

Trustees of The California State University

The California State University
The Glenn S. Dumke Conference Center
401 Golden Shore • Long Beach, CA 90802-4210

Resolutions

The attached resolutions were adopted by the Board of Trustees at its meeting of May 9-10, 2000, held at the Glenn S. Dumke Conference Center, Office of the Chancellor of the California State University, 401 Golden Shore, Long Beach, California

COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS

Amend the 1999/2000 Capital Outlay Program, State Funded (RCPBG 05-08-00)

- 1. California State University, Fullerton
Energy Management System Upgrade**
- 2. San Diego State University
Cogeneration Facility**

RESOLVED, By the Board of Trustees of The California State University, that the 1999/2000 State Funded Capital Outlay Program be amended to include (1) \$1,202,000 for preliminary plans, working drawings, construction and equipment for the California State University, Fullerton, Energy Management System Upgrade project; and (2) \$17,325,000 for preliminary plans, working drawings, construction and equipment for the San Diego State University, Cogeneration Facility.

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Concur with the Findings in the Final Environmental Impact Report, Approve Initial Campus Master Plan, Amendment to the Nonstate Funded Capital Outlay Program and Schematic Plans for Phase I Development of California State University, San Bernardino, Permanent Coachella Valley Off-Campus Center in Palm Desert (RCPBG 05-09-00)

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

1. The FEIR was prepared to include the conceptual master plan for 200 acres, and more specifically the Phase I Development, and this Board of Trustees concurs with the findings identified in the FEIR pursuant to the requirements of the California Environmental Quality Act.
2. Based on the information contained in the subject FEIR and the mitigation measures identified therein, the proposed project will not have a significant effect on the environment.
3. The Board of Trustees adopts the mitigation measures identified as its responsibility and set forth in Attachment B to this agenda item. No additional mitigation measures by the Board of Trustees as the Responsible Agency are necessary.
4. The project will benefit The California State University.
5. The California State University, San Bernardino, Permanent Coachella Valley Off-Campus Center Initial Campus Master Plan, dated May 2000, is conditionally approved at a physical master plan ceiling of 2,500 FTES.

6. The 1999/2000 Nonstate Funded Capital Outlay Program is amended to include \$10,145,000 for preliminary plans, working drawings, and construction for the Phase I Development of the California State University, San Bernardino, Permanent Coachella Valley Off-Campus Center.
7. The schematic plans for the Phase I Development of the California State University, San Bernardino Permanent Coachella Valley Off-Campus Center are approved at a project cost of \$11,026,000 at CCCI 3847.

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Certify a Final Environmental Impact Report, Approve the Campus Master Plan Revision, Amendment to the Nonstate Funded Capital Outlay Program and Schematic Plans for the Center for Musical Arts at Sonoma State University (RCPBG 05-10-00)

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

1. The FEIR for the Sonoma State University campus master plan revision and construction of the Center for Musical Arts project (State Clearinghouse No. 93013045) was prepared to address the potential significant environmental effects, mitigation measures, and project alternatives associated with approval of the proposed master plan revision and center for musical arts project and all discretionary actions related thereto.
2. The FEIR was prepared pursuant to the California Environmental Quality Act and the CEQA Guidelines.
3. This resolution is adopted pursuant to the requirements of Section 21081 of the Public Resources Code and Section 15091 of the CEQA Guidelines, which require that the Board of Trustees make findings prior to approval of a project (along with statements of facts supporting each finding).
4. This board hereby adopts the findings of fact in Attachment C and related mitigation measures in Attachment D, Agenda Item 4 of the May 9-10, 2000, meeting of the Committee on Campus Planning, Buildings and Grounds, which identify specific impacts of the proposed project and related mitigation measures which are hereby incorporated by reference.
5. The findings in Attachment C and the related mitigation measures in Attachment D, are hereby incorporated by reference and adopted by this board, and said findings include specific overriding considerations that outweigh certain remaining significant impacts.
6. The Board of Trustees of The California State University has considered the information provided in the FEIR in making its findings.
7. Prior to certification of the FEIR, the Board of Trustees has reviewed and considered the above-mentioned FEIR and finds that the FEIR reflects the independent judgment of the Board of Trustees. The board hereby certifies the FEIR for the proposed project as complete and adequate in that the FEIR 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 record of the proceedings for the project is comprised of the following:

- A. The Draft EIR for the Sonoma State University master plan revision and the Center for Musical Arts project;
- B. The FEIR including all 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.

