BOARD MEETING
Date: April 14, 2021

Meeting Location: via Zoom
https://cccconfer.zoom.us/j/96772742540

Closed Session – 6:00 P.M.
Open Session (Regular Meeting) - Time: 7:00 P.M. (use link above)

AGENDA

Open Session
Public Session Called to Order

Roll Call
Mr. Richard Watters, Chair
Ms. Suzanne Lee Chan, Vice Chair
Mr. Greg Bonaccorsi, Member
Ms. Jan Giovannini-Hill, Member
Mr. Lance Kwan, Member
Ms. Vivien Larsen, Member
Dr. Rakesh Sharma, Member
Ms. Megan Aves, Student Member

Announce Closed Session Items

Communications from the Public on Closed Session Items

Closed Session

<table>
<thead>
<tr>
<th>#</th>
<th>Item</th>
<th>BP*</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Conference with Labor Negotiator (Government Code 54957.6) Employee Groups: CSEA, SEIU, UFO Agency Designated Representatives: Shairon Zingsheim, Chris Dela Rosa</td>
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<td>2</td>
<td>Public Employee Evaluation (Government Code 54957) Title: Superintendent/President</td>
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**Open Session**
Report on actions taken in closed session

**Pledge of Allegiance**

**Approval of Minutes**

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<tr>
<th>#</th>
<th>Item(s)</th>
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<tbody>
<tr>
<td>3</td>
<td>Approval of Minutes – March 10, 2021 Meeting</td>
<td>2360</td>
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**Ceremonial Items**

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<th>Item</th>
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<tbody>
<tr>
<td>4</td>
<td>Sexual Assault Awareness Month Proclamation</td>
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<td>5</td>
<td>Earth Week Proclamation</td>
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<td>6</td>
<td>Resolution Condemning the Recent Surge in Hate Crimes Targeting Asian Americans</td>
<td>1.4</td>
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<td>7</td>
<td>Resolution Recognizing April 2021 as Community College Month</td>
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**Consent Agenda**

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<tr>
<td>8</td>
<td>Approval of March 2021 Payroll Warrants</td>
<td>2200</td>
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<td>9</td>
<td>Approval of Personnel Actions</td>
<td>2200</td>
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<tr>
<td>10</td>
<td>Board Issues Advocacy Committee Legislative Recommendations</td>
<td>2200</td>
<td>5.5</td>
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<tr>
<td>11</td>
<td>Advisory Committee Appointments for Occupational Programs and Special Programs</td>
<td>2200</td>
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<tr>
<td>12</td>
<td>CCCT Board Report</td>
<td>2740</td>
<td></td>
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<tr>
<td>13</td>
<td>New Department Name for 2022-2023</td>
<td>4020</td>
<td></td>
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<tr>
<td>14</td>
<td>New Credit Program for 2021-2022</td>
<td>4020</td>
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<tr>
<td>15</td>
<td>Review of Purchase Orders</td>
<td>6330</td>
<td></td>
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<td>16</td>
<td>Measure G Project 6105A, Academic Core Buildings – Cannon Design; Amendment #39</td>
<td>6340</td>
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<td>17</td>
<td>Measure G Project 6114, Renovate Building 5 – D.L. Falk Construction, Inc.; Change Order #1</td>
<td>6340</td>
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<td>18</td>
<td>Measure G Project 6114, Renovate Building 5 – LPAS Architecture + Design; Amendment #7 for Architectural Services</td>
<td>6340</td>
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<td>19</td>
<td>Measure G Project 6142/6143, Buildings 7 &amp; 12 Exterior Painting – Selway Construction; Agreement for Construction Services</td>
<td>6340</td>
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<td>20</td>
<td>Futility Resolution- Emergency Responder Radio System, Academic Core Buildings Project</td>
<td>6340</td>
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<tr>
<td>21</td>
<td>Agreement for Construction Services, Contra Costa Electric – Project 6105A; Emergency Responder Radio System, Academic Core Buildings</td>
<td>6340</td>
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<tr>
<td>22</td>
<td>Ratification of Contracts</td>
<td>6340</td>
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<tr>
<td>23</td>
<td>Civic Center and Smith Center Rental Rate Increase</td>
<td>6700</td>
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Standing Reports

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<th>Item(s)</th>
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<tbody>
<tr>
<td>24</td>
<td>Report from Faculty Senate</td>
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<td>25</td>
<td>Report from Associated Students of Ohlone College (ASOC)</td>
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<tr>
<td>26</td>
<td>President’s Updates (report information will be made public at the meeting and included in the board packet index after the meeting) (5 minutes)</td>
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To the Board for Discussion / Action

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<tr>
<td>27</td>
<td>California Community College Trustees Board of Directors Election – 2021</td>
<td>2200</td>
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<tr>
<td>28</td>
<td>Resolution No. 29/20-21, Resolution Authorizing the Issuance of the Ohlone Community College District (Alameda County, California) 2021 General Obligation Refunding Bonds</td>
<td>2200</td>
<td></td>
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<tr>
<td>29</td>
<td>Parking Fee Increase</td>
<td>5030</td>
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To the Board for Information

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<th>#</th>
<th>Item(s)</th>
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<tbody>
<tr>
<td>30</td>
<td>Notification of Student Health Fee Increase</td>
<td>5030</td>
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<tr>
<td>31</td>
<td>Board Issues Advocacy Committee</td>
<td>2200</td>
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<tr>
<td>32</td>
<td>Update on Graduation 2021</td>
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Reports and Announcements
This is an opportunity for the Trustees to report on college activities attended or to announce upcoming college-related events.

Agenda Items for Future Meetings
How to Implement Board Priorities
Analyzing COVID-19 Data – how students are doing
Career Education & Career Center

Adjournment
Any person with a disability may request this agenda be made available in an appropriate alternative format. A request for a disability-related modification or accommodation may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting to Shelby Foster, Assistant to the President/Board of Trustees - President’s Office, Ohlone College, Building 1, Room 1401, (510) 659-6200, from 8:00 a.m. to 5:00 p.m., at least 48 hours before the meeting.
Priority 1: Promote a culturally-competent college environment.

**Board Task 1.1:** Support and review the identification and elimination of barriers, and creation of opportunities and equity measures for historically underrepresented and underserved students in all areas of the campus.

**Board Task 1.2:** Monitor the implementation of an aggressive recruitment effort for students, faculty, staff, and administration that is reflective of our campus and community demographics.

**Board Task 1.3:** Support and ensure efforts to gain cultural competence and equitable outcomes within the college community, and incorporate the Chancellor’s Call for Action recommendations.

**Board Task 1.4:** Increase understanding and awareness of, and sensitivity to, diverse cultures and perspectives.

**Board Task 1.5:** Continue to review board policies to eliminate/correct discriminatory measures and biased language that create barriers and prevent equity and inclusion.

**Board Task 1.6:** Encourage efforts to host cultural campus-wide activities and recognize achievements of our diverse college community.

*Tasks align with College Strategic Goals #1 and #2.*

Priority 2: Monitor and support student access and success.

**Board Task 2.1:** Review and discuss presentations on student success on strategies for increasing access and success for historically underrepresented and underserved populations (non-marketing)

**Board Task 2.2:** Review progress reports presented by faculty and/or staff on assessing student achievement and learning outcomes and discuss evidence of student learning.

**Board Task 2.3:** Review and discuss disaggregated retention and persistence data to increase transfer and graduation rates of underrepresented and underserved students.

**Board Task 2.4:** Monitor and review reports on workforce development and community education.

**Board Task 2.5:** Review progress reports on math, science and English for historically underrepresented and underserved students.

*Tasks align with College Strategic Goals #1 and #4.*

Priority 3: Continue to participate actively in Board professional development and support the new Superintendent/President.

**Board Task 3.1:** Support and encourage participation in CCLC, ACCT, and ACCJC webinars, activities and events.

**Board Task 3.2:** Build a cohesive team amongst the Trustees and the President through open communication and board workshops.

**Board Task 3.3:** Assist in the acclimation of the new Superintendent/President to the campus and greater district community.

*Tasks align with College Strategic Goal #5.*

Priority 4: Continue to oversee quality implementation of Measure G.

**Board Task 4.1:** Monitor progress and review fiscal management, planning and implementation procedures and processes of bond projects.

