SUGGESTED ORDER OF BUSINESS

SPECIAL MEETING OF THE GOVERNING BOARD
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT

YOLANDA SALCIDO, GOVERNING BOARD PRESIDENT
TERRI VALLADOLID, GOVERNING BOARD VICE PRESIDENT
NICK AGUILAR, GOVERNING BOARD MEMBER
JORGE DOMINGUEZ, PH.D., GOVERNING BOARD MEMBER
JEAN ROESCH, ED.D., GOVERNING BOARD MEMBER
CHRIS DEBAUCHE, STUDENT GOVERNING BOARD MEMBER
RAJ K. CHOPRA, PH.D., SECRETARY TO GOVERNING BOARD
AND SUPERINTENDENT/PRESIDENT

Written notice is hereby given in accordance with Government Code Section 54956 that a special meeting of the Governing Board of the Southwestern Community College District will be held as noted below:

DATE: Tuesday, April 20, 2010
TIME: 6:00 p.m.
LOCATION: Southwestern College
Room 214
900 Otay Lakes Road
Chula Vista, CA 91910

Compliance with Americans With Disabilities Act

Southwestern Community College District, in compliance with the American Disabilities Act (ADA), requests individuals who may need special accommodation to access, attend, and/or participate in Board meetings to contact Mary Ganio at (619) 482-6301 in advance of the meeting for information on such accommodation.

<table>
<thead>
<tr>
<th>ITEM</th>
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<tbody>
<tr>
<td>1.</td>
<td>CALL TO ORDER</td>
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<tr>
<td></td>
<td>(Salcido)</td>
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<td>Room 214</td>
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<td>Attendance at this special meeting (Board members arriving after meeting commences will be noted as “present” at point in this suggested order of business at which they arrive).</td>
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<td>Present:</td>
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<td>2.</td>
<td>PLEDGE OF ALLEGIANCE</td>
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<td></td>
<td>(Salcido)</td>
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<td>3.</td>
<td>ORAL COMMUNICATION</td>
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<td>Persons wishing to address the Governing Board under this item should fill out a yellow request card (available at the reception table) and indicate on the card if they wish to be called under Oral Communication, or when a specific agenda item is considered.</td>
</tr>
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<td></td>
<td>An oral presentation to the Board does not constitute an open discussion on the presentation topic, unless that topic is on the posted agenda. Pursuant to the Brown Act (Government Code Section 54954.2(a)): “No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.”</td>
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<td>4.</td>
<td>PRESENTATION(S)</td>
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<td>PROPOSITION R ARCHITECTURAL SERVICES FOR CORNER LOT PROJECT AND CENTRAL PLANT PROJECT</td>
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<tr>
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<td>Presenters: Nicholas Alioto, Vice President for Business and Financial Affairs; and Paul Bunton, President, BCA Architects</td>
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AWARD/REJECTION OF BID/RFP(S)

Award of RFP No. 109 (ENCLOSURE)

Recommend award of RFP 109 for architectural services and authorize the Superintendent/President to enter into contracts for the following:

1. BCA Architects to provide architectural services for the Corner Lot Parcel Project at a fee equal to a maximum of 5.75% of the cost of construction estimated at Fifty-Five Million Dollars plus normal and customary reimbursables and services.

2. Gensler Architects to provide architectural services for the Central Plant Project at a fee equal to a maximum of 6.00% of the cost of construction estimated at Twenty-Six Million Dollars plus normal and customary reimbursables and services.

BUSINESS AND FINANCIAL AFFAIRS

CITY OF CHULA VISTA, PROPERTY EASEMENT FOR OTAY LAKES ROAD AND “H” STREET (ENCLOSURE)

Approve Agreement No. A2953.10 with the City of Chula Vista, to provide a property easement for roadway widening improvements for Otay Lakes Road and “H” Street, at no cost to the District.

Yolanda Salcido
Governing Board President
MEMORANDUM

TO: Members of the Governing Board
Southwestern Community College District

FROM: Raj K. Chopra, Ph.D.
Superintendent/President

SUBMITTED BY: Nicholas C. A. Alioto, CPA
Vice President for Business and Financial Affairs

INITIATED BY: Henry Amigable, CCM
Bond Program Director, Seville Construction Services, Inc.

SUBJECT: Proposition R Architectural Services for Corner Lot Project and Central Plant Project

RECOMMENDATION

Recommend award of RFP 109 for architectural services and authorize the Superintendent/President to enter into contracts for the following:

1. BCA Architects to provide architectural services for the Corner Lot Parcel Project at a fee equal to a maximum of 5.75% of the cost of construction estimated at Fifty-Five Million Dollars plus normal and customary reimbursables and services.

2. Gensler Architects to provide architectural services for the Central Plant Project at a fee equal to a maximum of 6.00% of the cost of construction estimated at Twenty-Six Million Dollars plus normal and customary reimbursables and services.

OVERVIEW

The Corner Parcel Project will consist of approximately 110,000 assignable square feet of administrative and conference spaces, a college bookstore, food court, art gallery, culinary arts program, wellness center, a college police station, and additional classroom space.

The Central Plant Project will consist of designing and building a new central plant which will provide all heating, ventilation and energy management control from a central location on campus.

The District issued an RFP to solicit professional architectural services from qualified firms. A total of 41 firms responded to the initial RFP, 19 firms were selected for first round interviews, and seven were selected to provide architectural services for Phase 1 of Proposition R projects.

