDITED FINANCIAL  
STATEMENTS OF THE DISTRICT**

## APPENDIX B

### FORM OF OPINION OF BOND COUNSEL

*Upon issuance of the Bonds, Stradling Yocca Carlson & Rauth, a Professional Corporation, Bond Counsel, proposes to render its final approving opinion with respect to the Bonds in substantially the following form:*

[Closing Date]

Board of Trustees  
State Center Community College District

Members of the Board of Trustees:

We have examined a certified copy of the record of the proceedings relative to the issuance and sale of \$ \_\_\_\_\_ State Center Community College District (Fresno, Madera, Tulare and Kings Counties, California) 2012 General Obligation Refunding Bonds (the "Bonds"). As to questions of fact material to our opinion, we have relied upon the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.

Based on our examination as bond counsel of existing law, certified copies of such legal proceedings and such other proofs as we deem necessary to render this opinion, we are of the opinion, as of the date hereof and under existing law, that:

1. Such proceedings and proofs show lawful authority for the issuance and sale of the Bonds pursuant to Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, and a resolution (the "Resolution") of the Board of Trustees of the State Center Community College District (the "District").

2. The Bonds constitute valid and binding general obligations of the District, payable as to both principal and interest from the proceeds of a levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.

3. Under existing statutes, regulations, rulings and judicial decisions, interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations; however, it should be noted that, with respect to corporations, such interest may be included as an adjustment in the calculation of alternative minimum taxable income, which may affect the alternative minimum tax liability of corporations.

4. Interest on the Bonds is exempt from State of California personal income tax.

5. The difference between the issue price of a Bond (the first price at which a substantial amount of the Bonds of a maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Bonds constitutes original issue discount. Original issue discount accrues under a constant yield method, and original issue discount will accrue to a Bondowner before receipt of cash attributable to such excludable income. The amount of original issue discount deemed received by a Bondowner will increase the Bondowner's basis in the applicable Bond. Original issue discount that accrues to the Bondowner is excluded from the gross income of such owner for federal income tax purposes, is not an item of tax preference for purposes of

the federal alternative minimum tax imposed on individuals and corporations, and is exempt from State of California personal income tax.

6. The amount by which a Bondowner's original basis for determining loss on sale or exchange in the applicable Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable Bond premium, which must be amortized under Section 171 of the Internal Revenue Code of 1986, as amended (the "Code"); such amortizable Bond premium reduces the Bondowner's basis in the applicable Bond (and the amount of tax-exempt interest received), and is not deductible for federal income tax purposes. The basis reduction as a result of the amortization of Bond premium may result in a Bondowner realizing a taxable gain when a Bond is sold by the Bondowner for an amount equal to or less (under certain circumstances) than the original cost of the Bond to the Bondowner. Purchasers of the Bonds should consult their own tax advisors as to the treatment, computation and collateral consequences of amortizable Bond premium.

The opinions expressed herein may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. We have not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolution and the Tax Certificate relating to the Bonds permit certain actions to be taken or to be omitted if a favorable opinion of bond counsel is provided with respect thereto. No opinion is expressed herein as to the effect on the exclusion from gross income of interest (and original issue discount) for federal income tax purposes with respect to any Bond if any such action is taken or omitted based upon the advice of counsel other than ourselves. Other than expressly stated herein, we express no opinion regarding tax consequences with respect to the Bonds.

The opinions expressed herein as to the exclusion from gross income of interest (and original issue discount) on the Bonds are based upon certain representations of fact and certifications made by the District and others and are subject to the condition that the District complies with all requirements of the Code, that must be satisfied subsequent to the issuance of the Bonds to assure that such interest (and original issue discount) will not become includable in gross income for federal income tax purposes. Failure to comply with such requirements of the Code might cause interest (and original issue discount) on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. The District has covenanted to comply with all such requirements.

It is possible that subsequent to the issuance of the Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal, state, or local tax treatment of the Bonds or the market value of the Bonds. No assurance can be given that subsequent to the issuance of the Bonds such changes or interpretations will not occur.

The rights of the owners of the Bonds and the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable and their enforcement may also be subject to the exercise of judicial discretion in appropriate cases.

Respectfully submitted,

Stradling Yocca Carlson & Rauth

## APPENDIX C

### FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by the State Center Community College District (the “District”) in connection with the issuance of \$\_\_\_\_\_ of the District’s 2012 General Obligation Refunding Bonds (the “Bonds”). The Bonds are being issued pursuant to a Resolution of the District adopted on February 7, 2012 (the “Resolution”). The District covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the District for the benefit of the Holders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriters in complying with S.E.C. Rule 15c2-12(b)(5).

SECTION 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“Annual Report” shall mean any Annual Report provided by the District pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“Beneficial Owner” shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“Dissemination Agent” shall mean initially the District, or any successor Dissemination Agent designated in writing by the District (which may be the District) and which has filed with the District a written acceptance of such designation.

“Holders” shall mean registered owners of the Bonds.

“Listed Events” shall mean any of the events listed in Sections 5(a) and (b) of this Disclosure Certificate.

“Participating Underwriters” shall mean the original Underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“Repository” shall mean the Municipal Securities Rulemaking Board, which can be found at <http://emma.msrb.org/>, or any other repository of disclosure information that may be designated by the Securities and Exchange Commission as such for purposes of the Rule in the future.

“Rule” shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“State” shall mean the State of California.

SECTION 3. Provision of Annual Reports.

(a) The District shall, or shall cause the Dissemination Agent to, not later than nine months after the end of the District’s fiscal year (presently ending June 30), commencing with the report for the

2011-12 Fiscal Year, provide to the Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; *provided* that the audited financial statements of the District may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the District's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(b).