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, and Sonoma State University, Office of Facilities Services (Building 10), Rohnert Park, CA 94928.

- 8. The Board of Trustees of The California State University adopts the findings set forth in Attachment C, Agenda Item 4 of the May 9-10, 2000, meeting of the Committee on Campus Planning, Buildings and Grounds, including the minor modification of mitigation measures and the other findings presented in Attachment C. The board specifically finds that the modified mitigation measures are feasible and will further mitigate adverse impacts from the project.
- 9. The Board of Trustees of The California State University hereby certifies the FEIR for the Sonoma State University master plan revision and Center for Musical Arts project, and directs that the FEIR be considered in any further actions on the project.
- 10. The mitigation measures identified in the Mitigation Monitoring Plan are hereby adopted and shall be monitored and reported in accordance with the Mitigation Monitoring Plan, which is Attachment D, Agenda Item 4, of the May 9-10, 2000, meeting of the Committee on Campus Planning, Buildings and Grounds, and which meets the requirements of CEQA (Public Resources Code, Section 21081.6).
- 11. The Sonoma State University campus master plan revision dated May 2000 is hereby approved.
- 12. The 1999/2000 Nonstate Funded Capital Outlay Program is amended to include \$54 million for preliminary plans, working drawings, construction, and equipment for the Center for Musical Arts, restaurant/meeting facility, and related site development/landscaping project.
- 13. The schematic plans for the Sonoma State University Center for Musical Arts are approved at a project cost of \$51,247,000 at CCCI 3847.

14. The chancellor or his designee is requested under the Delegation of Authority granted by the Board of Trustees to file the Notice of Determination for the Sonoma State University master plan revision and the Center for Musical Arts project.

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Approval of Schematic Plans (RCPBG 05-11-00)

**1. California State University, Fullerton—Student Housing Expansion
Project Architect: The Steinberg Group Architects**

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

1. The board finds that the Negative Declaration for the California State University, Fullerton, Student Housing Expansion project has been prepared in accordance with the requirements of the California Environmental Quality Act; and
2. The proposed project will not have a significant effect on the environment; and
3. The project will benefit The California State University; and
4. The chancellor is requested under Delegation of Authority granted by the Board of Trustees to file the Notice of Determination for the project; and
5. The schematic plans for the California State University, Fullerton, Student Housing Expansion project are approved at a project cost of \$21,051,000 at CCCCI 3847.

**2. California State University, Los Angeles—Bookstore/Dining Services Building
Project Architect: Wou & Partners**

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

1. The board finds that the Categorical Exemption for the California State University, Los Angeles, Bookstore/Dining Services Building has been prepared in accordance with the requirements of the California Environmental Quality Act; and
2. The proposed project will not have a significant effect on the environment; and
3. The project will benefit The California State University; and
4. The schematic plans for the California State University, Los Angeles, Bookstore/Dining Services Building are approved at a project cost of \$22,500,000 at CCCCI 3847.

3. San Diego State University—Athletics Administration Building/Hall of Fame

Project Architect: Carrier Johnson

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

1. The board finds that the FEIR for the San Diego State University Master Plan, certified on May 12, 1999, was prepared to include the Athletics Administration Building/Hall of Fame pursuant to the requirements of the California Environmental Quality Act; and
2. Based on the information contained in the previously approved FEIR and the mitigation measures identified therein and previously adopted, the proposed project will not have a significant effect on the environment; and
3. Therefore, no additional mitigation measures are necessary, and the project will benefit The California State University; and
4. The schematic plans for the San Diego State University, Athletics Administration Building/Hall of Fame are approved at a project cost of \$20,679,000 at CCCI 3847.

