

**MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES AGENDA - REGULAR MEETING**

Wednesday, May 4, 2011 – 5:00 PM

**Mendocino College - 1000 Hensley Creek Road – Ukiah CA 95482
Board Room, Room 1060, MacMillan Hall**

CALL TO ORDER /PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

This time is set aside for general public comments. Additionally, comments may be made at time of discussion of any item. After being recognized by the Chair, those wishing to make comments are asked to stand at the podium, give their name, place of residence and affiliation, if any, and address their comments to the Board Chair. Trustees may ask questions of the speaker for clarification but will not generally discuss items that are not on the agenda. If appropriate, they may refer the subject to College staff for research or for the item to be placed on a subsequent agenda.

1. APPROVAL OF AGENDA AND MINUTES

1.1 Approval of Agenda

2. APPROVAL OF MINUTES

2.1 Approval of Minutes of the Regular Meeting held on April 6, 2011.

RECOGNITION OF TENURED FACULTY

Phil Warf and Doug Browe to be Recognized by the Board

3 & 4 CONSENT AGENDA

3. Personnel

3.1 Employment – Short-Term Employees

A list of short-term employees is submitted for approval

3.2 Employment – Summer Session Faculty

A list of faculty for summer session is submitted for approval

3.3 Volunteers

A list of volunteers is submitted for approval

3.4 Employment – Tenure-Track Faculty

Recommendation to employ Eric Stadnick, Leslie Banta and Nicholas Petti, effective August 19, 2011

4. Other Items

4.1 Fiscal Report as of March 31, 2011

Submitted for acceptance

4.2 Appoint Citizens' Bond Oversight Committee Members

Recommendation to appoint Wade Koeninger, Richard C. Eschenbach, and Diane L. Clatty

4.3 Modified Degree to Comply with SB 1440: Mathematics for Transfer (AS-T)

Recommendation to approve the modified Associate in Science degree in Mathematics for Transfer

4.4 Quarterly Fiscal Status Report

Submitted for acceptance

4.5 Student Trustee Privileges

Recommendation to maintain the Student Trustee privileges the same as previous years

5. ACTION ITEMS

5.1 Resolution 05-11-01 Selling of General Obligation Bonds

Recommendation to adopt a resolution requesting the Board of Supervisors of Mendocino County to sell general obligation bonds.

5.2 Facilities Master Plan

Submitted for adoption

5.2 Policies – New, Revise, and Delete

Submitted for review and possible action

5.3 Library/Learning Center – Change Order No 7

Recommendation to approve Change Order No. 7 in the amount of \$15,232

6. INFORMATIONAL REPORTS

6.1 President's Report

Report on the monthly activities of the Superintendent/President

6.2 Education and Student Services Report

Report on the monthly activities of the Education and Student Services Departments

6.3 Administrative Services Report

Administrative Services Department informational report

6.4 Mendocino College Foundation, Inc.

Report on the monthly activities of the Foundation

6.5 Constituents Reports

A written report was submitted by the Academic Senate. Oral reports may be given at the meeting

6.6 Health Benefits Report

Submitted as information

7. TRUSTEE COMMUNICATIONS

7.1 Trustee Reports

- Report on the monthly activities of the Trustees
- Discussion and possible action regarding the workshop scheduled in June

7.2 Future agenda items

8. PRESENTATIONS TO INFORM THE BOARD

8.1 Accountability Report for Community Colleges (ARCC) Report

Presentation by Dr. Charles Duffy, Director of Institutional Research

9. “THE BIG PICTURE”

9.1 Measure W Bond Report and Review of Bond Projects

10. CLOSED SESSION

10.1 Conference with Legal Counsel – Anticipated Litigation – GC 54956.9(a) 2 cases

Case names unspecified: Disclosure would jeopardize existing settlement negotiations

10.2 Collective Bargaining/Meet and Confer - GC 54957.6

Designated Representatives: Lehner, Randall, Perryman, Chaty

Employee Organizations: MCFT, MPFA, M/S/C, MLCCCCBU

11. ADJOURNMENT

ADA Compliance: Persons with disabilities needing assistance, please notify the Superintendent/President's Office at 468-3071 no later than 24 hours prior to the scheduled meeting. Meetings are held in locations which are wheelchair accessible.

Agenda Packet and Supporting Documents Notice: The agenda packet and supporting materials can be viewed in the President's Office, Room 1070, Mendocino College, 1000 Hensley Creek Road, Ukiah CA or on the College's website at www.mendocino.edu.

Future Board Meetings: Regular Meeting: June 1, 2011, 5:00 PM, Ukiah Campus, Room 1060

MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES

A regular meeting of the Mendocino-Lake Community College District Board of Trustees was convened on Wednesday, April 6, 2011, Mendocino College, 1000 Hensley Creek Road, Ukiah, CA.

GENERAL MATTERS

Call To Order Trustee Clark, Board President, called the meeting to order at 4:45 PM.

<i>Board Members</i>	President	Joel Clark	present
	Vice President	Paul Ubelhart	present
	Clerk	Edward Haynes	present
	Trustee	John Tomkins	present
	Trustee	Janet Chaniot	present
	Trustee	Dave Geck	present
	Trustee	Joan M. Eriksen	present

Secretary Kathy Lehner, Superintendent/President

Support Staff Gwen Chapman, Executive Assistant II Superintendent/President

Staff Meridith Randall, Vice President of Education and Student Services
Representatives Larry Perryman, Vice President of Administrative Services

<i>Constituent</i>	Academic Senate	John Koetzner, President
<i>Representatives</i>	Classified Senate	Larry Lang, President
	Management/Supervisory/Confidential	Sue Goff, Vice-President

Public Comments *Public Comment occurred during the informational reports. The speaker was not in the meeting at public comment time.*

Verle Anderson addressed the Board regarding an item on the Consent Agenda about Native American courses.

Agenda Approval M/S/C (Haynes/Chaniot) To approve the agenda as submitted.

Minutes/Approval M/S/C (Tomkins/Haynes) To approve the minutes of the regular meeting held on March 2, 2011 as submitted.

CLOSED SESSION

Trustees adjourned to Closed Session at 4:47 PM

Trustee Clark announced that no action will be taken.

Trustees returned to Open Session at 5:10 PM.

Consent Agenda M/S/C (Chaniot/Geck) To approve the Consent Agenda as submitted.

Roll Call Vote: Trustees Tomkins, Geck, Chaniot, Eriksen, Ubelhart, Haynes and Clark – yes

Items with an asterisk * were approved by one motion as the Consent Agenda.

Personnel

- Employment – Short-Term Employees* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby ratify the Short-Term Employees as presented at the meeting.
- Employment – Tenure-Track Faculty* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby employ Dr. Rodney Grisanti as a tenure-track Music Instructor, effective August 19, 2011.
- Volunteers* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the volunteers as presented at the meeting.
- Faculty Contracts* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby ratify permanent status for Doug Browe and Phil Warf.
- Faculty Contract – Categorically Funded* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve a temporary, non-tenure track, categorically-funded, full-time faculty contract (EC 87470) for Nora Danning, Instructor-Nursing, for 2011-12.
- Administrator Contract* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve a Classified Administrator Contract for Katie Wojcieszak, Executive Director- Mendocino College Foundation, Inc., 7/1/2011 – 6/30/2012.

Other Items

- Fiscal Report as of February 28, 2011* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby accept the fiscal report as submitted.
- Resolution 04-11-01 Election Consolidation* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby adopt Resolution 04-11-01 Specifications of Election Order and Request for Consolidation.
- Point Arena Renovation – Authorization to Go to Bid* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby authorize staff to go to bid for the Renovation of Point Arena.
- Lake Center- Approve Plans* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the plans for the Mendocino College Lake Center project.
- Modified Certificates* *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the modified certificates in Networking and Security, Web and Data Base Development, Computer Applications and Office Administration, and Culinary Arts Management.

Degrees Modified to Comply with SB 1440 *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the modified Associate of Arts Degree in Sociology for Transfer and the modified Associate of Arts degree in Communication Studies for Transfer.

Modified Degrees *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the modified Associate of Science degrees in Computer Applications and Office Administration and Computer Science, and the Associate of Arts degrees in General Studies-Native American Studies, and Liberal Arts-Native American Studies.

New Certificates *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the new certificates in Sustainable Technology – Renewable Energy, Sustainable Technology-Construction, and Sustainable Technology-Residential Performance and Efficiency.

Contracts and Agreements *RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby ratify the contracts and agreements as submitted.

Action Items

April Revised Budgets 2010-11 M/S/C (Eriksen/Chaniot) RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby adopt the 2010-11 April Revised Budgets as submitted.

Vice President Perryman reviewed the budget. He commented that the deadline for new purchase orders will be April 15th and \$130,000 of unused money that had not yet been spent has been captured in order to add to the bottom line in this year's budget.

Superintendent/President Lehner and Vice President Perryman responded to questions from Trustees on the budget.

2011 CCCT Ballots M/S/C (Tomkins/Eriksen) RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby cast their votes for the following trustees for the California Community College Trustees (CCCT) Board: David Wheeler, Laura Casas Frier, Nancy C. Chadwick, Robert Jones, and Paul J. Gomez.

Trustee Haynes voted "no"

Library/Learning Center Change Order No. 6 M/S/C (Geck/Tomkins) RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby ratify Change Order No. 6 for the Library/Learning Center project to Midstate Construction in the amount of <\$146> and add 16 additional days to the contract.

Informational Reports

President's Report An written report was submitted by Superintendent/President Lehner. The following was offered in addition:

- Superintendent/President Lehner reported on information she learned about potential budget cuts and possible restoration of those cuts at the Northern CEO Conference. As the economy improves, there will be discussion about the best way to restore funding to community colleges.

Education and Student Services Report A written report was submitted by Meridith Randall, Vice President of Education and Student Services. The following was offered in addition:

- Dean Goff responded to questions from Trustees about the employability of students who may receive certificates in Sustainability Technology.

Administrative Services Report A written report was submitted by Larry Perryman, Vice President of Administrative Services.

Measure W Bond Project Report A written report was submitted by Larry Perryman, Vice President of Administrative Services.

Mendocino College Foundation, Inc. A written report was submitted by Katie Wojcieszak, Executive Director of the Mendocino College Foundation. The following was offered in addition:

- Executive Director Wojcieszak thanked the Board for supporting the Adopt-a-School program.

Constituents Report There were no written reports. Oral reports were given as follows:

- John Koetzner informed the Board that faculty are working with Superintendent/President Lehner and the Vice Presidents on budget issues.

Health Benefits Report A written report was submitted as information.

Trustee Communication

Trustee Reports A written report was submitted by Trustee Eriksen. Oral reports were given by Trustees Ubelhart, Geck, and Chanot.

Presentations to Inform the Board – Time Certain 6:00 PM

Current and Potential Grants Vice President Randall presented a list of proposed, pending, and awarded grant applications as of April 2011. Vice President Randall and Dean Goff gave explanations of each of the grants listed and responded to Trustee questions.

In addition to the list presented, there are current programs at the college which are funded by grants; the MESA program, the Hewlett Award, and the Basic Skills grant. The MESA program has also applied for and received a grant which funded laptops for approximately 90 students.

Vice President Randall also mentioned that currently the bulk of grants that are available are for Career and Technical Education.

“The Big Picture”

Effect of Budget Cuts on Class Scheduling Superintendent/President Lehner briefly discussed her budget briefs which have been sent to all staff, the Board, and the Foundation. She commented that even though she has been discussing the difficult budget situation and upcoming possible budget deficits for over two years, she has received feedback that some people have been “caught off guard” by the budget news.

In discussing how the cuts to the budget will affect class scheduling, Lehner commented that staff are working to build a smaller schedule for next fall. Some

of the reductions in budget will take place in the part-time faculty budget and the travel budget. As directed by the Chancellor's Office, we are concentrating on Career and Technical Education (CTE), Transfer, and Basic Skills. Once we determine that these classes fit into these categories, then we have to look deeper and see which students are taking the class. Are they taking the class for job training or transfer, or are they taking the class for recreation or life-long learning?

Vice President Perryman presented the Projected Budget Scenarios which contained projected budgets through 2013/14.

Discussion:

- To meet the \$2.3 M in cuts for 2012/13 will take a combination of program reductions, faculty and staff salary reductions, and layoffs and retirements.
- It is also important to maintain FTES at a level to receive maximum apportionment from the State.
- Health benefit and salary reductions will have to be negotiated with the bargaining groups.
- It may be necessary for the Board to give the staff more flexibility in their budget parameters. Staff are following the Board's request to not lay off staff and not go below 7% in reserves, but it may be necessary to ask for more leniency.
- The Planning and Budgeting Committee (PBC) has begun to review programs. Program Reviews are due this month.
- There have been reorganizations of staff in several areas due to attrition.
- Consideration must be given to what will happen if the State stops funding athletics.

*Future Agenda
Items*

Trustee Chaniot suggested that the Board discuss the history of community colleges and their relationship to four-year universities, and where we are headed with implementing SB1440. The Board did not choose to add this as a future agenda item at this time.

ADJOURNMENT

M/S/C (Haynes/Chaniot) RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby adjourn the meeting at 7:50 PM.

Submitted by:

Kathryn G. Lehner, Superintendent/President
Secretary, Board of Trustees

ITEM NO: 3.1
DATE: May 4, 2011

SUBJECT: EMPLOYMENT – SHORT-TERM EMPLOYEES

SYNOPSIS:

Approval of employment of short-term employees is requested.

RECOMMENDATION:

The Superintendent/President recommends that this item be approved as presented.

ANALYSIS:

Education Code 88003 authorizes a governing board to hire short-term (temporary, hourly) employees for less than 75% of a school year, up to 195 days. These employees are not considered to be part of the classified staff.

Education Code 70902(d) permits a governing board to adopt a rule delegating the authority to hire short-term employees to the Superintendent/President, or designee. This district has adopted such a rule in Policy No. 703.

EC 88003 was amended to require districts to specify at a regularly scheduled Board meeting the service to be performed, as well as the start and end dates of the service.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College Board of Trustees hereby ratifies the list of short-term employees as presented.