(b) Not later than 30 days (nor more than 60 days) prior to said date the Dissemination Agent shall give notice to the District that the Annual Report shall be required to be filed in accordance with the terms of this Disclosure Certificate. Not later than 15 Business Days prior to said date, the District shall provide the Annual Report in a format suitable for reporting to the Repository to the Dissemination Agent (if other than the District). If the District is unable to provide to the Repository an Annual Report by the date required in subsection (a), the District shall send a notice to the Repository in substantially the form attached as Exhibit A with a copy to the Dissemination Agent. The Dissemination Agent shall not be required to file a Notice to Repository of Failure to File an Annual Report.

(c) The Dissemination Agent shall file a report with the District stating it has filed the Annual Report in accordance with its obligations hereunder, stating the date it was provided.

#### SECTION 4. Content and Form of Annual Reports.

(a) The District's Annual Report shall contain or include by reference the following:

1. The audited financial statements of the District for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the District's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

2. Material financial information and operating data with respect to the District of the type included in the Official Statement in the following categories (to the extent not included in the District's audited financial statements):

- (A) State funding received by the District for the last completed fiscal year;
- (B) Full time equivalent student counts of the District for the last completed fiscal year;
- (C) Outstanding District indebtedness;
- (D) Summary financial information on revenues, expenditures and fund balances for the District's general fund reflecting adopted budget for the current fiscal year.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the District or related public entities, which have been submitted to the Repository or the Securities and Exchange Commission. If the document included by

reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The District shall clearly identify each such other document so included by reference.

(b) The Annual Report shall be filed in an electronic format accompanied by identifying information prescribed by the Municipal Securities Rulemaking Board.

#### SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds in a timely manner not in excess of 10 business days after the occurrence of the event:

1. principal and interest payment delinquencies.
2. tender offers.
3. defeasances.
4. rating changes.
5. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, or Notices of Proposed Issue (IRS Form 5701-TEB).
6. unscheduled draws on the debt service reserves reflecting financial difficulties.
7. unscheduled draws on credit enhancement reflecting financial difficulties.
8. substitution of the credit or liquidity providers or their failure to perform.
9. bankruptcy, insolvency, receivership or similar event (within the meaning of the Rule) of the District. For the purposes of the event identified in this Section 5(a)(9), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the District in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the District, or if such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the District.

(b) Pursuant to the provisions of this Section 5, the District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds, if material:

1. non-payment related defaults.
2. modifications to rights of Bondholders.
3. optional, contingent or unscheduled Bond calls.



4. unless described under Section 5(a)(5) above, adverse tax opinions, material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds.

5. release, substitution or sale of property securing repayment of the Bonds.

6. the consummation of a merger, consolidation, or acquisition involving the District or the sale of all or substantially all of the assets of the District, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms.

7. Appointment of a successor or additional paying agent with respect to the Bonds or the change of name of such paying agent.

(c) Whenever the District obtains knowledge of the occurrence of a Listed Event under Section 5(b) hereof, the District shall as soon as possible determine if such event would be material under applicable federal securities laws.

(d) If the District determines that knowledge of the occurrence of a Listed Event under Section 5(b) hereof would be material under applicable federal securities laws, the District shall (i) file a notice of such occurrence with the Repository in a timely manner not in excess of 10 business days after the occurrence of the event or (ii) provide notice of such reportable event to the Dissemination Agent in format suitable for filing with the Repository in a timely manner not in excess of 10 business days after the occurrence of the event. The Dissemination Agent shall have no duty to independently prepare or file any report of Listed Events. The Dissemination Agent may conclusively rely on the District's determination of materiality pursuant to Section 5(c).

SECTION 6. Termination of Reporting Obligation. The District's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the District shall give notice of such termination in the same manner as for a Listed Event under Section 5(a) or Section 5(b), as applicable.

SECTION 7. Dissemination Agent. The District may, from time to time, appoint or engage a Dissemination Agent (or substitute Dissemination Agent) to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent may resign upon 15 days written notice to the District. Upon such resignation, the District shall act as its own Dissemination Agent until it appoints a successor. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the District pursuant to this Disclosure Certificate and shall not be responsible to verify the accuracy, completeness or materiality of any continuing disclosure information provided by the District. The District shall compensate the Dissemination Agent for its fees and expenses hereunder as agreed by the parties. Any entity succeeding to all or substantially all of the Dissemination Agent's corporate trust business shall be the successor Dissemination Agent without the execution or filing of any paper or further act.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the District may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, 5(a) or 5(b), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances;

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Holders or Beneficial Owners of the Bonds; and

(d) No duties of the Dissemination Agent hereunder shall be amended without its written consent thereto.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the District shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the District. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(b), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the District from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the District chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the District shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the District to comply with any provision of this Disclosure Certificate any Holder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the District to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate. The Dissemination Agent acts hereunder solely for the benefit of the District; this Disclosure Certificate shall

confer no duties on the Dissemination Agent to the Participating Underwriters, the Holders and the Beneficial Owners. The District agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's gross negligence or willful misconduct. The obligations of the District under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds. The Dissemination Agent shall have no liability for the failure to report any event or any financial information as to which the District has not provided an information report in format suitable for filing with the Repository. The Dissemination Agent shall not be required to monitor or enforce the District's duty to comply with its continuing disclosure requirements hereunder.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the District, the Dissemination Agent, the Participating Underwriters and Holders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated: \_\_\_\_\_, 2012

STATE CENTER COMMUNITY COLLEGE  
DISTRICT

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

**EXHIBIT A**

NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT

Name of District: STATE CENTER COMMUNITY COLLEGE DISTRICT

Name of Bond Issue: 2012 General Obligation Refunding Bonds

Date of Issuance: \_\_\_\_\_, 2012

NOTICE IS HEREBY GIVEN that the District has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Certificate relating to the Bonds. The District anticipates that the Annual Report will be filed by \_\_\_\_\_.