**4. San Diego State University—Parking Structure 6
Design/Build Contractor: Taylor Ball of California**

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

1. The board finds that the FEIR for the San Diego State University Master Plan, certified on May 12, 1999, was prepared to specifically include the Parking Structure 6 project pursuant to the requirements of the California Environmental Quality Act; and
2. Based on the information contained in the previously approved FEIR and the mitigation measures identified therein and previously adopted, the proposed project will not have a significant effect on the environment; and
3. Therefore, no additional mitigation measures are necessary, and the project will benefit The California State University; and
4. The schematic plans for the San Diego State University, Parking Structure 6 are approved at a project cost of \$17,080,000 at CCCI 3847.

COMMITTEE ON COMMITTEES

Election of the Chairman of the Board of Trustees for 2000/01 (RCOC 05-02-00)

RESOLVED, By the Board of Trustees of The California State University, on recommendation by the Committee on Committees, that the following officer is elected as chairman for the 2000/01 year:

Chairman: Laurence K. Gould, Jr.

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Election of the Vice Chairman of the Board of Trustees for 2000/01 (RCOC 05-03-00)

RESOLVED, By the Board of Trustees of The California State University, on recommendation by the Committee on Committees, that the following officer is elected as vice chairman for the 2000/01 year:

Chairman: Dee Dee Myers

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Appointments to the California Postsecondary Education Committee for 2000/01 (RCOC 05-04-00)

RESOLVED, By the Board of Trustees of The California State University, on recommendation by the Committee on Committees, that the following appointments be made to the California Postsecondary Education Commission for the 2000/01 year:

Ralph R. Pesqueira
Debra S. Farar (*alternate*)

COMMITTEE ON COMMITTEES

Committee Assignments for 2000/01 (RCOC 05-05-00)

RESOLVED, By the Board of Trustees of The California State University, on recommendation by the Committee on Committees, that the following appointments be made to the Standing Committees for the 2000/01 year:

Audit

Frederick W. Pierce IV, **Chair**
Harold Goldwhite, **Vice Chair**
Murray L. Galinson
Shailesh J. Mehta
Neel I. Murarka
Stanley T. Wang

Campus Planning, Buildings and Grounds

Stanley T. Wang, **Chair**
Ralph R. Pesqueira, **Vice Chair**
William D. Campbell
Murray L. Galinson
Harold Goldwhite
Frederick W. Pierce IV
Ali C. Razi

Collective Bargaining

Ralph R. Pesqueira, **Chair**
Bob Foster, **Vice Chair**
Roberta Achtenberg
William D. Campbell
Martha C. Fallgatter
William Hauck
Anthony M. Vitti

Educational Policy

Dee Dee Myers, **Chair**
Debra S. Farar, **Vice Chair**
Roberta Achtenberg
William D. Campbell
Harold Goldwhite
Neel I. Murarka
Ralph R. Pesqueira
Ali C. Razi

Finance

William Hauck, **Chair**
Murray L. Galinson, **Vice Chair**
Neel I. Murarka
Dee Dee Myers
Frederick W. Pierce IV
Ali C. Razi
Stanley T. Wang

Governmental Relations

Martha C. Fallgatter, **Chair**
Roberta Achtenberg, **Vice Chair**
Debra S. Farar
Bob Foster
Murray L. Galinson
William Hauck
Neel I. Murarka
Dee Dee Myers
Ralph R. Pesqueira

Institutional Advancement

Ali C. Razi, **Chair**
Shailesh J. Mehta, **Vice Chair**
Roberta Achtenberg
Martha C. Fallgatter
Debra S. Farar
Dee Dee Myers
Frederick W. Pierce IV
Anthony M. Vitti

Organization and Rules

Roberta Achtenberg, **Chair**
Bob Foster, **Vice Chair**
Debra S. Farar
Harold Goldwhite
William Hauck
Shailesh J. Mehta
Neel I. Murarka

