



AGENDA

SANTA MONICA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
REGULAR MEETING

TUESDAY, AUGUST 1, 2023

The complete agenda may be accessed on the
Santa Monica College website:

<https://www.smc.edu/administration/governance/board-of-trustees/meetings.php>

This meeting of the Board of Trustees will be held in-person in the Board Room (Business Building Room 117) and via Zoom Webinar to allow for remote participation.

In-person attendees will be seated in Business Building Room 111.

The public may join the meeting via Zoom Webinar with the following link:

<https://smc-edu.zoom.us/j/96490163563?pwd=NIJjM0MzTU5RaWtjSnphakVjVtJ0dz09>

Passcode: 887636

5 p.m. Public Meeting Convenes

Board Adjourns to Closed Session

5:15 p.m. Public Meeting Reconvenes

Written requests for disability-related modifications or accommodations, including for auxiliary aids or services that are needed in order to participate in the Board meeting are to be directed to the Office of the Superintendent/President as soon in advance of the meeting as possible.

PUBLIC PARTICIPATION DURING MEETINGS OF THE BOARD OF TRUSTEES

Members of the public may address the Board of Trustees by oral presentation concerning any subject that lies within the jurisdiction of the Board of Trustees provided the requirements and procedures herein set forth are observed. All public comments will be subject to the general rules set forth below.

- Generally, three minutes is allotted to each speaker per topic for general public comments or per item in the Consent Agenda and in Major Items of Business The speaker must adhere to the topic.
- Individuals wishing to speak during Public Comments or on a specific item on the Consent Agenda will be called upon during Public Comments.
- Individuals wishing to speak on a specific item in Major Items of Business will be called upon at the time that the Board reaches that item in the agenda.
- Each speaker is limited to one presentation per specific agenda item before the Board, and to one presentation per Board meeting on non-agenda items.

Exceptions: This time allotment does not apply to individuals who address the Board at the invitation or request of the Board or the Superintendent

Any person who disrupts, disturbs, or otherwise impedes the orderly conduct of any meeting of the Board of Trustees by uttering loud, threatening, or abusive language or engaging in disorderly conduct shall, at the discretion of the presiding officer or majority of the Board, be requested to be orderly and silent and/or removed from the meeting.

No action may be taken on items of business not appearing on the agenda

Instructions for Submitting a Request to Speak at In-Person Meeting

Individuals wishing to speak to the Board at a Board of Trustees meeting during Public Comments or regarding item(s) on the agenda must complete a request card with name, address, name of organization (if applicable) and the topic or item on which comment is to be made.

General Public Comments and Consent Agenda

- The request card to speak during Public Comments or on a Consent Agenda item must be submitted to the recording secretary at the meeting before the Board reaches the Public Comments section in the agenda.

Major Items of Business

- The request card to speak during Major Items of Business must be submitted to the recording secretary at the meeting before the Board reaches that specific item in the Major Items of Business in the agenda.

Instructions for Submitting a Request to Speak at Zoom Webinar

The Zoom webinar format used by the Board of Trustees Zoom meetings ensure public participation and provide an opportunity for the public to directly address the legislative body.

Public participation can occur in one of two ways. Members of the public may speak during the public meeting or they can submit written comments to be read during the public meeting.

Individuals wishing to speak directly to the Board can do so in one of several ways:

It is recommended that Individuals wishing to speak at a Board of Trustees webinar send an email to Recording Secretary (Rose_Lisa@smc.edu) by 4:30 p.m. for the Closed Session beginning at 5 p.m. or by 4:45 p.m. for the regular session starting at 5:15 p.m. The email should contain the subject line "Board Meeting Comments" and include the following information in the body of the email:

- Name
- Address
- Name of organization (if applicable)
- Topic or Item: General Public Comments, Consent Agenda (indicate number/subject) or Major Items of Business (indicate number/subject)

Alternatively, during the meeting and before public comments have ended, individuals may use the Q&A feature of the Zoom webinar to request to speak.

When it is time for the speakers to address the board, their name will be called and the microphone on their Zoom account will be activated. A speaker's Zoom Profile should match the name used to request to speak to expedite this process.

After the comment has been given, the microphone for the speaker's Zoom profile will be muted.

Instructions for Submitting Written Comments

Individuals wishing to submit written comments to be read at the Board of Trustees meeting are requested to send an email to Recording Secretary (Rose_Lisa@smc.edu) by 4:30 p.m. for the Closed Session starting at 5 p.m. or by 4:45 p.m. for the regular session starting at 5:15 p.m. The email should contain the following information:

- Name
- Address
- Name of organization (if applicable)
- Topic or Item (Item V for general comments or Consent Agenda (Item VIII); for other items indicate the topic or specific item number)
- Comment to be read

*Reference: Board Policy Section 2350
Education Code Section 72121.5
Government Code Sections 54950 et seq*

BOARD OF TRUSTEES	REGULAR MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 1, 2023

A G E N D A

A meeting of the Board of Trustees of the Santa Monica Community College District will be held on Tuesday, August 1, 2023 in Business Building Room 117 (Board Room), 1900 Pico Boulevard, Santa Monica. Members of the public attending in person will be seated in Business Building Room 111. The meeting will also be conducted via Zoom Webinar to allow for remote participation.

5 p.m.

I. ORGANIZATIONAL FUNCTIONS

- CALL TO ORDER
 Barry Snell, Chair
 Dr. Margaret Quiñones-Perez, Vice-Chair
 Dr. Susan Aminoff
 Dr. Nancy Greenstein
 Dr. Tom Peters
 Rob Rader
 Dr. Sion Roy
 Alyssa Arreola, 2023-2024 Student Trustee

The public may join the meeting via Zoom Webinar with the following information:

Please click the link below to join the webinar:

<https://smc-edu.zoom.us/j/96490163563?pwd=NIJjM0MzTU5RaWtjSnphakVjVtJ0dz09>

Passcode: 887636

Or iPhone one-tap :

US: +16699006833,,96490163563#,,,,*887636# or +13462487799,,96490163563#,,,,*887636#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 646 876 9923 or

+1 301 715 8592 or +1 312 626 6799

Webinar ID: 964 9016 3563

Passcode: 887636

In the event participation in the Board of Trustees meeting reaches Zoom Webinar capacity, the meeting will be streamed live on the SMC Youtube channel

at: <https://www.youtube.com/user/4SantaMonicaCollege/videos>

- PUBLIC COMMENTS ON CLOSED SESSION ITEMS

II. CLOSED SESSION

- EMPLOYEE APPOINTMENT/DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)

5:15 p.m.

III. PUBLIC SESSION –ORGANIZATIONAL FUNCTIONS

- LAND ACKNOWLEDGEMENT
 We respectfully recognize that the land on which Santa Monica College currently stands is the ancestral unceded territory of the Tongva or Gabrielino peoples. We honor the indigenous caretakers of these lands and their elders, past, present, and future.

III. PUBLIC SESSION –ORGANIZATIONAL FUNCTIONS *(continued)*

- PLEDGE OF ALLEGIANCE
- CLOSED SESSION REPORT (if any)
- REVISIONS/SUPPLEMENTAL STAFF REPORTS: A two-thirds vote of the members present is required to include revisions and/or supplemental staff reports in the agenda as submitted. These are items received after posting of the agenda and require action before the next regular meeting. (Government Code Section 54954.b.2)
MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY:
AYES:
NOES:

IV. SUPERINTENDENT'S REPORT

- Reinvigorating the SMC Library
- Enrollment/Budget Efficiency Update

V. PUBLIC COMMENTS

VI. ACADEMIC SENATE REPORT

VII. REPORTS FROM DPAC CONSTITUENCIES

- Associated Students
- CSEA
- Faculty Association
- Management Association

VIII. REPORT ON STUDENT SUCCESS - EQUITY, GUIDED PATHWAYS, INCLUSION, AND DIVERSITY

Update: Noncredit Programs

Presenters: Scott Silverman Dean of Noncredit and External Programs

Luis Jauregui, Project Manager, Noncredit Initiatives

This supports the Board's 2022-2023 Annual Goal: Educational Advancement, Quality, and Equity.