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

STATE CENTER COMMUNITY COLLEGE  
DISTRICT

By \_\_\_\_\_ [form only; no signature required]

## APPENDIX D

### GENERAL ECONOMIC AND DEMOGRAPHIC INFORMATION FOR THE CITY OF FRESNO AND THE COUNTY OF FRESNO

*The following information regarding economic activity within the City and the County (as defined herein) in which the District is located is provided as background information only, to describe the general economic health of the region. The Bonds are not a debt or obligation of either the City or the County.*

#### County of Fresno

The County of Fresno (the “County”) was incorporated on October 12, 1885, encompasses approximately 5,998 square miles and has a charter form of government. Located in California’s San Joaquin Valley, the County is the regional hub for business and industry. Centrally located between the San Francisco Bay Area and Los Angeles, the County provides rapid access to West Coast markets via two major freeways – Interstate 5 and Highway 99.

With a population of 940,220 (as of January 1, 2011), the County of Fresno is the tenth largest county in the State of California, up from its ranking of 12th in 1990. The County is located near three National Parks: Yosemite National Park, Sequoia National Park and Kings Canyon National Park.

#### City of Fresno

The City of Fresno (the “City”) is in the heart of California’s San Joaquin Valley and is the county seat of the County. The economy is primarily agriculturally based, but is promoting business growth through the expansion of industrial development and business partnerships.

#### Population

The following table details current population estimates for the City, the County, and the State of California.

#### POPULATION City of Fresno, County of Fresno, and State of California 2000 through 2011

<u>Year<sup>(1)</sup></u>	<u>Fresno County</u>	<u>City of Fresno</u>	<u>State of California</u>
2000	799,407	427,652	34,207,000
2001	812,368	433,574	34,818,000
2002	828,881	440,193	35,037,000
2003	847,413	447,548	35,388,928
2004	866,466	452,909	35,752,765
2005	883,650	457,786	35,985,582
2006	899,514	463,405	36,246,822
2007	899,826	470,817	36,552,529
2008	913,239	477,499	36,856,222
2009	923,895	487,353	37,077,204
2010	933,075	494,053	37,318,481
2011	940,220	500,121	37,510,766

<sup>(1)</sup> As of January 1.

Source: California Department of Finance, Demographic Research Unit.

## Median Household Income

Effective Buying Income (“EBI”) is defined as money income less personal income tax and non-tax payments. The following table summarizes the median household EBI for the County, the State of California and the United States for the years 2006 through 2010.

### MEDIAN HOUSEHOLD EFFECTIVE BUYING INCOME County of Fresno, State of California And United States 2006-2010

<u>Year</u>	<u>County of Fresno</u>	<u>California</u>	<u>United States</u>
2006	\$36,593	\$46,275	\$41,255
2007	\$37,897	48,203	41,792
2008	\$39,348	48,952	42,303
2009	\$38,851	49,736	43,252
2010	\$36,456	47,177	41,368

*Sources: The Nielsen Company (US), Inc.*

## Employment

The average annual civilian labor force for 2011 was 429,700 persons for the County. The following table summarizes the labor force, employment and unemployment figures for the County, and unemployment figures the State, over the past six years.

### ESTIMATED AVERAGE ANNUAL EMPLOYMENT AND UNEMPLOYMENT OF RESIDENT LABOR FORCE County of Fresno 2006-2011

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Labor Force	411,400	419,300	429,800	434,600	438,600	429,700
Employment	378,500	383,600	385,000	369,300	365,000	362,500
Unemployment	33,000	35,700	44,900	65,300	73,600	67,300
Unemployment Rate – County of Fresno	8.0%	8.5%	10.4%	15.0%	16.8%	15.7%
Unemployment Rate – State of California	4.9%	5.3%	7.2%	11.3%	12.4%	10.9%

March 2010 benchmark; data not seasonally adjusted.

*Source: California State Department of Employment Development.*

**Industry**

As shown in the following table, annual average industry employment decreased by approximately 4,600 jobs in 2010 compared to the previous year, a decrease of approximately 1.39%. The government sector employs the largest number of people in the County, providing approximately 67,200 jobs, or over 20.5% of all jobs in 2010.

**ANNUAL AVERAGE INDUSTRY EMPLOYMENT  
County of Fresno  
(in thousands)  
2006-2010**

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Total Farm	46,500	48,100	48,900	45,100	47,100
Natural Resources and Mining	200	100	100	200	200
Construction	23,200	21,100	17,900	13,700	11,900
Manufacturing	27,500	28,100	27,100	25,100	24,900
Wholesale Trade	13,200	13,500	12,900	11,900	11,400
Retail Trade	35,200	36,300	35,400	33,100	32,800
Transportation, Warehousing & Utilities	10,000	10,700	11,000	10,600	10,700
Information	4,200	4,200	4,700	4,100	3,600
Financial Activities	15,500	15,300	14,800	13,800	13,300
Professional and Business Services	29,500	30,000	30,700	28,200	26,800
Education and Health Services	37,500	38,900	40,100	40,200	40,200
Leisure and Hospitality	28,100	28,200	28,000	26,600	26,700
Other Services	10,900	11,000	10,600	10,200	10,100
Government	<u>67,600</u>	<u>69,200</u>	<u>70,000</u>	<u>68,700</u>	<u>67,200</u>
Total All Industries	349,100	354,500	351,900	331,500	326,900

Totals may not add to sums due to rounding; March 2010 benchmark.

Source: State Department of Employment Development, Labor Market Information Division.

## Major Employers

The table below lists the major employers in the County, as ranked by number of employees.