*Task aligns with College Strategic Goal #3.*

Priority 5: Advance initiatives that affect the Ohlone Community College District and its students through community outreach and advocacy.

**Board Task 5.1:** Review CCLC and Chancellor’s office recommendations/resolutions and take action as appropriate.

**Board Task 5.2:** Interact with local, state and federal legislators to promote Ohlone Community College District and advocate for community college initiatives.

**Board Task 5.3:** Interact with individuals and local community organizations to promote Ohlone Community College District and to encourage their active involvement and engagement in our District Vision.

**Board Task 5.4:** Support the Superintendent/President in a unified message advocating for the District.

**Board Task 5.5:** Review Board Sub-Committee on Advocacy recommendations

*Tasks align with College Strategic Goal #2 and #5.*
Conference with Labor Negotiator (Government Code 54957.6)

Employee Groups: CSEA, SEIU, UFO
Agency Designated Representatives: Shairon Zingsheim, Chris Dela Rosa
Public Employee Performance Evaluation (Government Code 54957)

Title: Superintendent/President
Minutes of Board Meeting  
March 10th, 2021  
Page 1 of 4 Pages

Members Present
Mr. Richard Watters, Chair  
Ms. Suzanne Lee Chan, Vice Chair  
Mr. Greg Bonaccorsi, Member  
Ms. Jan Giovannini-Hill, Member  
Mr. Lance Kwan, Member  
Ms. Vivien Larsen, Member  
Dr. Rakesh Sharma, Member  
Ms. Megan Aves, Student Member

Management Present
Dr. Eric Bishop, Superintendent/President & Board Secretary  
Dr. Chris Dela Rosa, Vice President of Administrative & Technology Services  
Mr. Tony DiSalvo, Vice President of Academic Affairs/Deputy Superintendent  
Dr. Milton Lang, Vice President of Student Services  
Ms. Shairon Zingsheim, Vice President of Human Resources and Training

Open Session
Mr. Watters called the meeting to order at 6:00 p.m.

Roll Call
The roll was called. All were present.

Announce Closed Session Item

Communications from the Public on Closed Session Items
None

Closed Session  
Time: 6:01 p.m.
1. (No attachment) Public Employee Evaluation (Government Code 54957)  
   Title: Superintendent/President

Return to Open Session  
Time: 7:00 p.m.
Report on Actions Taken in Closed Session
No reportable action was taken during closed session.

Pledge of Allegiance
Dr. Sharma led the pledge of allegiance.

Approval of Minutes (BP 2360)
2. (Attachment 2) Approval of Minutes (February 10th, 2021 Meeting)
3. (Attachment 3) Approval of Minutes (February 24th, 2021 Workshop)

Motion Approved Moved/Bonaccorsi/Seconded/Giovannini-Hill/Passed to approve agenda items #2 and #3, minutes from both the February 10th, 2021 meeting and February 24th, 2021 workshop. A roll call vote was taken: (Advisory Vote: Aye – Aves) Ayes: Bonaccorsi, Giovannini-Hill, Kwan, Larsen, Sharma, Chan, Watters; Noes: 0; Abstain: 0; Absent: 0.

Ceremonial Items/to the Board for Action
4. (Attachment 4) César Chávez Day Proclamation

Motion Approved Moved/Larsen/Seconded/Aves/Passed to approve Resolution No. 22/20-21, honoring César Chávez Day. A roll call vote was taken: (Advisory Vote: Aye – Aves) Ayes: Bonaccorsi, Giovannini-Hill, Kwan, Larsen, Sharma, Chan, Watters; Noes: 0; Abstain: 0; Absent: 0.

5. (Attachment 5) Women’s History Month Proclamation

Motion Approved Moved/Chan/Seconded/Larsen/Passed to approve Resolution No. 23/20-21, honoring Women’s History Month. A roll call vote was taken: (Advisory Vote: Aye – Aves) Ayes: Bonaccorsi, Giovannini-Hill, Kwan, Larsen, Sharma, Chan, Watters; Noes: 0; Abstain: 0; Absent: 0.

Agenda Modifications
None

Communications from the Public
None
Consent Agenda

BP 2200
6. (Attachment 6) Approval of February 2021 Payroll Warrants
7. (Attachment 7) Approval of Personnel Actions

BP 2410
8. (Attachment 8) Policies and Administrative Procedures for Approval (BP 2343 – Board Proclamations, BP 2725 – Board Member Compensation, AP 2343 – Board Proclamations, AP 2725 – Board Member Compensation)

BP 2610
9. (Attachment 9) Ohlone Community College District and California School Employees Association (CSEA) – Sunshine proposals for successor contract duration 2020-2023

BP 2740
10. (Attachment 10) CCCT Board Report

BP 4020
12. (Attachment 12) New, Revised and Deactivated Credit Courses and Programs for 2021-2022

BP 6330
13. (Attachment 13) Review of Purchase Orders

BP 6340
14. (Attachment 14) Measure G Project 6105E, ACB Building 2 West Louvers – Coulter Construction Inc.; Notice of Completion
15. (Attachment 15) Measure G Project 6114, Building 5 Renovation – LPAS Architecture + Design; Amendment #6 for Architectural Services
16. (Attachment 16) Approval of Auditing Services with Gilbert & Associates CPA Firm
17. (Attachment 17) Memorandum of Understanding (MOU) – The University of Phoenix (UOPX) and Ohlone College
18. (Attachment 18) Ratification of Contracts

BP 6550
19. (Attachment 19) Authorization for the Disposal of Surplus Personal Property

BP 7120
20. (Attachment 20) Probationary and Tenure Faculty Contracts

Motion Approved Moved/Bonaccorsi/Seconded/Chan/Passed to approve consent agenda items #6-20. A roll call vote was taken: (Advisory Vote: Aye – Ayes) Ayes: Bonaccorsi, Giovannini-Hill, Kwan, Larsen, Sharma, Chan, Watters; Noes: 0; Abstain: 0; Absent: 0.

Standing Reports

21. (Attachment 21) Report from Faculty Senate

Information item only.
22. (Attachment 22) Report from Associated Students of Ohlone College

Information item only.

23. (Attachment 23) President’s Updates

Information item only.

Public Hearing
24. (Attachment 24) Second Public Hearing on Ohlone CCD’s Redistricting Process, March 10th, 2021 Regular Board Meeting

Public hearing and for information only.

To the Board for Discussion and/or Action

Motion Approved Moved/Sharma/Seconded/Aves/Passed to accept the Ohlone Citizens’ Bond Oversight Committee annual report. A roll call vote was taken: (Advisory Vote: Aye – Aves) Ayes: Bonaccorsi, Giovannini-Hill, Kwan, Larsen, Sharma, Chan, Watters; Noes: 0; Abstain: 0; Absent: 0.

Reports and Announcements

Agenda Items for Future Meetings
How to Implement Board Priorities
Analyzing COVID-19 Data – how students are doing
Career Education & Career Center

Adjournment Time: 8:07 p.m.

______________________
Eric Bishop, Ed.D.
Board Secretary
WHEREAS, April is Sexual Assault Awareness Month — a time to draw attention to the prevalence of sexual assault and educate individuals and communities about how to prevent it; and

WHEREAS, sexual harassment, abuse, and assault are widespread problems; and

WHEREAS, we know that, in the United States alone, nearly one in five women and one in 67 men have been raped at some time in their lives, and that one in six boys and one in four girls is sexually abused before the age of 18; and

WHEREAS, sexual harassment, assault, and abuse happen in all communities — and that includes online spaces. We are spending more and more of our lives online — whether that is for work, school, or entertainment; and

WHEREAS, with this increase in virtual connection comes an increase in online abuse and harassment. Consent and boundaries can be violated online in a number of ways, and the trauma of online abuse is all too real for many survivors; and

WHEREAS, each of us has the power to make a difference and to ensure that our in-person and online communities are safe and respectful for everyone; and

WHEREAS, 2021 marks the 20th anniversary of Sexual Assault Awareness Month, and the theme of this year’s campaign is “We Can Build Safe Online Spaces.”

NOW, THEREFORE BE IT RESOLVED that the Ohlone Community College Board of Trustees recognizes April as Sexual Assault Awareness Month and employs the college community to create spaces, in person and online, that values practicing consent and supporting survivors.