IX. CONSENT AGENDA

Any recommendation pulled from the Consent Agenda will be held and discussed in Section X, Consent Agenda – Pulled Recommendations

#1 Approval of Minutes: July 11, 2023 (Regular Meeting) 7

#2 Resolution: Adopt Findings Pursuant to Government Code Section 54953 7

Contracts and Consultants

#3-A Ratification of Contracts and Consultants 8

Academic Affairs

#4 CCCP Dual Enrollment Partnership Agreement with New West Charter High School and Course Offerings for 2023-2024 9

#5 Information: CCCP Dual Enrollment Partnership Agreement with Beverly Hills School District and Palisades Charter High School – Course Offerings for 2023-2024 9

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#13	Commercial Warrant Register	20
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X. CONSENT AGENDA – Pulled Recommendations

Recommendations pulled from the Section IX. Consent Agenda to be discussed and voted separately. Depending on time constraints, these items might be carried over to another meeting.

XI. MAJOR ITEMS OF BUSINESS

#20	Award of Contract – SMC Art Complex Replacement Project	23
#21	Information: Gender Neutral Restroom Building	24
#22	District Payment to City of Santa Monica for Design-Build Services for Memorial Park Ball Fields and Tennis/Pickleball Courts	25
#23	Adoption of EPA Expenditure Plan	28
#24	Second Reading and Approval, Board Policy 6340, Bids and Contracts	29

XII. INFORMATION

#25	Citizens’ Bond Oversight Committee – Minutes of Meeting, July 19, 2023	36
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XIII. BOARD COMMENTS AND REQUESTS

XIV. ADJOURNMENT

A special Board of Trustees meeting/closed session will be held on Tuesday, August 22, 2023 for the purpose of conducting the annual Evaluation of the Superintendent/President. This meeting will be conducted via zoom.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on Tuesday, September 12, 2023 at 6 p.m. (5 p.m. if there is a closed session). The meeting will be held in Business Building Room 117 (Board Room), 1900 Pico Boulevard, Santa Monica. Members of the public attending in person will be seated in Business Building Room 111. The meeting will also be conducted via Zoom Webinar to allow for remote participation.

BOARD OF TRUSTEES	ACTION
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 1, 2023

IX. CONSENT AGENDA

Any recommendation pulled from the Consent Agenda will be held and discussed in Section X, Consent Agenda – Pulled Recommendations

RECOMMENDATION:

The Board of Trustees take the action requested on Consent Agenda Recommendations #1-#19.

Recommendations pulled for separate action and discussed in Section VIII, Consent Agenda – Pulled Recommendations:

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY:

AYES:

NOES:

X. CONSENT AGENDA – Pulled Recommendations

Recommendations pulled from the Section VII, Consent Agenda to be discussed and voted on separately. Depending on time constraints, these items might be carried over to another meeting.

RECOMMENDATION NO. 1 APPROVAL OF MINUTES

Approval of the minutes of the following meeting of the Santa Monica Community College District Board of Trustees:

[July 11, 2023 \(Regular Meeting\)](#)

RECOMMENDATION NO. 2 RESOLUTION: ADOPT FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 54953

Requested Action: Approval

Reviewed by: Robert M. Myers, Campus Counsel

It is recommended that the Board of Trustees adopt the following findings:

1. On September 14, 2021, the Board of Trustees adopted a “RESOLUTION DECLARING THAT ONGOING EMERGENCY CONDITIONS EXIST AT SANTA MONICA COLLEGE AND FINDING THAT IN-PERSON MEETINGS UNDER THE BROWN ACT WOULD PRESENT IMMEDIATE RISKS TO THE HEALTH AND SAFETY OF ATTENDEES.”
2. In accordance with Government Code Section 54953(e)(3), the Board of Trustees has reconsidered the circumstances of the state of emergency and determined by majority vote that the state of emergency continues to directly impact the ability of members to meet safely in person.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: CONTRACTS AND CONSULTANTS

RECOMMENDATION NO. 3 **CONTRACTS AND CONSULTANTS**

3-A **RATIFICATION OF CONTRACTS AND CONSULTANTS**

The following contracts are less than the amount specified in Public Contract Code Section 20651, have been entered into by the Superintendent/President and are presented to the Board of Trustees for ratification.

Authorization: Board Policy Section 6340, Bids and Contracts

Approved by Board of Trustees: 9/8/2008; revised 12/4/2018

Reference Education Code Sections 71028, 81641 et seq, 81655, 81656; Public Contract Code Sections 201650 et seq, and 10115

➤ NEW CONTRACTS

Provider/Contract		Term/Amount	Service	Funding Source
1	Jim Mahon	July 1, 2023 – June 30, 2024 \$3,500/month plus online program fees, not to exceed \$42,000	Auxiliary Services consultant for Planetarium online presentations, web page updates, technical support, and lectures as needed	Auxiliary Services
2	Sarah Vincent	July 1, 2023 – June 30, 2024 \$12,000	Auxiliary Services consultant for Planetarium online presentations, as needed. This agreement with Sarah Vincent is for the Associate Lecturer for the Planetarium who fills in and assists Jim Mahon.	Auxiliary Services
<i>Requested by: Linda Sullivan, Associate Dean, Facilities Programming</i> <i>Approved by: Don Girard, Senior Director, Government Relations/Institutional Communications</i>				

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: ACADEMIC AFFAIRS

INFORMATION ITEM NO. 4 **COLLEGE AND CAREER ACCESS PATHWAYS (CCAP) DUAL ENROLLMENT PARTNERSHIP AGREEMENT WITH NEW WEST CHARTER HIGH SCHOOL**

Requested by: *Maral Hyeler, Director Instructional Services*
Approved by: *Jason Beardsley, Interim Vice-President, Academic Affairs*

It is recommended that the Board of Trustees approve the CCAP agreement for 2022-2025 with the New West Charter High School.

Comment: The CCAP Agreement with New West Charter High School and course offerings for 2023-2024 are available at: [Appendix A](#).

INFORMATION ITEM NO. 5 **COLLEGE AND CAREER ACCESS PATHWAYS (CCAP) DUAL ENROLLMENT PARTNERSHIP AGREEMENTS WITH BEVERLY HILLS SCHOOL DISTRICT AND PALISADES CHARTER HIGH SCHOOL – COURSE OFFERINGS FOR 2023-2024**

Requested by: *Maral Hyeler, Director Instructional Services*
Approved by: *Jason Beardsley, Interim Vice-President, Academic Affairs*

The CCAP course offerings at Beverly Hills School District and Palisades Charter High School are presented for information. The College and Career Access Pathways (CCAP) Dual Enrollment Partnership Agreements were originally approved by the Board of Trustees in Fall 2016, 2019 and 2022.