### LARGEST EMPLOYERS County of Fresno 2010

<u>Name</u>	<u>Type of Business</u>	<u>Number of Employees</u>
Fresno Unified School District	Primary & Secondary Education	11,500
County of Fresno	Government	6,500
Community Medical Centers	Healthcare	6,000
City of Fresno	Government	3,780
Clovis Unified School District	Primary & Secondary Education	3,370
Kaiser Permanente	Healthcare	2,603
Pelco	Manufacturing – Video Security	2,150
Saint Agnes Medical Center	Healthcare	2,031
California State University, Fresno	Education	1,671
Quinn Group, Inc.	Manufacturing	1,178
State Center Community College District	Education	
Foster Farms	Food Processing, Poultry	1,100
AT&T	Telecommunications	1,000
Cargill Meat Solutions	Meat Production	999
Zacky Farms	Food Processing/Poultry	975
Aetna	Insurance	950
VA Central California Healthcare System	Healthcare	897
County of Fresno Office of Education	Education	759

Data Sources: 2010 Book of Lists, The Business Journal; County of Fresno Employment Department.

## Commercial Activity

A summary of historic taxable sales within the County for years 2005 through 2010 is shown in the following table.

### TAXABLE SALES County of Fresno 2005-2010 (Dollars in Thousands)

<u>Year</u>	<u>Retail and Food Permits<sup>(1)</sup></u>	<u>Retail and Food Taxable Transactions<sup>(1)</sup></u>	<u>Total Permits</u>	<u>Total Outlets Taxable Transactions</u>
2005	9,461	8,556,886	20,201	\$11,888,436
2006	9,425	9,058,802	20,266	12,560,649
2007	9,583	8,776,111	20,415	12,308,257
2008	9,848	7,872,783	20,273	11,729,171
2009	12,341	6,735,619	19,004	9,966,448
2010 <sup>(2)</sup>	12,653	5,236,645	19,350	7,763,672

<sup>(1)</sup> Data under this category includes both 'Retail' and 'Food' starting in 2009. Data prior to 2009 includes only 'Retail' permits.

<sup>(2)</sup> Represents taxable sales through the first three quarters of 2010.

Source: "Taxable Sales in California (Sales & Use Tax)," California Board of Equalization.



A summary of historic taxable sales within the City for years 2005 through 2010 is shown in the following table.

**TAXABLE SALES**  
**City of Fresno**  
**2005-2010**  
**(Dollars in Thousands)**

<u>Year</u>	<u>Retail and Food Permits<sup>(1)</sup></u>	<u>Retail and Food Taxable Transactions<sup>(1)</sup></u>	<u>Total Permits</u>	<u>Total Outlets Taxable Transactions</u>
2005	5,534	5,411,282	11,006	\$6,916,252
2006	5,491	5,643,638	10,953	7,254,468
2007	5,589	5,495,981	11,163	7,122,176
2008	5,720	4,950,427	11,232	6,591,134
2009	6,646	4,343,089	10,546	5,667,810
2010 <sup>(2)</sup>	6,917	3,272,889	10,816	4,210,469

<sup>(1)</sup>Data under this category includes both 'Retail' and 'Food' starting in 2009. Data prior to 2009 includes only 'Retail' permits.

<sup>(2)</sup>Represents taxable sales through the first three quarters of 2010.

Source: "Taxable Sales in California (Sales & Use Tax)," California Board of Equalization.

**Building Permit Activity**

The following table provides a summary of the building permit valuations and the number of new dwelling units authorized in the County and the City from 2006-2010.

**BUILDING PERMIT ACTIVITY AND VALUATIONS**  
**County of Fresno**  
**2006 through 2010**

<u>Valuation (\$000's)</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
<b>Residential</b>					
New Single-Family	\$718,839.1	\$632,947.2	\$397,573.2	\$377,345.3	\$376,465.4
New Multiple-Family	39,470.0	105,117.2	34,864.3	13,704.8	49,888.5
Residential Alterations/Additions	<u>73,394.1</u>	<u>63,360.3</u>	<u>48,502.3</u>	<u>35,691.7</u>	<u>34,767.0</u>
Total Residential	\$831,703.1	\$801,424.6	\$480,939.8	\$426,741.8	\$461,120.9
<b>Nonresidential</b>					
New Commercial	\$1,491	\$146,245.3	\$173,074.5	\$81,861.9	\$56,337.2
New Industrial	0.0	66,957.6	21,391.7	23,538.6	1,147.3
New Other	7,557.9	49,882.5	56,471.6	24,262.4	35,519.4
Com. Alterations/Additions	<u>1,895.3</u>	<u>97,088.3</u>	<u>103,934.3</u>	<u>82,292.2</u>	<u>89,309.0</u>
Total Nonresidential	\$10,944.2	\$360,173.6	\$354,872.1	\$211,955.1	\$182,352.9
<b>Total Building Valuations</b>	<u>\$842,647.3</u>	<u>\$1,161,598.2</u>	<u>\$835,811.9</u>	<u>\$638,696.9</u>	<u>\$643,473.8</u>
<b>New Units</b>					
Single Family	4,101	3,736	2,352	2,258	2,027
Multiple Family	<u>479</u>	<u>1,243</u>	<u>317</u>	<u>158</u>	<u>422</u>
Total New Residential Units	4,580	4,979	2,669	2,416	2,449

Source: Construction Industry Research Board, Building Permit Summary.

