

**BOARD OF TRUSTEES
VENTURA COUNTY COMMUNITY COLLEGE DISTRICT**

RESOLUTION No. 2014-10

Amended Resolution Authorizing Implementation of Lease-Leaseback Project Delivery and Other Acts Relating to the Construction of Seismic Upgrades at the Learning Resources Center (LRC) at Oxnard College, and the Renovation/Expansion of the Ventura College Studio Arts Building to Include Electrical System Upgrades at Ventura College.

WHEREAS, the District adopted a resolution authorizing implementation of the Lease-Leaseback project delivery method and other acts related to the construction of seismic upgrades at the Learning Resource Center at Oxnard College and the Renovation/Expansion of the Ventura College Studio Arts Building on September 09, 2014; and

Whereas the District desires to construct certain electrical system upgrades at Ventura College including site lighting upgrades concurrent with the previously authorized projects (the "Lease-leaseback Projects"); and

WHEREAS, the District desires to maximize efficient use of public funds in a manner consistent with all applicable laws to best serve the students within the District; and

WHEREAS, the District is authorized to enter into Lease/Leaseback project procurement pursuant to Education Code section 81335 which provides (1) the letting of District real property for a minimum of one dollar per year per site, (2) the lessee to construct, or provide for the construction of a building or buildings for the use of the District during the term of such lease, (3) title to such building or buildings to vest in the District at the expiration of such term, and (4) such other terms and conditions as the Board of Trustees of the District may determine to be in the best interest of the District; and

WHEREAS, the Board of Trustees of the District has determined that it is in the best interest of the District to conduct Lease/Leaseback project procurement for the Projects pursuant to a competitive process designed to identify the proposer and proposal that represents the best overall value to the District for each project, taking into consideration price and non-price factors; and

WHEREAS, the Board of Trustees of the District has determined that pursuant to Education Code section 81332 that real property owned by the District is available upon which a building to be used by the District may be upgraded, renovated, or constructed and has adopted plans and specifications for such construction that have been approved by the Division of the State Architect; and

WHEREAS, the District proposes to enter into Lease/Leaseback procurement for each of the projects that would involve the leasing by the District of a portion of the land upon which each project will be constructed (this land being located at the Learning Resource Center at Oxnard College, the Ventura College Studio Arts Building, and various portions of the Ventura College campus to receive electrical and lighting upgrades).

WHEREAS, the Projects will be constructed pursuant to the following documents attached to this Resolution: Site Lease Agreement and exhibits referenced therein ("Exhibit A"); and Facilities Lease Agreement with exhibits and attachments referenced therein ("Exhibit B"); and

WHEREAS, after careful and thorough consideration, the Board of Trustees has determined that it is in the best interests of the District, and to best serve the needs of the student population through efficient and timely construction of college facilities, to have the Projects performed using the Lease/Leaseback method authorized under Education Code section 81335; and

WHEREAS, the Board has been presented with the form of each document referred to herein relating to the transaction contemplated hereby and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such transactions, subject to the delegation of authority provided by the Board as set forth below;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. All of the above recitals herein contained are true and correct and the Board of Trustees so finds and determines.
2. The District's Board of Trustees determines that, pursuant to California law and Education Code section 81335, it is appropriate to authorize Lease/Leaseback project procurement for the construction of the Projects described herein.
3. The Chancellor or her designee are hereby authorized and directed to do any and all things to execute and deliver any and all documents, which, in consultation with staff, they may deem necessary and advisable in order to effectuate the purposes of this Resolution and any such actions previously taken by such officers are hereby approved, ratified, and confirmed. Furthermore, the Chancellor or her designee is authorized to finalize and execute the agreements attached to this Resolution in substantially the form now existing, subject to such additions thereto or modifications thereto as the Chancellor or her designee may deem in the best interest of the District.

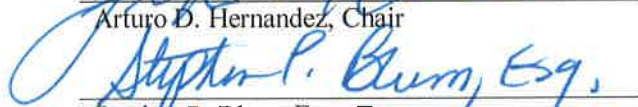
IN WITNESS WHEREOF, Ventura County Community College District, Ventura County, California, has caused this to be executed on behalf of the District in an official capacity by the manual or facsimile signatures of the Board of Trustees and Secretary of the Board of Trustees, as of the date stated below.

ADOPTED this 9th day of December, 2014, by the Ventura County Community College District Board of Trustees in the County of Ventura, State of California.

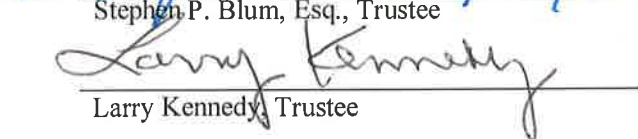
AYES: 5 NOES: 0 ABSTENTIONS: 0 ABSENT: 0




Arturo D. Hernandez, Chair




Stephen P. Blum, Esq., Trustee



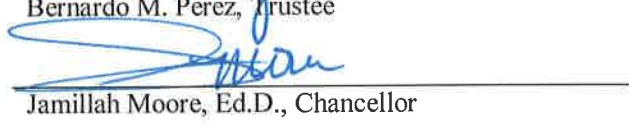
Larry Kennedy, Trustee



Dianne B. McKay Vice Chair



Bernardo M. Perez, Trustee



Jamillah Moore, Ed.D., Chancellor