Comment: The CCAP course offerings at Beverly Hills School District and Palisades Charter High School for 2023-2024 are available at: [Appendix B](#)

BOARD OF TRUSTEES Santa Monica Community College District	ACTION August 1, 2023
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CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 6 ACADEMIC PERSONNEL

Requested Action: Approval/Ratification
Reviewed by: Tre'Shawn Hall-Baker, Dean, Human Resources
Approved by: Sherri Lee- Lewis, Vice President, Human Resources

ELECTIONS

ADJUNCT FACULTY

Approval/ratification of the hiring of adjunct faculty (List on file in the Office of Human Resources).

SEPARATIONS

RESIGNATION

Allie, Sharon, Full-time Faculty, English as a Second Language (ESL)

08/27/2023

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 7 CLASSIFIED PERSONNEL - REGULAR

Requested Action: Approval/Ratification
Reviewed by: Tre'Shawn Hall-Baker, Dean, Human Resources
Approved by: Sherri Lee- Lewis, Vice President, Human Resources

All personnel assigned into authorized positions will be elected to employment (merit system) in accordance with district policies and salary schedules.

<u>CLASSIFICATION SALARY RE-ALLOCATION AND RE-TITLE</u>	<u>EFFECTIVE DATE</u>
From: Budget Technician Classified Employee Salary Schedule Range 34	08/02/2023
To: Budget Analyst Classified Employee Salary Schedule, Range 38	

ELECTIONS

PROBATIONARY/ADVANCE STEP PLACEMENT

Bass, Edward, Stage Construction Technician-Lighting (Step C)	08/01/2023
Cochran, Andrew, Stage Construction Technician (Step C)	08/01/2023
Hudelson, Susan, Administrative Assistant I, Campus Events (Step C)	06/16/2023*

*Classification title adjusted from July 11, 2023, agenda.

PROBATIONARY ELECTION RESCINDED

Kirkham, Leo, Instructional Assistant - Learning Disabilities, DSPS
 Comment: Following the Board of Trustees meeting on July 11, 2023,
 Mr. Kirkham declined the offer of employment.

PROMOTION/ADVANCE STEP PLACEMENT

Liu, Wendy	07/12/2023
From: Management Information Systems (MIS) Manager, MIS	
To: Director of Management Information Systems, MIS, Step C	
Comment: Classification title adjusted from July 11, 2023, agenda.	

WORKING OUT OF CLASSIFICATION (LIMITED TERM)

Ng, Jonathan	07/03/2023 – 12/15/2023
From: Senior Graphic Designer, Marketing	
To: Marketing Design Coordinator, Marketing	
Percentage: More than 50%	

CLASSIFICATION SALARY RE-ALLOCATION AND RE-TITLE

Cheng, Wen Hsin (Vera)	
From: Budget Technician	08/02/2023
Classified Employee Salary Schedule Range 34	
To: Budget Analyst	
Classified Employee Salary Schedule, Range 38	

ANCILLARY DUTIES STIPEND

Cadena, Ruben, CC Police Officer, College Police +5% 07/01/2023 – 06/30/2024
Comment: Access Control/CCTV

Cadena, Ruben, CC Police Officer, College Police +2.5% 07/01/2022 – 06/30/2023
Comment: Range Master

Gordon, Sean, CC Police Officer, College Police +5% 07/01/2023 – 06/30/2024
Comment: Field Training Officer

Lopez, David, CC Police Officer, Campus Police +5% 07/01/2023 – 06/30/2024
Comment: Access Control/CCTV

SEPARATION

LAST DAY OF PAID SERVICE

DISABILITY RETIREMENT

Hearn, Steve, Community College Police Officer (24 years) 07/12/2023

RETIREMENT

Caiseros, Valentin, Irrigation Systems Specialist, Grounds (15 years) 07/31/2023

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 8 CLASSIFIED PERSONNEL – LIMITED DURATION

Requested Action: Approval/Ratification
Reviewed by: Tre’Shawn Hall-Baker, Dean, Human Resources
Approved by: Sherri Lee- Lewis, Vice President, Human Resources

All personnel assigned to limited term employment (Merit System) will be elected in accordance with District policies and salary schedules.

<u>ELECTIONS</u>	<u>EFFECTIVE DATE</u>
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PROVISIONAL: Temporary personnel who meet minimum qualifications and are assigned to work 90 working days; who have not come from an eligibility list.

Agolsove, Alexis, Theatre Tech Specialist, Performing Arts Ctr	07/24/2023-06/30/2024
Buchinsky, Boyko, Events Assistant, SMC Performing Arts	
From:	07/10/2023-06/30/2024
To:	07/01/2023-06/30/2024
Bruner, Jr., Randy, Mail Services Worker I, Warehouse	07/05/2023-11/07/2023
Garcia, Rande R., Theatre Technical Specialist, Performing Arts Center	07/10/2023-06/30/2024
Kessel, Mark, Theatre Tech Specialist, Performing Arts Ctr	
From:	07/10/2023-06/30/2024
To:	07/01/2023-06/30/2024
Mayer, Justin, Theatre Tech Specialist, Performing Arts Ctr	07/24/2023-06/30/2024
Pineda, Johnnyangel , Theatre Tech Specialist, Performing Arts	
From:	07/10/2023-06/30/2024
To:	07/01/2023-06/30/2024

LIMITED TERM: Positions established to perform duties not expected to exceed 6 months in one fiscal year or positions established to replace temporarily absent employees; all appointments are made from eligibility lists or former employees in good standing.

Bass, Edward, Stage Construction Technician - Lighting, Theatre Arts	
From:	07/01/2023-06/30/2024
To:	07/01/2023-07/31/2023

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: HUMAN RESOURCES

RECOMMENDATION NO. 9 CLASSIFIED PERSONNEL – NON MERIT

Requested Action: Approval/Ratification
Reviewed by: Tre’Shawn Hall-Baker, Dean, Human Resources
Approved by: Sherri Lee- Lewis, Vice President, Human Resources

All personnel assigned will be elected on a temporary basis to be used as needed in accordance with District policies and salary schedules.

STUDENT EMPLOYEES

College Student Assistant, \$16.90/hour (STHP)	163
College CalWorks, \$16.90/hour	1

SPECIAL SERVICE

Art Model, \$27.00/hour	11
Art Model,w/ Costume \$30.00/hour	11
Recreation Director II , \$16.90/ hour	2
Community Services Specialist I, \$37.00/hour	2

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 10-A ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATION

Requested Action: Approval/Ratification

Requestor: Teresita Rodriguez, Vice President, Enrollment Development

Reviewed by: Kim Tran, Chief Director, Business Services

Approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

Title of Grant: Student Success and Completion Grant (SSCG)
 Granting Agency: California Community College Chancellor’s Office
 Augmentation Amount: (\$1,000,000) Amended Amount: \$8,075,489
 Matching Funds: NA
 Performance Period: July 1, 2022 to June 30, 2023
 Summary: The Student Success and Completion Grant provides students with additional financial aid to help offset the total cost of community college attendance and successful on-time completion.
 The fiscal year 2022-2023 award amount was by reduced by \$1,000,000 from \$9,075,489 to \$8,075,489.