PASSED AND ADOPTED ON THIS 14th day of April, 2021.
WHEREAS, In April, 1976, President Gerald Ford did designate the third week in April as Earth Week, calling upon civic organizations and businesses to make at least one new effort during this week for a cleaner, safer, and healthier environment; and

WHEREAS, President Jimmy Carter in 1977 asked “all educators to consider introducing an ecological perspective into every scholastic or academic discipline to encourage future application by graduates to protect the health of our planet”; and

WHEREAS, In August, 2008, Ohlone College’s Newark Campus achieved platinum LEED certification from the US Green Building Council, the highest level of recognition awarded for environmentally sound construction and operational processes; and

WHEREAS, The Student Services Center achieved gold LEED certification from the US Green Building Council; and

WHEREAS, The Academic Core Buildings project achieved gold LEED certification and has an exemplary long-term goal of achieving net-zero energy consumption by harnessing power from Ohlone College’s onsite solar farm; and

WHEREAS, Ohlone College values our community’s natural resources and places a high priority on environmental issues, recognizing the need for measures that will protect and preserve the earth for future generations as evidenced in its strategic objective to continually maintain and improve sustainable practices; and

WHEREAS, Environmental protection is the responsibility of people worldwide and Earth Day is an appropriate time to consider our role in preserving Ohlone’s natural heritage and the precious resources that sustain us; and

WHEREAS, Earth Day is celebrated annually to recommit to the goals of a healthy environment and a peaceful, just, and sustainable world;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby recognizes April 22, 2021 as Earth Day and encourages the Ohlone College community to celebrate the gains we have made and create new visions to accelerate environmental progress.

PASSED AND ADOPTED ON THIS 14th day of April, 2021.
WHEREAS, twenty-three million Asian Americans and Pacific Islanders (AAPI) account for seven percent of the Nation’s population in the United States; and over two million Asian Americans and Pacific Islanders are working on the frontlines of this COVID–19 pandemic in health care, law enforcement, first responders, education, transportation, supermarkets, and other essential service industries; and

WHEREAS, in Alameda County, one of the first minority-majority counties in the nation, Asians have been the largest racial group since 2014, and currently make up 31% of the county's population; and

WHEREAS, the recent rise of violence against Asian Americans is part of a larger history of violence against communities of color, we must work together to create community-centered solutions that stop the violence in all communities; and

WHEREAS, Ohlone Community College District (OCCD) recognizes that past statements at the federal level have played a role in furthering anti-Asian sentiments, including references to the COVID-19 pandemic by the geographic location of its origin; and

WHEREAS, such inflammatory rhetoric is inaccurate and stigmatizing and has put AAPI persons, families, communities, and businesses at risk; and

WHEREAS, these remarks tend to incite fear and xenophobia, and have exacerbated Racism against individuals of Asian ancestry by putting them at risk of retaliation; challenges to accessing resources and services; appearing in public; and expressing their identity; and

WHEREAS, #Stop AAPI Hate—a hate-incident-reporting website launched by the Asian Pacific Policy and Planning Council and Chinese for Affirmative Action— has received over 3000 reported incidents of racism and discrimination targeting Asian Americans across the U.S., with over 700+ occurring in the Bay Area, including incidents of verbal harassment, shunning, acts of vandalism, and physical violent assault including death; and

WHEREAS, despite a new Presidential Administration in office since January 2021, Asian Americans have continued to experience more horrific and senseless attacks particularly against elderly AAPI individuals that have resulted in hospitalizations and death; and

WHEREAS, while on May 13, 2020, the Ohlone Community College District Board of Trustees passed Resolution No. 30/19-20 by unanimous vote DENOUNCING XENOPHOBIA AND ANTI-ASIAN SENTIMENT ARISING DUE TO FEARS OF THE COVID-19 PANDEMIC AND AFFIRMING OHONE’S COMMITMENT TO THE WELL-BEING AND SAFETY OF ASIAN AMERICAN COMMUNITIES, incidents of hate crimes and acts of violence against the AAPI Community continue to increase at an alarming rate; and

WHEREAS, racism, discrimination, bigotry, violence, hate and oppression have no place at Ohlone Community College District or in our community and will not be tolerated; and
WHEREAS, the Board of Trustees of the Ohlone Community College District vehemently denounces the violence against Asian American and Pacific Islander students and community members and ensure they know they are not alone and that they can speak out to help stop the spread of bigotry; and

NOW, THEREFORE BE IT RESOLVED that the Ohlone Community College District Board of Trustees reaffirms that we are a community that values diversity, equity and inclusion; and

FURTHER BE IT RESOLVED that the Ohlone Community College District Board of Trustees stands with the Asian American and Pacific Islander (AAPI) community and calls on all citizens and leaders to join us in condemning racist attacks against Asian Americans, in all forms; commit to helping end racism through educating our communities on the rich history and culture of Asian Americans; renew our commitment to speak out against such attacks; defend and protect those targeted; and seek out and punish those who commit hate crimes against AAPI members of our community.

PASSED AND ADOPTED on this 14th day of April, 2021.

Secretary, Board of Trustees
Ohlone Community College District
County of Alameda, State of California
WHEREAS, the more than thirteen hundred community colleges, public and private, in the United States have contributed enormously to the richness and accessibility of American higher education. Nearly half of all undergraduate college students in the Nation today are enrolled in community colleges; and

WHEREAS, by providing educational opportunities at costs and locations accessible to all who are qualified, community colleges have greatly enhanced the opportunity for every ambitious student, young or old, to enter a postsecondary school program. As community-based institutions, our schools provide varied programs and offer specialized training for more than one thousand occupations; and

WHEREAS, Ohlone Community College has most recently, seen 996 students transfer to baccalaureate colleges and universities, including 577 students to California State University campuses, 261 students to University of California campuses, as well as graduated 1,462 with associate degrees and 500 students earned certificates; and

WHEREAS, Ohlone Community College trustees and staff have served the global higher education community on statewide and national boards including, but not limited to: CCCT, ACCT, and ACCJC; and

WHEREAS, in recognition of the important contribution of community colleges to our total educational system, in 1985 the Congress authorized and requested then President Ronald Reagan to issue Proclamation 5418 establishing a National Community College Month, which has been designated this year as April 2021.

NOW, THEREFORE BE IT RESOLVED that we, the Ohlone Community College Board of Trustees recognize the valuable contributions community colleges provide in enriching the communities they serve and the higher education community and the service Ohlone Community College provides the Tri-City area.

PASSED AND ADOPTED ON THIS 14th day of April, 2021.
MEMORANDUM

TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14, 2021
SUBJECT: Approval of March 2021 Payroll Warrants

The Board of Trustees is required to approve all payroll warrants issued by the District.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees approve the attached payroll warrants for the month of March 2021.
OHLONE COMMUNITY COLLEGE DISTRICT
RECAPITULATION OF PAYROLL WARRANTS/DIRECT DEPOSIT ADVICES
March 1 - March 31, 2021

DISTRICT PAYROLL COST

Payroll Warrants $4,750.02
Manual Payroll Warrants issued $0.00
Payroll Direct Deposits $2,527,293.16
Adjustments/Cancellations: $0.00

TOTAL NET PAYROLL WARRANTS/DIRECT DEPOSITS ISSUED: $2,532,043.18

Payroll Warrants Issued:
47-064946 through 47-064963

Payroll Warrants Issued (included in the above numbers)
n/a

Payroll Warrants Cancelled or Replaced:
VOIDED CHECK# NEW CHECK# CHECK DATE
n/a

Payroll Warrants Voided:
n/a

Payroll Warrants Issued:
47-157545 through 47-158281

Payroll Direct Deposits Cancelled or Replaced:
VOIDED ADVICE# NEW CHECK# CHECK DATE
n/a

Payroll Direct Deposits Voided:
n/a

Note: Taxes, voluntary deductions and Health and Welfare payroll costs are reported through the Accounts Payable Warrants.