These seven firms were then asked to participate in a design competition for the Corner Lot project. Proposition R Steering Committee acted as the design competition selection committee and consists
of the Superintendent/President, Vice Presidents, Academic Senate, Classified Senate, a student representative, members of the community and the program management staff. The firms were asked to provide a conceptual design for the project. The selection process adhered to the Land Development Committee Report approved by the Governing Board in October 2007. As part of the report, it was emphasized that the design must complement and incorporate the Mayan architectural theme.

The firms must have had recent community college design experience and demonstrate the ability to design within the established budget. The committee then short listed three of the seven firms for final negotiations.

BCA Architects had a design that conformed more closely to the requirements set forth in the Land Development Report. BCA Architects was ranked unanimously by all nine selection members present as being in the top three firms. In addition, the final selection was based on factors such as their fee structure, technical ability and the capability to meet the District’s construction schedule. BCA Architects is being recommended to provide architectural services for the Corner Lot Project.

Gensler Architects ranked #2 in the recent design competition for the corner lot and they have had recent design experience with central plants. Gensler Architects is being recommended to provide architectural services for the Central Plant Project on the main campus.

HA/as
Southwestern Community College District  
Business, Operations & Facilities Planning  
Recommendation of Award of RFP

Governing Board Meeting Date: April 20, 2010

Award of RFP No. 109

Title of Bid: Architectural Firms for Corner Lot Project and Central Plant Project

<table>
<thead>
<tr>
<th>Bidder Name</th>
<th>Bid Fee (%)</th>
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<tbody>
<tr>
<td>BCA Architects</td>
<td>5.75%</td>
</tr>
<tr>
<td>Gensler Architecture</td>
<td>6.00%</td>
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<tr>
<td>LPA, Inc.</td>
<td>6.25%</td>
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<tr>
<td>MVE-Institutional</td>
<td>5.75%</td>
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<tr>
<td>tBP Architecture</td>
<td>6.00%</td>
</tr>
<tr>
<td>NTD Architects</td>
<td>6.25%</td>
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<tr>
<td>Mda Johnson Favaro, LLP</td>
<td>5.75%</td>
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</tbody>
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- Highlighted cell indicates recommended low bidders.

Rejected Bids:

None

Nineteen architectural firms were selected for interview for RFP No. 109; seven firms were selected to provide architectural services. Based on their interview, community college experience and project experience, the highlighted firms were selected to be recommended for award of the Corner Lot Project and the Central Plant Project. The two firms and their projects are:

- **BCA Architects** – Corner Lot Project
- **Gensler Architecture** – Central Plant Project
ITEM #6
MEMORANDUM

TO:       Members of the Governing Board
          Southwestern Community College District

APPROVED BY:  Raj K. Chopra, Ph.D.
               Superintendent/President

SUBMITTED BY:  Nicholas C. A. Alioto, CPA
                Vice President for Business & Financial Affairs

INITIATED BY:  John Brown, PE
               Director of Facilities, Operations & Planning

SUBJECT:       City of Chula Vista, Property Easement for Otay Lakes Road and
               "H" Street

RECOMMENDATION

Approve Agreement No. A2953.10 with the City of Chula Vista, to provide a property easement
for roadway widening improvements for Otay Lakes Road and "H" Street, at no cost to the
District.

OVERVIEW

The City of Chula Vista is requesting a roadway widening easement along the frontage of Otay
Lakes Road and "H" Street for safety and public access. As part of this agreement the city will
be providing the District improvements along the street, improving the traffic lane access into the
Chula Vista campus, installing a traffic signal at the Elmhurst Street entrance and sidewalk
improvements along the College's frontage on Otay Lakes Road. In addition, the city has agreed
not to oppose the future site development for the Corner Lot Parcel Project identified in the Land
Development Steering Committee final report approved by the Governing Board in October
2007. This would include not filing any protest related to the California Environmental Quality
Act (CEQA) review.

FISCAL IMPACT/ACCOUNT

No cost to the District.

JRB:jf
EASEMENT ACQUISITION AGREEMENT

THIS ACQUISITION OF REAL PROPERTY AGREEMENT ("Agreement") is entered into this day of April 21, 2010 by and between THE CITY OF CHULA VISTA, a charter city organized under the laws of the State of California ("City"), and SOUTHWESTERN COMMUNITY COLLEGE DISTRICT, a California Community College District, herein after referred to "Grantor", for the acquisition by City of certain real property interest necessary for the Otay Lakes Road Street Widening Project STM-355 ("Project").

WHEREAS, City desires to acquire Easements for Street and Public Utility Purposes on, over, under across and through a portion of Grantor’s real property located in the City of Chula Vista, County of San Diego, State of California, currently designated as San Diego County Assessors Parcel Number 642-020-28, said easements more particularly described in a Legal Description designated as Exhibit "A" and more particularly shown on a Map designated as Exhibit "B" both attached hereto and by reference made a part hereof, and;

WHEREAS, an Easement Deed conveying the above described easement interest to be acquired shall be executed and delivered to City’s authorized agent.

NOW THEREFORE, the Parties agree as follows:

1. Grantor agrees to grant to City, and City agrees to acquire from Grantor, upon the terms and for the consideration set forth in this Agreement, the herein described easement interest in and to that portion of the Grantor’s property.

