

Trustees of the California State University

Resolutions

**Resolutions passed by the CSU Board of Trustees at their meeting held on
March 13-14, 2007 in the Dumke Auditorium located at the California State University
Office of the Chancellor , 401 Golden Shore, Long Beach, CA 90802**

BOARD OF TRUSTEES

Election of Five Members to Committee on Committees for 2007-2008 (RBOT 03-07-02)

RESOLVED, By the Board of Trustees of the California State University, that the following trustees are elected to constitute the board's Committee on Committees for the 2007-2008 term:

Debra Farar, Chair
Jeffrey Bleich
Herbert Carter
Melinda Guzman
William Hauck

COMMITTEE ON EDUCATIONAL POLICY

Academic Planning and Program Review (REP 03-07-03)

The following resolution refers to changes in the campus Academic Plans, described in Attachment A, and is recommended for adoption.

RESOLVED, by the Board of Trustees of the California State University, that the amended projections to the Academic Plans for the California State University campuses (as contained in Attachment A to Agenda Item 1 of the March 13-14, 2007, meeting of the Committee on Educational Policy), be approved and accepted for addition to the CSU Academic Master Plan and as the basis for necessary facility planning; and be it further

RESOLVED, that those degree programs proposed to be included in campus Academic Plans be authorized for implementation, at approximately the dates indicated, subject in each instance to the chancellor's determination of need and feasibility, and provided that financial support, qualified faculty, facilities, and information resources sufficient to establish and maintain the programs will be available; and be it further

RESOLVED, that degree programs not included in the campus Academic Plans are authorized for implementation only as pilot programs, subject in each instance to conformity with current procedures for establishing pilot programs.

COMMITTEE ON CAMPUS PLANNING BUILDINGS AND GROUNDS

Amend the 2006-2007 Capital Outlay Program, Non-state Funded (RCPBG 03-07-03)

RESOLVED, By the Board of Trustees of the California State University, that the 2006/2007 non-state funded capital outlay program is amended to include: 1) \$15,556,000 for preliminary plans, working drawings, construction, and equipment for the California State University, Channel Islands, University Student Union project; 2) \$38,158,000 for preliminary plans, working drawings, construction, and equipment for the Humboldt State University, Student Housing Replacement and Addition, Phase I project; 3) \$5,000,000 for preliminary plans, working drawings, construction, and equipment for the California State University, Long Beach, Outpost Food Service Replacement Building project; and 4) \$21,951,000 for preliminary plans, working drawings, construction, and equipment for the California State Polytechnic University, Pomona, International Polytechnic High School project.

Certify the Final Environmental Impact Report (FEIR) and Approve the Campus Master Plan Revision and Amendment to the Non-State Capital Outlay Program for Campus Pointe and Approve the Schematic Plans for Campus Pointe, Multi-Family Housing, Phase I at California State University, Fresno (RCPBG 03-07-04)

RESOLVED, by the Board of Trustees of the California State University, that:

1. The Final EIR for the California State University, Fresno, March 2007 Master Plan Revision and Campus Pointe has been prepared to address the potential significant environmental impacts, mitigation measures, and project alternatives, comments and response to comments associated with the proposed master plan revision and Campus Pointe project, pursuant to the requirements of the California Environmental Quality Act, the CEQA Guidelines, and CSU CEQA procedures.
2. The Final EIR addresses the proposed Master Plan Revision and Campus Pointe project, and all discretionary actions relating to the project, as identified in the Project Description, Section 1.0 of the Final EIR.
3. This resolution is adopted pursuant to the requirements of Section 21081 of the Public Resources Code and Section 15091 of Title 14 of the California Code of Regulations (CEQA Guidelines), which require that the Board of Trustees make findings prior to the approval of a project along with a statement of facts supporting each finding.
4. This board hereby adopts the Findings of Fact and related mitigation measures identified in the Mitigation Monitoring Program for Agenda Item (4) of the

March 13-14, 2007 meeting of the Board of Trustees' Committee on Campus Planning, Buildings and Grounds, which identifies specific impacts of the proposed project and related mitigation measures, which are hereby incorporated by reference.