Short Term Temporary Employees

(Individual assignments may not exceed 194 days within the start and end dates)

Last Name	First Name	Position	Department	Start Date	End Date
Gordon	Chase	Game Management	Athletics	4/7/2011	6/30/2011
Hopper	Ashley	Office Assistant	Fiscal Services	5/1/2011	6/30/2011
Mills	Ricki	Art Model	Art	4/7/2011	6/30/2011
Slayton	Jessica	Game Management	Athletics	4/7/2011	6/30/2011

ITEM NO. 3.2
DATE: May 4, 2011

SUBJECT: EMPLOYMENT - SUMMER SESSION FACULTY

SYNOPSIS:

Employment of Summer Session Faculty for the Summer Session, 2011

RECOMMENDATION:

The Superintendent/President recommends that this agenda item be approved as presented.

ANALYSIS:

The Deans recommend employment of the Summer Session Faculty included on the attached list. Each individual meets the state-mandated qualifications or the District's equivalency policy for the assignment or possesses a valid, applicable credential.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby employ the Summer Session Faculty for 2011 as presented.

Summer Session 2011

Name	Position	Location
Adams, Kathlyne	English Instructor	Online
Alto, Robert	Speech Instructor	Ukiah
Banks, Jennifer	Health-Continuing Ed Instructor	Ukiah
Bartow, Robert	Welding Instructor	Ukiah
Bayer, Lucille	English Instructor	Ukiah
Beale, Edward	Geology Instructor	Willits
Beck, Timothy	Physics Instructor	Ukiah
Browe, Douglas	Art - Ceramics Instructor	Ukiah
Brunner, Jeffrey	English Instructor	Lake Center
Bushway, Ginger	Business Office Technology Instructor	Online
Buzzell, Nancy	Child Development Instructor	Online
Cardimona, Steven	Earth Science Instructor	Online
Cartwright, Tammy	Business Office Technology Instructor	Ukiah Online
Chapman, Janel	Business Office Technology Instructor	Lake/Online
Cordell, Susan	Business Office Technology Instructor	Lake Center
Crofoot, Jessica	Counselor, Part-Time Hourly	Willits
Doering, Debra	Spanish Instructor	Ukiah
Edington, Jason	Mathematics Instructor	Ukiah/Online
Falandes, Helen	Alcohol and Other Drugs Instructor	Ukiah
Fanene, Eric	Physical Ed - General Instructor	Ukiah
Farris, Linda	English Instructor	Lake Center
Flaim, David	Biology Instructor	Ukiah
Ford, Aaron	Physical Ed - General Instructor	Ukiah
Francia, Rose	Culinary Arts Mgmt - Culinary Instructor	Covelo
Fry, Joseph	Philosophy Instructor	Ukiah/Online
Gang, Thomas	Physical Ed - General Instructor	Ukiah

Summer Session 2011

Name	Position	Location
Garcia, Luz	English as a Second Language Instructor	Ukiah
Gilmore, Karen	English as a Second Language Instructor	Ukiah
Gonzalez, Ignacio	Real Estate Instructor	Ukiah
Gordon, Matt	Physical Ed - General Instructor	Ukiah
Griffith, Robert	Computer Science Instructor	Online
Gross, Susan	Art - Painting, Drawing Instructor	Ukiah
Guleff, Michael	Music Instructor	Online
Haggitt, Lynn	English Instructor	Online
Headrick, Donna	Business Office Technology Instructor	Online
Hellman, Steven	English Instructor	Willits
Hicks, Greg	Health-Transfer Instructor	Online
Hixenbaugh, Steven	Business Instructor	Online
Huff, Shane	Physical Ed - Major Instructor	Ukiah
Hutton, Dina	English as a Second Language Instructor	Willits
Indermill, Catherine	Psychology Instructor	Online
Ives, Aeron	Mathematics Instructor	Ukiah/Online
Johnson, Cameron	English As a Second Language Non-Credit	Ukiah
Johnson, Cassandra	Child Development Instructor	Lake Center
Johnson, Clifford	Music Instructor	Lake Center
Johnson, Deborah	Computer Science Instructor	Ukiah
Jones, Christopher	English Instructor	Lake Center
Jones, Michael	Welding Instructor	Lake Center
Kirkpatrick, Ruth	Biology Instructor	Willits
Landers, Joshua	English Instructor	Ukiah
Larsen, Erick	Mathematics Instructor	Lake Center
Lin, Ying	Mathematics Instructor	Ukiah

Summer Session 2011

Name	Position	Location
MacDougall, Elizabeth	Music Instructor	Ukiah
Magratten, Anne	Art - Painting, Drawing Instructor	Ukiah
Mari, Michael	Health-Transfer Instructor	Online
McKay, Carol	Child Development Instructor	Online
McKay, Wallace	Child Development Instructor	Ukiah/Online
McMartin, Duncan	Physical Ed - Intercollegiate Instructor	Ukiah
Montes, Rebecca	History Instructor	Online
Morgan, Heidi	Psychology Instructor	Online
Morie, Benjamin	Physical Ed - General Instructor	Ukiah
Myklebust, Martha	Child Development Instructor	Willits
O'Meara, Melbourne	Mathematics Instructor	Lake Center
Offill, William	Physical Ed - Major Instructor	Ukiah
Orozco, Elizabeth	Business Office Technology Instructor	Online
Orpustan-Love, Denise	Sociology Instructor	Online
Ortiz, Claudina	Alcohol and Other Drugs Instructor	Ukiah
Parkinson, John	Music Instructor	Lake Center
Pettersen, Neil	Health-Continuing Ed Instructor	Willits
Pfutzenreuter, Les	Music Instructor	Ukiah
Post, Ezra	English as a Second Language Instructor	Ukiah
Prather, Douglas	Anthropology Instructor	Lake Center
Price, Christine	Alcohol and Other Drugs Instructor	Ukiah
Rader-Lee, Victoria	English as a Second Language Instructor	Ukiah
Rawlinson, Bart	English Instructor	Online
Schmidt, Victoria	Psychology Instructor	Ukiah
Schuman, Edwin	English Instructor	Willits
Silva, Logan	History Instructor	Ukiah

Summer Session 2011

Name	Position	Location
Smith, Marius	Mathematics Instructor	Willits
Snider, Michelle	Mathematics Instructor	Ukiah
Starwalker, Marilyn	American Sign Language Instructor	Ukiah
Steliga, Jody	Physical Ed - General Instructor	Ukiah
Stocker, Ricardo	Psychology Instructor	Ukiah
Thomas, Alexander	Economics Instructor	Online
Todd, Timothy	Computer Science Instructor	Ukiah
Varela, Vivian	Sociology Instructor	Online
Veno, Kathryn	Anthropology Instructor	Online
Wagschal, Peter	Computer Science Instructor	Lake Center
Walker, Orion	Sustainable Technologies Instructor	Ukiah
Wandrei, Karin	Psychology Instructor	Willits
Warf, Phillip	Political Science Instructor	Online
Webster, William	Health-Paramedic Instructor	Ukiah
Wicks-DeMartino, Verna	Music Instructor	Lake Center
William-White, Lisa	English Instructor	Online

ITEM NO: 3.3
DATE: May 4, 2011

SUBJECT: VOLUNTEERS

SYNOPSIS:

Approval of volunteers.

RECOMMENDATION:

The Superintendent/President recommends that this agenda item be approved as presented.

ANALYSIS:

Individuals may volunteer their services to the District, but only authorized volunteers approved by the administration and the Governing Board are entitled to workers' compensation benefits. No volunteers are agents of the District. (Labor Code 3364.5; Board Policy No. 702) The following volunteers approved by the administration are recommended for Board approval:

Name	Assignment
Morgan Knight	Assist instructor in American Sign Language class

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College Board of Trustees hereby approves the list of volunteers as presented.

ITEM NO: 3.4
DATE: May 4, 2011

SUBJECT: EMPLOYMENT – TENURE-TRACK FACULTY

SYNOPSIS:

Employment of full-time, tenure-track faculty

RECOMMENDATION:

The Superintendent/President recommends approval of this Board item.

ANALYSIS:

Mathematics - Leslie Banta earned an A.A. in Liberal Arts from Mendocino College, a B.A. in Mathematics from Sonoma State University, and a M.S. in Education from Dominican University of California. She has taught Mathematics full-time for Ukiah High School and the Redwood Academy of Ukiah. Leslie also taught Mathematics part-time for Sonoma State University and Mendocino College. In addition, she has worked as an Intern Support Provider for North Coast Beginning Teacher Program to mentor intern teachers throughout the credentialing process.

Culinary Arts Management - Nicholas Petti earned a Certificate in Culinary Arts from the California Culinary Academy, San Francisco. He has been the owner/chef of the Mendo Bistro in Fort Bragg since 1999. Prior to starting his own business, Nicholas worked as a chef for various restaurants and taught culinary classes part-time for the Learning Annex in Denver. He met minimum qualifications for this teaching position per the District's equivalency policy, "industry certification and eight years of occupational experience in the discipline," and is in the process of completing a B.A. degree.

Business Office Technology - Eric Stadnik taught Business Office Technology for Santa Rosa Junior College on a part-time basis since 1997, including one year as a full-time temporary replacement. He has also taught for Dominican University of California, Animation Station, Inc., Sydney Learning Centers, and IHOP Corp. Eric has a B.A. in Humanities from the New College of California; Professional Designation/Certificates in Business Management and Industrial Relations from UCLA; a teaching credential from U.C. Berkeley; and a M.S. in Educational and Instructional Technology from National University.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby employs as tenure-track instructors Leslie Banta, Nicholas Petti and Eric Stadnik, effective August 19, 2011.

ITEM NO: 4.1
DATE: May 4, 2011

SUBJECT: FISCAL REPORT AS OF MARCH 31, 2011

SYNOPSIS:

A report on District fiscal data as of March 31, 2011.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees accept this report.

ANALYSIS:

The fiscal report as of March 31, 2011 is submitted as information. The Board of Trustees is requested to accept the report.

ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby accept the fiscal report as presented.

Mendocino-Lake Community College District
General Fund
2010/11 Fiscal Report as of March 31, 2011

		2010/11 Working Budget	Year-to-date Actuals	Balance	% Rec/Exp
REVENUE					
	Beginning Fund Balance	\$3,046,665			
FEDERAL	Federal Forest Reserve	\$60,000	\$24,086	\$35,914	40%
	Federal Work Study	\$51,888	\$26,193	\$25,695	50%
	CAMP	402,683	222,815	179,868	55%
	HEP	583,823	221,490	362,333	38%
	PELL Grant Administration	7,615	7,615	0	100%
	CTEA	249,022	79,051	169,971	32%
	ARRA	13,179	13,179	0	100%
	Other Federal Revenue	20,000	20,000	0	100%
	TOTAL FEDERAL SOURCES	\$1,388,210	\$614,429	\$773,781	44%
STATE	State General Apportionment	\$11,768,773	\$7,326,398	\$4,442,375	62%
	Board of Governors Grant	19,322	14,685	4,637	76%
	Basic Skills	201,714	180,114	21,600	89%
	Part-time Faculty Office Hours	8,500	1,975	6,525	23%
	Part-time Faculty Compensation	56,315	43,559	12,756	77%
	Other Categorical Apportionments	406,610	320,192	86,418	79%
	TANF	42,022	31,937	10,085	76%
	DSPS	293,834	223,314	70,520	76%
	CALWORKS	132,194	100,467	31,727	76%
	BFAP	164,402	124,946	39,456	76%
	Matriculation	142,548	108,335	34,213	76%
	EOPS	284,822	216,465	68,357	76%
	EOPS CARE	39,838	30,277	9,561	76%
	MESA	50,568		50,568	0%
	Other Categorical Program Allowances	106,087	73,126	32,961	69%
	State Subventions	109,764	46,881	62,883	43%
	Lottery	400,000	78,883	321,117	20%
	Mandated Cost Reimbursements	55,945	55,945	0	100%
	Other State Revenue	609	609	0	100%
	TOTAL STATE SOURCES	\$14,283,867	\$8,978,108	\$5,305,759	63%
LOCAL	Property Taxes	\$5,767,496	\$3,283,095	\$2,484,401	57%
	Local Contributions/Grants/Donations	148,700	48,700	100,000	33%
	Contract Instructional Services	33,940	18,131	15,809	53%
	Rents/Leases (Facilities Use)	10,000	7,784	2,217	78%
	Interest	6,000	2,992	3,008	50%
	Community Extension	65,000	38,761	26,240	60%
	Student Fees	1,036,741	900,832	135,909	87%
	Bookstore Commission	60,000	53,574	6,426	89%
	Other Local Revenue	238,431	185,556	52,875	78%
	TOTAL LOCAL SOURCES	\$7,366,308	\$4,539,424	\$2,826,885	62%
TOTAL REVENUES		\$23,038,386	\$14,131,961	\$8,906,425	61%
TOTAL RESOURCES AVAILABLE		\$26,085,051			
EXPENDITURES					
	Certificated Salaries	\$8,726,988	\$6,229,499	\$2,497,489	71%
	Classified Salaries	4,977,063	3,643,199	1,333,864	73%
	Benefits	5,272,898	3,896,778	1,376,120	74%
	Subtotal Personnel Costs	\$18,976,949	\$13,769,476	\$5,207,473	73%
	Supplies	\$779,806	\$430,205	\$349,601	55%
	Services	2,215,986	1,498,554	717,433	68%
	Capital Outlay	162,519	23,947	138,573	15%
	Transfers/Other Outgo	565,508	115,691	449,817	20%
	TOTAL EXPENDITURES	\$22,700,769	\$15,837,872	\$6,862,897	70%
	Ending Fund Balance	\$3,384,282			
TOTAL EXPENDITURES/CONTINGENCY		\$26,085,051			

ITEM NO: 4.2
DATE: April 14, 2010

SUBJECT: CITIZENS' BOND OVERSIGHT COMMITTEE (CBOC) MEMBERSHIP

SYNOPSIS:

Appointment of members to the Citizens' Bond Oversight Committee (CBOC).

RECOMMENDATION:

The Superintendent/President recommends appointing those community members as listed to the Citizens' Bond Oversight Committee.