University and Faculty Personnel

Bob Foster, **Chair**
Frederick W. Pierce IV, **Vice Chair**
William D. Campbell
Shailesh J. Mehta
Anthony M. Vitti
Stanley T. Wang

COMMITTEE ON FINANCE

Approval of a Joint Powers Agency for Financing Activities at California State University, Channel Islands (RFIN 05-06-00)

WHEREAS, Pursuant to the laws of the State of California, including the Joint Exercise of Powers Act (Sections 6500 and following of the Government Code of the State of California) (the “Law”) the California State University, Channel Islands Site Authority (the “Site Authority”) and the Trustees of the California State University (the “Trustees”) desire to create a joint exercise of powers entity to be known as the CSUCI Financing Authority (the “Financing Authority”);

WHEREAS, Pursuant to the Law, the Trustees and the Site Authority shall create the Financing Authority by entering into the CSUCI Financing Authority Agreement, dated as of May 10, 2000, in substantially the form presented to this meeting (the “JPA Agreement”);

WHEREAS, To effectively finance various infrastructure and related improvements serving the California State University, Channel Islands campus, the Authority will undertake proceedings to establish a community facilities district (the “District”) and levy a special tax, all pursuant to the laws of the State of California, including California Government Code Sections 53311 and following (the “Community Facilities District Act”);

WHEREAS, In order to establish the District and levy the special tax pursuant to the Community Facilities District Act, the Trustees, as the sole landowner of property within the District, must take certain actions, including without limitation voting to approve a special tax to be levied upon certain leasehold or possessory interests within the District; now, therefore, be it

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

Section 1. The JPA Agreement is hereby approved. The Chancellor or his designee is hereby authorized and directed, for and in the name and on behalf of the Trustees, to execute and deliver the JPA Agreement with such changes therein as such officer determines are necessary and appropriate, and are approved by such officer, such approval to be conclusively evidenced by the execution and delivery of the JPA Agreement.

Section 2. The Chancellor or his designee is hereby authorized to take all actions, for and in the name and on behalf of the Trustees, that he determines to be necessary or appropriate as the authorized representative of the landowner in connection with the establishment of the District at the California State University, Channel Islands, including without limitation voting in a landowner election pursuant to the Community Facilities District Act to approve a special tax upon leasehold and possessory interest within the District.

Section 3. The Treasurer, the officers of the Board, the Chancellor or the Executive Vice Chancellor and Chief Financial Officer or the Assistant Vice Chancellor, Financial Services, or the Senior Director, Financing and Treasury, are each 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 assist the Site Authority and the Financing Authority with the financing of infrastructure improvements at the California State University, Channel Islands, including without limitation the creation of the District, the authorization, issuance and sale of the bonds for the District by the Financing Authority, the execution and delivery of a continuing disclosure certificate, a tax certificate and other certificates, instruments and agreements relating to the bonds and otherwise to effectuate the purposes of this resolution.

Section 4. This resolution shall take effect from and after its passage and approval.

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Conceptual Plan of a Private Sector Development for a Soccer Academy and Stadium Complex at California State University, Dominguez Hills (RFIN 05-07-00)

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

1. Support the concept of a public/private partnership that could lead to the construction of a soccer stadium, soccer academy facilities, parking, and renovations to existing campus athletic venues (“the Project”) at California State University, Dominguez Hills and authorize the campus in consultation with the Chancellor’s Office to formulate a development plan for the Project with the understanding that the development plan and additional information will be presented to the trustees at key points in the process.
2. Confirm the chancellor’s authority to enter into such agreements as are necessary to prepare the development plan for the Project to be considered by the campus, Office of the Chancellor, and the Board of Trustees; and
3. Consider the following action items for approval by the trustees at the appropriate times during the development process:
 - (a) The development plan that includes, but is not limited to, an update of the conceptual plan presented to the trustees, a summary of important terms and conditions of specific agreements negotiated by the campus and the developer, the results of due diligence studies including an assessment of risks associated with the project, and a multi-year financial plan.
 - (b) Master Plan revisions;
 - (c) Proposed schematic plans;
 - (d) Environmental documents for the project.