**BUILDING PERMIT ACTIVITY AND VALUATIONS**  
**City of Fresno**  
**2006 through 2010**

<u>Valuation (\$000's)</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Residential					
New Single-Family	\$438,881.1	\$31,347.8	\$313,088.0	\$224,416.3	\$180,821.8
New Multiple-Family	71,931.2	12,993.5	65,647.6	32,609.0	36,101.8
Residential Alterations/Additions	<u>36,891.8</u>	<u>37,113.1</u>	<u>32,316.8</u>	<u>24,982.4</u>	<u>18,516.2</u>
Total Residential	\$547,704.2	\$364,454.4	\$411,052.5	\$282,007.7	\$235,439.7
Nonresidential					
New Commercial	\$95,150.9	\$116,700.0	\$99,555.7	\$101,473.1	\$24,814.8
New Industrial	17,970.0	15,287.3	40,990.0	10,256.2	1,147.3
New Other	23,427.6	20,113.3	15,487.8	19,547.6	10,516.3
Com. Alterations/Additions	<u>66,227.0</u>	<u>74,335.7</u>	<u>67,585.5</u>	<u>71,541.8</u>	<u>65,816.5</u>
Total Nonresidential	\$202,775.5	\$226,436.3	\$223,619.0	\$202,818.7	\$102,294.9
Total Building Valuations	<u>\$750,479.7</u>	<u>\$590,890.7</u>	<u>\$634,671.5</u>	<u>\$484,826.4</u>	<u>\$337,734.6</u>
New Units					
Single Family	2,616	1,891	2,005	1,490	983
Multiple Family	<u>954</u>	<u>183</u>	<u>855</u>	<u>289</u>	<u>271</u>
Total New Residential Units	3,570	2,074	2,669	1,779	1,254

Source: Construction Industry Research Board, Building Permit Summary.

**Transportation**

Fresno Yosemite International Airport, the commercial and general aviation center for the San Joaquin Valley, has nearly 100 arrivals and departures daily. The Santa Fe and Southern Pacific rail companies provide service to the Valley, and over 200 trucking services operate from the Fresno area. Amtrak passenger service links Fresno with northern and southern California. Greyhound bus service connects travelers to other destinations.

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Acknowledgement of Quarterly Financial  
Status Report, General Fund

ITEM NO. 12-09

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EXHIBIT: Report

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Background:

As required for California community college districts (ECS 84043), attached is the December 31, 2011, Quarterly Financial Status Report (CCFS-311Q) for the district general fund. In accordance with state instructions, a copy of the report was forwarded electronically to the State Chancellor's Office.

Minimal changes have occurred to the budget since its adoption. Additional revenue and expenditure adjustments will occur as the year progresses. Projections of the revenue, expenditures, and other sources/uses are based on the adopted budget and amended for additional funding or programs as they are received. The revenues and expenditures through the quarter ending December 31, 2011, when compared to the current budget, are 52% and 48.4%, respectively.

Projected FTES for 2011-12 at the first period reporting is 25,249, which our funded credit FTES cap.

Recommendation:

It is recommended that the Board of Trustees accept the Quarterly Financial Status Report (CCFS-311Q) as presented.

CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE

Quarterly Financial Status Report, CCFS-311Q  
CERTIFY QUARTERLY DATA

CHANGE THE PERIOD ▾

Fiscal Year: 2011-2012

Quarter Ended: (Q2) Dec 31, 2011

District: (570) STATE CENTER

Your Quarterly Data is Certified for this quarter.

**Chief Business Officer**

**CBO Name:** Edwin Y. Eng

**CBO Phone:** 559-244-5910

**CBO Signature:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

**Chief Executive Officer Name:** Dr. Deborah G. Blue

**CEO Signature:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

**Electronic Cert Date:** 01/24/2012

**District Contact Person**

**Name:** Wil Schofield

**Title:** Director of Finance

**Telephone:** 559-244-5920

**Fax:** 559-221-1524

**E-Mail:** wil.schofield@scccd.edu

California Community Colleges, Chancellor's Office  
1102 Q Street Sacramento, California 95814-6511

Send questions to:

Christine Atalig (916)327-5772 [atalig@ccco.edu](mailto:atalig@ccco.edu) or Tracy Britten (916)323-6899 [tbritten@ccco.edu](mailto:tbritten@ccco.edu)

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CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE

## Quarterly Financial Status Report, CCFS-311Q

## VIEW QUARTERLY DATA

CHANGE THE PERIOD ▾

Fiscal Year: 2011-2012

Quarter Ended: (Q2) Dec 31, 2011

District: (570) STATE CENTER

Line	Description	As of June 30 for the fiscal year specified			
		Actual 2008-09	Actual 2009-10	Actual 2010-11	Projected 2011-2012
<b>I. Unrestricted General Fund Revenue, Expenditure and Fund Balance:</b>					
<b>A. Revenues:</b>					
A.1	Unrestricted General Fund Revenues (Objects 8100, 8600, 8800)	147,561,722	143,206,385	146,106,767	135,350,993
A.2	Other Financing Sources (Object 8900)	232,898	232,556	4,796,166	539,400
A.3	<b>Total Unrestricted Revenue (A.1 + A.2)</b>	<b>147,794,620</b>	<b>143,438,941</b>	<b>150,902,933</b>	<b>135,890,393</b>
<b>B. Expenditures:</b>					
B.1	Unrestricted General Fund Expenditures (Objects 1000-6000)	138,872,293	138,930,645	138,745,180	139,534,020
B.2	Other Outgo (Objects 7100, 7200, 7300, 7400, 7500, 7600)	3,963,874	453,758	4,757,132	1,029,000
B.3	<b>Total Unrestricted Expenditures (B.1 + B.2)</b>	<b>142,836,167</b>	<b>139,384,403</b>	<b>143,502,312</b>	<b>140,563,020</b>
C	Revenues Over(Under) Expenditures (A.3 - B.3)	4,958,453	4,054,538	7,400,621	-4,672,627
D	Fund Balance, Beginning	26,270,668	30,977,050	33,913,762	41,314,383
D.1	Prior Year Adjustments + (-)	252,071	1,117,826	0	0
D.2	<b>Adjusted Fund Balance, Beginning (D + D.1)</b>	<b>26,018,597</b>	<b>29,859,224</b>	<b>33,913,762</b>	<b>41,314,383</b>
E	Fund Balance, Ending (C. + D.2)	30,977,050	33,913,762	41,314,383	36,641,756
F.1	Percentage of GF Fund Balance to GF Expenditures (E / B.3)	21.7%	24.3%	28.8%	26.1%