2. City shall, as a part of the construction of the Project, provide the following specific improvements:

   A. Two dedicated left turn lanes on northbound Otay Lakes Road into Southwestern College; one at Gotham Street and one at Elmhurst Street.
   B. Construct associated transitional improvements at Southwestern College entrances at Gotham Street and Elmhurst Street.
   C. Construct a dedicated right turn lane from southbound Otay Lakes Road to Southwestern College’s northern most driveway.
   D. Install any necessary improvements and or additions to traffic signals and signage within the Project area.
   E. Relocate and construct all utilities necessitated by the construction of the Project.
   F. Construct new, sidewalks along Southwestern College’s frontage of Otay Lakes Road within the Project area.
   G. City will provide a construction schedule for the improvements to Grantor.
Said improvements shall be delineated on a set of signed and sealed plans for the Project which City shall provide and Grantor shall approve prior to the start of construction.

3. City hereby agrees to not oppose Grantors future site development so long as it is generally consistent with that development identified in Grantor’s “Land Development Steering Committee Final Report” dated October 3, 2007. A copy of which is attached hereto as Exhibit “C” and by reference made a part hereof. This guarantee shall include a commitment that the City shall not protest and/or otherwise file any challenge to the Grantor’s California Environmental Quality Act review, provided no significant changes are made to the development described in Exhibit C, which changes, when considered in light of the whole project, have the potential for resulting in a direct or indirect physical change in the environment.

4. City agrees to provide connections for Southwestern College to City Infrastructure in a timely manner and at the prevailing cost of such connections.

5. Grantor agrees to grant to San Diego Gas & Electric (SDG & E) those Easements necessary to relocate their existing utilities displaced by the construction of the Project. Said easement areas are to be delineated on the above described signed and sealed plans and shall be approved by Grantor prior to the start of construction.

6. City hereby releases and agrees to protect, defend, hold harmless and indemnify Grantor from and against all demands, claims, injury, liability, loss, damage, cost and expense, however same may be caused, including all costs and reasonable attorney’s fees in providing the defense to any claim arising there from, for any loss of, or damage to property (real and/or personal), for personal injury to or death of any person or persons arising out of or occurring by reason of, or any way connected with the granting of the Easements Grantor to City.

7. City shall use it’s best efforts to coordinate all proposed activities with to ensure that its work on the property is conducted at times and in a manner so as not to unreasonably interfere with the use and enjoyment of the property by Grantor and its tenants, if any, and other authorized users. Said coordination shall include a minimum ten working days notice prior to the start of construction for said Project.

8. Grantor hereby waives and releases the City of Chula Vista, its Council, officers, employees, agents, and representatives from and against any and all claims, actions, demands and suits relating to the City’s acquisition of the property interest, including the description of the easement, and the purpose of the grant thereof. This release extends to all such claims related to the acquisition, which now exist or which may arise in the future, whether or not such claims are known to Grantor, and Grantor hereby expressly waives rights under California Civil code Section 1542 which provides as follows:

“A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.”

Page 2 of 4
Specifically excluded from the above release are any claims, actions, demands, or suits related to the City’s post-acquisition obligations pursuant to this Agreement, and/or the Project.

9. "As Is" Condition. The City accepts these Easements subject to the “As Is” condition of Grantor’s and subject to any condition that may exist, without any representation or warranty by Grantor. City acknowledges and agrees that Grantor makes no representations or warranties, express or implied, as to Grantor’s Property. City has conducted all inspections of Grantor’s property to its full and complete satisfaction and acknowledges that it will be using Grantor’s property with full knowledge of any and all conditions of Grantor’s property. City hereby assumes the risk that certain conditions may exist on Grantor’s property and hereby releases Grantor of and from any and all claims, actions, demands, rights, damages, costs or expenses that might arise out of or in connection with any such condition of Grantor’s property.

10. Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in San Diego County.

11. Exhibits and Recitals. All Exhibits and Recitals contained herein are material parts of this Agreement and are incorporated into this Agreement as if fully set for the herein by reference.

12. It is agreed and confirmed by the Parties hereto that the right of possession and use of the Property by the City and/or its agents, including the right to remove and dispose of improvements, if any, shall commence upon recordation of the herein described Easement Deed.

13. This Agreement may be executed in counterparts, each of which so executed shall, irrespective of the date of its execution and delivery, be deemed an original, and all such counterparts together shall constitute one and the same instrument.

14. NOTICES
Any notices or documents to be mailed or delivered shall be addressed to or delivered as follows:

   Grantor: Southwestern Community College District
   900 Otay Lakes Road
   Chula Vista, CA 91910-7299
   Attention: John R. Brown

   City: City of Chula Vista
   Engineering Division
   Attn: Rick Ryals
   Real Property Manager
   276 Fourth Avenue
   Chula Vista, CA 91910

CV Easement Acquisition Agreement
APN 642-020-28
04/12/2010

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15. The terms, conditions, covenants and agreements set forth herein shall apply and bind the heirs, executors, administrators, successors and assigns of the Parties hereto.

16. This Agreement contains the entire agreement between the Parties, and neither party relies upon any warranty, promise, representation, or agreement not contained in writing herein.

17. The Parties acknowledge and agree that terms and conditions of the Agreement shall survive the recordation of the Easement document(s) and remain in full force and effect.

18. Time is of the essence and each party shall promptly execute all documents necessary to effectuate the intent herein and shall perform in strict accordance with each of the provisions herein.

19. The Parties warrant each to the other that the person whose signature appears on its behalf below has the authority to bind such party to the terms of this Agreement, and that by entering into this Agreement, such party is not thereby in breach of any other agreement or contract.

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year first written above.