Budget Augmentation:	Restricted Fund 74.0	
	Revenue	
	8600 Other State	(\$1,000,000)
	Expenditures	
	1000 Academic Salaries	\$ 0
	2000 Non-Academic Salaries	\$ 0
	3000 Employee Benefits	\$ 0
	4000 Supplies & Materials	\$ 0
	5000 Other Operating Expenditures	\$ 0
	6000 Capital Outlay	\$ 0
	7300 Other Outgo/Indirect	\$ 0
	7500 Student Aid	(\$ 1,000,000)
	Total	(\$ 1,000,000)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 10-B ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATION *(continued)*

Requested Action: Approval/Ratification

Requestor: Teresita Rodriguez, Vice President, Enrollment Development

Reviewed by: Kim Tran, Chief Director, Business Services

Approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

Title of Grant: Chafee Grant for Foster Youth (Chafee Grant)
 Granting Agency: California Student Aid Commission
 Augmentation Amount: \$250,000
 Matching Funds: Not Applicable
 Performance Period: July 1, 2023 to June 30, 2024
 Summary:

The California Chafee Grant for Foster Youth (Chafee Grant) awards up to \$5,000 a year to eligible foster youth. The Chafee Grant may be used at any eligible California College or University, or career or technical school. Students apply for the grant by completing the Free Application for Federal Student Aid (FASFA) or CA Dream Act Application (CADAA). In order to expedite getting funds to students in a more timely manner, Chafee has converted to an EFT payment process. SMC will start participation in the EFT program in fiscal year 2023-2024. The District will receive funds as students become eligible. The budget for fiscal year 2023-2024 is estimated at \$250,000.

Budget Augmentation: Restricted Fund 74.0

Revenue		
8600 State		\$ 250,000
Expenditures		
1000 Academic Salaries		\$ 0
2000 Non-Academic Salaries		\$ 0
3000 Employee Benefits		\$ 0
4000 Supplies & Materials		\$ 0
5000 Other Operating Expenditures		\$ 0
6000 Capital Outlay		\$ 0
7300 Other Outgo/Indirect		\$ 0
7500 Student Aid		\$ 250,000
Total		\$ 250,000

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 10-C ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATION *(continued)*

Requested Action: Approval/Ratification

Requestor: Michael Tuitasi, Vice President, Student Affairs

Reviewed by: Kim Tran, Chief Director, Business Services

Approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

Title of Grant:	NextUp Program		
Granting Agency:	California Community Colleges Chancellor's Office		
Augmentation Amount:	\$6,272 (Amended fiscal year 2022-23 Total: \$948,497)		
Matching Funds:	Not Applicable		
Performance Period:	January 1, 2023 to June 30, 2024		
Summary:	<p>In an effort to increase access to critical support services for current and former foster youth, the Budget Act of 2022-2023 increased ongoing funding for the NextUp Program (formally known as the Cooperating Agencies Foster Youth Educational Support Program) by \$30M. The annual appropriation for this program is now \$50M. The Chancellor's Office is leveraging this funding to increase to scale the NextUp Program to every college across the System under the umbrella of EOPS/CARE.</p> <p>Santa Monica College will utilize the grant to establish a comprehensive NextUp Program that will provide academic, transfer, financial aid and career counseling, academic tutoring, mental wellness support, case management referrals to college and community programs, and provide direct financial aid to participants. The goal is to increase the number of current and former foster youth who enroll at the college, persist and complete their educational goal.</p>		
Budget Augmentation:	Restricted Fund 01.3		
	Revenue		
	8600 State		\$ 6,272
	Expenditures		
	1000 Academic Salaries		\$ 0
	2000 Non-Academic Salaries		\$ 0
	3000 Employee Benefits		\$ 0
	4000 Supplies & Materials		\$ 0
	5000 Other Operating Expenditures		\$ 0
	6000 Capital Outlay		\$ 0
	7000 Student Aid		\$ 6,272
	Total		\$ 6,272

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 11 BUDGET TRANSFERS

Requested Action: Approval/Ratification

Reviewed and approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

11-A FUND 01.0 – GENERAL FUND - UNRESTRICTED

Period: June 1-30, 2023

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	350,000
2000	Classified/Student Salaries	137,530
3000	Benefits	-2,000,000
4000	Supplies	-259,767
5000	Contract Services/Operating Exp	-991,544
6000	Sites/Buildings/Equipment	0
7100-7699	Other Outgo/Student Payments	0
7900	Contingency Reserve	2,763,781
Net Total:		0

11-B FUND 01.3 – Restricted Fund

Period: June 1-30, 2023

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	-97,526
2000	Classified/Student Salaries	-56
3000	Benefits	-34,558
4000	Supplies	-440,765
5000	Contract Services/Operating Exp	-1,159,915
6000	Sites/Buildings/Equipment	-523,236
7100/7699	Other Outgo/Student Payments	2,256,056
7900	Contingency Reserve	0
Net Total:		0

BOARD OF TRUSTEES Santa Monica Community College District	ACTION August 1, 2023
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CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 11 BUDGET TRANSFERS (continued)

11-C FUND 40.0 – Capital Projects Fund

Period: June 1-30, 2023

Object Code	Description	Net Amount of Transfer
1000	Academic Salaries	0
2000	Classified/Student Salaries	0
3000	Benefits	0
4000	Supplies	276
5000	Contract Services/Operating Exp	0
6000	Sites/Buildings/Equipment	-276
7100/7699	Other Outgo/Student Payments	0
7900	Contingency Reserve	0
Net Total:		0

Comment: The Adopted Budget needs to be amended to reflect the totals of the departmental budgets. The current system of the Los Angeles County Office of Education requires Board approvals each month for budget adjustments. Only the net amount of the transfers in or out of the object codes is shown. In addition to the budget adjustments, transfers result from requests by managers to adjust budgets to meet changing needs during the course of the year.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 12 PAYROLL WARRANT REGISTER

Requested Action: Approval/Ratification
Requested by: Ian Fraser, Payroll Manager
Approved by: Christopher M. Bonvenuto, Vice-President, Business/Administration

Payroll Warrant Register
 June 2023 C1K – C2L \$16,269,722.01

Comment: The detailed payroll register documents are on file in the Accounting Department.

RECOMMENDATION NO. 13 COMMERCIAL WARRANT REGISTER

Requested Action: Approval/Ratification
Reviewed and approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

Commercial Warrant Register
 June 2023 1042794 through 1102836

ACH Numbers
 June 2023 182519 through 195823

Total \$10,116,733.98

Comment: The detailed Commercial Warrant documents are on file in the Accounting Department.

RECOMMENDATION NO.14 REISSUE COMMERCIAL WARRANTS

Requested by: Mitchell Hesel, Dean Education Enterprise
Approved by: Chris Bonvenuto, Vice-President Business and Administration
Requested Action: Approval/Ratification

Warrants not presented to the Los Angeles County Treasurer within six months are void. Therefore, it is requested that LACOE draw new warrants to replace the following expired warrants:

<u>Employee Name</u>	<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>
Shen, Liwen	25803976	03/23/20	\$1,100
Shen, Liwen	25864592	05/04/20	\$2,241

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 15 AUXILIARY PAYMENTS AND PURCHASE ORDERS

Requested Action: Approval/Ratification
Requested by: Mitch Heskel, Dean, Educational Enterprise
Approved by: Christopher M. Bonvenuto, Vice-President, Business/Administration

Auxiliary Operations Payments and Purchase Orders
 June 2023 Covered by check & voucher numbers: 032994-033212 & 03240-03250,
 03253-03267 & 03271-03273

Bookstore Fund Payments	\$ 198,780.14
Other Auxiliary Fund Payments	\$ 74,609.48
Trust and Fiduciary Fund Payments	<u>\$ 793,363.00</u>
	\$ 1,066,752.62

Purchase Orders issued
 June 2023 \$0

Comment: All purchases and payments were made in accordance with Education Code requirements and allocated to approved budgets in the Bookstore, Trust and Auxiliary Funds.