5. The board has adopted Findings of Fact that include specific overriding considerations that outweigh certain remaining unavoidable significant impacts to air quality, noise, traffic, and loss of prime farmland.
6. The board has identified traffic related potential significant impacts and related mitigation measures, some of which require CSU land dedication to implement, hereby adopted and incorporated by reference, that if fully and timely implemented will reduce the identified traffic impacts to less than significant. A significant portion of the mitigation measures necessary to reduce impacts to less than significant are the responsibility of and under the authority of the cities of Fresno and Clovis, particularly with respect to existing conditions. However, the university and its auxiliary have not entered into binding agreements that will make the mitigation measures enforceable as conditions of approval by the board as is its responsibility and authority as Lead Agency under CEQA. These agreements would also acknowledge the value of university agricultural property that will be required for implementation of certain specific intersection improvements. The board therefore cannot guarantee that certain mitigation measures that are the sole responsibility of the respective cities will be timely implemented. The board therefore finds that certain impacts upon traffic may remain significant and unavoidable if mitigation measures are not implemented, and therefore adopts Findings of Fact that include specific Overriding Considerations that outweigh the remaining, potential, unavoidable significant impacts with respect to traffic conditions on streets and intersections not under the authority and responsibility of the board.
7. The city of Fresno has requested fees be paid by the university for mitigation of public services impacts in the areas of police, fire, and parks and recreation. These have been found to be *less than significant*, based on the analysis in the Final EIR. Since these potential impacts have been found to be less than significant, there is no mitigation required, and therefore no fair share mitigation cost need be determined under the "Marina" decision.
8. The board recognizes that the agreements between the university, its auxiliary, and the cities of Clovis and Fresno, are required to ensure the implementation of certain specific mitigation measures with respect to traffic that will reduce impacts to less than significant, as well as other conditions of approval that are yet to be negotiated to satisfactory resolution between the parties. The board therefore delegates to the chancellor authority to review and approve the final appropriate agreements that may be negotiated between the parties, and based on his approval, to authorize the Campus Pointe of negotiated agreements

between the parties with respect to payment for off-site mitigation as a result of the Marina court decision. The chancellor will report to the board the result of negotiated agreements between the parties with respect to payment for off-site mitigation as a result of the Marina court decision.

9. Prior to the certification of the Final EIR, the Board of Trustees has reviewed and considered the above-mentioned Final EIR, and finds that the Final EIR reflects the independent judgment of the Board of Trustees. The board hereby certifies the Final EIR for the proposed project as complete and adequate in that the Final EIR addresses all significant environmental impacts of the proposed project and fully complies with the requirements of CEQA and the CEQA Guidelines. For the purpose of CEQA and the CEQA Guidelines, the administrative record of proceedings for the project is comprised of the following:
 - A. The Draft EIR for the California State University, Fresno, March 2007 Master Plan Revision and Campus Pointe project;
 - B. The Final EIR, including comments received on the Draft EIR, and responses to comments;
 - C. The proceedings before the Board of Trustees relating to the subject project, including testimony and documentary evidence introduced at such proceedings; and
 - D. All attachments, documents incorporated, and references made in the documents as specified in items (A) through (C) above.
10. The above information is on file with The California State University, Office of the Chancellor, Capital Planning, Design and Construction, 401 Golden Shore, Long Beach, California 90802-4210 and at California State University, Fresno, Facilities Planning, Design and Construction, (2351 East Barstow, Fresno, California 93740), and the offices of the CSU Fresno Foundation, (2771 East Shaw Avenue, Fresno, California 93710).
11. The board hereby certifies the Final EIR for the California State University, Fresno 2007 Master Plan Revision and Campus Pointe project, dated March 2007 as complete and in compliance with CEQA.
12. The mitigation measures identified in the Mitigation Monitoring and Reporting Plan are hereby adopted and shall be monitored and reported in accordance with the Mitigation Monitoring Program for Agenda Item (4) of the March 13-14, 2007 meeting of the Board of Trustees' Committee on Campus Planning, Buildings and Grounds, which meets the requirements of CEQA (Public Resources Code, Section 21081.6).
13. The project will benefit the California State University.