GRANTORS:                      CITY:

SOUTHWESTERN COMMUNITY       By:__________________________
COLLEGE DISTRICT              By:__________________________

By:__________________________
Raj K. Chopra, Ph.D.
Superintendent/President

By:__________________________

APPROVED AS TO FORM:             APPROVED AS TO FORM:

Tyree Dorward, Attorney

Bart Miesfeld, City Attorney

Approved As To Form by Best Best
& Krieger, Legal Firm:
Approval Date: April 14, 2010
Approval No. A2953.10
EXHIBIT "A"

EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES
CITY OF CHULA VISTA

APN 642-020-28

THAT PORTION OF PARCEL "1" OF PARCEL MAP NO. 5481, IN THE CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JANUARY 17, 1977 AS FILE NO. 77-017730 OF OFFICIAL RECORDS;

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN EAST "H" STREET AS DEDICATED AND ACCEPTED BY THE CITY OF CHULA VISTA BY RESOLUTION NO. 7600 AND RECORDED ON JANUARY 27, 1975 AS FILE NO. 75-018489 OF OFFICIAL RECORDS OF SAID SAN DIEGO COUNTY;

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO TRETOPS UNLIMITED BY DEED RECORDED ON MARCH 19, 1981 AS FILE NO. 81-083033 OF OFFICIAL RECORDS OF SAID SAN DIEGO COUNTY;

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN OTAY LAKES ROAD AS CONVEYED TO THE CITY OF CHULA VISTA BY DEED RECORDED ON MARCH 9, 1998 AS FILE NO. 1998-0125989 OF OFFICIAL RECORDS OF SAID SAN DIEGO COUNTY;

AND MORE PARTICULARLY DESCRIBED AS FOLLOWS AND ILLUSTRATED ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART OF THIS DOCUMENT:

PARCEL "A"

BEGINNING AT THE NORTHWesterLY CORNER OF SAID PARCEL "1", BEING ALSO THE NORTHEASTERLY CORNER OF ENCORE BONITA ESTATES SUBDIVISION ACCORDING TO MAP NO. 8100, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY ON APRIL 11, 1975 AS FILE NO. 75-083956; THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID PARCEL "1", BEING ALSO THE SOUTHEASTERLY RIGHT-OF-WAY OF EAST "H" STREET, NORTH 56°11'59" EAST 40.13 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A" HEREON, BEING ALSO THE WESTERLY CORNER OF A TRAFFIC CONTROL FACILITY EASEMENT AS DESCRIBED IN DEED TO THE CITY OF CHULA VISTA ON JULY 20, 1988 AS DOCUMENT NO. 88-352972 OF OFFICIAL RECORDS AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY; THENCE LEAVING SAID NORTHWESTERLY BOUNDARY SOUTH 68°10'39" EAST 12.49 FEET ALONG THE WESTERLY BOUNDARY OF SAID EASEMENT; THENCE NORTH 57°34'22" EAST 53.00 FEET; THENCE SOUTH 32°25'38" EAST 2.42 FEET; THENCE LEAVING SAID WESTERLY BOUNDARY SOUTH 56°12'10" WEST 104.10 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL "1", BEING ALSO THE NORTHEASTERLY BOUNDARY OF SAID ENCORE BONITA ESTATES SUBDIVISION; THENCE ALONG SAID SOUTHWESTERLY BOUNDARY NORTH 17°55'21" WEST 14.55 FEET, TO THE POINT OF BEGINNING.

CONTAINING 814 SQUARE FEET, MORE OR LESS
EXHIBIT "A"

EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES
CITY OF CHULA VISTA

PARCEL "B"

COMMENCING AT THE HEREINABOVE DESCRIBED POINT "A"; THENCE ALONG THE NORTHWESTERNLY BOUNDARY OF SAID PARCEL "1", BEING ALSO THE SOUTHEASTERLY RIGHT-OF-WAY OF EAST "H" STREET AND NORTHERLY BOUNDARY OF A TRAFFIC CONTROL EASEMENT AS DESCRIBED IN DEED TO THE CITY OF CHULA VISTA ON JULY 20, 1988 AS DOCUMENT NO. 88-352972 OF OFFICIAL RECORDS AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, NORTH 56°11'59" EAST 12.53 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1940.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°01'26" A DISTANCE OF 102.39 FEET TO A POINT ON SAID CURVE, SAID POINT BEING ALSO THE NORTHEASTERLY CORNER OF SAID EASEMENT AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1940.00 FEET, THROUGH A CENTRAL ANGLE OF 12°56'03" A DISTANCE OF 457.94 FEET; THENCE NORTH 72°09'28" EAST 75.21 FEET; THENCE NORTH 72°05'09" EAST 265.13 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL "1", BEING ALSO THE NORTHEASTERLY CORNER OF A GRANT DEED TO THE CITY OF CHULA VISTA ON MARCH 9, 1992 AS DOCUMENT NO. 92-0125989 OF OFFICIAL RECORDS AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY OF SAID PARCEL "1" SOUTH 57°36'17" EAST 160.46 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID GRANT DEED, BEING ALSO THE SOUTHWESTERLY RIGHT-OF-WAY OF OTAY LAKES ROAD, TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 4937.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°34'56" A DISTANCE OF 222.50 FEET; THENCE SOUTH 55°58'47" EAST 359.11 FEET; THENCE SOUTH 54°15'16" EAST 96.89 FEET; THENCE LEAVING SAID SOUTHWESTERLY BOUNDARY OF SAID GRANT DEED NORTH 34°58'39" EAST 22.37 FEET ALONG THE SOUTHEASTERLY BOUNDARY OF SAID GRANT DEED TO THE SOUTHEASTERLY CORNER OF SAID GRANT DEED; THENCE LEAVING SAID SOUTHEASTERLY BOUNDARY SOUTH 55°02'12" EAST 218.26 FEET ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL "1", BEING ALSO THE SOUTHWESTERLY RIGHT-OF-WAY OF OTAY LAKES ROAD; THENCE SOUTH 54°59'53" EAST 716.66 FEET TO A POINT HEREAFTER REFERRED TO AS POINT "B" HEREON, BEING ALSO THE MOST NORTHERLY CORNER OF AN EASEMENT FOR TRAFFIC CONTROL DEVICES AS DESCRIBED IN DEED TO THE CITY OF CHULA VISTA ON FEBRUARY 23, 1994 AS DOCUMENT NO. 94-0121562 OF OFFICIAL RECORDS AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY OF SAID PARCEL "1" SOUTH 09°59'53" EAST 9.90 FEET ALONG THE NORTHWESTERLY BOUNDARY OF SAID EASEMENT FOR TRAFFIC CONTROL DEVICES; THENCE SOUTH 35°00'07" WEST 36.82 FEET; THENCE LEAVING SAID NORTHWESTERLY BOUNDARY NORTH 10°02'07" WEST 21.50 FEET; THENCE NORTH 54°58'07" WEST 482.64; THENCE SOUTH 80°01'53" WEST 25.46 FEET; THENCE NORTH 54°58'07" WEST 61.18 FEET; THENCE NORTH 09°54'57" WEST 25.43 FEET; THENCE NORTH 54°58'07" WEST 321.41 FEET;
EXHIBIT "A"

EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES
CITY OF CHULA VISTA

PARCEL "B" (CONTINUED)

THENCE SOUTH 35°01'53" WEST 11.00 FEET; THENCE NORTH 54°58'07" WEST 367.26 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 4915.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°37'50" A DISTANCE OF 225.66 FEET; THENCE NORTH 57°35'57" WEST 84.41 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 88.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 50°18'54" A DISTANCE OF 77.28 FEET; THENCE SOUTH 72°05'09" WEST 269.59 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 271.66 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°22'03" A DISTANCE OF 63.38 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 289.60 FEET, A RADIAL LINE TO WHICH POINT BEARS NORTH 05°31'05" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°30'07" A DISTANCE OF 58.14 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1019.50 FEET, A RADIAL LINE TO WHICH POINT BEARS NORTH 16°58'53" WEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°16'56" A DISTANCE OF 129.58 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1939.03 FEET, A RADIAL LINE TO WHICH POINT BEARS NORTH 24°15'49" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°31'59" A DISTANCE OF 221.09 FEET; THENCE NORTH 04°33'18" EAST 1.19 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 43,358 SQUARE FEET OR 1.00 ACRES, MORE OR LESS.
EXHIBIT "A"

EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES
CITY OF CHULA VISTA

PARCEL "C"

COMMENCING AT THE HEREINABOVE DESCRIBED POINT "B"; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL "1", BEING ALSO THE SOUTHEASTERLY RIGHT-OF-WAY OF OTAY LAKES ROAD AND NORTHEASTERLY BOUNDARY OF AN EASEMENT FOR TRAFFIC CONTROL DEVICES AS DESCRIBED IN DEED TO THE CITY OF CHULA VISTA ON FEBRUARY 23, 1994 AS DOCUMENT NO. 1994-0121562 OF OFFICIAL RECORDS AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, SOUTH 54°59'53" EAST 81.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 54°59'53" EAST 479.26 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 475.11 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°42'12" A DISTANCE OF 39.00 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1960.00, A RADIAL LINE TO WHICH POINT BEARS NORTH 39°42'19" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°32'35" A DISTANCE OF 121.11 FEET TO THE EASTERN CORNER OF SAID PARCEL "1"; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY OF SAID PARCEL "1" SOUTH 72°32'50" WEST 8.95 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL "1", TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1547.00 FEET, A RADIAL LINE TO WHICH POINT BEARS NORTH 38°48'20" EAST; THENCE LEAVING SAID SOUTHERLY LINE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°46'27" A DISTANCE OF 101.90 FEET; THENCE NORTH 54°58'07" WEST 26.89 FEET; THENCE SOUTH 80°01'53" WEST 19.01 FEET; THENCE NORTH 54°58'07" WEST 40.65 FEET; THENCE NORTH 11°16'12" WEST 19.03 FEET; THENCE NORTH 57°34'16" WEST 213.68 FEET; THENCE NORTH 54°58'07" WEST 156.44 FEET; THENCE SOUTH 80°01'52" WEST 32.71 FEET; THENCE NORTH 35°00'07" EAST 36.79 FEET; THENCE SOUTH 54°59'53" EAST 15.00 FEET; THENCE NORTH 35°00'07" EAST 15.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 15,662 SQUARE FEET OR 0.36 ACRES, MORE OR LESS

JOSÉ LUIS GOMEZ, P.L.S.
LICENSE EXPIRES 02/31/09
FILE NO. STM-355
STATE OF CALIFORNIA

10/1/2009
Land Development Steering Committee
Final Report

October 3, 2007
INTRODUCTION AND BACKGROUND

In April 2005, the District Board of Trustees approved a recommendation from the Superintendent/President to form a steering committee to review the current status of land development projects and prepare for Board consideration recommendations regarding the use of any undeveloped District property. The formation of the steering committee was the outgrowth of a long-term effort by the Trustees to establish Board guidelines for the utilization of undeveloped District property.