ANALYSIS:

As required by Proposition 39, the Board of Trustees must appoint members to the Citizen's Bond Oversight Committee.

Members to be appointed for a first two-year term, July, 2011 – June, 2013:

Wade Koeninger, Ukiah - At large Representative
Richard C. Eschenbach, Ukiah – Senior Citizen Association Representative
Diane L. Clatty, Redwood Valley – At large Representative

MOTION/ACTION:

RESOLVED, That the Board of Trustees of the Mendocino-Lake Community College District does hereby appoint those community members as listed above to the Citizens' Bond Oversight Committee for the term specified.

ITEM NO. 4.3
DATE: May 4, 2011

SUBJECT: DEGREE MODIFIED TO COMPLY WITH SB1440: MATHEMATICS
FOR TRANSFER (AS-T)

SYNOPSIS:

Board of Trustees approval for the proposed modifications to the existing degree in Mathematics. Once modified, this degree will be Associate in Science in Mathematics for Transfer.

RECOMMENDATION:

The Superintendent/President recommends approval of the proposed modification to the Associate of Science degree in Mathematics.

ANALYSIS:

These modifications bring our degree into alignment with the new state requirement for SB1440 to have degrees for transfer in place by Fall 2011.

Completing the Mathematics for Transfer degree along with the Intersegmental General Education Transfer Curriculum (IGETC) or the California State University General Education – Breadth Requirements to total 60 units will satisfy the requirements for students to transfer into corresponding departments at CSUs. This degree follows the model format developed at the State level.

The Curriculum Committee has approved this modified degree. Board approval is required prior to requesting approval from the Chancellor's Office.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the modified Associate in Science degree in Mathematics for Transfer.

ITEM NO: 4.4

DATE: May 4, 2011

SUBJECT: QUARTERLY FISCAL STATUS REPORTS - AB 2910

SYNOPSIS:

The State required quarterly report on the District's financial condition is presented for the Board's review.

RECOMMENDATION:

The Superintendent/President recommends review and acceptance of the Quarterly Fiscal Status Report as attached.

ANALYSIS:

In compliance with AB 2910, the Chancellor's Office requires that each community college district complete the attached quarterly fiscal status report. The Superintendent/President and the District Vice-President of Administrative Services are required to certify to the accuracy of the data and present the report to the Board of Trustees quarterly. The Board of Trustees must review the report at a regularly scheduled meeting and enter it into the minutes of the meeting.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby accept the quarterly fiscal status report as presented.

CALIFORNIA COMMUNITY COLLEGES CHANCELLOR'S OFFICE

Quarterly Financial Status Report, CCFS-311Q

[VIEW QUARTERLY DATA](#)

[CHANGE THE PERIOD](#)

Fiscal Year: 2010-2011

District: (140) MENDOCINO-LAKE

Quarter Ended: (Q3) Mar 31, 2011

Line	Description	As of June 30 for the fiscal year specified			
		Actual 2007-08	Actual 2008-09	Actual 2009-10	Projected 2010-2011
Unrestricted General Fund Revenue, Expenditure and Fund Balance:					
A.	Revenues:				
A.1	Unrestricted General Fund Revenues (Objects 8100, 8600, 8800)	19,367,440	20,136,691	19,439,908	19,696,322
A.2	Other Financing Sources (Object 8900)	6,480	14,602	0	0
A.3	Total Unrestricted Revenue (A.1 + A.2)	19,373,920	20,151,293	19,439,908	19,696,322
B.	Expenditures:				
B.1	Unrestricted General Fund Expenditures (Objects 1000-6000)	19,231,534	19,486,847	18,370,306	19,084,035
B.2	Other Outgo (Objects 7100, 7200, 7300, 7400, 7500, 7600)	237,916	260,863	895,396	283,766
B.3	Total Unrestricted Expenditures (B.1 + B.2)	19,469,450	19,747,710	19,265,702	19,367,801
C.	Revenues Over(Under) Expenditures (A.3 - B.3)	-95,530	403,583	174,206	328,521
D.	Fund Balance, Beginning	2,456,005	2,279,696	2,683,279	2,857,479
D.1	Prior Year Adjustments + (-)	-80,779	0	0	0
D.2	Adjusted Fund Balance, Beginning (D + D.1)	2,375,226	2,279,696	2,683,279	2,857,479
E.	Fund Balance, Ending (C. + D.2)	2,279,696	2,683,279	2,857,485	3,186,000
F.1	Percentage of GF Fund Balance to GF Expenditures (E. / B.3)	11.7%	13.6%	14.8%	16.4%

II. Annualized Attendance FTES:

G.1	Annualized FTES (excluding apprentice and non-resident)	2,721	3,133	2,931	3,114
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III. Total General Fund Cash Balance (Unrestricted and Restricted)

		As of the specified quarter ended for each fiscal year			
		2007-08	2008-09	2009-10	2010-2011
H.1	Cash, excluding borrowed funds		227,534	1,228,672	529,356
H.2	Cash, borrowed funds only		0	0	0
H.3	Total Cash (H.1+ H.2)	844,291	227,534	1,228,672	529,356

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)
I.	Revenues:				
I.1	Unrestricted General Fund Revenues (Objects 8100, 8600, 8800)	19,179,755	19,696,322	12,025,843	61.1%
I.2	Other Financing Sources (Object 8900)	0	0	0	
I.3	Total Unrestricted Revenue (I.1 + I.2)	19,179,755	19,696,322	12,025,843	61.1%
J.	Expenditures:				
J.1	Unrestricted General Fund Expenditures (Objects 1000-6000)	18,461,825	19,084,035	13,868,192	72.7%
J.2	Other Outgo (Objects 7100, 7200, 7300, 7400, 7500, 7600)	527,218	283,766	0	
J.3	Total Unrestricted Expenditures (J.1 + J.2)	18,989,043	19,367,801	13,868,192	71.6%
K.	Revenues Over(Under) Expenditures (I.3 - J.3)	190,712	328,521	-1,842,349	
L	Adjusted Fund Balance, Beginning	2,857,479	2,857,479	2,857,479	
L.1	Fund Balance, Ending (C. + L.2)	3,048,191	3,186,000	1,015,130	
M	Percentage of GF Fund Balance to GF Expenditures (L.1 / J.3)	16.1%	16.4%		

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) YYYY-YY	Management		Academic				Classified	
	Total Cost Increase	% *	Total Cost Increase	% *	Total Cost Increase	% *	Total Cost Increase	% *
a. SALARIES:								
Year 1: 2010/11	48,885	4%	84,383	4%			66,773	4%
Year 2:								
Year 3:								
b. BENEFITS:								
Year 1: 2010/11	9,288		10,409				13,082	
Year 2:								
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.

All employee groups agreed to a 4% reduction in pay for the 18 month period, January 1, 2010 to June 30, 2011. The 4% was restored 6 months early, January 1, 2011, due to a higher than budgeted ending fund balance for 2009/10 and to assist complying with the 50% law for 2010/11. The salary and benefit restorations are funded by unrestricted District funds and other sources, i.e. categorical programs.

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?
Next year?

YES
YES

If yes, what are the problems and what actions will be taken? (Enter explanation below, include additional pages if needed.)

Even though our 10/11 budget is balanced, we were only able to do so by holding vacancies open and our employees agreeing to a 4% salary reduction. We continue to backfill our categorical program cuts with the General Fund and project significant financial challenges for the next two fiscal years.

ITEM NO: 4.5
DATE: May 4, 2011

SUBJECT: STUDENT TRUSTEE PRIVILEGES

SYNOPSIS:

Annual review of the student trustee privileges as per Ed Code 72023.5

RECOMMENDATION:

The Superintendent/President recommends that the Mendocino-Lake Community College District Board of Trustees maintain the Student Trustee Privileges as listed below.

ANALYSIS:

Existing Policy 202 recognizes the importance of the student role in college governance. This action affirms that the Board continues to support Policy 213 and participatory governance. These provisions are adopted annually and will be available for consideration by the Board of Trustees each subsequent year.

In the past, the Board of Trustees has voted to extend to the Student Trustee all privileges allowable under Education Code Section 72023.5.

As per the requirement for the annual approval by the Board of Trustees, the Student Senate of the Associated Students of Mendocino College proposes for consideration the following privileges of the Student Trustee as allowed under Education Code Section 72023.5.

- Maintain the ability to make and second motions.
- Maintain the ability to attend closed session only upon invitation by the Board of Trustees.
- Maintain the advisory vote.
- Maintain the compensation rate at equal to the Board compensation rate.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby maintain the Student Trustee Privileges as presented.

ITEM NO: 5.1
DATED: May 4, 2011

SUBJECT: RESOLUTION 05-11-01
RESOLUTION OF THE BOARD OF TRUSTEES OF THE
MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
AUTHORIZING THE ISSUANCE OF MENDOCINO-LAKE
COMMUNITY COLLEGE DISTRICT (MENDOCINO AND LAKE
COUNTIES, CALIFORNIA) ELECTION OF 2006 GENERAL
OBLIGATION BONDS, SERIES B

SYNOPSIS:
Requested Board approval of Resolution 05-11-01

RECOMMENDATION:
The Superintendent/President recommends approval of Resolution 05-11-01.

ANALYSIS:
The approval of this resolution by the Board of Trustees provides authorization to the Superintendent/President and the Vice President of Administrative Services to enter into an agreement for the negotiated sale of up to \$37,500,000 in bonds to Piper Jaffray & Co. The discount paid to Piper Jaffray & Co. as underwriter will not exceed 0.75 percent plus out-of-pocket expenses. This resolution also authorizes purchase of municipal bond insurance.

MOTION/ACTION:
RESOLVED, that the Board of Trustees of Mendocino-Lake Community College District hereby adopts Resolution 05-11-01 as presented.

**MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
RESOLUTION NO. 05-11-01**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE MENDOCINO-
LAKE COMMUNITY COLLEGE DISTRICT AUTHORIZING THE
ISSUANCE OF MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
(MENDOCINO AND LAKE COUNTIES, CALIFORNIA) ELECTION OF
2006 GENERAL OBLIGATION BONDS, SERIES B**

WHEREAS, a duly called election was held in the Mendocino-Lake Community College District (the "District") (Mendocino and Lake Counties) (as represented by Mendocino, the "County"), State of California, on November 7, 2006, at which the following proposition ("Measure W") was submitted to the qualified electors of the District:

"To improve education at Mendocino College by improving and expanding academic facilities to help students prepare for jobs and transfer to 4 year universities, upgrading computers and technology, building a new library/learning center, expanding facilities for nursing and other vocational programs, and by acquiring, constructing, equipping buildings, sites and classrooms, shall Mendocino-Lake Community College District issue \$67.5 million in bonds, at legal rates, and appoint a Citizens' Oversight Committee to monitor expenditures?"

WHEREAS, at such election (the "Election") the Measure W received the affirmative vote of more than fifty-five percent of the voters of the District voting on the proposition, as certified by the Registrar of Voters of Mendocino and Lake Counties in the official canvassing of votes; and

WHEREAS, on March 29, 2007, the District issued its first series of bonds authorized pursuant to the Election in the aggregate principal amounts of \$30,000,000 (the "Series A Bonds"); and

WHEREAS, at this time this Board has determined that it is necessary and desirable to issue one or more series of general obligation bonds in an aggregate principal amount not-to-exceed \$37,500,000 to be designated as "Mendocino-Lake Community College District (Mendocino and Lake Counties, California) Election of 2006 General Obligation Bonds, Series B", or such other designation or designations as are specified in the Purchase Contract for the Bonds (the "Bonds"); and

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

WHEREAS, this Board desires to authorize the issuance of the Bonds in one or more series of taxable or tax-exempt bonds, and further as any combination of Current Interest Bonds, Capital Appreciation Bonds, or Convertible Capital Appreciation Bonds, all as further defined herein; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT, MENDOCINO AND LAKE COUNTIES, CALIFORNIA AS FOLLOWS:

SECTION 1. Purpose; Authorization. To raise money for the purposes authorized by voters of the District at the Election and to pay all necessary legal, financial, engineering and contingent costs in connection with issuing the Bonds, this Board hereby authorizes the issuance of the Bonds, in one or more series of bonds, in accordance with the provisions of the Act. The Bonds shall be dated as of a date of delivery (or such other date as is reflected in the Purchase Contract, as defined below), shall bear interest at rates not-to-exceed that authorized at the Election, shall be payable upon such terms and provisions as shall be set forth in the Bonds, and shall be in an aggregate principal amount not-to-exceed \$37,500,000. The Board hereby authorizes the sale of the Bonds at a negotiated sale, which is determined to provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the Bonds to fit the needs of particular purchasers, and a greater opportunity for Underwriter (defined herein) to pre-market the Bonds to potential purchasers prior to the sale, all of which will contribute to the District's goal of achieving the lowest overall cost of funds.

This Board further authorizes the issuance of the Bonds as any combination of Current Interest Bonds, Capital Appreciation Bonds, and Convertible Capital Appreciation Bonds as set forth in the fully-executed Purchase Contract (defined herein).

SECTION 2. Paying Agent. The Board does hereby appoint The Bank of New York Mellon Trust Company, N.A., the authenticating agent, bond registrar, transfer agent, fiscal agent and paying agent (collectively, the "Paying Agent") for the Bonds on behalf of the District.

SECTION 3. Approval of Purchase Contract. The form of bond purchase agreement (the "Purchase Contract") by and between the District and Piper Jaffray & Co. (the "Underwriter"), for the purchase and sale of the Bonds on file with the Secretary to the Board is hereby approved and the Superintendent/President of the District (the "Superintendent") and the Vice President, Administrative Services of the District (the "Vice President, Administrative Services"), and such other officers or employees of the District as may be designated for such purpose (collectively, the "Authorized Officers"), each alone, are hereby authorized to execute and deliver the Purchase Contract, but with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same may approve, such approval to be conclusively evidenced by his or her execution and delivery thereof; provided, however, that (i) the maximum interest rate on the Bonds shall not exceed that authorized at the Election, and (ii) the Underwriter's discount, excluding original issue discount, shall not exceed 0.75% of the aggregate principal amount of Bonds, plus reasonable itemized out-of-pocket expenses of the Underwriter. The Board estimates that the costs associated with the issuance of the Bonds, including compensation to the Underwriter and any such costs which the Underwriter agrees to pay pursuant to the Purchase Contract will equal approximately 1.5% of the principal amount of the Bonds. The Authorized Officers, each alone, are further authorized to determine the principal amount of the Bonds to be specified in the Purchase Contract for sale by the District up to \$37,500,000 and to enter into and execute the Purchase Contract with the Underwriter, if the conditions set forth in this Resolution are satisfied.