Farhad Sabit
Approved: Farhad Sabit (Mar 30, 2021 16:40 PDT)

Date: March 30, 2021
Recap of PR Warrants Rept - March 2021

Final Audit Report 2021-03-30

Created: 2021-03-30
By: Harminder Bansal (hbansal1@ohlone.edu)
Status: Signed
Transaction ID: CBJCHBCAABA4m4wjDpQORAorUCh1C3jY1VY2HQp43TS

"Recap of PR Warrants Rept - March 2021" History

Document created by Harminder Bansal (hbansal1@ohlone.edu)
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Document emailed to Farhad Sabit (FSabit@ohlone.edu) for signature
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Email viewed by Farhad Sabit (FSabit@ohlone.edu)
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Document e-signed by Farhad Sabit (FSabit@ohlone.edu)
Signature Date: 2021-03-30 - 11:40:16 PM GMT - Time Source: server - IP address: 73.231.236.85

Agreement completed.
2021-03-30 - 11:40:16 PM GMT

Adobe Sign
MEMORANDUM

TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14th, 2021
SUBJECT: Approval of Personnel Actions (BP 2200)

The Board of Trustees is required to approve all personnel actions of the District.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees approve the attached personnel actions.
## New Hires

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<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Effective Date</th>
<th>End Date</th>
<th>Dept</th>
<th>Title/Assignment</th>
<th>% FT/months per year</th>
<th>Categorical or Restricted Funding?</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owyang</td>
<td>Angela</td>
<td>4/19/2021</td>
<td></td>
<td>Foundation, Marketing, and Community Relations</td>
<td>Program Assistant, Community and Corporate Education Services</td>
<td>100%</td>
<td>Yes</td>
<td>Replace Kua Vang</td>
</tr>
<tr>
<td>Magadia</td>
<td>Jun Christopher</td>
<td>4/1/2021</td>
<td></td>
<td>Information Technology Services</td>
<td>IT Support Technician I</td>
<td>100%</td>
<td>No</td>
<td>Michael Triplett</td>
</tr>
<tr>
<td>Muses</td>
<td>Breanna</td>
<td>4/1/2021</td>
<td></td>
<td>Admissions and Records</td>
<td>Enrollment Services Specialist I</td>
<td>100%</td>
<td>Yes</td>
<td>D'Fonda Simpson</td>
</tr>
<tr>
<td>Sharafali</td>
<td>Huzefa</td>
<td>3/15/2021</td>
<td></td>
<td>Information Technology Services</td>
<td>IT Support Technician I</td>
<td>100%</td>
<td>Yes</td>
<td>Tim Ngo</td>
</tr>
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</table>

## Status Changes

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Effective Date</th>
<th>End Date</th>
<th>Dept</th>
<th>Title/Assignment</th>
<th>% FT/months per year</th>
<th>Categorical/Restricted Funding?</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peralta</td>
<td>Benedick</td>
<td>3/16/2021</td>
<td>6/30/2021</td>
<td>Campus Police Services</td>
<td>Interim Chief of Campus Police Services</td>
<td>100%</td>
<td>Yes (60%)</td>
<td>Interim replacement for John Worley</td>
</tr>
</tbody>
</table>

## Leaves

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Hire Date</th>
<th>End Date</th>
<th>Dept</th>
<th>Title/Assignment</th>
<th>% FT/months per year</th>
<th>Categorical/Restricted Funding?</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>MacEwan</td>
<td>Jesse</td>
<td>1/25/2021</td>
<td>4/30/2021</td>
<td>Counseling</td>
<td>Faculty</td>
<td>100%</td>
<td>No</td>
<td>Extension of Administrative Leave</td>
</tr>
</tbody>
</table>

## Resignations/Retirements

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Hire Date</th>
<th>End Date</th>
<th>Dept</th>
<th>Title/Assignment</th>
<th>YRS OF SERVICE</th>
<th>Categorical/Restricted Funding?</th>
<th>Reason</th>
</tr>
</thead>
</table>

## Stipends

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Effective Date</th>
<th>End Date</th>
<th>Dept</th>
<th>Title/Assignment</th>
<th>% FT/months per year</th>
<th>Categorical/Restricted Funding?</th>
<th>Reason</th>
</tr>
</thead>
</table>

## New Adjunct Employment:

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Effective Date</th>
<th>End Date</th>
<th>Dept</th>
<th>Title/Assignment</th>
<th>% FT/months per year</th>
<th>Categorical Funding?</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burt</td>
<td>Justine</td>
<td>4/1/2021</td>
<td>5/21/2021</td>
<td>Environmental Studies</td>
<td>Environmental Studies Instructor</td>
<td>Varies</td>
<td>No</td>
<td>New Hire</td>
</tr>
<tr>
<td>Zhdanova</td>
<td>Tatiana</td>
<td>3/29/2021</td>
<td>5/21/2021</td>
<td>Nursing</td>
<td>Nursing Instructor</td>
<td>Varies</td>
<td>No</td>
<td>New Hire</td>
</tr>
<tr>
<td>Last Name</td>
<td>First Name</td>
<td>Effective Date</td>
<td>End Date</td>
<td>Dept Title/Assignment</td>
<td>% FT/months per year</td>
<td>Categorical Funding?</td>
<td>Reason</td>
<td></td>
</tr>
<tr>
<td>-----------</td>
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<td>----------------------</td>
<td>----------------------</td>
<td>---------------------------------</td>
<td></td>
</tr>
<tr>
<td>Hickey</td>
<td>Tracey</td>
<td>3/1/2021</td>
<td>6/30/2021</td>
<td>EOPS</td>
<td>Varies</td>
<td>Yes</td>
<td>Substitute for vacant position</td>
<td></td>
</tr>
<tr>
<td>Shaw</td>
<td>Scott</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Athletics</td>
<td>Varies</td>
<td>No</td>
<td>Substitute for employee on leave</td>
<td></td>
</tr>
<tr>
<td>Barrios</td>
<td>Sonia</td>
<td>3/1/2021</td>
<td>6/30/2021</td>
<td>Administrative and Technology Services</td>
<td>Varies</td>
<td>Yes</td>
<td>Health Screener for COVID</td>
<td></td>
</tr>
<tr>
<td>Gomez</td>
<td>Alyssa</td>
<td>3/1/2021</td>
<td>6/30/2021</td>
<td>Administrative and Technology Services</td>
<td>Varies</td>
<td>Yes</td>
<td>Health Screener for COVID</td>
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<tr>
<td>Jenkins</td>
<td>Leon</td>
<td>3/1/2021</td>
<td>6/30/2021</td>
<td>Administrative and Technology Services</td>
<td>Varies</td>
<td>Yes</td>
<td>Health Screener for COVID</td>
<td></td>
</tr>
<tr>
<td>Jones</td>
<td>Lola</td>
<td>3/1/2021</td>
<td>6/30/2021</td>
<td>Administrative and Technology Services</td>
<td>Varies</td>
<td>Yes</td>
<td>Health Screener for COVID</td>
<td></td>
</tr>
<tr>
<td>Khan</td>
<td>Zuhayr</td>
<td>3/1/2021</td>
<td>6/30/2021</td>
<td>Administrative and Technology Services</td>
<td>Varies</td>
<td>Yes</td>
<td>Health Screener for COVID</td>
<td></td>
</tr>
<tr>
<td>Kyaw</td>
<td>Thin Thandar</td>
<td>4/1/2021</td>
<td>6/30/2021</td>
<td>Business Services</td>
<td>Varies</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lewellyn-Turne</td>
<td>Tonya</td>
<td>3/15/2021</td>
<td>6/30/2021</td>
<td>Administrative and Technology Services</td>
<td>Varies</td>
<td>Yes</td>
<td>Health Screener for COVID</td>
<td></td>
</tr>
<tr>
<td>Firouzi</td>
<td>Mahnaz</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Itua</td>
<td>Rose-Margaret</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mathapathi</td>
<td>Shivakumar</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shing</td>
<td>Amanda</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sukumar</td>
<td>Sumithira</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
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</tr>
</tbody>
</table>

### Professional Experts

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Effective Date</th>
<th>End Date</th>
<th>Dept Title/Assignment</th>
<th>% FT/months per year</th>
<th>Categorical Funding?</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firouzi</td>
<td>Mahnaz</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Itua</td>
<td>Rose-Margaret</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Mathapathi</td>
<td>Shivakumar</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Shing</td>
<td>Amanda</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Sukumar</td>
<td>Sumithira</td>
<td>3/8/2021</td>
<td>6/30/2021</td>
<td>Corporate Education</td>
<td>Varies</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

### Extension of Management Contract

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Effective Date</th>
<th>End Date</th>
<th>Dept Title/Assignment</th>
<th>%</th>
<th>Categorical Funding?</th>
<th>Reason</th>
</tr>
</thead>
</table>
OHLLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO:       Board of Trustees
FROM:     Richard Watters, Board Chair
DATE:     April 14th, 2021
SUBJECT:  Board Issues Advocacy Committee Legislative Recommendations

The attached document is a list of the Board Issues Advocacy Committee’s (Trustees Bonaccorsi, Chan, Larsen) legislative recommendations.