Historically, the need to establish guidelines was initially referenced in the 1992 Educational/Facilities Master Plan. This original master plan was updated in 1996 and again in 2000. In all of these plans, it was recommended the District consider the development of public/private partnerships and similar joint-use options with public and private entities for two sites on the campus. One site is located at the corner of Otay Lakes Road and H Street and the other site is located in the southwestern portion of the campus near Buena Vista Avenue. Of these two sites, the property at Otay Lakes Road and H Street has been the site of major interest. This continues to be the case at this time. The property near Buena Vista is considered a "land bank" and will not be addressed in the immediate future.

Since 1996, the District has considered a number of proposals for the development of the 7.34 acre parcel at the corner of Otay Lakes Road and H Street. In each case, requests for proposals were issued and memorandums of understanding or agreements reached with private partners for the development of the property. However, in all cases, due to financial and/or entitlement processing issues, the projects have not proceeded. In November 2006, the Trustees directed District staff and planning consultants to update the Educational/Facilities Master Plan with the understanding that included in the updated plan would be specific recommendations regarding the use of undeveloped District property. This report from the Land Development Steering Committee is the outcome of this planning effort and, once approved by the Board of Trustees, will be included in the 2007 Educational/Facilities Master Plan for the District.

STEERING COMMITTEE MEMBERSHIP

Membership on the Land Management Steering Committee is as follows:

A. Chairperson: Superintendent/President

B. Members:
   - Two Governing Board Members
   - One Community Member
   - President, Academic Senate
   - President, Classified Senate
   - President, Administrators Association
   - President, Associated Student Organization
   - Vice President for Student Affairs
   - Vice President for Academic Affairs
   - Vice President for Administrative Affairs
   - Senior Director of Business, Operations and Facilities Planning
   - Consultant, Facilities Planning
   - Committee Co-Chair, Institutional & Strategic Planning
STEERING COMMITTEE MISSION STATEMENT AND FUNCTION

The Mission of the Land Development Steering Committee (LDSC) is as follows:

"The Land Development Steering Committee is charged with the review
and planning process of any undeveloped District property."

The function of the committee is as follows:

"Review the Educational and Facilities Master Plan as it pertains to programs and
services for the District. Receive input from faculty, staff, students and the community
on various uses of property. The Committee will make recommendations to the
Governing Board on possible uses of the property."

PARAMETERS FOR DEVELOPMENT

To assist in determining the direction and process the District may wish to follow in the
development of vacant property, it is essential that parameters or guidelines be established for
the project. Then, using these parameters, specific options and detailed procedures can be
implemented for a given project.

With respect to the 7.34 acre parcel at the corner of Otay Lakes Road and H Street, (Parcel A on
the Enclosed Campus Map) the following parameters or guidelines are proposed:

1. The property will be developed in accordance with the District's
   Educational/Facilities Master Plan with the priority for development being facilities
   needed for instruction, support services or administration of the District.

2. The District will not sell the property but will consider joint-use development
   opportunities with either public or private entities as long as the joint-use activity is
   economically viable and is consistent with the overall mission of the District.

3. The District will not lease the property to a private party for commercial or retail
   development.

4. Parking areas adjacent to the parcel will continue to be used for college parking.
   There is no intent to use these parking areas to support the potential development of
   the 7.34 acre site.

5. The development of the site shall be done in a manner that does not impact the
   operating fund of the District. A plan for alternate funding must be included as part
   of any proposed development plan for the property.

6. The development of the site will be accomplished in a manner that is consistent with
   the guidelines established by the California Community College Chancellor's Office
   with special emphasis on the importance of not exceeding the prescribed capacity
   load ratio for facilities and the eligibility of the College for future state-funded
   projects.
7. Discussions and the preliminary planning for the uses proposed for the site will be facilitated by the Senior Director of Business Operations and Facilities Planning utilizing a college-wide, shared governance process similar to the process implemented for all capital construction projects at the District.

8. Once a preliminary plan for the site is completed, the plan shall be presented to the Board of Trustees for approval including the proposed uses, site plan, project timeline and process that will be followed for construction and financing of the project.

9. If joint-use facilities are proposed for the site, the Senior Director of Business Operations and Facilities Planning shall develop procedures for the selection of joint-use partners in accordance with the Education Code Section 81390-81402. Consistent with the Code, the proposed procedures shall be approved by the Board of Trustees.

10. The agreed upon development plan for the site shall be reviewed with the City of Chula Vista in an effort to secure support for the project and to also agree upon the entitlement process that will be followed for approval of the project.