SECTION 4. 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 or the Official Statement):

(a) **“Accreted Interest”** means, with respect to Capital Appreciation Bonds and Convertible Capital Appreciation Bonds, the Accreted Value thereof as of the date of calculation, minus the Denominational Amount thereof.

(b) **“Accreted Value”** means, with respect to the Capital Appreciation Bonds and with respect to the Convertible Capital Appreciation Bonds prior to the Conversion Date thereof, as of the date of calculation, the Denominational Amount thereof, plus Accreted Interest thereon to such date of calculation, compounded semiannually on each February 1 and August 1 (commencing on August 1, 2011 (unless otherwise provided in the Purchase Contract)) at the stated Accretion Rate to maturity or conversion thereof, assuming in any such semiannual period that such Accreted Value increases in equal daily amounts on the basis of a 360-day year of twelve 30-day months.

(c) **“Accretion Rate”** means, unless otherwise provided by the Purchase Contract, that rate which, when applied to the Denominational Amount of a Capital Appreciation Bond or a Convertible Capital Appreciation Bond, and compounded semiannually on each February 1 and August 1 (commencing on August 1, 2011), produces the Maturity Value on the maturity date, in the case of a Capital Appreciation Bond, and the Conversion Value on the Conversion Date, in the case of a Convertible Capital Appreciation Bond.

(d) **“Bond Insurer”** means any insurance company which issues a municipal bond insurance policy insuring the payment of Principal, Conversion Value or Maturity Value of and interest on the Bonds.

(e) **“Bond Payment Date”** means (unless otherwise provided by the Purchase Contract or the Official Statement) (i) with respect to the Current Interest Bonds, February 1 and August 1 of each year, commencing February 1, 2012, with respect to the interest on the Current Interest Bonds, and the stated maturity dates thereof, with respect to the principal payments on the Current Interest Bonds, (ii) with respect to the Convertible Capital Appreciation Bonds, February 1 and August 1 of each year, commencing on the first such February 1 or August 1 following the respective Conversion Dates thereof, with respect to the interest on the Convertible Capital Appreciation Bonds and the stated maturity dates thereof, with respect to the principal payments on the Convertible Capital Appreciation Bonds, and (iii) with respect to the Capital Appreciation Bonds, the stated maturity dates thereof, as applicable.

(f) **“Capital Appreciation Bonds”** means the Bonds the interest component of which is compounded semiannually to maturity as shown in the table of Accreted Values for such Bonds in the Official Statement.

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

(h) **“Continuing Disclosure Certificate”** means that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of

the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

(i) **“Conversion Date”** means, with respect to Convertible Capital Appreciation Bonds, the date from which such Bonds bear current interest.

(j) **“Conversion Value”** means, with respect to Convertible Capital Appreciation Bonds, the Accreted Value as of the Conversion Date.

(k) **“Convertible Capital Appreciation Bonds”** means the Bonds the interest component of which is compounded semiannually to the respective Conversion Dates thereof as shown in the table of Accreted Values for such Bonds in the Official Statement, and which bear interest from such respective Conversion Dates on the Conversion Value thereof, payable semiannually on each Bond Payment Date, all as set forth in the Purchase Contract.

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

(m) **“Denominational Amount”** means, with respect to the Capital Appreciation Bonds and Convertible Capital Appreciation Bonds, the initial principal amounts thereof, and, with respect to the Current Interest Bonds, the principal amounts thereof.

(n) **“Depository”** means the entity acting as security depository for the Bonds pursuant to Section 5(c) hereof.

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

(p) **“Fair Market Value”** means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of Section 1273 of the Code) and, otherwise, the term “Fair Market Value” means the acquisition price in a bona fide arm's length transaction (as referenced above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Code, (iii) the investment is a United States Treasury Security—State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt, or (iv) any commingled investment fund in which the District and related parties do not own more than a ten percent (10%) beneficial interest therein if the return paid by the fund is without regard to the source of the investment.

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

(r) **“Maturity Value”** means the Accreted Value of any Capital Appreciation Bond on its maturity date.

(s) **“Nominee”** means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 5(c) hereof.

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

(u) **“Official Statement”** means the Official Statement for the Bonds, as described in Section 16 hereof.

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

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

(ii) Bonds in lieu of or in substitution for which other Bonds shall have been delivered pursuant to Section 7 hereof; or

(iii) Bonds for the payment or redemption of which funds or Government Obligations in the necessary amount shall have been set aside (whether on or prior to the maturity or redemption date of such Bonds), in accordance with Section 18 of this Resolution.

(w) **“Owner”** means the registered owner of a Bond as set forth on the registration books maintained by the Paying Agent pursuant to Section 7 hereof.

(x) **“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.

(y) **“Paying Agent”** means The Bank of New York Mellon Trust Company, N.A., or any successor thereto, acting in the capacity of paying agent, bond registrar, authenticating agent and transfer agent.

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

(aa) **“Principal”** or **“Principal Amount”** means, with respect to any Current Interest Bond, the principal amount thereof and, with respect to any Capital Appreciation Bond or Convertible Capital Appreciation Bonds, the Denominational Amount thereof.

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

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

(dd) **“Rating Agencies”** means Standard & Poor’s Rating Services and Moody’s Investors Service.

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

(ff) **“Securities Depository”** means The Depository Trust Company, 55 Water Street, New York, New York 10041, Tel: (212) 855-1000 or Fax: (212) 855-7320.

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

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

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

(jj) **“Transfer Amount”** means, (i) with respect to any Outstanding Current Interest Bond, the Principal Amount, (ii) with respect to any Outstanding Capital Appreciation Bond, the Maturity Value, and (iii) with respect to any Outstanding Convertible Capital Appreciation Bond, the Conversion Value.

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

SECTION 5. Terms of the Bonds.

(a) Denomination, Interest, Dated Dates. The Bonds shall be issued as Bonds registered as to both principal and interest, in the following denominations: (i) with respect to the Current Interest Bonds, \$5,000 Principal Amount or any integral multiple thereof, (ii) with respect to the Capital Appreciation Bonds, \$5,000 Maturity Value, or any integral multiple thereof (except for one odd denomination, if necessary), and (iii) with respect to Convertible Capital Appreciation Bonds, \$5,000

Conversion Value or any integral multiple thereof. The Bonds shall bear or accrete interest at a rate or rates such that the interest rate shall not exceed that permitted by law.

Each Current Interest Bond shall be dated the date of delivery thereof or such other date as shall appear in the Purchase Contract or Official Statement (the "Dated Date"), and 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 next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from its Dated Date. Interest shall be payable on the respective Bond Payment Dates and shall be calculated on the basis of a 360-day year of twelve 30-day months.

The Capital Appreciation Bonds shall mature in the years, shall be issued in aggregate Principal Amounts, shall have Accretion Rates and shall have denominational amounts per each \$5,000 in Maturity Value as shown in the Accreted Value Table attached to the Official Statement or Purchase Contract. The Convertible Capital Appreciation Bonds shall mature in the years, shall be issued in the aggregate Principal Amounts, shall have Accretion Rates and shall have denominational amounts per each \$5,000 in Conversion Value as shown in such Accreted Value Table. Notwithstanding the preceding provisions of this paragraph, in the event that the amount shown in the Accreted Value Table and the Accreted Value caused to be calculated by the District and approved by the Bond Insurer, if any, by application of the definition of Accreted Value set forth in Section 4 differ, the latter amount shall be the Accreted Value of such Capital Appreciation Bond or Convertible Capital Appreciation Bond, as applicable.

Before its Conversion Date, each Convertible Capital Appreciation Bond shall not bear current interest but will accrete in value through the Conversion Date thereof, from its Denominational Amount on the date of delivery thereof, to its Conversion Value on the applicable Conversion Date. From and after its Conversion Date, each Convertible Capital Appreciation Bond will bear current interest, and such interest will accrue based upon the Conversion Value of such Bonds at the Conversion Date. No payment will be made to the Owners of Convertible Capital Appreciation Bonds on the respective Conversion Dates thereof.

(b) Redemption.

(i) Optional Redemption. The Bonds shall be subject to optional redemption prior to their stated maturity dates as provided in the Purchase Contract.

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

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

(iii) Selection of Bonds for Redemption. Whenever provision is made in this Resolution for the redemption of Bonds and less than all Outstanding Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select

Bonds for redemption by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that (A) the portion of any Current Interest Bond to be redeemed in part shall be in the Principal Amount of \$5,000 or any integral multiple thereof, (B) the portion of any Capital Appreciation Bond to be redeemed in part shall be in integral multiples of the Accreted Value per \$5,000 Maturity Value thereof and (C) the portion of any Convertible Capital Appreciation Bond to be redeemed in part shall be in integral multiples of the Accreted Value per \$5,000 Conversion Value thereof.

(iv) Notice of Redemption. When redemption is authorized or required pursuant to Section 5(b) hereof, the Paying Agent, upon written instruction from the District, shall give notice (a "Redemption Notice") of the redemption of the Bonds. Such Redemption Notice shall 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 or Accreted Value of such Bond to be redeemed, and (g) the original issue date, interest rate or Accretion Rate and stated maturity date of each Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued or accreted to the redemption date, and that from and after such date, interest with respect thereto shall cease to accrue or accrete.

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

(a) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register (defined herein).

(b) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service, to each of the Securities Depositories.

(c) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service, to one of the Information Services.

Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Bonds. Each check issued or other transfer of funds made by the Paying Agent for the purpose of redeeming Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

(v) Partial Redemption of Bonds. Upon the surrender of any Bond redeemed in part only, the Paying Agent shall execute and deliver to the Owner thereof a new Bond or Bonds of like tenor and maturity and of authorized denominations equal in Transfer Amounts to the unredeemed portion of the Bond surrendered. Such partial redemption shall be valid upon payment

of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(vi) Effect of Notice of Redemption. Notice having been given as aforesaid, and the moneys for the redemption (including the interest to the applicable date of redemption) having been set aside in the District's Debt Service Fund, the Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Bonds to be redeemed as provided in Section 5(b) hereof, together with interest accrued to such redemption date, shall be held by the Paying Agent 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 Bonds to be redeemed shall cease to accrue or accrete and become payable. All money held by or on behalf of the Paying Agent for the redemption of Bonds shall be held in trust for the account of the Owners of the Bonds so to be redeemed.

All Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 5(b) shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Bond purchased by the District shall be cancelled by the Paying Agent.

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

(c) Book-Entry System.

(i) Election of Book-Entry System. The Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Bonds in an authorized denomination (except for any odd denomination Bond). The ownership of each such Bond shall be registered in the Bond Register (as defined below) in the name of the Nominee, as nominee of the Depository and ownership of the Bonds, or any portion thereof may not thereafter be transferred except as provided in Section 5(c)(i)(4).

With respect to book-entry Bonds, the District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Bonds. Without limiting the immediately preceding sentence, the District and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Bonds, (ii) the delivery to any Participant or any other person, other than an owner as shown in the Bond Register, of any notice with respect to book-entry Bonds, including any notice of redemption, (iii) the selection by the Depository and its Participants of the beneficial interests in book-entry Bonds to be prepaid in the event the District redeems the Bonds in part, or (iv) the payment by the Depository or any Participant or any other person, of any amount

with respect to Accreted Value, Principal, premium, if any, or interest on the book-entry Bonds. The District and the Paying Agent may treat and consider the person in whose name each book-entry Bond is registered in the Bond Register as the absolute owner of such book-entry Bond for the purpose of payment of Accreted Value or Principal of and premium and interest on and to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent shall pay all Accreted Value or Principal of and premium, if any, and interest on the Bonds only to or upon the order of the respective owner, as shown in the Bond Register, or his 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 Accreted Value or Principal of, and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an owner, as shown in the Bond Register, shall receive a certificate evidencing the obligation to make payments of Accreted Value or Principal of, and premium, if any, and interest on the Bonds. Upon delivery by the Depository to the owner and the Paying Agent, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word Nominee in this Resolution shall refer to such nominee of the Depository.

1. Delivery of Letter of Representations. In order to qualify the book-entry Bonds for the Depository's book-entry system, the District 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 such book-entry 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 book-entry Bonds for the Depository's book-entry program.

2. Selection of Depository. In the event (i) the Depository determines not to continue to act as securities depository for book-entry Bonds, or (ii) the District determines that continuation of the book-entry system is not in the best interest of the beneficial owners of the Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such book-entry Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in subsection (4) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Bonds shall no longer be restricted to being registered in such Bond Register in the name of the Nominee, but shall be registered in whatever name or names the owners transferring or exchanging such Bonds shall designate, in accordance with the provisions of this Section 5(c).

3. Payments to Depository. Notwithstanding any other provision of this Resolution to the contrary, so long as all outstanding Bonds are held in book-entry and registered in the name of the Nominee, all payments by the District or the Bond Register with respect to Accreted Value or Principal of and premium, if any, or interest on the Bonds and all notices with respect to such Bonds shall be made and given, respectively to the Nominees,

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 Bonds to Substitute Depository.

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

(1) to any successor of DTC or its nominee, or of any substitute depository designated pursuant to Section 5(c)(i)(4)(A)(2) (“Substitute Depository”); provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

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

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

(B) In the case of any transfer pursuant to Section 5(c)(i)(4)(A)(1) or (2), upon receipt of all outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent designating the Substitute Depository, a single new Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Bonds then outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 5(c)(i)(4)(A)(3), upon receipt of all outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, new Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Paying Agent shall not be required to deliver such new Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

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

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

SECTION 6. Execution of Bonds. The Bonds shall be signed by the President of the Board of Trustees by manual or facsimile signature and countersigned by the manual or facsimile signature of either the Secretary to the Board or the Clerk of the Board, all in their official capacities. No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Bond is signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

SECTION 7. Paying Agent; Transfer and Exchange. So long as any of the Bonds remain outstanding, the District will cause the Paying Agent to maintain and keep at its principal office all books and records necessary for the registration, exchange and transfer of the Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 8 below, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of this Resolution. Payment of or on account of the Principal or Accreted Value of and premium, if any, and interest on any 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 Bonds, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of like tenor, maturity and Transfer Amount upon presentation and surrender at the principal office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Bond may be transferred on the Bond Register only upon presentation and surrender of the Bond at the principal office of the Paying Agent together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver a new Bond or Bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the Transfer Amount of the Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date. Capital Appreciation Bonds, Convertible Capital Appreciation Bonds and Current Interest Bonds may not be exchanged for one another.