RECOMMENDATION

The Board Chair recommends that the Board of Trustees accept the recommendations of the Board Issues Advocacy Committee.
<table>
<thead>
<tr>
<th>Bill</th>
<th>Author</th>
<th>Bill Summary</th>
<th>Federal/ State</th>
<th>IAC Recommendation</th>
<th>Board Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 469</td>
<td>Yates</td>
<td>The bill would ensure school districts confirm that all 12th grade students complete a financial aid application.</td>
<td>Education-Trust West – Support</td>
<td>Support</td>
<td></td>
</tr>
<tr>
<td>SB 737</td>
<td>Litton</td>
<td>The bill would make the California Student Opportunity and Access Program (Cal-SOAP) the state’s primary financial aid outreach and assistance program and make financial aid application completion a priority.</td>
<td>Education-Trust West – Support</td>
<td>Support</td>
<td></td>
</tr>
<tr>
<td>AB 595</td>
<td>Medina</td>
<td>Authorizes a student enrolled in a community college class or classes pursuant to an apprenticeship training program or an internship training program, who does not have a social security number to use an individual tax identification number for purposes of any background check required by the class or program.</td>
<td>Education-Trust West – Support</td>
<td>Support</td>
<td></td>
</tr>
<tr>
<td>AB 1456</td>
<td>Medina</td>
<td>This would reform the Cal Grant program to eliminate access barriers and extend the Cal Grant program to reach nearly 100,000 more students.</td>
<td>Education-Trust West – Support</td>
<td>Support</td>
<td></td>
</tr>
<tr>
<td>AB 102</td>
<td>Holden</td>
<td>Allows high school students who may not have as many opportunities to begin their college-level coursework.</td>
<td>CCLC – Support</td>
<td>Support</td>
<td></td>
</tr>
<tr>
<td>AB 927</td>
<td>Medina</td>
<td>Extends indefinitely the permission of community colleges to offers Bachelor’s degrees and extends the opportunity beyond the current 15 colleges.</td>
<td>CCLC – Support</td>
<td>Support</td>
<td></td>
</tr>
<tr>
<td>AB 99</td>
<td>Irwin</td>
<td>Creates a statewide integrated Cradle-to-Career student data system and would establish the California Cradle-to-Career Data System Governing Board.</td>
<td></td>
<td>Support</td>
<td></td>
</tr>
<tr>
<td>Bill</td>
<td>Author</td>
<td>Bill Summary</td>
<td>Federal/State</td>
<td>IAC Recommendation</td>
<td>Board Position</td>
</tr>
<tr>
<td>---------</td>
<td>----------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------</td>
<td>--------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>AB 1040</td>
<td>Muratsuchi</td>
<td>Beginning in 2022-2023, this bill would require community college districts to offer courses in ethnic studies, and require that the units earned would be eligible for transfer and meet ethnic studies graduation requirements at the California State University. Beginning in 2024-2025, the bill would also require the completion of at least one course in ethnic studies of at least 3 units as a requirement for a student to obtain an associate degree for transfer.</td>
<td></td>
<td>Support</td>
<td></td>
</tr>
</tbody>
</table>
OHLINE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14, 2021
SUBJECT: Advisory Committee Appointments for Occupational Programs and Special Programs (BP 2200)

In accordance with the Board’s adopted regulations for Occupational Committees (June 14, 1967), the individuals on the attached lists are recommended for appointments to the following Advisory Committees:

Accounting
Administration of Justice
Bioengineering
Biotechnology
Broadcasting (Radio)
Broadcasting (Television and Film)
Business Supervision Management
Computer Applications and Occupational Technology
Computers, Networks, and Emerging Technology
Deaf Preparatory Program/Deaf Education
Early Childhood Studies
Entertainment and Design Technology
Environmental Health and Safety
Environmental Science and Technology
Extended Opportunity Programs and Services
Interior Design
Interpreter Preparation Program (IPP)
Kinesiology
Multimedia and Graphic Arts
Photography
Physical Therapist Assistant
Real Estate
Registered Nursing
Respiratory Therapist
Smart Manufacturing Technology
Student Accessibility Services

RECOMMENDATION:
The Superintendent/President recommends approval of the appointments to the Occupational Advisory Committees and Special Program Advisory Committees.

Attachments
In addition to transferable courses, Ohlone has programs that meet the needs of the local community in vocational, technical, and career areas. To assist the College in determining the needs of the various facets of the community, representatives from business, the professions, labor, and industry are invited to participate in curriculum planning.

ACCOUNTING

**James Andrews, Ed.D.; CPA**  
Accounting/Business Administration Faculty, Ohlone College

**Alexander Korniakov, CPA**  
Adjunct Faculty, Ohlone College

**Andrew LaManque**  
Executive Dean, Academic Affairs and Newark Center, Ohlone College

**Robert Lin, Ph.D.; CMA**  
Retired Associate Professor, Department of Accounting and Finance, California State University, East Bay

**Jim McCamish, CPA**  
Retired Partner, Hood and Strong, LLP

**Long Nguyen**  
Accounting Faculty, Ohlone College

**Ken Shepard**  
Recruiting Manager, Xceed Staffing; Vice President, Young Professionals, Institute of Management Accountants, East Bay – Northern California Chapter

**Jennifer Zhou**  
Corporate Accounting, Tesla; Adjunct Faculty, Ohlone College

ADMINISTRATION OF JUSTICE

**Kara Jovalusky**  
Facilities and Asset Protection Supervisor, Lockheed Martin; Adjunct Faculty, Ohlone College

**Kimberly Petersen**  
Retired Chief of Police, City of Fremont

**Eric Tang**  
Police Lieutenant, City of Fremont

**Shannon Todd**  
Police Sergeant, City of Newark

**Marie Ver Harr**  
Attorney; Adjunct Faculty, Ohlone College

**Sean Washington**  
Chief of Police, City of Fremont

**Kristine Welcher**  
Graduate, Ohlone College; Community Member

**John Worley**  
Retired Chief, Campus Police and Safety, Ohlone College

BIOENGINEERING

**Shawn Adams**  
Director of Production, Penumbra Inc.

**Tamia Brown**  
Workforce Development Strategist, Alameda County WIB

**Terri DeLima**  
Operations Manager/Supervisor, Lawrence Livermore National Laboratory

**David Gruber**
Co-Director, Growth Sector

**Gabe Hanzel-Sello**
National STEM Director, Growth Sector

**Rose-Margaret Itua**
Engineering Faculty; Coordinator, Smart Manufacturing Technology, Ohlone College

**Tina Kapoor**
Economic Development Manager, City of Fremont

**Beth McCormick**
Head of Diversity and Recruitment for Engineering, Lawrence Livermore National Laboratory

**David Mitchell**
Vice President of Manufacturing, Cardinal Health

**Loretta Silverman**
Academic Dean, Science, Engineering, and Mathematics; Ohlone College

**BIOTECHNOLOGY**

**Mark Barnby**
Biology Faculty, Ohlone College

**Anita Bawa**
Site Quality Head, Allogene Therapeutics

**James Baxter**
Biology Faculty, Ohlone College

**Oren Beske**
Amalgamator, Business and Biology, ATUM

**Joseph Duque**
Adjunct Faculty, Ohlone College

**Holly Erickson**
Manager, Quality Control Microbiology Environmental Monitoring, Boehringer-Ingelheim

**Masih Farooq**
Instructor, Project Lead the Way (PLTW) Biomedical Sciences, Mission Valley ROP

**Sara Goldware**
Director, Strong Workforce and Career Pathways, Ohlone College

**Paula Green**
Vice President, Human Resources, Twist Bioscience

**Laurie Issel-Tarver**
Biotechnology Faculty, Ohlone College

**Iqbal Khan**
Staff Scientist, Thermo-Fisher Scientific

**Ying-Tsu Loh**
Associate Director, BABEC/InnovATEBio

**Joshua Michel**
Research Operations Manager, DuPont-Genecor

**Jadine Moi**
Manager, TM Operations, Clovis Oncology

**Harshdeep Singh Nanda**
Temporary Supervisor, Student Pathways Apprenticeship Program, Ohlone College

**Michelle Nemits**
Executive Director, Biocom

**Deepal Pandya**
Adjunct Faculty, Ohlone College

**Christian Reyes**
Senior Research Associate, Pharmaceutical Assay Services, Bio-Techne

**Jagdish Saini**
Vice President of Operations, Eurofin-DiscoverX

**Josie Sette**
Regional Director, Bay Area, Biotechnology Initiative of California Community Colleges Chancellor's Office