RECOMMENDATION NO. 16 AUTHORIZATION OF SIGNATURES TO APPROVE INVOICES, 2023-2024

Requested Action: Approval/Ratification
Reviewed and approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

Authorization of signatures for the following staff members to approve invoices for 2023-2024:

Name/Title
Reyes, Miguel, IT User Support Manager, Information Technology

Comment: To comply with Education Code Sections 85232 and 85233 and the Los Angeles County Office of Education (LACOE), the Board of Trustees is required to authorize signatures of those persons who approve invoices. The auditing system at LACOE reviews each phase of the payment process including the authorized signatures approved by the Board.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

CONSENT AGENDA: FACILITIES AND FISCAL

RECOMMENDATION NO. 17 ORGANIZATIONAL MEMBERSHIPS

Requested Action: Approval/Ratification
Reviewed and approved by: Christopher M. Bonvenuto, Vice President, Business and Administration

<u>Organizational Memberships</u>	<u>Number of Memberships</u>	<u>Amount</u>
August 2023	3	\$3,112

Funding Sources: General Fund, Fund 01.0

<u>Organizational Memberships</u>	<u>Number of Memberships</u>	<u>Amount</u>
August 2023	1	\$475

Funding Sources: Restricted Fund, Fund 01.3

Comment: The list of organizational memberships is on file in the Offices of the Superintendent/President and Fiscal Services. The Los Angeles County Office of Education requires monthly approval of the list on file.

RECOMMENDATION NO. 18 PROVIDERS FOR COMMUNITY AND CONTRACT EDUCATION

Requested Action: Approval/Ratification
Requested by: Scott Silverman, Interim Dean, Noncredit and External Programs
Patricia Ramos, Dean, Academic Affairs
Approved by: Jason Beardsley, Vice-President of Academic Affairs

Authorization of payment for delivery of seminars and courses for SMC Community and Contract Education. The list of providers is on file in the office of Community and Contract Education. Payment per class is authorized as stated on the list on file.

RECOMMENDATION NO. 19 PURCHASING

Requested Action: Approval/Ratification
Approved by: Christopher M. Bonvenuto, Vice-President, Business/Administration

19-A AWARD OF PURCHASE ORDERS

Establish purchase orders and authorize payments to all vendors upon delivery and acceptance of services or goods ordered. The amount includes payments related to bond construction projects. All purchases and payments are made in accordance with Education Code requirements and allocated to approved budgets. Lists of vendors on file in the Purchasing Department.

June 2023 \$4,177,456.91

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 20

SUBJECT: **AWARD OF CONTRACT – SMC ART COMPLEX REPLACEMENT PROJECT**

SUBMITTED BY: Vice-President, Business/Administration

REQUESTED ACTION: It is recommended that the Board of Trustees (1) relieve AWI Builder Inc. from its bid mistake in accordance with Public Contract Code Section 5103; and (2) award the construction contract to PCN3, Inc., the lowest responsible and responsive bidder for the SMC Art Complex Replacement Project.

<u>Bidder</u>	<u>Amount</u>
AWI Builder Inc.*	\$35,950,000
PCN3, Inc.	\$45,380,000
The Nazerian Group	\$46,144,123
ACC Contractors Inc.	\$52,000,000

*A written Notice of Withdrawal was received from the apparent low bidder, AWI BUILDERS INC., within five days of the bid opening date, acknowledging that the bid was submitted in good faith, however due to an unintentional and substantial error in transferring the bid amount, they requested that their bid proposal be withdrawn. The District concluded that the requirements for relief from the bid set forth in Public Contract Code Section 5103 have been satisfied.

FUNDING SOURCE: Measure V, and State of California

COMMENT: The Art Complex at Santa Monica College was originally constructed in 1952, and a small two-story classroom building was added in 1972. Although the building had a minor renovation of space in 2002, the Art program is currently split between the main campus and satellite Airport site.

The two-story 33,466 SF Art complex will be located at the corner of 14th Street and Pico Boulevard, and the new building will replace the old and aging Art Buildings on main campus. The new art complex will house three arts education pillars: studios, teaching spaces and workshops; prioritizing function over discipline.

Twelve (12) General Contractors participated in the mandatory pre-bid job walk and four (4) bids were received. It is recommended that the Board of Trustees authorize staff to contract with PCN3, Inc., the lowest responsible and responsive bidder determined from the list above. The SMC District’s Award shall be finalized upon the review and verification of all the requirements as outlined in the contract documents and the successful execution of the contract.

Award of the construction contract is also contingent upon the receipt of the form DF-14D from the State Chancellor’s Office, which authorizes the award of the construction contract and the release of the construction fund.

MOTION MADE BY:
 SECONDED BY:
 STUDENT ADVISORY:
 AYES:
 NOES:

BOARD OF TRUSTEES Santa Monica Community College District	INFORMATION August 1, 2023
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MAJOR ITEMS OF BUSINESS

INFORMATION ITEM NO. 21

SUBJECT: **GENDER NEUTRAL RESTROOM BUILDING**

SUBMITTED BY: Vice President, Business and Administration

SUMMARY: In January 2023, the Santa Monica College contracted TSK Architects to design the new 1,450 square-foot gender neutral restroom building, which will be located in the Quad area between Theater Arts building and the Humanities & Social Science building. As part of the College’s Gender Equality mission, the District is committed to providing facilities in support of gender equities. This project is part of the College’s continuous facilities improvement plan in achieving equity goals.

The Architect will present the final schematic design which is based on collaboration with the Maintenance and Operations Department and SMC interest groups.

BOARD OF TRUSTEES Santa Monica Community College District	ACTION August 1, 2023
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RECOMMENDATION NO. 22

SUBJECT: **DISTRICT PAYMENT TO CITY OF SANTA MONICA FOR DESIGN-BUILD SERVICES THAT INCLUDE PHASE 1 OF THE MEMORIAL PARK MASTER PLAN RENOVATION AND EXPANSION PROJECT INCLUDING COMBO BALL FIELDS 1 AND 2 AND COMBINED TENNIS/PICKLEBALL COURTS**

SUBMITTED BY: Vice-President, Business/Administration

REQUESTED ACTION: It is recommended that the Board of Trustees authorize the Superintendent/President to enter into a payment agreement with the City of Santa Monica up to the amount of \$2,750,000 for the City’s design of Phase 1 renovations and expansions of Memorial Park. During the design phase, it is the intent of both the City and the District to negotiate a new agreement concerning the terms of the District’s contribution to the construction of Phase 1.

DISCUSSION: SMC’s 2016 voter-approved bond Measure V designated \$20 million to assist the City of Santa Monica with expansion of Memorial Park to accommodate soccer and other field sports for use by college students and the general public. However, due to the COVID-19 crisis, the project has been on hold until recently. The \$20 million allocation remains available for the project.

SMC’s Women’s Softball program currently uses the John Adams Middle School multi-purpose fields. Moving the program to Memorial Park increases available hours of use and assures the program of availability for practice, games, and post-season play.

SMC staff and City staff have met multiple times starting in Fall 2022 and have determined that either a reduced portion of Phase 1 can be funded with current resources or that possibly the entire Phase 1 project is within reach as new funds become available. The reduced portion of Phase 1 contains Combo Fields 1 and 2 and combined tennis/pickleball courts.

Memorial Park is Santa Monica’s primary public park for diamond sports, including Little League baseball, youth Fastpitch softball, Santa Monica High School softball and baseball teams, and adult league softball. The expansion and development of Memorial Park will add the adjoining 2.9-acre former Fisher Lumber site to the existing 10.3-acre site.