If any Bond shall become mutilated, the District, at the expense of the Owner of said Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like series, tenor and Transfer Amount in exchange and substitution for the Bond so mutilated, but only upon surrender to the Paying Agent of the Bond so mutilated. If any Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Paying Agent and, if such evidence be satisfactory to the Paying Agent and indemnity for the Paying Agent

and the District satisfactory to the Paying Agent shall be given by the Owner, the District, at the expense of the Bond owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like series and tenor in lieu of and in substitution for the Bond so lost, destroyed or stolen (or if any such Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Bond the Paying Agent may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Paying Agent and the District). The Paying Agent may require payment of a reasonable fee for each new Bond issued under this paragraph and of the expenses which may be incurred by the District and the Paying Agent.

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

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

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Bonds during a period beginning with the opening of business on the 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 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.

SECTION 8. Payment. Payment of interest on any Current Interest Bond or Convertible Capital Appreciation Bond after the Conversion Date, 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, Conversion Value or Maturity Value 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 Current Interest Bonds, the Accreted Value and redemption price, if any, on the Capital Appreciation Bonds or Convertible Capital Appreciation Bonds shall be payable upon maturity or redemption upon surrender at the designated office of the Paying Agent. The , Principal, interest, Accreted Value and premiums, if any, on the Bonds shall be payable in lawful money of the United States of America. The Paying Agent is hereby authorized to pay the Bonds when duly presented for payment at maturity, and to

cancel all Bonds upon payment thereof. The Bonds are general obligations of the District payable solely from the proceeds of *ad valorem* taxes levied on property subject to taxation by the District.

SECTION 9. Form of Bonds. The Bonds shall be in substantially the following form, allowing those officials executing the Bonds to make the insertions and deletions necessary to conform the Bonds to this Resolution, the Purchase Contract and the Official Statement and to correct any defect or inconsistent provision therein or to cure any ambiguity or omission therein.

[REMAINDER OF PAGE LEFT BLANK]

(Form of Current Interest Bond)

REGISTERED
NO.

REGISTERED
\$

MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
(MENDOCINO AND LAKE COUNTIES, CALIFORNIA)
ELECTION OF 2006 GENERAL OBLIGATION BONDS, SERIES B

<u>INTEREST RATE:</u>	<u>MATURITY DATE:</u>	<u>DATED AS OF:</u>	<u>CUSIP</u>
___% per annum	August 1, 20__	_____, 2011	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The Mendocino-Lake Community College District (the "District") in Mendocino and Lake 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 February 1, 2012. Interest on this Bond shall be computed on the basis of a 360-day year of twelve 30-day months. 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 January 15, 2012 in which event it shall bear interest from its Dated Date. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the Register maintained by the Paying Agent, initially The Bank of New York Mellon Trust Company, N.A. Principal is payable upon presentation and surrender of this bond at the designated office of the Paying Agent. Interest is payable by check or draft 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 Register 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 Current Interest Bonds in the aggregate principal amount of One Million Dollars (\$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 issue of \$_____ of bonds approved to raise money for the purposes authorized by voters of the District at the Election, defined below; and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, and the requisite fifty-five percent or more vote of the qualified electors of the District cast at an election held on November 7, 2006 (the "Election"), upon the question of issuing bonds in the amount of \$67,500,000 and the resolution of the Board of Trustees of the District adopted on May 4, 2011 (the "Bond Resolution"). This bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code. This bond and the issue of which this bond is one are payable as to both principal and interest from the proceeds of the levy of *ad valorem* taxes on all property subject to such taxes in

The bonds of this issue comprise (i) \$_____ Principal amount of Current Interest Bonds, of which this bond is a part (each, a “Current Interest Bond”), (ii) Capital Appreciation Bonds of which \$_____ represents the Denominational Amount and \$_____ represents the Maturity Value, and (iii) Convertible Capital Appreciation Bonds, of which \$_____ represents the Denominational Amount and \$_____ represents the Conversion Value.

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 Current Interest 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, together with accrued interest to the date fixed for redemption, without premium. The principal amounts represented by such Current Interest Bonds to be so redeemed and the dates therefor and the final principal payment date is as indicated in the following table:]

In the event that a portion of the Current Interest Bonds maturing on August 1, 20__ is optionally redeemed, the remaining mandatory sinking fund payments shall be reduced

proportionately, in integral multiples of \$5,000 Principal Amount in respect of the portion of such Term Bond optionally redeemed, or as otherwise directed by the District.

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 Paying Agent in such manner as the Paying Agent in its discretion may determine; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some 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.

ASSIGNMENT

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

Dated: _____

Signature Guaranteed:

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

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

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

LEGAL OPINION

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

(Facsimile Signature)
Secretary to the Board of Trustees

(Form of Legal Opinion)

(Form of Capital Appreciation Bond)

REGISTERED
NO.

REGISTERED
\$

MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
(MENDOCINO AND LAKE COUNTIES, CALIFORNIA)
ELECTION OF 2006 GENERAL OBLIGATION BONDS, SERIES B

ACCRETION RATE: MATURITY DATE: DATED AS OF: CUSIP
 August 1, 20__ _____, 2011

REGISTERED OWNER: CEDE & CO.

DENOMINATIONAL AMOUNT:

MATURITY VALUE:

The Mendocino-Lake Community College District (the "District") in Mendocino and Lake Counties, California, for value received, promises to pay to the Registered Owner named above, or registered assigns, the Maturity Value on the Maturity Date, each as stated above, such Maturity Value comprising the Denominational Amount and interest accreted thereon. This bond will not bear current interest but will accrete interest, compounded on each February 1 and August 1, commencing on August 1, 2011 at the Accretion Rate specified above to the Maturity Date, assuming that in any such semiannual period the sum of such compounded accreted interest and the Initial Principal Amount (such sum being herein called the "Accreted Value") increases in equal daily amounts on the basis of a 360-day year consisting of twelve 30-day months. Accreted Value and redemption premium, if any, are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the Register maintained by the Paying Agent, initially The Bank of New York Mellon Trust Company, N.A. Accreted Value and redemption premium, if any, are payable upon presentation and surrender of this bond at the designated office of the Paying Agent.

This bond is one of an issue of \$_____ of bonds approved to raise money for the purposes authorized by voters of the District at the Election, defined below; and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, and the requisite fifty-five percent or more vote of the qualified electors of the District cast at an election held on November 7, 2006 (the "Election"), upon the question of issuing bonds in the amount of \$67,500,000 and the resolution of the Board of Trustees of the District adopted on May 4, 2011 (the "Bond Resolution"). This bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code. This bond and the issue of which this bond is one are payable as to both principal and interest from the proceeds of the levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount in accordance with California Education Code Sections 15250 and 15252.

The bonds of this issue comprise (i) \$_____ Principal amount of Current Interest Bonds, (ii) Capital Appreciation Bonds, of which this bond is a part (each a "Capital Appreciation

Bond”) of which \$_____ represents the Denominational Amount and \$_____ represents the Maturity Value, and (iii) Convertible Capital Appreciation Bonds, of which \$_____ represents the Denominational Amount and \$_____ represents the Conversion Value.

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, 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 Capital Appreciation Bonds are not subject to redemption prior to their stated maturities.]

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 Capital Appreciation 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.

ASSIGNMENT

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

Dated: _____

Signature Guaranteed:

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

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

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

LEGAL OPINION

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

(Facsimile Signature)
Secretary to the Board of Trustees

(Form of Legal Opinion)

(Form of Convertible Capital Appreciation Bond)

REGISTERED
NO.

REGISTERED
\$

MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
(MENDOCINO AND LAKE COUNTIES, CALIFORNIA)
ELECTION OF 2006 GENERAL OBLIGATION BONDS, SERIES B

ACCRETION RATE TO <u>CONVERSION DATE</u>	<u>CONVERSION</u> <u>DATE</u>	INTEREST RATE AFTER THE <u>CONVERSION DATE</u>	<u>MATURITY</u> <u>DATE:</u>	<u>DATED DATE:</u>	<u>CUSIP</u>
_____	_____, 20__	_____	_____, 20__	_____, 2011	

REGISTERED OWNER: CEDE & CO.

DENOMINATIONAL AMOUNT:

CONVERSION VALUE :

The Mendocino-Lake Community College District (the "District") in Mendocino and Lake Counties, California (the "Counties") for value received, promises to pay to the Registered Owner named above, or registered assigns, the Conversion Value (such Conversion Value comprising the initial Denominational Amount and interest accreted thereon to the Conversion Date) on the Maturity Date, each as stated above, and interest thereon until the Conversion Value 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 _____, 20__. Prior to the Conversion Date, this bond will not bear current interest but will accrete interest, compounded on each February 1 and August 1, commencing on August 1, 2011 at the Accretion Rate specified above to the Conversion Date, assuming that in any such semiannual period the sum of such compounded accreted interest and the Denomination Amount (such sum being herein called the "Accreted Value") increases in equal daily amounts on the basis of a 360-day year consisting of twelve 30-day months. 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 _____ 15, 20__, in which event it will bear interest from the Conversion Date. Conversion Value and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the register maintained by the Paying Agent, initially The Bank of New York Mellon Trust Company, N.A.. Accreted Value and redemption premium, if any, are payable upon presentation and surrender of this bond at the principal office of the Paying Agent.

This bond is one of an issue of \$_____ of bonds approved to raise money for the purposes authorized by voters of the District at the Election, defined below; and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, and the requisite fifty-five percent or more vote of the qualified electors of the District cast at an election held on November 7, 2006 (the "Election"), upon the question of issuing bonds in the amount of \$67,500,000 and the resolution of the Board of

Trustees of the District adopted on May 4, 2011 (the “Bond Resolution”). This bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code. This bond and the issue of which this bond is one are payable as to both principal and interest from the proceeds of the levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount in accordance with California Education Code Sections 15250 and 15252.

The bonds of this issue comprise (i) \$_____ Principal amount of Current Interest Bonds, (ii) Capital Appreciation Bonds, of which \$_____ represents the Denominational Amount and \$_____ represents the Maturity Value, and (iii) Convertible Capital Appreciation Bonds, of which this bond is a part (each a “Convertible Capital Appreciation Bond”) of which \$_____ represents the Denominational Amount and \$_____ represents the Conversion Value.

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, 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 Convertible Capital Appreciation Bonds 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 100% of the Conversion Value thereof, together with interest accrued thereon to the date fixed for redemption, without premium.

The Convertible Capital Appreciation Term Bonds are subject to redemption prior to maturity from mandatory sinking fund payments on August 1 of each of the years shown below, at a redemption price equal to the Conversion Value thereof, together with accrued interest thereon to the date fixed for redemption, without premium. The Conversion Value represented by such Convertible Capital Appreciation Term Bonds to be so redeemed and the dates therefor and the final mandatory sinking fund payment date are as indicated in the following table:

Redemption Date (August 1)	<u>Conversion Value</u>
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In the event that a portion of the Convertible Capital Appreciation Term Bonds maturing on August 1, 20__ is optionally redeemed, the remaining mandatory sinking fund payments shall be reduced proportionately, in integral multiples of \$5,000 of Conversion Value, in respect of the portion of such Term Bond optionally redeemed, or as otherwise directed by the District.

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 Paying Agent in such manner as the Paying Agent in its discretion may determine; provided, however, that the portion of any bond to be redeemed shall be in the Conversion Value of \$5,000 or some integral multiple thereof. If less than all of the bonds stated to mature on different dates shall be called for redemption, the particular bonds or portions thereof to be redeemed shall be called 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.

IN WITNESS WHEREOF, the Mendocino-Lake Community College District, Mendocino and Lake Counties, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signatures of the President of the Board of Trustees, and to be countersigned by the manual or facsimile signature of the Secretary to the Board of Trustees, all as of the date stated above.

MENDOCINO-LAKE COMMUNITY COLLEGE
DISTRICT

By: _____
(Facsimile Signature)
President of the Board of Trustees

COUNTERSIGNED:

(Facsimile Signature)
Secretary to the 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 _____, 2011.

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

By: _____
Authorized Representative

ASSIGNMENT

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

Dated: _____

Signature Guaranteed:

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

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

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

LEGAL OPINION

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

(Facsimile Signature)
Secretary to the Board of Trustees

(Form of Legal Opinion)

SECTION 10. Delivery of Bonds. The proper officials of the District shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the original purchaser upon payment of the purchase price therefor.

SECTION 11. Deposit of Proceeds of Bonds. (a) The purchase price received from the Underwriter pursuant to the Purchase Contract, to the extent of the Denominational Amount and the Principal Amount thereof, shall be paid to the County to the credit of the fund hereby created and established and to be known as the "Mendocino-Lake Community College District Election of 2006 General Obligation Bonds, Series B Building Fund" (the "Building Fund") of the District, shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purposes for which the Bonds are being issued. At the discretion of the District, the Building Fund may be split into more than one fund or contain subaccounts if the Bonds are issued in more than one series. The purchase price received from the Underwriter pursuant to the Purchase Contract, to the extent of any accrued interest and any original issue premium, shall be kept separate and apart in the fund hereby created and established and to be designated as the "Mendocino-Lake Community College District Election of 2006 General Obligation Bonds, Series B Debt Service Fund" (the "Debt Service Fund") for the Bonds and used only for payment of Accreted Value or Principal of and interest on the Bonds. At the discretion of the District, the Debt Service Fund be split into more than one fund or contain subaccounts if the Bonds are issued in more than one series. Interest earnings on moneys held in the Building Fund shall be retained in the Building Fund. Interest earnings on moneys held in the Debt Service Fund shall be retained in the Debt Service Fund. Any excess proceeds of the Bonds not needed for the authorized purposes set forth herein for which the Bonds are being issued shall be transferred to the Debt Service Fund and applied to the payment of Accreted Value or Principal of and interest on the Bonds. If, after payment in full of the Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the General Fund of the District. The costs of issuance of the Bonds are hereby authorized to be paid either from premium withheld by the Underwriter upon the sale of the Bonds, or from proceeds of the Bonds. Notwithstanding any other provision of this Resolution, to the extent the District elects to pay costs associated with the issuance of the Bonds from such proceeds, in lieu of being deposited into the Building Fund, the Authorized Officers, each alone, may direct the deposit of a portion of the proceeds of the Bonds not exceeding two percent of the aggregate Principal and Denominational Amount of the Bonds in a costs of issuance account to be held by a fiscal agent of the District appointed for such purpose by such Authorized Officer.