**II. Annualized Attendance FTES:**

G.1	Annualized FTES (excluding apprentice and non-resident)	30,558	31,479	29,151	25,249
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**III. Total General Fund Cash Balance (Unrestricted and Restricted)**

Line	Description	As of the specified quarter ended for each fiscal year			
		2008-09	2009-10	2010-11	2011-2012
H.1	Cash, excluding borrowed funds		40,357,350	41,219,318	49,134,444
H.2	Cash, borrowed funds only		0	0	0
H.3	<b>Total Cash (H.1 + H.2)</b>	<b>32,898,015</b>	<b>40,357,350</b>	<b>41,219,318</b>	<b>49,134,444</b>

**IV. Unrestricted General Fund Revenue, Expenditure and Fund Balance:**

Line	Description	Adopted Budget (Col. 1)	Annual Current Budget (Col. 2)	Year-to-Date Actuals (Col. 3)	Percentage (Col. 3/Col. 2)
<b>I. Revenues:</b>					
I.1	Unrestricted General Fund Revenues (Objects 8100, 8600, 8800)	135,350,994	135,350,993	70,631,179	52.2%
I.2	Other Financing Sources (Object 8900)	539,400	539,400	99,048	18.4%
I.3	<b>Total Unrestricted Revenue (I.1 + I.2)</b>	<b>135,890,394</b>	<b>135,890,393</b>	<b>70,730,227</b>	<b>52%</b>
<b>J. Expenditures:</b>					
J.1	Unrestricted General Fund Expenditures (Objects 1000-6000)	139,534,332	139,534,020	68,028,564	48.8%
J.2	Other Outgo (Objects 7100, 7200, 7300, 7400, 7500, 7600)	1,029,000	1,029,000	125	0%
J.3	<b>Total Unrestricted Expenditures (J.1 + J.2)</b>	<b>140,563,332</b>	<b>140,563,020</b>	<b>68,028,689</b>	<b>48.4%</b>
K	Revenues Over(Under) Expenditures (I.3 - J.3)	-4,672,938	-4,672,627	2,701,538	
L	Adjusted Fund Balance, Beginning	41,314,383	41,314,383	41,314,383	
L.1	Fund Balance, Ending (C. + L.2)	36,641,445	36,641,756	44,015,921	
M	Percentage of GF Fund Balance to GF Expenditures (L.1 / J.3)	26.1%	26.1%		

**V. Has the district settled any employee contracts during this quarter? YES**

If yes, complete the following: (If multi-year settlement, provide information for all years covered.)

Contract Period Settled (Specify)	Management	Academic		Classified
		Permanent	Temporary	

YYYY-YY	Total Cost Increase	% *	Total Cost Increase	% *	Total Cost Increase	% *	Total Cost Increase	% *
<b>a. SALARIES:</b>								
Year 1: 2009-10								
Year 2: 2010-11								
Year 3:								
<b>b. BENEFITS:</b>								
Year 1: 2009-10								
Year 2: 2010-11								
Year 3:								

\* As specified in Collective Bargaining Agreement or other Employment Contract

c. Provide an explanation on how the district intends to fund the salary and benefit increases, and also identify the revenue source/object code. Effective 10/4/11, the POA (Police Officers Association) signed a status quo bargaining agreement for the prior fiscal years 2009-10 and 2010-11. The current fiscal year agreement for 2011-12 with the POA is still under negotiation.

VI. Did the district have significant events for the quarter (include incurrence of long-term debt, settlement of audit findings or legal suits, significant differences in budgeted revenues or expenditures, borrowing of funds (TRANS), issuance of COPs, etc.)? NO

If yes, list events and their financial ramifications. (Enter explanation below, include additional pages if needed.)

VII. Does the district have significant fiscal problems that must be addressed? This year? NO  
Next year? NO

If yes, what are the problems and what actions will be taken? (Enter explanation below, include additional pages if needed.)

State Center Community College District

01-17-12

Annual Budget Report Ending 12/31/2011  
Options - All Statuses

Page: 1

Fiscal Year: 2012

LOC.GRP: 1 - District Office

GL Account	YTD Encumbrances	MTD Actual	YTD Actual	Annual Budget	Available	% Avail
MAJ.OBJ: 91 - Academic Salaries	0.00	148,427.90	871,880.49	2,248,382.00	1,376,501.51	61.22
MAJ.OBJ: 92 - Classified Salaries	0.00	693,690.81	4,276,577.92	8,671,907.00	4,395,329.08	50.68
MAJ.OBJ: 93 - Employee Benefits	0.00	466,415.40	2,607,204.74	5,165,815.00	2,558,610.26	49.53
MAJ.OBJ: 94 - Supplies & Materials	417,078.94	46,123.14	319,195.61	848,077.00	111,802.45	13.18
MAJ.OBJ: 95 - Other Oper Exp & Service	1,787,873.51	433,643.29	4,773,277.69	9,739,629.00	3,178,477.80	32.63
MAJ.OBJ: 96 - Capital Outlay	20,235.77	2,317.26	105,771.32	210,153.00	84,145.91	40.04
MAJ.OBJ: 97 - Other Outgo	0.00	0.00	125.00	784,000.00	783,875.00	99.98
=====						
LOC.GRP: 1 - District Office	2,225,188.22	1,790,617.80	12,954,032.77	27,667,963.00	12,488,742.01	45.14