The City intends to use the progressive design-build method of contracting for design and construction. The District intends to reimburse the City for the City’s design of Phase 1. During the design phase, it is the intent of the parties to negotiate a new agreement concerning the terms of the College’s contribution to the construction of Phase 1. As a condition to the City entering into a design-build contract for Phase 1, the District shall contribute to the design in an amount not to exceed \$2,750,000.

It is the intent of the Parties to work cooperatively and in partnership with one another to develop the Phase 1 for joint and community use using Measure V funds and other available funds as determined by the City.

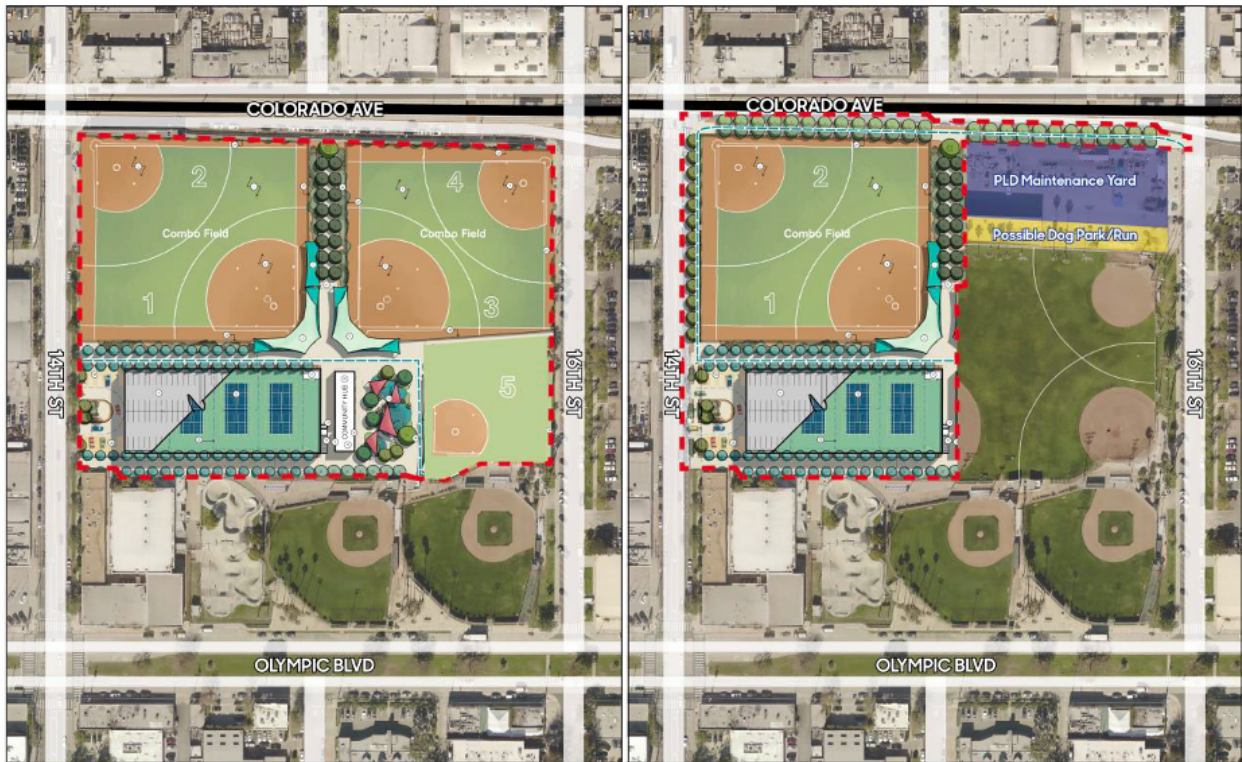
The District shall make payment to the City within 30 days of receipt of an itemized invoice documenting the City's payment toward the design portion of the contract.

Nothing in the Payment Agreement obligates the City to enter into a design-build contract or constrains the City's ability to terminate such a contract once it has been approved.

Next page: Exhibit A—Original Phase 1 and Potential Reduced Phase 1

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY:
AYES:
NOES:

Exhibit A—Original Phase 1 and Potential Reduced Phase 1



Original Phase 1	Anticipated Reduced Phase 1
PRE-CONSTRUCTION	
PLD Relocation - Full	PLD Relocation - Partial
DEMOLISH	
Pickleball(16)/Tennis(4) Courts Softball Fields (3) Baseball Field (1) Parking Lot Children's Playground Dog Park Restrooms Concession Stand	Pickleball(16)/Tennis(4) Courts Softball Field (1) Baseball Field (1) Parking Lot Children's Playground Dog Park
CONSTRUCT	
Surface Parking Lot w/Rooftop Pickleball(16)/Tennis(4) Courts Combo Fields #1, 2, 3, 4 (4) Dog Park Practice Field #5 (1) Community Hub w/Restrooms and Concessions Children's Playground	Surface Parking Lot w/Rooftop Pickleball(16)/Tennis(4) Courts Combo Fields #1, 2 (2) Dog Park <i>To the extent budget allows: Mobility/Streetscape Improvements (Original Phase 2 Scope)</i>

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 23

SUBJECT: **ADOPTION OF EDUCATION PROTECTION ACCOUNT (EPA - PROP 55, AN EXTENSION OF PROP 30) EXPENDITURE PLAN**

SUBMITTED BY: Vice President, Business and Administration

REQUESTED ACTION: It is recommended that the Board of Trustees approve the plan to expend the 2022-2023 Education Protection Account (EPA) funds of \$9,728,761 on instructional salaries.

SUMMARY: Proposition 55, The California Children’s Education and Health Care Protection Act of 2016, which was an extension of Proposition 30, temporarily raises the income tax rate for upper-income-earners (over \$250,000 for single filers, over \$500,000 for joint filers, and over \$340,000 for heads of households) through 2030-2031 to fund the State’s Educational Protection Account which provides funding for local school districts and community colleges.

Under Proposition 55, Districts have sole authority to determine how the moneys received from the EPA are spent, provided that the governing board makes these spending determinations in an open session of a public meeting of the governing board. Each entity receiving funds must annually publish on its web site an accounting of how much money was received from the EPA and how that money was spent. Additionally, the annual independent financial and compliance audit required of community colleges shall ascertain and verify whether the funds provided by the EPA have been properly disbursed and expended as required by law.

This recommendation is submitted to comply with Proposition 55 provisions requiring the governing board to make the spending determination in an open session of a public meeting of the governing board. The estimated EPA that our District will receive for 2022-2023 as of P2, is \$9,827,751. Accordingly, the amount of EPA funds as of the recalculation of apportionment for 2021-2022 decreased from the P2 amount of \$40,927,381 to \$40,828,391 or a decrease of <\$98,990>. The entire amount for 2022-2023 less the decrease in 2021-2022 funding will be spent on instructional salaries. The EPA funds are NOT additional funds but rather are components of the “computational revenue” calculations and will be offset by a decrease in apportionment funding received by the State.

MOTION MADE BY:
 SECONDED BY:
 STUDENT ADVISORY:
 AYES:
 NOES:

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	August 1, 2023

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 24

SUBJECT: **SECOND READING AND APPROVAL, BOARD POLICY CHAPTER 6, BUSINESS & FISCAL AFFAIRS - BP 6340, BIDS AND CONTRACTS**

SUBMITTED BY: Vice-President, Business and Administration

REQUESTED ACTION: It is recommended that the Board of Trustees conduct a first reading of Board Policy Chapter 6, Business & Fiscal Affairs, Board Policy 6340, Bids and Contracts.