(b) Moneys in the Debt Service Fund and the Building Fund shall be invested at the written direction of the District, and after consultation with the County, in Permitted Investments. If at the time of issuance the District determines to issue some or all of the Bonds as Tax-Exempt Bonds without regard to the Internal Revenue Code "temporary period" restrictions, all investment of the proceeds of such Bonds shall be subject to paragraph (1) below; and the District, in consultation with the County, may provide for an agent to assist the District in investing funds pursuant to paragraph (1) below. If the District fails to direct such agent, the agent shall invest or cause the funds in the Building Fund to be invested in Qualified Permitted Investments, subject to the provisions of paragraph (1) below, until such time as the District provides written direction to invest such funds otherwise. Neither the County nor its officers and agents, as the case may be, shall have any responsibility or obligation to determine the tax consequences of any investment. The interest earned on the moneys deposited to the Building Fund shall be applied as set forth in subparagraph (1)(C) below:

(1) Covenant Regarding Investment of Proceeds.

(A) Permitted Investments. Beginning on the delivery date, and at all times until expenditure for authorized purposes, not less than 95% of the proceeds of the Bonds deposited in the Building Fund, including investment earnings thereon, will be invested in Qualified Permitted Investments which are rated in at least the second highest rating category by one of the two Rating Agencies. Notwithstanding the preceding provisions of this Section, for purposes of this paragraph, amounts derived from the disposition or redemption of Qualified Permitted Investments and held pending reinvestment or redemption for a period of not more than 30 days may be invested in Permitted Investments. The District hereby authorizes investments made pursuant to this Resolution with maturities exceeding five years.

(B) Recordkeeping and Monitoring Relating to Building Fund.

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

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

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

iv. Retention of Records. The District hereby covenants that it will retain the records referred to in paragraph (1)(B)(i) and each IRS information reporting form referred to in paragraph (1)(B)(ii) with its books and records with respect to the Bonds until three years following the last date that any obligation comprising the Bonds is retired.

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

Except as required below to satisfy the requirements of Section 148(f) of the Internal Revenue Code of 1986, as amended (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 by the County to pay the Accreted Value or Principal of and interest on the Bonds when due.

SECTION 12. Rebate Fund. The following provisions shall apply to any Bonds issued as Tax-Exempt Bonds.

(a) The District shall create and establish a special fund designated the “Mendocino-Lake Community College District Election of 2006 General Obligation Bonds, Series B Rebate Fund” (the “Rebate Fund”). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to the extent required to satisfy the requirement to make rebate payments to the United States (the “Rebate Requirement”) pursuant to Section 148 of the Code, and the Treasury Regulations promulgated thereunder (the “Treasury Regulations”). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and by the Tax Certificate to be executed by the District.

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

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

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

- (1) not later than sixty (60) days after the end of (i) the fifth (5th) Bond Year, and
- (ii) 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 Treasury Regulations; and

(2) not later than sixty (60) days after the payment of all 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 Treasury Regulations.

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

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

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

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

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

SECTION 13. Security for the Bonds. There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* tax annually during the period the Bonds are outstanding in an amount sufficient to pay the principal of and interest on and Accreted Value of the Bonds when due, which moneys when collected will be placed in the Debt Service Fund of the District, which fund is irrevocably pledged for the payment of the principal of and interest on and Accreted Value of the Bonds when and as the same fall due.

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

SECTION 14. Arbitrage Covenant. The District covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, so that the Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations prescribed under that Section or any predecessor section.

SECTION 15. 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 Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds

SECTION 16. Official Statement. The Preliminary Official Statement relating to the Bonds, substantially in the form on file with the Secretary to the Board is hereby approved and the Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriter to be used in connection with the offering and sale of the Bonds. The Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement “final” pursuant to 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the Underwriter a final Official Statement, substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Bonds and is directed to deliver copies of any final Official Statement to the purchasers of the Bonds. Execution of the Official Statement shall conclusively evidence the District’s approval thereof.

SECTION 17. Insurance. In the event the District purchases bond insurance for all or a portion of the Bonds, and to the extent that the Bond Insurer makes payment of the principal, interest or Accreted Interest on the Bonds, it shall become the owner of such Bonds with the right to payment of principal, interest or Accreted Interest on the 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 Bonds maintained by the Paying Agent upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Bonds, and (ii) in the case of subrogation as to claims for past due Principal or Accreted Value, the Paying Agent shall note the Bond Insurer as subrogee on the registration books for the Bonds maintained by the Paying Agent upon surrender of the Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer

SECTION 18. Defeasance. All or any portion of the outstanding maturities of the Bonds may be defeased prior to maturity in the following ways:

(i) 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 then on deposit in the Debt Service Fund is sufficient to pay all Bonds outstanding and designated for defeasance, including all Principal, interest, Accreted Value and premium, if any; or

(ii) 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 amount as will, in the opinion of an independent certified public accountant, together with interest to accrue thereon and moneys then on deposit in 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 or Accreted Value and interest represented thereby and redemption premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated outstanding Bonds shall cease and terminate, except only the obligation of the 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 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 19. Request to Counties to Levy Tax. The Board of Supervisors of the Counties and officers of the Counties are obligated by statute to provide for the levy and collection of property taxes in each year sufficient to pay all principal and interest coming due on the Bonds in such year, and to pay from such taxes all amounts due on the Bonds. The District hereby requests such Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to redeem the Bonds, and to pay the principal, redemption premium, in any, and interest thereon as and when the same become due.

SECTION 20. Other Actions. (a) Officers of the Board and District officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

(b) The Board hereby appoints Stradling Yocca Carlson & Rauth, a Professional Corporation, as bond counsel and disclosure counsel to the District with respect to the issuance of the Bonds. The Board hereby appoints Piper Jaffray & Co. as underwriter with respect to the issuance of the Bonds.

(c) Notwithstanding any other provision herein, the provisions of this Resolution may be amended by the Purchase Contract.

SECTION 21. Resolution to Treasurer. The Secretary to this Board is hereby directed to provide a certified copy of this Resolution to Treasurer of the 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 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 Bonds.

SECTION 23. Nonliability of Counties. Notwithstanding anything to the contrary contained herein, in the Bonds or in any other document mentioned herein, neither the Counties, nor their officials, officers, employees or agents shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby, the Bonds are not a debt of the Counties or a pledge of the Counties' full faith and credit, and the Bonds and any liability in connection therewith shall be paid solely from the moneys of the District.

SECTION 24. Indemnification of Counties. The District shall defend, indemnify and hold harmless the Counties, their officials, officers, agents and employees ("Indemnified Parties") against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject based in whole or in part upon any acts or omission related to the Bonds, except with regard to the Counties' responsibilities under Section 19 hereof. The District shall also reimburse the Indemnified Parties for any legal or other costs and expenses incurred in connection with investigating or defending any such claims or liabilities.

SECTION 25. Reimbursement of Counties Costs. The District shall reimburse the Counties for all costs and expenses incurred by the Counties, its officials, officers, agents and employees in issuing or otherwise in connection with the Bonds.

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

PASSED AND ADOPTED this 4th day of May, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

BOARD OF TRUSTEES OF THE
MENDOCINO-LAKE COMMUNITY
COLLEGE DISTRICT

Joel Clark
President, Board of Trustees

Attest:

Kathryn G. Lehner
Secretary to the Board of Trustees

SECRETARY'S CERTIFICATE

I, Kathryn G. Lehner, Secretary to the Board of Trustees of the Mendocino-Lake 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 May 4, 2011, 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: May 4, 2011

Kathryn G. Lehner
Secretary to the Board of Trustees

ITEM NO. 5.2
DATE: May 4, 2011

SUBJECT: FACILITIES MASTER PLAN

SYNOPSIS:

Board adoption of the Facilities Master Plan

ANALYSIS:

The Facilities Master Plan is one of the primary planning documents which identifies the physical facilities and resources needed by the District to provide the space needed for teaching and student support for the next ten to twenty years. It provides strategies for meeting immediate needs and determining long-term build-out capacity. The voters of the District approved Measure W in 2006 in order to enable the District to meet its facility needs.

A draft of the Facilities Master Plan was brought to the Board of Trustees at the March meeting. Minor revisions were made to the document and the final plan is being presented to the Board at its May meeting. However, it is important to remember that this plan is a process, not just a document. The District will continue to review and update the plan to meet needs as they develop.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby adopt the Facilities Master Plan as presented.

SUBJECT: BOARD POLICY REVISIONS AND DELETIONS:
Policy 213 Participation in Local Decision-Making
Policy 510 Catalog Rights
Policy 705 Minimum Qualifications/Equivalency- Educational Administrators
Policy 706 Compensation For Faculty Work Experience Coordinator
Policy 709 Evaluation Process Management And Confidential Employees

SYNOPSIS:

Revised Board policies presented for discussion/action - FIRST reading

ANALYSIS:

As part of the ongoing effort to maintain the Board Policy Manual, new, revised, and deleted policies are submitted for Board consideration. These policies have been through the participatory governance process through the President's Policy Advisory Committee (PPAC) at the February, March, and April meetings.

- Policy 213 Participation in Local Decision-Making – This policy was originally written in 1991 in compliance with AB1725, the law on Shared Governance. The Planning and Budgeting Committee worked with the Education Action Plan Committee to create the “Guide for Effective Participation in College Governance.” This document was approved through the shared governance process through PPAC in the fall of 2010. This policy was written to mirror the “Guide.” In addition, policies from other colleges which were written by attorneys were also used as a reference.
- Policy 510 Catalog Rights - Upon advice of counsel, this policy was written to clarify our District's policy on catalog rights. This policy was reviewed by the Deans, Counselors, and the Director of Admissions and Records prior to coming to PPAC.
- Policy 705 Minimum Qualifications/Equivalency-Educational Administrators - This policy was updated by Director of Human Resources Karen Chaty to bring it into better alignment with the Education Code.
- Policy 706 Compensation for Faculty Work Experience Coordination - The information in this policy has been incorporated into the Collective Bargaining Agreement with faculty and can be deleted from the policy manual.
- Policy 709 Evaluation Process Management and Confidential Employees - This Policy and Procedure are now incorporated into the M/S/C Handbook and can be deleted from the policy manual.

Board members are requested to review these policies and offer suggestions for substantive changes if deemed necessary. The Board may choose to adopt these policies at this meeting or refer them to the May Board meeting for adoption.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby approve the policies as presented/amended at the meeting.



BOARD POLICY

No. 213

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

~~AB 1725 CONSULTATION WITH ACADEMIC SENATE AND OTHER DISTRICT CONSTITUENT GROUPS~~

~~The Mendocino Lake Community College District Board of Trustees does hereby charge their designate, the Superintendent/President and/or his/her designees, to be responsible and accountable for consulting collegially. Furthermore, the designate/designees shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.~~

PARTICIPATION IN LOCAL DECISION-MAKING

The Board of Trustees is the ultimate decision-maker of the Mendocino-Lake Community College District. In executing that responsibility, the Board is committed to ensure that members of the District's constituent groups participate in developing recommended policies for Board action, and administrative procedures for action by the Superintendent/President.

Each of the following shall participate as required by law in the decision-making processes of the District:

- Academic Senate: (Title 5, Sections 53200-53206)

Board or its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law.

- Staff: (Title 5, Section 51023.5)

Staff shall be provided with the opportunities to participate in the formulation and development of district policies and procedures that have significant effect on staff.

- Students: (Title 5, Sections 51023.7)

The Associated Students shall be given an opportunity to participate effectively in the formulation and development of district policies and procedures that have a significant effect on students, as defined by law.

Except for unforeseeable emergency situations, the Board shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate.

Nothing in this policy will be construed to interfere with the formation or administration of employee organizations or with the exercise of rights guaranteed under the Education Employment Relations Act, Government Code Sections 3540, et seq.

Reference:

Education Code Section 70901 (b)(1)(E), 70902 (b)(7), Title 5, Sections 53200 et seq., 51023.5, 51023.7, Government Code Sections 3540, et seq., Accreditation Standard IV.A



BOARD POLICY

N 510

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

CATALOG RIGHTS

The Board of Trustees of the Mendocino-Lake Community College District recognizes that the official Mendocino College catalog delineates the rights and responsibilities of enrolled students, including catalog rights of students transferring into the College from any other accredited institution of higher education.

1. Graduation requirements are determined according to the catalog in effect at the time of first enrollment. Each new catalog year begins with the fall semester. If a student enrolls in summer, he or she has rights under the catalog in effect for the previous year.
2. Enrollment must be in a credit course and must be continuous (at least one course is taken each academic year) for graduation requirements to be taken from the catalog in effect at the time of first enrollment.
3. Students transferring into Mendocino College from another accredited institution of higher education and meeting the above definition of continuous enrollment shall not lose their original catalog rights. In other words, they may follow the requirements in the Mendocino College catalog that were in effect at the time of their first enrollment in the other higher education institution.
4. When a break in enrollment occurs, graduation requirements are determined according to the catalog in effect at the time of re-entry into continuous enrollment.
5. Students may choose to graduate under the Mendocino College catalog in effect for any year between the date of their first enrollment (or re-entry into continuous enrollment) and the date they petition to graduate.
6. Students may not complete general education requirements under one catalog and major requirements under another catalog.
7. Students may petition for an exception to this policy through the Office of Admission and Records, with final approval by the Vice President of Education and Student Services.