11. Community members will be involved in the discussions regarding any potential use of the property.
<table>
<thead>
<tr>
<th>Action taken by the District Governing Board directed staff to commence planning for this site</th>
<th>April 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formation and initial meeting of the Site Planning Committee (LDSC)</td>
<td>April 2005</td>
</tr>
<tr>
<td>Prepare committee procedures and outline the process that will be followed to secure input regarding possible programs and facilities to be located on site</td>
<td>April 2005</td>
</tr>
<tr>
<td>Web site activated for input for potential uses</td>
<td>May 2005</td>
</tr>
<tr>
<td>Distribute information regarding the site and request input regarding possible uses of the site to faculty, staff, students, and interested community members</td>
<td>March 2006</td>
</tr>
<tr>
<td>Present Governing Board workshop regarding the site, potential uses, and information provided by faculty, staff, students, and interested community members</td>
<td>March 2007</td>
</tr>
<tr>
<td>Review Governing Board input received from workshop regarding possible uses</td>
<td>April 2007</td>
</tr>
<tr>
<td>Prepare final report and present to the Governing Board and forward for inclusion in the Educational &amp; Facilities Master Plan</td>
<td>November 2007</td>
</tr>
<tr>
<td>Complete Educational &amp; Facilities Master Plan</td>
<td>October 2007</td>
</tr>
<tr>
<td>Meet with the City of Chula Vista to review plan and agree upon process for entitlements and development</td>
<td>TBD</td>
</tr>
<tr>
<td>Depending on scope of project and entitlement process, begin detailed planning for the project which may include selection of joint-venture partners, completion of project plans, entitlement processing, phasing of project, and plan for project financing options</td>
<td>TBD</td>
</tr>
<tr>
<td>Identified projects will have timelines developed</td>
<td>TBD</td>
</tr>
<tr>
<td>Commence construction</td>
<td>TBD</td>
</tr>
<tr>
<td>Complete initial construction</td>
<td>TBD</td>
</tr>
</tbody>
</table>
POTENTIAL LAND USES FOR CORNER PROPERTY

In an effort to secure a cross-section of input from the college and the community regarding the potential uses for the site, in May 2005, the committee prepared a Land Development Survey which was placed on the college website, www.swccd.edu. A total of 197 responses were received through October 2006. Also, the committee held ten (10) informational meetings with campus and community groups. The dates of these meetings were as follows:

<table>
<thead>
<tr>
<th>Group</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Classified Senate/CSEA</td>
<td>February 14, 2006</td>
</tr>
<tr>
<td>2. College Management Team</td>
<td>February 14, 2006</td>
</tr>
<tr>
<td>3. Associated Students Executive Board</td>
<td>March 6, 2006</td>
</tr>
<tr>
<td>4. Student Senate Executive Board</td>
<td>April 3, 2006</td>
</tr>
<tr>
<td>5. Crossroad II/Community Group</td>
<td>April 3, 2006</td>
</tr>
<tr>
<td>6. Academic Senate</td>
<td>July 18, 2006</td>
</tr>
<tr>
<td>7. Community Forum I</td>
<td>October 3, 2006</td>
</tr>
<tr>
<td>8. Cabinet &amp; Executive Leadership Team</td>
<td>October 17, 2006</td>
</tr>
<tr>
<td>10. Governing Board Workshop</td>
<td></td>
</tr>
</tbody>
</table>
RECOMMENDATIONS RECEIVED FROM INTEREST GROUPS

Ten focus meetings were held with groups to provide suggestions, ideas, recommendations, and points of emphasis regarding the potential development of the site:

- All recommendations should be consistent with the adopted District Strategic Plan and included in the Educational & Facilities Master Plan in October 2007.

- Architecture should complement existing Mayan theme with a strong connection to the campus.

- Consideration that buildings not be located near the street due to noise concerns.

- Ensure adequate parking for the development.

- Pedestrian connection to the main campus.

- Consider collaboration with the City of Chula Vista and the Sweetwater Union High School District for the construction of a pedestrian bridge at the corner of East "H" Street and Otay Lakes Road for student safety.

- Landscaping design to be consistent with current campus landscaping.

- Consider business opportunities for students to work and receive college credit.

- Fitness Center in cooperation with the School of Health, Exercise Science & Athletics.
COMMITTEE RECOMMENDED LAND USES FOR THE SITE

The Land Development Steering Committee reviewed the input from the special interest groups, the survey results and compared the suggestions for development against the planning parameters established by the Board of Trustees. The following final land uses were proposed by the committee:

- Administration Building – Relocating existing departments frees up space on campus for classrooms, segregates non-instructional usage and reduces traffic congestion on campus.

- Small Business/Community Education Programs.

- Cultural Center.

- Art Gallery, Conference Center, District Board Room, Community Education Classrooms.

- Instructional Partnership Building could include Alliant University, UCSD, National University, University of Phoenix and college classrooms.

- Combined Commercial Bookstore/College Bookstore with Food Court and Coffee Shop.

- College Police Station/Chula Vista Police Outreach Center.

- Architecture should complement existing Mayan theme with a strong connection to the campus.

- Ensure adequate parking for the development.

- Pedestrian connection to the main campus.

- Consider business opportunities for students to work and receive college credit.

- Landscaping design to be consistent with current campus landscaping.
### SPACE ALLOCATION—POTENTIAL USES FOR CORNER PARCEL