COMMENT: The proposed revisions to Board Policy 6340, Bids and Contracts include a provision for awarding a contract based on best value, clarification on security to be provided and clarification on the option for the District to reject all bids received. The policy was prepared in consultation with legal counsel and has been reviewed and approved by senior staff and the Board Policy Subcommittee. A first reading was conducted by the Board of Trustees on July 11, 2023.

Administrative Regulation 6340, Bids and Contracts, is included for information since it is referenced in the Board Policy.

- MOTION MADE BY:
- SECONDED BY:
- STUDENT ADVISORY:
- AYES:
- NOES:



Board Policy
Chapter 6 – Business & Fiscal Affairs

BP 6340 BIDS AND CONTRACTS

The Board of Trustees delegates to the Superintendent/President the authority to enter into contracts on behalf of the District and to establish administrative regulations for contract awards and management, subject to the following:

- Contracts are not enforceable obligations until they are ratified by the Board.
- Contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contract Code Section 20651 shall require prior approval by the Board.
- When bids are required according to Public Contract Code Section 20651, the Board shall award each such contract to the lowest responsible bidder who meets the specifications published by the District.
- When the District determines that, according to Public Contract Code Section 20651.7, it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may select and award the contract based on best value in accordance with AR 6340.
- In any bidding process, the bidder shall give such security as the District requires.
- In its sole discretion, the District may reject all bids received.

If the Superintendent/President concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contract Code Section 20651.5, pre-qualification may be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the District will be served by a contract, lease, requisition, or purchase order through any other public corporation or agency in accordance with Public Contract Code Section 20652, the Superintendent/President is authorized to proceed with a contract.

Business Diversity and Local Providers

The Santa Monica Community College District is committed to increasing the participation of minority-owned business enterprises (MBE), women-owned business enterprises (WBE), Veteran-owned business enterprises, and local providers in the procurement activities of the college.

Also see BP/AR 6330 Purchasing, AR 6340 Bids and Contracts, AR 6350 Contracts – Construction, AR 6360 Contracts – Electronic Systems and Materials, AR 6365 Contracts – Accessibility of Information Technology, AR 6370 Contracts – Personal Services, and AR 6380 Vendors.

References:

Education Code Sections 71028, 81641 et seq., 81655, and 81656;

Public Contract Code Sections 20650 et seq. and 10115;

Government Code Section 53060;

ACCJC Accreditation Standard III.D.16;

2 Code of Federal Regulations Part 200.318

Adopted: June 5, 2000 (for BP 6340); August 7, 2000 (for BP 6260);

September 7, 2008 (for BP 6255)

Revised: December 4, 2018

(Replaces SMC BP 6255, BP 6260, and BP 6340)



Administrative Regulation
Chapter 6 – Business & Fiscal Affairs

AR 6340 BIDS AND CONTRACTS

The President/Superintendent delegates the authority to the Vice President, Business and Administration, to manage the District's processes for procuring bids and securing contracts.

General Dollar Limits

Bids or quotations shall be secured as may be necessary to obtain the lowest possible prices as follows:

- Purchase of goods or services up to the bid limit specified in Public Contract Code 20651(d) will require documented quotes.
- Purchase of goods or services in excess of the bid limit specified in Public Contract Code 20651(d) will require formal advertised bids.

In securing bids or quotations, the District will avoid acquisition of unnecessary or duplicative items.

Contracts involving expenditures that require competitive bidding require approval by the Board of Trustees prior to award.

The bid threshold limit is adjusted annually by the Board of Governors of the California Community Colleges as required by Public Contract Code Section 20651 (d). The current amount may be found at <http://www.cde.ca.gov/fg/ac/co/>

Bid Specifications

Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified.

Notice Calling for Formal Advertised Bids

The District shall publish at least once a week for two weeks in a newspaper of general circulation published within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post on the District's web site or through an electronic portal, a notice calling for bids or proposals, stating the work to be done or materials or supplies to be furnished and the time and place when bids will be opened. The District may accept a bid that was submitted either electronically or on paper.

Bid and contract forms shall be prepared and maintained by:

- Non-General Obligation Bond bids and contracts: The Procurement, Contract and Logistics Office.
- General Obligation Bond bids and contracts: The Facilities Planning Office.

All applicable statutory provisions and board policies shall be observed in preparation of the forms.

The Vice President, Business and Administration or their designee shall be responsible for ensuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

All bid notices for work to be done shall contain an affirmative statement requiring compliance with Labor Code Sections 1775 and 1776 governing payment of prevailing wages and Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance with these Labor Code Sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.

When required or determined to be appropriate, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of the District, any certified or cashier's check received shall be returned to the respective bidder.

The Vice President, Business and Administration or their designee shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and materiel personnel may examine the specifications and drawings.

The Vice President, Business and Administration or their designee shall provide an electronic copy of the plans and specifications and other contract documents to a contractor plan room service at no charge upon request from that contractor plan room.

When permitted, a deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

Awarding of Bids and Contracts Awards

The awarding of bids and contracts shall be subject to the following conditions:

- Any and all bids and contract proposals may be rejected by the District.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
- Bid and contract award recommendations to the Board shall show a tabulation of the bids received in reasonable detail.
- Selection and Award to Lowest Possible Bidder:
 - Bid and contract awards shall be made to the lowest responsible bidder substantially meeting the requirements of the specifications. The District reserves the right to make its selection of materials or services purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.
- Selection and Award Based on Best Value:
 - For the purposes of bid evaluation and selection when the District determines that it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may provide for the selection of the lowest responsible bidder on the basis of best value pursuant to policies and regulations adopted by the Board of Trustees in accordance with this section.
 - "Best value" means the most advantageous balance of price, quality, service, performance, and other elements, as defined by the Board, achieved through methods in accordance with this section and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.

- The District will consider all of the following in a best value selection and award:
 - Price and service level proposals that reduce the District’s overall operating costs, including end-of-life expenditures and impact.
 - Equipment, services, supplies, and materials standards that support the District’s strategic acquisition and management program direction.
 - A procedure for protest and resolution in the request for proposal.
- The District may also consider any of the following in a best value selection and award:
 - The total cost to of its purchase, use, and consumption of equipment, supplies, and materials.
 - The operational cost or benefit incurred by the District.
 - The added value to the District, as defined in the request for proposal, of vendor-added services.
 - The quality and effectiveness of equipment, supplies, materials, and services.
 - The reliability of delivery and installation schedules.
 - The terms and conditions of product warranties and vendor guarantees.
 - The financial stability of the vendor.
 - The vendor’s quality assurance program.
 - The vendor’s experience with the provisions of equipment, supplies, materials, and services within the institutional marketplace.
 - The consistency of the vendor’s proposed equipment, supplies, materials, and services with the District’s overall supplies and materials procurement program.
 - The economic benefits to the local community, including, but not limited to, job creation and retention.
 - The environmental benefits to the local community.
- The District will award a contract to the lowest responsible bidder, whose proposal offers the best value to the District based solely on the criterial set forth in the request for proposal. The District shall document its determination in writing.
- The District shall issue a written notice of intent to award supporting its contract award and stating in detail the basis of the award. The notice of the intent to award and the contract file must be sufficient to satisfy an external audit.
- The District shall publicly announce its award, identifying the bidder to which the award is made, the price proposal of the contractor awarded the contract, and the overall combined rating on the request for proposal evaluation factors. The announcement shall also include the ranking of the contractor awarded the contract in relation to all other responsive bidders and their respective price proposals and summary of the rationale for the contract award.
- The District shall ensure that all businesses have a fair and equitable opportunity to compete for, and participate in, district contracts and shall also ensure that discrimination on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation, does not occur in the award and performance of contracts.