Real Property Development Projects—Revision of Policy (RFIN 05-08-00)

RESOLVED, By the Board of Trustees of The California State University, that the policy and procedures for public/private (public/public) real estate partnerships approved at the March 22-23, 1994, meeting is rescinded and the chancellor is directed to issue policies and procedures regarding projects involving real property development consistent with the principles contained in Agenda Item #6 of the Committee on Finance at the May 9-10, 2000, meeting of the Board of Trustees.

COMMITTEE ON GOVERNMENTAL RELATIONS

1999-2000 Legislative Report No. 9 (RGR 05-04-00)

RESOLVED, By the Board of Trustees of The California State University, that the 1999-2000 Legislative Report No. 9 is adopted.

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Initiative Constitutional Amendment: Local School Facilities Bonds: 55 Percent Vote (RGR 05-05-00)

RESOLVED, By the Board of Trustees of The California State University, that the board supports the “Smaller Classes, Safer Schools and Financial Accountability Act” initiative constitutional amendment that is expected to appear on the November 2000 General Election ballot.

COMMITTEE ON INSTITUTIONAL ADVANCEMENT

Naming of Facility—California State University, Channel Islands (RIA 05-03-00)

RESOLVED, By the Board of Trustees of The California State University, that the business studies building at California State University, Channel Islands, be named the Martin V. Smith Building for Business Studies.

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Naming of Facility—San Jose State University (RIA 05-04-00)

RESOLVED, By the Board of Trustees of The California State University, that the joint city and university library at San Jose State University be named the Dr. Martin Luther King, Jr. Library.

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Naming of Facility—Sonoma State University (RIA 05-05-00)

RESOLVED, By the Board of Trustees of The California State University, that the music center at Sonoma State University be named the Donald and Maureen Green Music Center.

COMMITTEE ON ORGANIZATION AND RULES

Schedule of Board of Trustees' Meetings, 2000/2001 (ROR 05-02-00)

RESOLVED, By the Board of Trustees of The California State University, that the following schedule of meetings for the 2000/2001 year is adopted.

2000		
May 09-10	Tuesday-Wednesday	Headquarters
July 18-19	Tuesday-Wednesday	Headquarters
September 19-20	Tuesday-Wednesday	Headquarters
October 26	Thursday	Headquarters
November 07-08	Tuesday-Wednesday	Headquarters
2001		
January 23-24	Tuesday-Wednesday	Headquarters
March 20-21	Tuesday-Wednesday	Headquarters
May 15-16	Tuesday-Wednesday	Headquarters
July 10-11	Tuesday-Wednesday	Headquarters
September 11-12	Tuesday-Wednesday	Headquarters
October 25	Thursday	Headquarters
November 13-14	Tuesday-Wednesday	Headquarters

Note: One board meeting a year may be held on a university campus; date and location to be determined.

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Amendments to the Rules of Procedure (ROR 05-03-00)

RESOLVED, By the Board of Trustees of The California State University, that the Rules of Procedure of the Board of Trustees is amended as follows:

1. Article V, Section 9 is amended to read:

§ 9. Agenda of Business

As required by California Government Code Section 11125, the Secretary shall prepare an agenda for, and provide notice of, each regular meeting of the Board of Trustees to any person who requests such notice in writing. Notice shall also be made available on the internet. Notice shall be given at least ten days in advance of, and shall include the agenda for the meeting. Notice shall include the items of business to be transacted and no items shall be added to the agenda subsequent to the provision of such notice, except in emergency conditions as specified in these rules. In the event of objection by any member to the consideration of any emergency item or the change of an item from information to an action item in such a notice and agenda, further consideration shall be postponed until the next Board of Trustees' meeting

unless two-thirds of the Trustees present and voting consent to consideration of the matter without such postponement.