<table>
<thead>
<tr>
<th>Use</th>
<th>Current Space</th>
<th>Proposed Space (ASF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Building</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Superintendent/Presidential Area</td>
<td>2,592</td>
<td>3,000</td>
</tr>
<tr>
<td>Public Information Office</td>
<td>459</td>
<td>1,000</td>
</tr>
<tr>
<td>Instructional Services &amp; V.P. Inst. (?),</td>
<td>1,414</td>
<td>1,500</td>
</tr>
<tr>
<td>Information Services</td>
<td>2,885</td>
<td>5,000</td>
</tr>
<tr>
<td>Administrative Affairs &amp; V.P. Office</td>
<td>2,243</td>
<td>3,000</td>
</tr>
<tr>
<td>Business Operations</td>
<td>1,445</td>
<td>2,500</td>
</tr>
<tr>
<td>Human Resources</td>
<td>1,682</td>
<td>3,000</td>
</tr>
<tr>
<td>Fiscal/Payroll Services</td>
<td>2,462</td>
<td>3,000</td>
</tr>
<tr>
<td>Conference Rooms</td>
<td>786</td>
<td>3,000</td>
</tr>
<tr>
<td>Institutional Advancement</td>
<td></td>
<td>3,000</td>
</tr>
<tr>
<td>✗ Sub-Total Administration</td>
<td>15,968</td>
<td>28,000</td>
</tr>
<tr>
<td>Cultural Center</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Art Gallery</td>
<td></td>
<td>2,000</td>
</tr>
<tr>
<td>Community Conference Center (1630)</td>
<td>786</td>
<td>4,500</td>
</tr>
<tr>
<td>Board Room</td>
<td></td>
<td>1,000</td>
</tr>
<tr>
<td>Continuing Education Administration</td>
<td>1,922</td>
<td>3,000</td>
</tr>
<tr>
<td>Classrooms</td>
<td></td>
<td>9,000</td>
</tr>
<tr>
<td>Computer Laboratories</td>
<td></td>
<td>4,500</td>
</tr>
<tr>
<td>✗ Sub-Total Cultural Center</td>
<td>2,708</td>
<td>24,000</td>
</tr>
<tr>
<td>Instructional Partnership Building</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td>2,000</td>
</tr>
<tr>
<td>Joint Use Facilities</td>
<td></td>
<td>20,000</td>
</tr>
<tr>
<td>✗ Sub-Total Instructional Partnership Building</td>
<td></td>
<td>22,000</td>
</tr>
<tr>
<td>Public Safety/Campus Police Center</td>
<td></td>
<td>3,500</td>
</tr>
<tr>
<td>Bookstore</td>
<td>7,674</td>
<td>19,000</td>
</tr>
<tr>
<td>Food Court</td>
<td></td>
<td>3,000</td>
</tr>
<tr>
<td>Small Business/International Ed.</td>
<td>5,224</td>
<td>9,000</td>
</tr>
<tr>
<td><strong>Total Project ASF</strong></td>
<td></td>
<td>108,500 ASF</td>
</tr>
<tr>
<td><strong>Estimated Gross Square Footage (OGSF)</strong></td>
<td></td>
<td>141,050 OGSF</td>
</tr>
<tr>
<td><strong>Total Square Footage of Project Site</strong></td>
<td></td>
<td>319,900 Sq. Ft.</td>
</tr>
</tbody>
</table>
Notes:

1. ASF is the assignable square feet of space which is the net usable space in the project. ASF excludes areas such as hallways, mechanical rooms and restrooms in accordance with Title 5—Administrative Code of the State of California definitions of space.

2. OGSF is the outside gross square footage which is the total square footage of the proposed building. It is all-inclusive and is calculated by multiplying the exterior length by the width of the building.

3. Secondary effects of the relocation of Administration and other functions to the corner parcel will result in 35 new classrooms becoming available on the campus.
Corner Lot Site Plan
Lot View from Corner of East H Street and Otay Lakes Road
Corner Lot Draft for Conceptual Site Plan #2
FINANCING PARAMETERS

Proposed Financing Plan

Given the parameters established by the Board, a potential financing plan for the project has been developed. Key elements in the development of the plan are as follows:

1. The land will not be sold nor will the entire site be ground leased to a private developer.

2. The general fund of the College District will not be encumbered.

3. The land, or specific portions of the land, may be subordinated as part of a joint-venture agreement between the College and a public or private partner.

4. The overall project may be financed using a variety of financing options. That is, a single, comprehensive, financing plan could be used for the entire 108,500 ASF but the option of using unique financing strategies for each facility may also occur.

5. Both public and private financing options will be considered.

6. Long-term (20-30 years) financing options will be considered.

7. The project must be market-driven. That is, joint-venture partners with an approved tenant, or in the case of the college a specific educational use, must be agreed upon prior to the commencement of construction.

8. All educational space constructed on the site must be consistent with the facility and space planning standards established by the State of California and specifically the California Community College Chancellor's Office.

Cost Summary of Construction

<table>
<thead>
<tr>
<th>Proposed Use</th>
<th>Construction Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Administrative Office</td>
<td>$15,820,000</td>
</tr>
<tr>
<td>2. Business Development Center</td>
<td>$5,085,000</td>
</tr>
<tr>
<td>3. Instructional Partnership Building</td>
<td>$12,430,000</td>
</tr>
<tr>
<td>4. Bookstore</td>
<td>$10,735,000</td>
</tr>
<tr>
<td>5. Food Court</td>
<td>$1,695,000</td>
</tr>
<tr>
<td>6. Instructional Activities/Cultural Center</td>
<td>$13,560,000</td>
</tr>
<tr>
<td>7. Police/Public Safety Center</td>
<td>$1,978,000</td>
</tr>
<tr>
<td>8. Site Improvements</td>
<td>$8,700,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$70,003,000</td>
</tr>
</tbody>
</table>
COMMITTEE RECOMMENDATIONS—NEXT STEPS

The Land Development Steering Committee recommends the following actions to the Board of Trustees:

1. Review and adopt this Report from the Land Development Steering Committee.

2. Request that the Steering Committee continue with its efforts to develop and manage excess vacant District property and specifically to continue the planning and development process for the property at the corner of Otay Lakes Road and H Street in accordance with the parameters outlined in this report.

3. Integrate potential uses into Educational & Facilities Master Plan that will be completed in October 2007 and integrate these projects with the District's Five-Year Construction Plan.

4. Provide quarterly status reports to the Board of Trustees.

5. Coordinate the financing for this project with other financing options the District may consider for other capital construction projects with special emphasis on using a general obligation bond.