14. The California State University, Fresno Master Plan Revision dated March 2007 is approved, incorporating the Campus Pointe project.
15. The 2006-07 non-state funded capital outlay program is amended to include \$167,639,000 for preliminary plans, working drawings, construction, and equipment for the California State University, Fresno, Campus Pointe project.
16. The chancellor or his designee is requested under the Delegation of Authority by the Board of Trustees to file the Notice of Determination for the project.

Approve the Campus Master Plan Revision and Amendment of the 2006-2007 Non-State Capital Outlay Program for the Property Acquisition of Lots 1, 2, 5 and 6 of Park Merced for San Francisco State University (RCPBG 03-07-05)

RESOLVED, By the Board of Trustees of the California State University, that:

1. The board finds that the Categorical Exemption for the San Francisco State University, Lots 1, 2, 5 and 6 of Park Merced, has been prepared pursuant to the requirements of the California Environmental Quality Act.
2. The proposed project will not have the potential for significant adverse impacts on the environment, and the project will benefit the California State University.
3. The San Francisco State University, campus master plan revision dated March 2007 is approved.
4. The 2006/2007 non-state funded capital outlay program is amended to include \$35,201,000 for the Property Acquisition of Lots 1, 2, 5 and 6 of Park Merced.
5. The acquisition is approved subject to satisfactory completion of the required real property acquisition due diligence.

Approval of Schematic Plans (RCPBG 03-07-06)

1. California State University, Long Beach—Outpost Food Service Replacement Building

RESOLVED, By the Board of Trustees for the California State University, that:

1. The board finds the Mitigated Negative Declaration has been prepared and was filed with the State Clearinghouse pursuant to the requirements of the California Environmental Quality Act.

2. With the proposed mitigation measures, the proposed project will not have significant adverse impacts on the environment, and the project will benefit the California State University.
3. The schematic plans for the California State University, Long Beach, Outpost Food Service Replacement Building are approved at a project cost of \$5,000,000 at CCCI 4633.

2. California State Polytechnic University, Pomona—International Polytechnic High School

RESOLVED, By the Board of Trustees of the California State University, that:

3. The board finds that the Categorical Exemption for the California State Polytechnic University, Pomona, International Polytechnic High School, has been prepared pursuant to the requirements of the California Environmental Quality Act.
4. The proposed project will not have significant adverse impacts on the environment, and the project will benefit the California State University.
5. The schematic plans for the California State Polytechnic University, Pomona, International Polytechnic High School are approved at a project cost of \$21,951,000 at CCCI 4633.

COMMITTEE ON GOVERNMENTAL RELATIONS

2007-2008 Legislative Report No. 2 (RGR 03-07-04)

RESOLVED, By the Board of Trustees of the California State University that the 2007-08 Legislative Report No. 2 is adopted.

COMMITTEE ON INSTITUTIONAL ADVANCEMENT

Naming of an Academic Entity – San José State University (RIA 03-07-04)

RESOLVED, By the Board of Trustees of the California State University, that the College of Engineering at San José State University be named the Charles W. Davidson College of Engineering.

Naming of a Facility – California State University, Fresno (RIA 03-07-05)

RESOLVED, By the Board of Trustees of the California State University, that the tower of the Henry Madden Library at California State University, Fresno be named the Table Mountain Rancheria Tower.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: Interim President (RUF 03-07-02)

RESOLVED, by the Board of Trustees of the California State University, that Dr. Boice M. Bowman shall receive a salary set at the annual rate of \$200,000, effective March 1, 2007, the date of his appointment as interim president of California State University, Dominguez Hills; and be it further,

RESOLVED, that Dr. Bowman shall receive a housing allowance set at the monthly rate of \$5,000, with the understanding that special events will be hosted at his residence as a condition of his employment as interim president.