Fiscal Year: 2012

LOC.GRP: 2 - Fresno City College

GL Account	YTD Encumbrances	MTD Actual	YTD Actual	Annual Budget	Available	% Avail
MAJ.OBJ: 91 - Academic Salaries	0.00	3,703,691.29	21,225,643.96	44,222,271.00	22,996,627.04	52.00
MAJ.OBJ: 92 - Classified Salaries	0.00	1,299,374.98	7,546,724.83	16,631,376.00	9,084,651.17	54.62
MAJ.OBJ: 93 - Employee Benefits	0.00	1,471,358.60	8,356,406.81	17,852,517.00	9,496,110.19	53.19
MAJ.OBJ: 94 - Supplies & Materials	336,382.82	58,020.67	478,829.53	2,257,099.00	1,441,886.65	63.88
MAJ.OBJ: 95 - Other Oper Exp & Service	755,262.22	154,281.21	1,487,773.50	4,125,013.00	1,881,977.28	45.62
MAJ.OBJ: 96 - Capital Outlay	373,094.57	28,788.49	1,003,484.15	1,519,072.00	142,493.28	9.38
MAJ.OBJ: 97 - Other Outgo	165,434.62	193,682.00	332,721.80	1,356,780.00	858,623.58	63.28
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LOC.GRP: 2 - Fresno City College	1,630,174.23	6,909,197.24	40,431,584.58	87,964,128.00	45,902,369.19	52.18



Fiscal Year: 2012

LOC.GRP: 3 - Reedley College

GL Account	YTD Encumbrances	MTD Actual	YTD Actual	Annual Budget	Available	% Avail
MAJ.OBJ: 91 - Academic Salaries	0.00	1,438,953.10	8,196,091.06	16,868,714.00	8,672,622.94	51.41
MAJ.OBJ: 92 - Classified Salaries	1,750.00	520,353.09	3,022,331.59	6,794,116.00	3,770,034.41	55.49
MAJ.OBJ: 93 - Employee Benefits	0.00	559,727.28	3,240,008.65	6,955,088.00	3,715,079.35	53.42
MAJ.OBJ: 94 - Supplies & Materials	224,429.25	43,207.11	351,553.71	955,099.00	379,116.04	39.69
MAJ.OBJ: 95 - Other Oper Exp & Service	321,442.75	113,287.55	780,789.18	2,226,753.00	1,124,521.07	50.50
MAJ.OBJ: 96 - Capital Outlay	192,706.86	49,117.64	645,309.03	1,254,891.00	416,875.11	33.22
MAJ.OBJ: 97 - Other Outgo	166,748.00	24,578.00	196,538.05	1,012,125.00	648,838.95	64.11
=====						
LOC.GRP: 3 - Reedley College	907,076.86	2,749,223.77	16,432,621.27	36,066,786.00	18,727,087.87	51.92

Fiscal Year: 2012

LOC.GRP: 4 - North Centers

GL Account	YTD Encumbrances	MTD Actual	YTD Actual	Annual Budget	Available	% Avail
MAJ.OBJ: 91 - Academic Salaries	0.00	950,498.97	5,560,261.29	11,552,047.00	5,991,785.71	51.87
MAJ.OBJ: 92 - Classified Salaries	0.00	219,488.82	1,324,456.18	2,910,904.00	1,586,447.82	54.50
MAJ.OBJ: 93 - Employee Benefits	0.00	304,265.78	1,834,394.97	3,985,658.00	2,151,263.03	53.98
MAJ.OBJ: 94 - Supplies & Materials	108,446.37	22,689.50	170,168.22	485,803.00	207,188.41	42.65
MAJ.OBJ: 95 - Other Oper Exp & Service	144,521.70	35,597.32	274,271.41	795,486.00	376,692.89	47.35
MAJ.OBJ: 96 - Capital Outlay	32,542.29	1,486.04	120,475.86	209,819.00	56,800.85	27.07
MAJ.OBJ: 97 - Other Outgo	0.00	0.00	0.00	7,397.00	7,397.00	100.00
=====						
LOC.GRP: 4 - North Centers	285,510.36	1,534,026.43	9,284,027.93	19,947,114.00	10,377,575.71	52.03

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Consideration to Adopt 2012-13 Budget  
Development Calendar

ITEM NO. 12-10

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EXHIBIT: Calendar

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Background:

Annually, the Board of Trustees adopts the budget development calendar, which outlines the sequence of events necessary for the timely adoption of the district's budget. The process concludes with a recommendation for Board adoption of a final district budget at its regular meeting on September 4, 2012.

Fiscal Impact:

None

Recommendation:

It is recommended the Board of Trustees approve the 2012-13 Budget Development Calendar, as presented.

## State Center Community College District Budget Development Calendar 2012-13

<b>Date</b>	<b>Day</b>	<b>Responsibility</b>	<b>Activity</b>
01/24/12	Tuesday	Board of Trustees	Update on 2011-12 Budget Governor's January Budget 2012-13
01/30/12	Monday	Chancellor's Cabinet	Review and Approve Budget Calendar
02/07/12*	Tuesday	Board of Trustees	Review and approve Budget Calendar
02/15/12	Wednesday	District	Decision Package Directions and Allocations
02/21/12**	Tuesday	Board of Trustees	Board Goals & Priority Setting Workshop
02/29/12	Wednesday	District	Distribute preliminary budget and staffing allocations
03/16/12	Friday	District/Colleges/Centers	Submit Decision Packages to District Office
03/26/12	Monday	Chancellor's Cabinet	Review and approve Decision Packages
04/13/12	Friday	District/Colleges/Centers	Submit to District projected and proposed expenditure schedules
04/20-21/12**	Fri-Sat	Board of Trustees	Board Retreat – 2011 -12 Budget Update – 2012-13 Budget Presentation
04/23/12	Monday	District/Colleges/Centers	Review respective Draft Tentative Budgets
05/01/12*	Tuesday	Board of Trustees	Review and approve Decision Packages
05/07/12	Monday	Chancellor's Cabinet	Review District Draft Tentative Budget
05/11/12	Friday	State Chancellor's Office	State Chancellor's Office to provide May Revise
05/18/12	Friday	District	Print Draft Tentative Budget if no 5/29/12 workshop, print 5/25/12
05/29/12**	Tuesday	Board of Trustees	Draft Tentative Budget Workshop
06/05/12*	Tuesday	Board of Trustees	Approval of Tentative Budget & Public Hearing Date for Final Budget adoption (9/4/12)
06/29/12	Friday	District	Tentative Budget submitted to County Superintendent of Schools
07/16/12	Monday	District	Revisions to Draft Tentative Budget following adoption of State Budget
07/27/12	Friday	District/Colleges/Centers	Submit Draft Final Budget to District Office
08/07/12	Tuesday	District	Print Final Draft Workshop Budget
08/14/12**	Tuesday	Board of Trustees	Draft Final Budget Workshop
08/21/12	Tuesday	District	Print Final Draft Budget
08/30/12	Thursday	District	Final Budget available for public inspection
09/04/12*	Tuesday	Board of Trustees	Public Hearing and Final Budget adoption for 2012-13