Reference:

Title 5 55063

Legal Opinion 09-04



BOARD POLICY

No 705

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

MINIMUM QUALIFICATIONS/EQUIVALENCY – EDUCATIONAL ADMINISTRATORS

As a condition of employment with the Mendocino-Lake Community College District, **Educational Administrators** are required to meet **state-mandated** minimum qualifications or the equivalent. **Educational Administrators have direct responsibility for supervising the operation of or formulating policy regarding the instruction or student services programs of a college or district. Educational Administrators are designated as such by the Board.**

Minimum qualifications for Educational Administrators include a master's degree and one year of formal training, internship or leadership experience reasonably related to the assignment. Applicants for an **Educational administrative Administrator** position **who do not meet the state-mandated minimum qualifications are** ~~will be~~ required to submit a written statement ~~indicating~~ **explaining** how their education and experience are equivalent. ~~to the minimum qualifications included in the job announcement.~~

Application materials for any applicant ~~on the selected for an interview list who~~ claiming equivalency, ~~will have their documentation reviewed by the Chair of the Selection Committee and the Director of Personnel Services. The final determination of equivalency will be referred to made by the Superintendent/President by Human Resources for approval of equivalency before interviews are scheduled.~~ **Educational Administrators employed under equivalency will be so noted in the action of the Board of Trustees when employing that individual.**

Reference: Education Code Sections 87002, 87356, 87359
Title 5 Sections 53402(b), 53420, 53430(a)

DELETE



BOARD POLICY

N 706

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

~~COMPENSATION FOR FACULTY WORK EXPERIENCE COORDINATION~~

~~Certificated staff members shall receive compensation for performing off-campus coordination of students who are enrolled in cooperative work experience programs. Assignments for work experience coordination are voluntary, and upon application by faculty member, will be made by the Work Experience Coordinator and approved by the appropriate Dean.~~

~~Duties of Teacher Coordinators:~~

- ~~1. Make at least one visit each semester to the employer of the work experience students for the purpose of evaluating the students' progress and surveying the employers' occupational needs and expectations.~~
- ~~2. Have at least two consultations with the student each semester, preferably on the job site, to discuss employers' evaluation.~~
- ~~3. Be responsible for completion and timely submission of those forms required by the Work Experience Coordinator.~~

~~Compensation for Teacher Coordination:~~

~~Teacher coordinators will be compensated for each work experience student assigned to that instructor. Compensation will be made periodically, providing all required forms are submitted. The compensation rate shall be \$15 per student per semester. Teach coordinators shall normally not be assigned more than 15 students per semester.~~

DELETE



BOARD POLICY

No. 709

MENDOCINO - LAKE COMMUNITY COLLEGE DISTRICT

~~EVALUATION PROCESS MANAGEMENT AND CONFIDENTIAL EMPLOYEES~~

~~In accordance with the California Education Code, it is the policy of the Mendocino-Lake Community College District to regularly evaluate management and confidential employees. In an effort to maintain effective educational leadership, the evaluation process provides a formal opportunity to recognize the strengths and achievements of management and confidential employees, and to identify areas for professional improvement and growth.~~

Adopted: December 19, 1978

Revised: August 22, 1979

June 5, 1991

SUBJECT: LIBRARY/LEARNING CENTER – CHANGE ORDER NO. 7

SYNOPSIS:

Board of Trustees consideration of Change Order No. 7 for the Library/Learning Center project to Midstate Construction.

RECOMMENDATION:

The Superintendent/President recommends approval of this Change Order for the Library Learning Center project.

ANALYSIS:

Measure W was approved by the voters of Lake and Mendocino Counties in November 2006. Included in this measure was a project for a Library/Learning Center. The project was awarded to Midstate Construction in the amount of \$14,989,000.

Change Orders No. 1 through 6 were approved by the Board of Trustees in prior board action totaling \$158,778. The current adjusted contract is \$15,147,778.

Change Order No. 7 consists of two items:

7.1	Revisions to Plaza Area (COP 021R1) Reason: To coordinate work in the plaza in preparation for the Lowery Student Center project. This includes a new sewer line along the eastern line of the plaza. Requested by: District	Add	\$15,232
7.2	Revise waterproofing location (COP 024R1) Reason: Waterproofing shown on outside concrete well was not necessary. Waterproofing at elevator pit by entry was requested by District. Requested by: District	No change	0
TOTAL CHANGE ORDER NO. 7		Add	\$15,232
New Contract Price			\$15,163,010
Total percent of Change Order No. 7		=	.10%
Total of all changes		=	1.16%

MOTION/ACTION:

RESOLVED, That the Board of Trustees of the Mendocino-Lake Community College District does hereby ratify Change Order No. 7 for the Library/Learning Center project to Midstate Construction in the amount of \$15,232.

ITEM NO: 6.1
DATE: May 4, 2011

SUBJECT: PRESIDENT'S REPORT

SYNOPSIS: The President's report is offered for information.

ANALYSIS:

Budget Planning

Although not much has happened at the State level during the last month, we continue to plan ahead for both the 2011/12 and 2012/13 budgets. With reductions in expenditures and spending down our reserves, we anticipate being able to make it through 2011/12 without any employee layoffs or furloughs. We have asked employees to voluntarily take time off without pay or to go to reduced workloads as their personal situations allow. Any savings will fall to the bottom line. Although we are working under the assumption of what Governor Brown calls an "all cuts" budget, there is still a glimmer of hope out there that tax increases will be extended and we will not be cut as much as we are preparing for. If this turns out to be the case, we will be able to end 2011/12 with a greater ending fund balance, which can then be carried over into the following year.

Our projections currently show a budget imbalance of \$2.3 million for 2012/13. A solution to address a problem of this magnitude will likely necessitate a combination of salary/benefit reductions (which would have to be negotiated) and some employee layoffs. Our goal is to review all alternatives and have a proposed solution to the Board by December 2011. Then, if the Governor's January 2012 budget proposal does not indicate changes in our projections, we would ask the Board to approve March 15 notices for any layoffs needed. Alternatively, if a number of employee retirements are recognized, we can keep layoffs to a minimum.

Series B Bonds

A great deal of my time this month has been spent on Measure W bonds, as we will be discussing at the Board meeting. The primary areas of focus have been:

- Preparing for presentations to the bond rating agencies (Standard and Poor's and Moody's) to secure a rating for our bonds. The higher the rating, the more attractive our bonds are to potential buyers. Larry, Eileen and I will be participating in these meetings on Monday, May 2, at the agencies' offices in San Francisco.
- Determining the amount of the Series B issue, given the Proposition 39 requirements that property taxes be no more than \$25 per \$100,000 assessed valuation.
- Coordinating the work of bond consultants (financial advisor/banker plus bond attorney), given that UBS, the bank we used in 2007, no longer provides these services and the consultants have moved to another banking institution.
- A recent Attorney General's opinion regarding how bond issuance costs are funded.

Community Connections

- Met with Charlie Mannon, President of the Savings Bank of Mendocino County, to discuss Chessall scholarships and Gala sponsorship.
- Attended regular and Board meetings of the Rotary Club of Ukiah and American Association of University Women.

ITEM NO: 6.2
DATE: May 4, 2011

SUBJECT: EDUCATION AND STUDENT SERVICES REPORT

SYNOPSIS:

This is a report of some of the activities and events that have occurred over the past few weeks.

1. Class Scheduling: Further Cuts to Summer and Fall 2011

In order to reduce the 2011-12 part-time faculty budget by \$300,000 (or about 10%), more classes were recently identified as likely to be removed from the schedule prior to registration in May. The deans followed the guidelines developed last year by the Enrollment Management Committee and made an effort to preserve basic skills, CTE and transfer courses, targeting stand alone/recreational courses instead. In round numbers, the college has approximately \$400,000 for classes in the summer, and \$1 million each for Fall and Spring semesters. By reducing offerings in Fall 2011, we are able to preserve more essential classes in Spring 2012.

2. Curriculum: Approval of SST and Transfer Programs

After Board approval in April 2011, the Sustainable Technology certificates were forwarded to the regional deans group and were approved. The next step in the process is Chancellor's Office approval, which we expect in time to have the programs fully approved by August 2011. The two transfer programs in Communication Studies and Sociology, which were also approved by the Board in April, have been submitted to the Chancellor's Office and received initial approval, with some minor revisions. This month, the Board is being asked to approve a third degree for transfer in Mathematics. Once the system office approves the first two, we will have fulfilled the requirements of SB 1440.

3. Outreach: Upcoming Events in May

This semester ends with a bang: this week alone, the Spring Dance Festival, Latino Retreat Day and the Spring Plant Sale take place. Latino Retreat Day celebrates its 23d year and should have about 200-300 high school students in attendance. On May 14, Super Saturday, the main orientation day for incoming students, takes place; students also will be able to take placement tests and see counselors on that day in order to register early on May 16. Then, on May 20, the 25th Annual Native American Motivation Day will be held, again with about 200 middle and high school students attending.

SUBJECT: ADMINISTRATIVE SERVICES REPORT

SYNOPSIS: A brief summary of activities and events.

ANALYSIS:

State Budget

The window has closed for a June special election to extend the temporary tax increases, and the Governor has moved from negotiating with Republican legislators to directly appealing to voters. Developments over the past two weeks however, indicate that the issue of extending the temporary taxes is not dead.

Approving tax increases, or an extension of the current temporary taxes, requires a two-thirds vote in each house of the Legislature and a signature by the Governor. A vote of the people is not required; however, the Governor pledged during his campaign to get such an approval.

Although the Governor remains committed to allowing voters to ultimately decide the issue, he now appears open to temporarily extending the taxes by action of the Legislature alone. Following the Legislature's enactment of a tax extension or new taxes, voters would be given the opportunity to ratify the decision at a future election.

The question continues to be whether enough Republicans will join with Democrats to approve the additional revenues. Governor Brown appears confident that he will get the necessary votes. This would indeed be welcome news and generate additional revenues at least through the date of some future tax election.

Education is the only segment of the State Budget that has been significantly cut over the past three years. Although other areas of the Budget have been threatened with reductions, the previously enacted Budgets have left these other areas largely unscathed.

The Legislative Analyst's Office (LAO) provided a K-14 alternative Budget scenario, outlining reductions if \$14 billion in new taxes are not raised and if the state determines it needs roughly \$5 billion in Proposition 98 Budget solutions, \$685 million coming from CCCs:

- \$250 million—Establish 90-unit cap on each student's taxpayer-subsidized CCC credits
- \$170 million—Adopt additional fee increase (taking fees to \$66/unit)
- \$125 million—Reduce funding for credit basic skills instruction to the rate provided for noncredit basic skills
- \$55 million—Eliminate state funding for intercollegiate athletics
- \$55 million—Eliminate state funding for repetition of credit physical education (PE) and fine arts classes (assumes no new restrictions on students majoring in PE or fine arts, as well as students with disabilities in adaptive PE courses)
- \$30 million—Eliminate state funding entirely for noncredit PE and fine arts classes

ITEM NO: 6.4
DATE: May 4, 2011

SUBJECT: MENDOCINO COLLEGE FOUNDATION REPORT

SYNOPSIS:

This is an information report on the activities of the Mendocino College Foundation, Inc., submitted by Katie Wojcieszak, Executive Director.

ANALYSIS:

The Foundation Board held their annual planning workshop on April 16. The board discussed their mission, vision and values. Additionally, the board discussed the financial crisis facing the college and what the needs of the college may be in the future.

The Beltrami Scholarship recipients have been chosen. Congratulations to Jorge Arroyo and Connie Patterson who have been chosen as the first recipients of the Beltrami Scholarship which includes an internship component in local government. Both recipients are currently working for the County of Mendocino in the CAO's office.

AAUW Ukiah is providing \$2,300 in funding support to Mendocino College. They have agreed to sponsor an Adopt-A-Fifth Grader, finance book vouchers to ESL students and added two new scholarships for students in Language Arts and Math/Science.

The Finance Committee will review the tentative budget on April 27, the full board will be invited to a budget workshop on May 11 and the board will approve the budget during their June 7 meeting in Lakeport.

Mark your calendars for the District Scholarship Ceremony on Friday, May 13 and the Foundation's Scholarship Ceremony will be held on Friday, May 20, 2011.

To date, there are 23 fifth grade students who have been adopted through the Adopt-A-Fifth Grader program. The end of year ceremonies will begin in May and representatives from the College and Foundation will be present to honor students.

Special thanks to AAUW-Ukiah and the Mendocino College Management/Confidential employee group for being the latest sponsors of the Adopt-A-Fifth grader program.

Gala postcards will be mailed out in early May as a reminder to our patrons to buy their tickets for the June 18, 2011, Gala fundraiser. Individual tickets or tables may be purchased online at <http://foundation.mendocino.edu/>.

Gala posters will be available within the next two weeks. If you have a visible place to display a poster, please let Katie or Lana know.

For the Gala, there are currently 10 corporate and individual event sponsors which include: Campovida, Mendo Lake Credit Union, TLCD Architecture, Midstate Construction, Paul Conrado, Richard Cooper, SHN Consulting Engineers, Max & Joan Schlienger, Katherine Elliott & George Husaruk, and Savings Bank of Mendocino County.

ITEM NO: 6.5
DATE: May 4, 2011

SUBJECT: CONSTITUENT REPORTS

SYNOPSIS:

This is an information report from the Constituent Groups to the Board of Trustees.

ANALYSIS:

A written report was submitted by the Academic Senate. Oral reports may be given at the meeting.

John Koetzner, Academic Senate President

Spring Plenary 2011 – April 16th, 2011 – I attended the spring plenary to vote on the current slate of resolutions. The most controversial had to do with repeatability of classes in the arts, music and physical education. Debate lasted approximately three hours on a handful of resolutions that could impact many programs statewide. Many of the resolutions were supported by the statewide Executive Committee, because the Chancellor's Office is trying to make changes that help save money and show efficiency. The Executive Committee felt it would happen without faculty input if the Academic Senate did not act to work with the Chancellor's Office in consultation. After much debate, one resolution passed that called for the elimination of the term "activity class" and called for the statewide Academic Senate to determine discipline specific repeatability. This will need to be determined by early June. We will need to be in communication with the statewide Academic Senate regarding this in the coming weeks. Most of the other resolutions had little or no debate. In fact, the first hour went by without any real debate at all. I'm inserting the resolution and the amendment that passed below.