COMMITTEE ON FINANCE

State University Fee Increase (RFIN 03-07-04)

RESOLVED, By the Board of Trustees of the California State University, that the following academic year schedule of the State University Fee is approved effective fall term 2007 and until further amended:

State University Fees

<u>Units Per Term</u>	<u>Undergraduate</u>	<u>Credential Program Participants</u>	<u>Graduate and Other Post-Bac Students</u>
6.1 or more	\$2,772	\$3,216	\$3,414
0 to 6.0	\$1,608	\$1,866	\$1,980

The fees provided in the above table are for an Academic Year. The applicable Per Term fee schedules consistent with these Academic Year fees for campuses on the semester, quarter and other calendars, for regular students (6.1 units or more per term) and part time students (up to 6.0 units per term), and for the academic year and summer terms are provided on the Budget Office website:

http://www.calstate.edu/budget/FeeEnrll_Info/FeeInfo/Campus_Mand_Fees/Fee_Schedules.shtm
1

And, be it further

RESOLVED, That the Chancellor may approve individual campus State University Fee rates that do not exceed the maximum fee rates established by this fee schedule, and be it further

RESOLVED, That the Chancellor is delegated authority to further adopt, amend, or repeal the State University Fee increase if 2007-08 budget action is taken by the Governor and legislature to buy out any or all of the fee rate increase, and be it further

RESOLVED, That if action is taken in the 2007-08 state budget to provide funding that partially or completely buys out the fee increase the Chancellor shall repeal that portion or all of the fee increase and that such changes made by the Chancellor will be communicated promptly to the Trustees.

Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds and Related Debt Instruments for Various Projects (RFIN 03-07-05)

A resolution was prepared by Orrick, Herrington & Sutcliffe LLP, as bond counsel, for the projects described in Agenda Item 3 of the Committee on Finance of the March 13-14, 2007 meeting of the CSU Board of Trustees that authorize interim and permanent financing for projects at San Francisco State University (Housing Acquisitions of Villas at Park Merced and the Village at Centennial Square) and at CSU Sacramento (University Enterprises Inc. Broad Athletic Facility Project Phase I). The proposed resolutions will achieve the following:

1. Authorize the sale and issuance of Systemwide Revenue Bond Anticipation Notes and the related sale and issuance of the Trustees of the California State University Systemwide Revenue Bonds in an amount not-to-exceed \$88,145,000 and certain actions relating thereto.
2. Provide a delegation to the Chancellor; the Executive Vice Chancellor and Chief Financial Officer; the Assistant Vice Chancellor, Financial Services; and the Senior Director, Financing and Treasury; and their designees to take any and all necessary actions to execute documents for the sale and issuance of the bond anticipation notes and the revenue bonds.

The resolutions will be implemented subject to receipt of good bids consistent with the projects' financing budgets.

Systemwide Revenue Bond Program — Funds and Investments (RFIN 03-07-06)

WHEREAS, the Trustees of the California State University (the "Board"), on March 13, 2002, duly adopted a resolution (the "Resolution") authorizing the execution and delivery of an indenture, dated as of April 1, 2002 (the "Indenture"), between the Board and the State Treasurer of the State of California, as trustee (the "State Treasurer"), which Indenture shall be supplemented by one or more supplemental indentures to be entered into by the Board at such time or times as the Chancellor may determine, authorizing the issuance of one or more series of the Board's Systemwide Revenue Bonds (the "Bonds") pursuant to The State University Revenue Bond Act of 1947 (codified at California Education Code Sections 90010 to 90081) (the "Bond Act of 1947"); and