\*Regular Board Meeting

\*\*Special Board Meeting/Workshop (at Discretion of Board)

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: **Consideration to Approve** Mid-Year  
Reduction Proposal

**AMENDED**  
ITEM NO. 12-11

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EXHIBIT: Mid-Year Reduction Plan

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**Background:**

The 2011-12 state budget was enacted in late June 2011. One of the final provisions for balancing the budget was the assumption, based on positive revenue numbers received in April and May of 2011, the state would collect an additional \$4B in revenues. As the year progressed and financial analysis of the state economy was calculated by the Legislative Analyst's office and the State Department of Finance, it was determined sufficient revenues were not generated. Therefore, the trigger reduction provisions of the 2011-12 state budget were implemented. This resulted in the district needing to adjust the 2011-12 budget by \$2,525,000 to make up \$750,000 due to the one-time "trigger 1" reduction and \$1,775,000 for the on-going "trigger 2" reduction.

**Recommendation:**

**It is recommended the Board of Trustees approve the proposed 2011-12 mid-year reduction plan, as presented.**

**SCCCD 2011-12 Mid-Year Reduction Plan**

	<b>District</b>	<b>FCC</b>	<b>RC</b>	<b>NC</b>	<b>Total</b>
Budget Reductions Needed	\$ 125,000	\$ 1,500,204	\$ 547,418	\$ 352,378	\$ 2,525,000
Vacant Position Salary & Benefits Savings	\$ 100,000	\$ 500,000	\$ 315,000	\$ 215,000	\$ 1,130,000
Dental and Vision Insurance Savings	\$ 20,000	\$ 145,000	\$ 70,000	\$ 30,000	\$ 265,000
PT Faculty Retirement Selection Savings	\$ -	\$ 26,000	\$ 28,800	\$ -	\$ 54,800
No Summer Sessions through June 30, 2012	\$ -	\$ 377,000	\$ 80,000	\$ 80,000	\$ 537,000
Other Operational Savings	\$ 5,000	\$ 8,000	\$ 50,000	\$ 13,000	\$ 76,000
Campus Undesignated Contingency	\$ -	\$ 444,204	\$ 3,618	\$ 14,378	\$ 462,200
<b>Total Budget Reductions</b>	<b>\$ 125,000</b>	<b>\$ 1,500,204</b>	<b>\$ 547,418</b>	<b>\$ 352,378</b>	<b>\$ 2,525,000</b>

STATE CENTER COMMUNITY COLLEGE DISTRICT  
1525 E. Weldon  
Fresno, California 93704

PRESENTED TO BOARD OF TRUSTEES

DATE: February 7, 2012

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SUBJECT: Governor's 2012-13 January Budget Proposal

ITEM NO. 12-12

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EXHIBIT: None

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Background:

Governor Brown's 2012-13 state budget begins with a \$9.2B shortfall – a drastic reduction from the \$26.6B shortfall starting point last year. The governor proposes to close the shortfall with \$4.2B in reductions to programs and services, increasing revenues by \$6.9B, and by building a reserve of \$1.1B. In addition, he proposes that most categorical grants (except disabled students, foster care, and telecommunications and technology) will be in a block grant format. Local districts will be afforded the flexibility to allocate the funds needed for each program based on local needs.

The cornerstone piece of his budget proposal hinges on passing a ballot initiative to increase revenues. The governor is placing a tax increase initiative directly in the hands of voters. The initiative will increase sales tax by 0.5% for four years (calendar years 2013-2016) and increase personal income tax for individuals with incomes greater than \$250,000 for five years (calendar years 2012-2016), provided sufficient voter signatures are acquired to place it on the ballot. If successful, it will then require a simple majority vote to approve the tax increase.

Assuming the tax increase is approved in November, the impact to the community college system of new revenues will be a "deferral buy-back" of \$218M and a state mandated block grant of \$12.5M; both will provide little new money to the district. However, if the initiative fails, the community college system will lose \$264M in state apportionment funding (a workload reduction of 5.56%) with State Center losing approximately \$6.4m. Whether the tax initiative fails or succeeds, either scenario includes the categorical block grant proposal. Community colleges will basically be on hold until the November election results.

Districts can be aggressive and assume the tax proposal will pass and budget at the higher levels. But if it fails, they will have to cut back drastically for spring and summer sessions. Alternatively, districts can be conservative and budget assuming the tax proposal will fail then ramp up programs and services in spring and summer sessions if it passes. These options are not ideal as we budget and plan course offerings for the 2012-13 fiscal year.

Item No. 12-12

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Further compounding the situation is the fact this is an election year. Many Legislators will be preoccupied with their campaign; as a result, there will not be many actions/proposals on the budget until late May or June. Legislators will have a short period of time to address the issues and pass a budget. If they fail to pass a *balanced* budget by June 15, Proposition 25 requires they forfeit their pay.

This looks to be an interesting budget year. The Governor's proposal is the first of many proposals to provide a state budget to meet the diverse needs of the citizens of California.

This item is provided for information only; no Board action is required.