2. Article VI, Section 4-f is added to read:

f. Public Comment

Each standing committee shall provide an opportunity for members of the public to directly address the committee on each agenda item before or during the committee's discussion or consideration of the item.

3. Article VI, Section 6 is amended to read:

§6. Special Committees

Special Committees may be appointed by the Chair of the Board of Trustees upon authority of the Board of Trustees with such powers and duties as the Board of Trustees shall determine, ~~provided, that no.~~ Special committees shall provide an opportunity for members of the public to directly address the committee on each agenda item before or during the committee's discussion or consideration of the item. No Special Committee shall act for more than one year from the date of its appointment and all such committees shall be considered discharged upon the expiration of said year, unless specifically authorized by the Board of Trustees at the time of their appointment, or from year to year, to act for a longer period. During the interim between regular meetings of the Board of Trustees, the Chair may appoint special committees to review and make recommendations on specific matters provided that the appointment and charge of such special committee is confirmed at the next regular meeting of the Board following their appointment.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Revision of Title 5, California Code of Regulations, Section 42723, Management Personnel Plan (RUF 05-02-00)

RESOLVED, By the Board of Trustees of The California State University, acting under the authority prescribed herein and pursuant to Section 89030.1 of the Education Code, that the board hereby amends its regulations in Section 42723, Article 2.2, Subchapter 7, Chapter 1, Division 5 of Title 5 of the California Code of Regulations as follows:

§42723. Management Personnel Plan

(a) A Management Personnel Plan employee serves at the pleasure of the campus President or the Chancellor, as appropriate. A Management Personnel Plan employee shall not serve a probationary period and shall not receive permanent status.

(b) A Management Personnel Plan employee who had permanent status in a class prior to January 1, 1984 shall retain permanent status in the class despite inclusion as a Management Personnel Plan employee. A Management Personnel Plan employee who prior to January 1, 1984 was serving a probationary period may be awarded permanent status by the appointing power upon the successful conclusion of the probationary period. Upon acquisition of permanent status such an employee shall retain permanent status in the same manner as an employee who has permanent status prior to January 1, 1984.

(c) A Management Personnel Plan employee who retains permanent status under subdivision (b) and who is placed in or promoted to a position under the Management Personnel Plan shall retain retreat rights as described in this subdivision (c) to the former class in which permanent status is held. Should the appointing power terminate the Management Personnel Plan employee's service in a Management Personnel Plan position, the employee shall have the right to return to the former class in which permanent status is held at the salary last received in the permanent class.

(d) Except in the case of layoff, the President or Chancellor, as appropriate, shall give a Management Personnel Plan employee notice of termination at least three months prior to the employee's separation date or shall give a Management Personnel Plan employee corresponding salary in lieu of notice. ~~When possible, notice of termination shall be given one year prior to the employee's separation date.~~

NOTE: Authority cited: Sections 89030 and 89500, Education Code. Reference cited: Section 89500, Education Code.

And, be it further

RESOLVED, That the Board of Trustees has determined that the adoption of the proposed revisions will not impose a cost or savings on any state agency; will not impose a cost or savings on any local agency or school district that is required to be reimbursed under Section 17561 of the Government Code; will not result in any cost or savings in federal funding to the state; and will not impose a mandate on local agencies or school districts;

And, be it further

RESOLVED, That the Board of Trustees delegates to the chancellor of The California State University authority to further adopt, amend, or repeal this revision pursuant to the Administrative Procedure Act if further adoption, amendment or repeal is required and is nonsubstantial or solely grammatical in nature, or sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action.

**Trustees of
The California State University**

**Office of the Chancellor • The California State University
The Glenn S. Dumke Conference Center
401 Golden Shore • Long Beach, CA 90802-4210**

Resolutions

The attached resolutions were adopted by the Board of Trustees at its meeting of May 9-10, 2000, held in the Glenn S. Dumke Conference Center, Office of the Chancellor of the California State University, 401 Golden Shore, Long Beach, California.