WHEREAS, pursuant to the Bond Act of 1947 the Legislature has authorized the Board to control and manage its revenue bond program, including without limitation providing for the timing and use of deposits of revenues from financed projects into the various funds and accounts established under the Indenture, the manner in which moneys on deposit in such funds and accounts shall be held and invested and the duties and powers of the State Treasurer, as trustee under the Indenture; and

WHEREAS, the Board has previously issued Bonds under the Indenture which are currently outstanding and the Board is subject to the terms and conditions of the Indenture providing for the security of the moneys on deposit in the funds and accounts under the Indenture and their use to secure the Bonds and to pay debt service on the Bonds in accordance with the requirements of the Bond Act of 1947 and the Indenture; and

WHEREAS, the Board has established a Revenue Management Program to more efficiently process, control, invest and use certain moneys of the Board for the benefit of the California State University, including moneys on deposit in the Gross Revenue Fund under the Indenture; and

WHEREAS, the Board desires to supplement the Indenture in accordance with its terms and the Bond Act of 1947 in order to further implement the Revenue Management Program; now, therefore, be it

RESOLVED, By the Board of Trustees of the California State University, as follows:

1. Authorization of Supplemental Indenture. The Board hereby authorizes the preparation, execution and delivery of a supplemental indenture to provide for the effective and efficient implementation of the Revenue Management Program in accordance with the terms of the Indenture and the Bond Act of 1947. Such supplemental indenture shall provide that surplus funds held pursuant to Section 5.02 of the Indenture shall be expressly authorized to be used for lawful purposes of the Board, including the following: (i) pre-construction planning funds for new campus projects whose revenues will be pledged under the Indenture; (ii) major and regular maintenance and repair expense reserves for projects whose revenues are pledged under the Indenture; (iii) the purchase of new facilities whose revenues will be pledged under the Indenture; (iv) the purchase of equipment to be utilized in support of projects whose revenues will be pledged under the Indenture; (v) any incidental costs related to operations and administration of Systemwide Revenue Bond programs; and (vi) redemption of Bonds in accordance with their terms prior to their stated maturity dates. Such supplemental indenture shall also provide that moneys on deposit in the Gross Revenue Fund or any other fund or account established and held by the Board under the Indenture shall be invested in any lawful investment for funds of the Board as the authorized representatives of the Board may from time to time direct, and which shall include demand depository accounts with Wells Fargo Bank, or any other banking institution selected by the Chancellor, and other investment accounts with other investment managers under contract with the California State University; and that these demand depository accounts and investment accounts shall, upon the filing of a Certificate of the Board with the State Treasurer in accordance with the Indenture, constitute Gross Revenue Fund Depositories, as that term is defined in the Indenture; and that all such

investments shall be subject to the investment limitations set forth in the tax covenants in Section 6.07 of the Indenture.

2. Authorization to Execute and Deliver Supplemental Indenture and Related Documents and Take Certain Other Actions. The State Treasurer, the Chair and the Secretary of the Board and the Chancellor, the Executive Vice Chancellor and Chief Financial Officer, the Assistant Vice Chancellor, Financial Services, the Senior Director, Financing and Treasury and their designees are each hereby authorized and directed, jointly and severally; (i) to execute and deliver the supplemental indenture authorized by this resolution; (ii) to execute and deliver any and all documents as they may deem necessary or advisable in order to carry out the terms of the Indenture, as supplemented by such supplemental indenture, including without limitation, written requests, certificates and other directions to the State Treasurer and to the State Controller, as may be necessary or appropriate under the Indenture or the Bond Act of 1947 or other applicable California law, as well as other documents, certificates and instruments in connection therewith; and (iii) to take such other actions as they may deem necessary or advisable in order to carry out the purposes of this resolution.
3. Effective Date. This resolution shall be effective upon its adoption. The supplemental indenture authorized herein shall be effective upon its execution and delivery and shall be valid and binding upon the parties thereto.