**Nita Sharma**  
Adjunct Faculty, Ohlone College

**Loretta Silverman**  
Academic Dean, Science, Engineering, and Mathematics; Ohlone College

**Anne Stedler**  
Economic Development Manager, City of Newark

**Robert To**  
Associate Director, External Testing Oversight, Allogene Therapeutics

**Stefan Zavala**  
Team Lead, Nutrition and Biosciences, DuPont-Genecor

**BROADCASTING (RADIO)**

**Marc Acton**  
Air Personality, KEZR Radio

**Bob Dochterman**  
Retired Director, Radio Operations, Ohlone College

**Kirk Peffer**  
Music Director, KEZR Radio

**Dave Shakes**  
Chief Programming Officer, Results Radio; President, Shakes Radio Consulting

**Michael Stockwell**  
Chief Engineer, KEZR Radio/KBAY Radio

**Eric Tucker**  
President, Eric Tucker Productions

**BROADCASTING (TELEVISION AND FILM)**

**Dominic Bonavolonta**  
Director

**Belva Davis**  
Retired News Anchor/Reporter, KPIX TV, KRON TV, KQED TV

**Gary Kauf**  
Director, Television Operations, Ohlone College

**Veronica Kauf**  
Casting Director

**Michael Lorenzo**  
Video Editor

**William V. Moore**  
Retired News Cameraman

**Fred Zehnder**  
Retired Publisher, San Leandro Times, Castro Valley Forum Newspapers

**BUSINESS SUPERVISION MANAGEMENT**

**Melorie Acevedo**  
Global Technical Program Manager, IT Infrastructure

**Mike Aquilina**  
Adjunct Faculty, Ohlone College

**Coellen Camat**  
ManPower Group

**Ryan Dacayanan**  
ManPower Group

**Amit Goel**  
Chief Operating Officer, Droisy

**Amber Hatter**
Andrew LaManque
Broker/Owner, Look Realty; Adjunct Faculty, Ohlone College
Executive Dean, Academic Affairs and Newark Center, Ohlone College

Susanne McHone
Vice President, Manpower Services

Sheida Parvasi
Adjunct Faculty and Noncredit Coordinator, Ohlone College

Steven Rizzuto, MBA
Finance Banker

Kyle Rosenthal
Chief Executive Officer, TachTech

Bhavesh Shah
Vice President of IT, Guidewire Software

COMPUTER APPLICATIONS AND OCCUPATIONAL TECHNOLOGY

Melorie Acevedo
Global Project Manager, Bio-Rad

Mike Aquilina
Adjunct Faculty, Ohlone College

Weiyang (Wendy) Lin
Alternative Media/Assistive Technology Specialist, Ohlone College

Heidi McFadden
Principal, Fremont Adult Continuing Education

Susanne McHone
Vice President, Technology Vertical, Kforce

Loretta Silverman
Academic Dean, Science, Engineering, and Mathematics; Ohlone College

Elisa Webb
Academic Director, South Bay, Year Up

COMPUTERS, NETWORKS, AND EMERGING TECHNOLOGY

Amit Goel
Chief Executive Officer, Droisy Technology

Eric Jacobs
Chief Revenue Officer, Aligned Energy

Dean Lane
Senior Vice President, Cyber Intelligence, Institute of World Politics

Chuck Lukaszewski
Vice President, Hewlett Packard Enterprises; Chief Technical Officer, Aruba Wireless

Alan Pye
Corporate Vice President/Chief Information Officer, AMD

Kyle Rosenthal
Chief Executive Officer, TachTech

Jimmy Sanders
Information Security, Netflix

Ron Sha
Computers, Networks, and Emerging Technology Faculty; Ohlone College

David Swan
Vice President, Chief Information Officer, Natera

Walt Thinfin
Chief Executive Officer, Visioneer

Tony Young
Executive Vice President, Chief Information Officer, Sophos

DEAF PREPARATORY PROGRAM/DEAF EDUCATION

Debbie Bemis  
Deaf Program Counselor, Santa Clara County Office of Education

Ann Burdett  
Director, Student Accessibility Services, Ohlone College

Lisa Gonzales  
Director, DEAF Plus

Charles Farr  
Career Technical Education Principal, California School for the Deaf

Dr. Thomas K. Holcomb  
Faculty, Deaf Studies/ASL, Ohlone College

Marta Ordaz  
Multicultural and Client Support Specialist, Deaf Counseling Advocacy and Referral Agency (DCARA)

Nancy Pauliukonis  
Emeritus Deaf Studies-English Faculty, Ohlone College

Sam Sepah  
Technical Recruiter, Google Inc.

Pamela Snedigar  
Regional Director, Gallaudet, Ohlone College

Roberto Solorzano  
Rehabilitation Supervisor, Department of Rehabilitation

EARLY CHILDHOOD STUDIES

Lisa Brown  
Student and Early Childhood Studies Peer Tutor, Ohlone College

Janice Fonteno  
Adjunct Faculty, ECS Mentor Coordinator, Chabot College

Jan Green  
Owner, Jan’s Greenhouse for Kids; Alameda County ECE Mentor

Mitchell Ha  
VP, Child Development Division, Hayward Unified School District

Dr. Janice Jones  
Early Childhood Studies Faculty, Ohlone College

Fauzia Kamal  
Alameda County ECE Mentor, Kidango Site Supervisor

Anna Kehl  
Student, Ohlone College

Michele McDowell  
Early Childhood Studies Faculty, Ohlone College

Priya Sethi  
The Greenhouse for Kids; Former Student, Ohlone College

Anjali Tambwekar  
Former Student, Ohlone College

Ramona Thomas  
Adjunct Faculty, Ohlone College; Former ECE Mentor, Alameda County

ENTERTAINMENT AND DESIGN TECHNOLOGY

Jason Badger  
Senior Lighting Designer, Disney Imagineering; Former Student, Ohlone College

Catalina Carter  
Touring Lighting Technician, Reed Entertainment; Graduate, Ohlone College

Jodi Cobalt
Chief of Operations, Yerba Buena Center for the Arts

**Jason Gedrose**  
Production Manager; Former Student, Ohlone College

**Curtis Haag**  
Director, Event Services, Riverview Systems Group, Inc.

**Cole Hildebrandt**  
Senior Lighting Technician, SM Tech; Former Student, Ohlone College

**Matt O’Donnell**  
Entertainment and Design Technology Faculty, Director of EDT Program, Ohlone College

**Paul Shepard**  
Professional Entertainment Rigger, IATSE Local 16

**Michael Thayer**  
Production Manager/Lighting Director; Graduate, Ohlone College

**Wilson Zhang**  
Film Set Lighting Tech/Lighting Console Programmer; Former Student, Ohlone College

**ENVIRONMENTAL HEALTH AND SAFETY**

**Narinder Bansal**  
Environmental Studies and Geography Faculty, Ohlone College

**Kris W. Braunschweig**  
Municipal Sales Manager, Republic Services

**Miguel A. Castro**  
Team Leader, NIF Integrated Safety Team, Lawrence Livermore National Laboratory

**Rachel A. DiFranco**  
Sustainability Manager, City of Fremont

**Myrna Gutierrez**  
Facilities Area Manager, Lawrence Berkeley National Laboratory

**Megan Hicks**  
Environmental Health and Safety Specialist, Union Sanitary District

**Zach Hill**  
Community Relations Partner, Tesla

**Alex Paredes**  
Environmental Programs Coordinator, Union Sanitary District

**Will Roberts**  
EHS Associate Manager, Hazardous Waste Operations, North American Manufacturing, Tesla

**Jay Swardenski**  
Fremont Fire Department

**Jason Wolfe**  
Fleet Maintenance Manager, Republic Services

**Jason Yeates**  
Organizational Performance Coordinator, Union Sanitary District

**ENVIRONMENTAL SCIENCE AND TECHNOLOGY**

**Narinder Bansal**  
Environmental Studies and Geography Faculty, Ohlone College

**Kris W. Braunschweig**  
Municipal Sales Manager, Republic Services

**Miguel A. Castro**  
Team Leader, NIF Integrated Safety Team, Lawrence Livermore National Laboratory

**Rachel A. DiFranco**  
Sustainability Manager, City of Fremont

**Myrna Gutierrez**  
Facilities Area Manager, Lawrence Berkeley National Laboratory

**Megan Hicks**
Environmental Health and Safety Specialist, Union Sanitary District

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Community Relations Partner, Tesla