9.03 S11 Eliminate Repeatability for "Activity" Courses
Richard Mahon, Riverside City College, Educational Policies Committee

Whereas, Title 5 §55041 describes the types of courses that may be repeatable, including the often misunderstood "activity" course (§55041(c) (2) (B)), and the concept of repeatable courses is confusing and is often incorrectly applied at many colleges;

Whereas, Students should be encouraged to progress to more challenging levels of course content, and faculty can develop sequences of courses with beginning, intermediate, and advanced levels where students can demonstrate their proficiency at more advanced levels of a body of knowledge; and

Whereas, The data on repeatable courses show that students complete these courses in diminishing numbers over multiple opportunities, demonstrating that while opportunities exist for students to repeat "activity" courses several times, students do not avail themselves of these options;

Resolved, That the Academic Senate for California Community Colleges recommend a change to Title 5 regulations that eliminates the category of "activity" courses in Title 5 §55041(c) (2) (B) and the option of repeatability for such courses.

See Attachment 1 for Title 5 §55041.

***9.03.01 S11 Amend Resolution 9.03 S11**
Dianna Chiabotti, Napa Valley College

Amend resolve:

Resolved, That the Academic Senate for California Community Colleges recommend a change to Title 5 regulations that eliminates the category of "activity" courses in Title 5 §55041(c) (2) (B) and ~~the option of repeatability for such courses~~ define repeatability for specific disciplines.

ITEM NO: 6.6
DATE: May 4, 2011

SUBJECT: HEALTH BENEFITS

SYNOPSIS: Status of the Health Benefit Fund

RECOMMENDATION: Informational report

ANALYSIS:

For the first nine months of 2010/11, 7/1/10-3/31/11, the health benefit cost per participant was \$1,672.53 per month, while the budgeted rate was \$1760 per participant.

In comparison:

- For the same time period in 2009/10 (7/1/09 – 3/31/10) the monthly cost per participant was \$1,702.64.
- For the last consecutive twelve months (4/30/10-3/31/11), the monthly cost per participant was \$1,760.49.

ITEM NO: 7.1
DATE: May 4, 2011

SUBJECT: TRUSTEES' REPORTS

SYNOPSIS:

Activities of the Trustees are offered as information

ANALYSIS:

Joan Eriksen

I. I attended:

A. the Democratic Club luncheon during which I was introduced as an elected official. While there, I received a \$100 check from a friend for our Gala; and

B. the AAUW Executive Board meeting in my capacity as chair of AAUW's Scholarship Committee. At the meeting AAUW graciously increased their support of Mendocino College. To our pledged amount of \$1500 we were able to add two scholarships---one for Math and one for English---each in the amount of \$500, as well as \$700 for the Adopt-A-Fifth-Grader program.

II. AAUW member Corinne Olson, who has often collaborated in the selection process for our scholarships, joined me to read scholarship applications. There were so many that we had to return on a Saturday in order to finish. Lana from the Foundation Office does a great job and has been very helpful. An application from one high school senior really touched me, but did not quite fit for the top choice. I later called the AAUW Fund Committee to see if there was some way we could help this student, who so needed financial aid. The Committee agreed to donate another \$200 in order to sponsor a "Student of Promise" scholarship for her, bringing AAUW's total contribution this year to \$3400.

ITEM NO. 8.1
DATE: May 4, 2011

SUBJECT: ACCOUNTABILITY REPORTING FOR COMMUNITY COLLEGES (ARCC)

SYNOPSIS:

Board review and discussion of the ARCC report for Mendocino College

ANALYSIS:

Accountability Reporting for the Community Colleges (ARCC) is a detailed report presented annually by the Chancellor of the California Community Colleges to the Legislature pursuant to AB 1417 (Pacheco, Stat. 2004, Ch.581). The report contains measures of student achievement on seven indicators that address the core missions (basic skills, transfer and CTE) of the Community Colleges. Data is presented for each community college and compared to a statistically defined cohort of other community colleges rather than a Statewide average. As part of the enabling legislation, data for each college is discussed with the College's Board of Trustees.

Dr. Charles Duffy, Director of Institutional Research will give a presentation on the report for Mendocino College.

ARCC 2011 Report: College Level Indicators

Mendocino College

Mendocino-Lake Community College District

College Performance Indicators

Student Progress and Achievement: Degree/Certificate/Transfer

Table 1.1:
Student Progress and
Achievement Rate

Percentage of first-time students who showed intent to complete and who achieved any of the following outcomes within six years: Transferred to a four-year college; or earned an AA/AS; or earned a Certificate (18 units or more); or achieved "Transfer Directed" status; or achieved "Transfer Prepared" status. (See explanation in Appendix B.)

	2002-2003 to 2007-2008	2003-2004 to 2008-2009	2004-2005 to 2009-2010
Student Progress and Achievement Rate	43.1%	46.7%	43.3%

Table 1.1a:
Percent of Students Who
Earned at Least 30 Units

Percentage of first-time students who showed intent to complete and who earned at least 30 units while in the California Community College System. (See explanation in Appendix B.)

	2002-2003 to 2007-2008	2003-2004 to 2008-2009	2004-2005 to 2009-2010
Percent of Students Who Earned at Least 30 Units	63.7%	64.5%	70.8%

Table 1.2:
Persistence Rate

Percentage of first-time students with a minimum of six units earned in a Fall term and who returned and enrolled in the subsequent Fall term anywhere in the system. (See explanation in Appendix B.)

	Fall 2006 to Fall 2007	Fall 2007 to Fall 2008	Fall 2008 to Fall 2009
Persistence Rate	62.1%	59.9%	58.8%



ARCC 2011 Report: College Level Indicators

Mendocino College

Mendocino-Lake Community College District

College Performance Indicators

Student Progress and Achievement: Vocational/Occupational/Workforce Development

Table 1.3:
Annual Successful Course
Completion Rate for
Credit Vocational Courses

See explanation in Appendix B.

	2007-2008	2008-2009	2009-2010
Annual Successful Course Completion Rate for Vocational Courses	75.9%	75.2%	74.6%

Pre-Collegiate Improvement: Basic Skills, ESL, and Enhanced Noncredit

Table 1.4:
Annual Successful Course
Completion Rate for
Credit Basic Skills Courses

See explanation in Appendix B.

	2007-2008	2008-2009	2009-2010
Annual Successful Course Completion Rate for Basic Skills Courses	60.6%	66.3%	62.0%

Table 1.5:
Improvement Rates for ESL
and Credit Basic Skills Courses

See explanation in Appendix B.

	2005-2006 to 2007-2008	2006-2007 to 2008-2009	2007-2008 to 2009-2010
ESL Improvement Rate	31.7%	20.9%	26.6%
Basic Skills Improvement Rate	53.5%	44.2%	56.7%

Table 1.6:
Career Development and
College Preparation (CDCP)
Progress and Achievement Rate

See explanation in Appendix B.

	2005-2006 to 2007-2008	2006-2007 to 2008-2009	2007-2008 to 2009-2010
CDCP Progress and Achievement Rate	2.6%	1.9%	2.0%



ARCC 2011 Report: College Level Indicators

Mendocino College

Mendocino-Lake Community College District

College Profile

Table 1.7:
Annual Unduplicated Headcount and
Full-Time Equivalent Students (FTES)

	2007-2008	2008-2009	2009-2010
Annual Unduplicated Headcount	7,942	8,380	7,675
Full-Time Equivalent Students (FTES)*	2,721	3,133	2,931

Source: The annual unduplicated headcount data are produced by the Chancellor's Office, Management Information System. The FTES data are produced from the Chancellor's Office, Fiscal Services 320 Report.

*FTES data for 2007-2008 and 2008-2009 are based on the FTES recalculation. FTES data for 2009-2010 are based on the FTES annual data.

Table 1.8:
Age of Students at Enrollment

	2007-2008	2008-2009	2009-2010
19 or less	26.5%	27.0%	27.5%
20 - 24	16.3%	16.3%	19.0%
25 - 49	33.9%	34.8%	34.7%
Over 49	23.3%	21.9%	18.9%
Unknown	.%	.%	0.0%

Source: Chancellor's Office, Management Information System

Table 1.9:
Gender of Students

	2007-2008	2008-2009	2009-2010
Female	62.0%	62.4%	61.7%
Male	38.0%	37.6%	38.0%
Unknown	0.0%	0.0%	0.3%

Source: Chancellor's Office, Management Information System



ARCC 2011 Report: College Level Indicators

Mendocino College

Mendocino-Lake Community College District

College Profile

Table 1.10:
Ethnicity of Students

	2007-2008	2008-2009	2009-2010
African American	1.5%	1.7%	1.3%
American Indian/Alaskan Native	4.8%	4.8%	4.1%
Asian	1.6%	1.8%	2.0%
Filipino	0.4%	0.3%	0.4%
Hispanic	16.6%	19.0%	21.9%
Pacific Islander	0.4%	0.4%	1.4%
Two or More Races	.%	.%	1.0%
Unknown/Non-Respondent	8.0%	8.8%	17.6%
White Non-Hispanic	66.6%	63.2%	50.5%

Source: Chancellor's Office, Management Information System



ARCC 2011 Report: College Level Indicators

Mendocino College

Mendocino-Lake Community College District

College Peer Grouping

Table 1.11: Peer Grouping

	Indicator	College's Rate	Peer Group Average	Peer Group Low	Peer Group High	Peer Group
A	Student Progress and Achievement Rate	43.3	48.7	37.8	69.0	A5
B	Percent of Students Who Earned at Least 30 Units	70.8	70.2	57.8	80.0	B1
C	Persistence Rate	58.8	61.0	47.7	74.3	C1
D	Annual Successful Course Completion Rate for Credit Vocational Courses	74.6	73.8	59.7	89.8	D1
E	Annual Successful Course Completion Rate for Credit Basic Skills Courses	62.0	56.5	41.8	71.4	E4
F	Improvement Rate for Credit Basic Skills Courses	56.7	57.3	42.5	67.0	F5
G	Improvement Rate for Credit ESL Courses	26.6	43.0	0.0	67.2	G1

Note: Please refer to Appendices A and B for more information on these rates. The technical details of the peer grouping process are available in Appendix D.



ARCC 2011 Report: College Level Indicators

Mendocino College

Mendocino-Lake Community College District

College Self-Assessment

Mendocino College is a comprehensive community college serving about 5,000 students each semester. From the main campus in Ukiah, centers in Willits and Lakeport, and through a growing online program, Mendocino College provides learning opportunities to approximately 105,000 residents of a 3,200 square mile area spanning Lake and Mendocino Counties. In June 2008, the College's accreditation was reaffirmed by ACCJC. In May 2009, the College was recognized by the Hewlett Foundation as a Hewlett Leader in Student Success for its work in basic skills.

Mendocino College embraces its mission to provide educational choices to traditional-age college students, lifelong learners and working students needing to upgrade their skills for a 21st century economy.

On indicators of student achievement, Mendocino College continues to improve, though at an uneven pace. On the "Student Progress and Achievement Rate" the College improved a net of 0.2 percentage points over three years and is still 6 percentage points below the peer group median.

The proportion of students who earned at least 30 units, however, has increased 7.1 percentage points over three years and is less than one percentage point below the peer group median. Similarly, the persistence rate is 0.35 percentage points below the peer group median. Both of these measures reflect College efforts at building retention and persistence despite the fact that well over 50% of students at Mendocino College are adult learners who may come to the College with distinctly different goals than their younger peers.

The percentage of students successfully completing Credit Vocational courses is essentially unchanged over the period and remains at the median value for the peer group. The loss of 1.3 percentage points over the period studied matches the average change for all members of the peer group.

However, on-going efforts of the College in addressing the challenges of Basic Skills students are leading to improvement in the percentage of students successfully completing a Credit Basic Skills course. The College's percentage is well above the peer group median and the 1.4 percentage point improvement over three years is triple the average rate of change for the peer group.

Looking at improvement rates for specific areas, the improvement rate for Credit ESL remains in the lowest quartile of the peer group and is well below the peer group median. This reflects a continued challenge retaining students from a population principally engaged in the agricultural sector with seasonal work demands. With Credit Basic Skills students, however, the College has made strong progress with an increase of 3.2 percentage points over the three year period, more than three times the average change for colleges within the peer group. This still places the College about 3 percentage points below the median for the peer group.

Demographically, the proportion of Hispanic students (21.9%) attending Mendocino College continues to grow, reflecting the demographic transition taking place in Mendocino and Lake Counties. Coupled with the 8.9% of the student population who are members of other underrepresented minorities, Mendocino College is becoming an increasingly diverse learning environment.



ITEM NO: 9.1
DATE: May 4, 2011

SUBJECT: MEASURE W BOND REPORT AND REVIEW OF BOND PROJECTS

SYNOPSIS:

The Quarterly Bond Report is offered for information to serve as a basis for discussion by the Board.

ANALYSIS:

Just over four years ago (March 2007), Measure W Series A bonds were issued for \$30 million. Of the 30 bond projects identified in the initial program plan, many of the lower-cost projects have been completed, and substantial work has been done on several of the larger projects. The largest project, the Library/Learning Center, is currently under construction and on schedule to be completed by summer 2012. To provide the necessary funding to complete the Library/Learning Center on schedule, additional bonds must be sold during summer 2011.

Given the economic crisis and its effect on the housing market, assessed property values within the Mendocino-Lake Community College District have not increased at the rate that was anticipated when we sold our first bonds in 2007. It is unlikely that we will be able to issue all of the additional authorized bonds (\$37.5 million) as part of Series B. Part of the authorization may have to be postponed to a later date as part of another bond issue, Series C.

Alternatives are being discussed and BIPC (Bond Implementation Planning Committee) has begun the conversation about prioritizing the remaining bond projects.

The Quarterly Bond Report can be found at the following website:
http://www.mendocino.edu/tc/pg/5011/quarterly_reports.html