Purchase without Advertising for Bids

The Vice President, Business and Administration or their designee is authorized to make purchases from firms holding public agency contracts without calling for bids where it appears advantageous to do so.

The Vice President, Business and Administration or their designee may, without advertising for bids, purchase or lease from other public agencies materials or services by authorization of contract or purchase order.

The Vice President, Business and Administration or their designee may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.

The Vice President, Business and Administration or their designee is authorized to make purchases with a value between \$5,000 and \$250,000 from a certified small business, microbusiness, or disabled veteran business enterprise.

Duration of Continuing Contracts for Services and Supplies

Continuing contracts for work or services furnished to the District are not to exceed five years. Contracts for materials and supplies are not to exceed three years.

Emergency Repair Contracts without Bid

When emergency repairs or alterations are necessary to continue existing classes or to avoid danger of life or property, the Vice President, Business and Administration or their designee may make a contract on behalf of the District for labor, materials and supplies without advertising for or inviting bids, subject to ratification by the Board of Trustees.

Unlawful to Split Bids

It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.

Record Retention

The District will retain records sufficient to detail the history of procurement. These records include: rationale for the method of procurement, selection of contract type, contractor selection and rejection, and the basis for the contract price.

References:

- Education Code Sections 81641 et seq.;*
- Government Code Section 53060;*
- Public Contract Code Sections 20103.7, 20112, 20650 et seq., and 22000 et seq.;*
- Labor Code Sections 1770 et seq.;*
- ACCJC Accreditation Standard III.D.16;*
- 2 Code of Federal Regulations Part 200.318*

Approved by Senior Staff: 7/5/2023

(This is a new regulation)

XII. INFORMATION ITEM NO. 25 MEETING OF THE CITIZENS' BOND OVERSIGHT COMMITTEE, JULY 19, 2023

A meeting of the Santa Monica Community College District Citizens' Bond Oversight Committee (CBOC) was held on Wednesday, July 19, 2023. The meeting was conducted via Zoom Conference.

I. **CALL TO ORDER** – 12:05 p.m.

2. **ROLL CALL – Members of the Citizens' Bond Oversight Committee**

Elizabeth Greenwood, Chair – Present
 Bruce Sultan, Vice-Chair – Absent
 Heather Anderson – Present
 Alfred Barrett – Present
 Anne Plechner – Present
 Elaine Polachek – Present
 Katherine Reuter – Present
 Donald Schort – Present
 Student Representative – Vacant

CBOC Support Staff Present

Chris Bonvenuto, Vice President, Business and Administration
 Don Girard, Senior Director, Government Relations/Institutional Communications
 Charlie Yen, Director of Facilities Planning and Construction
 John Greenlee, Director of Facilities Finance
 Yu-Ngok Lo, Assistant Director of Facilities Planning
 Olinka Rodriguez, Citizens' Bond Oversight Committee Coordinator

3. **APPROVAL OF MINUTES OF CBOC MEETING, April 19, 2023**

Motion was made by Elaine Polachek and seconded by Heather Anderson to approve the minutes of the Citizens' Bond Oversight Committee meeting held on April 19, 2023. *Minutes were approved.*

4. **INTRODUCTION OF REAPPOINTED MEMBERS TO THE CBOC**

At its meeting on June 6, 2023, the SMCCD Board of Trustees approved the following reappointments to the Citizens' Bond Oversight Committee for a two-year term, 2023-2025:

- Heather Anderson
- Elizabeth Greenwood
- Anne Plechner
- Elaine Polachek
- Katherine Reuter
- Donald Schort
- Bruce Sultan

5. **REPORTS and DISCUSSION**

Bond Projects Website

<https://www.smc.edu/administration/governance/citizens-bond-oversight-committee/index.php>

A. Bond Construction Projects

- The Math/Science Project: The observatory dome was installed. There is a brand-new free-standing telescope and a telescope on the roof to view the stars. The scratch concrete coat was completed on the 3rd floor, stucco to follow. The 2nd floor has been dry walled. Photos of the Planetarium, Science Lab, Classrooms, Observatory Dome, and exterior Channel Glass installation were shared.
- The Student Services Center Shade Project: A shade structure is being installed outside of the Student Services Center to protect students and staff from heat and the sun’s glare. The estimated completion date for this project is August 2023.
- The Art Building on Pico Boulevard and 14th received DSA approval. The project went out to Bid, it is pending Board of Trustees and State approval. The cost of the project came in higher than estimated. The estimated completion date for this project is December 2025.

B. Measure AA and V Budget Summaries and Bond Sales Expense Reports

- Measure AA: Total Measure AA Expenditures as of June 30, 2023 were \$291,167,660; total remaining funds are \$3,828,169.
- Measure V: Total Measure V Expenditures as of June 30, 2023 were \$153,406,400; total remaining funds are \$191,593,600.
- The Bond Sales/Expense Report
Indicates total bond amounts, bond issue dates/amounts unsold bond amount and total available as of June 30, 2023.

Total Bond Program:	\$640,000,000
Total Bonds Issued:	\$639,995,829
Total Expenses:	\$444,574,060
Total Available Remaining:	\$195,421,769
Total Unsold Bond:	\$ 4,171

The SMC Bond Capital Construction Budget Summary (All Bond Measures) as of June 30, 2023 reports the following:

Measure U Budget:	\$160,000,000
Measure S Budget:	\$143,500,000
Measure AA Budget:	\$295,000,000
Measure V Budget:	\$345,000,000
Interest:	\$30,128,991
Other Funding Received:	\$54,694,164
Other Funding Pending:	<u>\$48,013,379</u>
Total Budget:	\$1,076,336,534
Estimate at Completion:	\$1,076,336,534
Bond Funds Remaining:	\$ 195,421,767

*Measure U and Measure S are closed out. Measure AA and Measure V are the active bond measures.

C. SMC Bond Program – Contractor List as of June 30, 2023

D. Paid Vendors List as of June 30, 2023

6. **SCHEDULE OF MEETINGS, 2023-2024**

Wednesdays at 12:00 p.m.

July 19, 2023

October 18, 2023

January 24, 2024

April 17, 2024

7. **ADJOURNMENT** – 12:47 p.m.

The next meeting of the Citizens' Bond Oversight Committee will be held on Wednesday, October 18, 2023 (location to be determined).

Current information on all bond construction projects is available at:

<http://smcbondprojects.com> and at <http://www.smc.edu/CBOC>

BOARD OF TRUSTEES	ADJOURNMENT
SANTA MONICA COMMUNITY COLLEGE DISTRICT	August 1, 2023

XIII. BOARD COMMENTS

XIV. ADJOURNMENT

The meeting will be adjourned in memory of **Alan Casty**, retired faculty member in the Communications Department; and **Arnold 'Mark' Christensen**, former part-time counselor in DSPS.

A special Board of Trustees meeting/closed session will be held on Tuesday, August 22, 2023 for the purpose of conducting the annual Evaluation of the Superintendent/President. This meeting will be conducted via zoom.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be held on Tuesday, September 12, 2023 at 6 p.m. (5 p.m. if there is a closed session) in the SMC Board Room (Business Building Room 117), 1900 Pico Boulevard, Santa Monica, California. The meeting will also be conducted via Zoom Webinar for members of the public to participate remotely.