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Will Roberts  
EHS Associate Manager, Hazardous Waste Operations, North American Manufacturing, Tesla

Jay Swardenski  
Fremont Fire Department

Jason Wolfe  
Fleet Maintenance Manager, Republic Services

Jason Yeates  
Organizational Performance Coordinator, Union Sanitary District

EXTENDED OPPORTUNITY PROGRAMS AND SERVICES

Joanna Cady Aguilar  
Academic and Career Counselor Coordinator, California State University, East Bay

Sandy Bennett  
Manager, Professional Development, Employee Onboarding, and Engagement; Ohlone College

Ann Burdett  
Director, Student Accessibility Services, Ohlone College

Nancy T. Chieng  
Extended Opportunity Programs and Services/CalWORKS Counselor, Ohlone College

Shawn Domingo  
Supervisor, Financial Aid, Ohlone College

Michael Leib  
Dean, Enrollment Services, Ohlone College

Sonny Martinez  
Supervisor, Admissions and Records, Ohlone College

Nancy Navarro-Leça  
Director, Extended Opportunity Programs and Services; Ombudsperson; Ohlone College

Latoya Reed  
Management Analyst, Alameda County Workforce Development Board

Delphyne Rollins  
IT Support Technician II, Ohlone College

Chollyn Osorio  
Interim Extended Opportunity Programs Administrative Support, Ohlone College

Leticia Salinas  
Associate Superintendent, Educational Services, Newark Unified School District

Judy Schwartz  
Administrator, Fremont Family Resource Center

Robert Smith  
Temporary Interim Manager, Student Pathways Apprenticeship Program, Ohlone College

Mathew Stowe  
EOP Academic Advisor, Educational Opportunity Program (EOP), San José State University

Emerald Templeton  
Director, Computer Sciences Undergraduate Affairs, University of California, Berkeley

Andree Thomas  
Dean, Counseling, Student Support, and Success; Ohlone College

Spencer Washington  
Financial Aid Specialist I, Ohlone College

Dr. Kenn Waters  
Emeritus Professor, Counseling, Ohlone College

Jackie Welch
Professional Development Coach

INTERIOR DESIGN

Judith Clark
   Designer; Leader for International Furnishings and Design Association; California Council for Interior Design Certification Board Member

Marie Cooley
   Professor and Department Co-Chair, Fine and Applied Arts, American River College

Jose Figueroa
   Designer; Graduate, Ohlone College

Ania Gonzalez
   Designer; Student, Ohlone College

Adrian W. Huang
   Professor and Chair, Architecture and Interior Design Academy, School of the Arts, Chabot College

Anna Jacoby
   Anna Jacoby Interiors; Former Student, Ohlone College

Sara Jaffe
   Designer; Instructor, San Francisco State University

Deborah Ogden
   California Council for Interior Design Certification Board Member; Adjunct Faculty, Ohlone College

Denise Owen
   Emeritus Art and Interior Design Faculty, Ohlone College

Arti Prashar
   Designer; Graduate, Ohlone College

Toune Saengsoury
   Designer; Graduate, Ohlone College

Eileen Tumlin
   Designer

Gus Vouchilas, Ed.D.
   American Society of Interior Designers; Department Head, San Francisco State University

Christina Wang
   Designer

INTERPRETER PREPARATION PROGRAM (IPP)

Sandra Ammons
   American Sign Language Faculty, Ohlone College

Rob Balaam, CI/CT
   Co-Owner, Partners in Communication, LLC

Shane Blau
   Adjunct Faculty, Ohlone College

Serwa Dadzie
   DSPS Coordinator, Laney College

Arnita Dobbins
   Partner, Bay Area Communication Access (BACA)

Doralynn Folse
   Certified Freelance Interpreter; Retired Adjunct Faculty, Ohlone College

Moges Gembero
   Deaf Consumer of Interpreting Services; USDA Microbiologist

Sarah Grossman
   Center Manager, Purple Communications

Dr. Thomas K. Holcomb
   Deaf Studies/ASL Faculty, Ohlone College

Christine Kanta
   Community Deaf Interpreter; Graduate, Ohlone College
Kendra Keller  
Certified Freelance Interpreter; Retired Adjunct Faculty, Ohlone College

Shelley Lawrence  
Emeritus Deaf Studies/Interpreting Faculty, IPP Coordinator, Ohlone College

Aundrea Love  
Professional Confidential Interpreter/Coordinator, Ohlone College

Michael McMahon  
Certified Deaf Interpreter

Christine Nakahara, NIC  
Adjunct Faculty, Ohlone College; Graduate, Ohlone College

Marta Ordaz  
Deaf-Centered Interpreting Preparation Program, Deaf Community Mentor

Raymond Rodgers  
Executive Director, Deaf Counseling and Advocacy Referral Agency (DCARA)

Pamela Snedigar  
Regional Director, Gallaudet, Ohlone College

Sharon Neumann Solow  
Certified Freelance Interpreter, Interpreter Educator

Chad Taylor  
Owner, Linguabee

Dan Veltri, CSC  
Certified Freelance Interpreter, Publisher

David Weiss  
California Relay Service Department Manager, California Communications Access Foundation

KINESIOLOGY

Sheryl Einfalt  
Physical Therapist Assistant Faculty, Ohlone College

Tim Hess  
Retired Physical Education Teacher, Newark Memorial High School; Adjunct Faculty, Ohlone College

Katelyn Johnson  
Integrated Health Manager, Cisco

Debbie Kane-Nolan  
Physical Education Teacher, Newark Memorial High School; Adjunct Faculty, Ohlone College

Robin Kurotori  
Health/Fitness and Wellness Faculty, Ohlone College

Jeffrey Roberts  
Physical Education Faculty, Athletic Trainer, Ohlone College

Ineke Rush  
Owner, Mindful Movement Collective; Former Adjunct Faculty, Ohlone College

MULTIMEDIA AND GRAPHIC ARTS

Brian Beams  
VR Lab Director and Lecturer, Santa Clara University

Monica Cappiello  
Multimedia and Graphic Arts Faculty, Ohlone College

Mary Clark-Miller  
Department Chair, Multimedia Arts, Berkeley City College

Ashoomi Dholakia  
Advanced User Experience Designer, Honeywell

Bruce Ford  
Director of Education, Gnomon School of Visual Effects, Games and Animation

Michael Henninger  
Professor, Department of Art, California State University, East Bay
Alejandro Jauco  
Principal Architect, Infor Silicon Valley Innovation Labs

Ricardo Kayanan  
Director of Game Design and Development, Cogswell University of Silicon Valley

Derek Lindner  
Lead Architect, Autodesk

Isabel Reichert  
Multimedia and Graphic Arts Faculty, Ohlone College

PHOTOGRAPHY

Binh Danh  
Assistant Professor of Photography, San José State University

Erika Gentry  
Professor of Photography, Chair of Photography Department, City College of San Francisco

Muffy Kibbey  
Commercial Architectural Photographer; Adjunct Faculty, San Francisco Art Institute

Paul Mueller  
Art (Photography) Faculty, Ohlone College

Bart Nagel  
Commercial and Lifestyle Photographer

Craig Weiss  
Photography Lab Technician, Ohlone College

PHYSICAL THERAPIST ASSISTANT

Eilish Byrne, P.T., Ed.D., D.Sc., PCS  
Pediatric Physical Therapist, Lucille Packard Children’s Hospital

Donald Chu, P.T., Ph.D.  
Owner, Athercare Fitness and Rehabilitation

Kelli Davis, M.P.T.  
Physical Therapist, John Muir Medical Center; Adjunct Faculty, Ohlone College

Sheryl Einfalt, M.P.T.  
Physical Therapist Assistant Faculty, Ohlone College

Robert Gabriel, Ph.D., PT  
Academic Dean, Health Sciences, Ohlone College

Robin Kurotori  
Health/Fitness and Wellness Faculty, Ohlone College

Barry Rose, M.D.  
Orthopedic Surgeon, Palo Alto Medical Foundation, Fremont Center

Matt Silva, P.T.A.  
Physical Therapist Assistant, Webster Orthopedics; Physical Therapist Assistant Faculty, Clinical Education Director, Ohlone College

Rodney Silveira, M.S., P.T.  
Owner, Neuro Sport Rehabilitation Associates

Kathy Utchen, P.T.A.  
Physical Therapist Assistant, John Muir Medical Center; Adjunct Faculty, Ohlone College

REAL ESTATE

Joe Bega  
Manager, Realty One Group

Hilda Furtado  
Office Manager, Better Homes and Gardens

Thomas Handley  
Real Estate Agent, Intero Realty

Amber Hatter  
Broker/Owner, Look Realty; Adjunct Faculty, Ohlone College
Andrew LaManque  
Executive Dean, Academic Affairs and Newark Center, Ohlone College

Lisa A. Martinez  
Real Estate Agent, Alliance Bay Realty

Jay Mumford, CCIM, MBA  
Adjunct Faculty, Ohlone College

Ron Lyster  
Real Estate Agent, Realty Experts

Long Nguyen  
Accounting Faculty, Ohlone College

Tue Nguyen  
Adjunct Faculty, Ohlone College

Tom Smyth  
Realtor, Chicago Title

REGISTERED NURSING

Sam Avila, RN, MSN  
Nursing Director, Medical/Surgical Education and Staff Development, Washington Hospital Healthcare System

Annette Bergendahl  
Ladybugs Family Daycare

Rebecca Broodt, PT  
Home Health Administrator, Sutter Care at Home

Carrie Dameron, MSN, RNBC, CNE  
Medical/Surgical Nursing Faculty, Ohlone College

Maura DeGeorge, MSN, RN, CNL  
Development Professional and Specialist, John Muir

Sheila Dela Vega  
Director of Nursing, Baywood Court

Danielle Delane  
Academic Placement Coordinator, Kaiser Foundation East Bay

Mini Dhiman, RN, MSN  
Director of Nursing, Fremont Behavioral Health

Nino Flores, RN  
Chief Nursing Officer, Children’s Office of Northern California

Robert Gabriel, Ph.D., PT  
Academic Dean, Health Sciences, Ohlone College

Jill Gandara  
Shepherd’s Gate Women’s Shelter

Jessica Jamison, MPH  
Director, Patient and Community Engagement, Tiburcio Vasquez Health Clinic

Allison Ladwig  
Education Coordinator, Sutter Care at Home

Kathy Lawrence, RN, MSN  
Director of Nursing Education, Eden Medical Center/Sutter Health

Julian Liquigan, RN  
Nurse Educator, Fremont Behavioral Health

Karen Loumbury, RN, MSN  
Educator, Stanford Valley Care Health System

Lindsay McCrea, Ph.D., RN, FNP-BC, WOCN  
Chair, Department of Nursing and Health Sciences, California State University, East Bay

Grinda Milner, RN  
Program Coordinator, Clinical Education, Kaiser GSAA

Josefina Nolasco  
Education Coordinator and Student Liaison, St. Rose Hospital
Sahar Nouredini, Ph.D., RN, CNS
Assistant Professor/Community Health Course Lead, California State University, East Bay

Patricia Osage
Director, LIFE ElderCare

Jennifer Osborne, RN
Director of Nursing, Saratoga Pediatric SubAcute Center

Maxine Rand, RN
Director, Pediatrics and Clinical Education, Kaiser Oakland

Jennifer Shively
Falls Prevention Program Coordinator, LIFE ElderCare

Connie Telles, DNP, RN
Director, Nursing Program, Chabot College

Toni Villasenor
Learning Consultant, Clinical Education, Kaiser GSAA

RESPIRATORY THERAPIST

Carmen Agcaoili, M.D.
Director, Intensivist Program, Washington Hospital

Peggy Bartram
Director, Respiratory Therapy Department, Kaiser Permanente, Oakland

Darci Brown
Manager, Respiratory Therapy, John Muir Hospital, Concord Campus

Heather Esparza
Manager, UCSF Benioff Children’s Hospital, Oakland

Robin Gordon
Adjunct Faculty, Ohlone College

Kathleen Grace
Manager, Respiratory Therapy, Kaiser Permanente, Vallejo

Craig Ivie
Manager, Santa Clara Valley Medical Center, San Jose

Noreen Ivie
Director, Respiratory Therapy Department, Regional Medical Center of San Jose

Stacia Law
Education Specialist, Cardiopulmonary Services, John Muir/Mount Diablo Health Care

Carol McNamee-Cole, MA, RRT, RCP
Adjunct Faculty, Ohlone College

Rebecca Mikolai
Advisory Board President; Manager, Washington Hospital

Justin Phillips
Adjunct Faculty, Ohlone College

Elizabeth Postovit, MS, RRT-NPS
Respiratory Therapist Faculty, Clinical Education Director, Ohlone College

Harleen Toor, RRT-ACCS, RCP
Respiratory Therapist Faculty, Clinical Education Director, Ohlone College

Ednalee Warnecke, MSc, RRT-ACCS, NPS
Adjunct Faculty, Ohlone College

Joyce Wilson
Manager, San Ramon Regional Medical Center

SMART MANUFACTURING TECHNOLOGY

Enrique Cuellar
Administrator, Administrative Services, Stanford Linear Accelerator (SLAC) National Laboratory

Dana Gharda
Director, Global University Recruitment and Programs, Lam Research Corporation
Teresa Grant
Senior Project Manager, Workforce Development and Education Programs, Tesla

Dave Gruber
Co-Director, Growth Sector

Gabe Hanzel-Sello
National STEM Director, Growth Sector

Rose-Margaret Itua
Engineering Faculty; Coordinator, Smart Manufacturing Technology, Ohlone College

Tina Kapoor
Economic Development Manager, City of Fremont

Peter Laichinger
Production Manager, Elringklinger

Beth McCormick
Director, Strategic Workforce Development, Engineering Directorate, Lawrence Livermore National Laboratory

Ola Muse
Director, Systems Infrastructure for Cloud Computing, Drop Box

Brian Paper
Chief Operating Officer, Bay Area Circuits

Matt Pawluk
Senior Director of Quality, Evolve Manufacturing

Randy Pico
Senior Superintendent, Engineering Directorate, Lawrence Livermore National Laboratory

Chris Reilly
Director, Recruiting and Workforce Development, Tesla

Loretta Silverman
Academic Dean, Science, Engineering, and Mathematics; Ohlone College

Ray Souza
Division Superintendent/Safety Officer, National Security Engineering Division (NSED), Lawrence Livermore National Laboratory

Marta Wicke
Project Manager, The Clorox Company

STUDENT ACCESSIBILITY SERVICES

Ann Burdett
Director, Student Accessibility Services, Ohlone College

Diane Cheney
Retired Learning Disabilities Faculty, Ohlone College

Mary Durski
Transition Instructor, California School for the Blind

Nancy Navarro-Leça
Director, Extended Opportunity Programs and Service, Ombudsperson, Ohlone College

Himani Tiwari
Director, Disabled Student Programs and Services, Las Positas College
Trustee Suzanne Lee Chan, member of the CCCT Board, prepared a monthly report for the Ohlone Board of Trustees.

RECOMMENDATION

The Board Chair recommends that the Board of Trustees accept receipt of the attached report from Trustee Suzanne Lee Chan.
March 2  DEI Steering Committee with invited Stakeholders/Constituency Groups –
  o Use data to understand present and future local workforce needs
  o Community College Trustees Workgroup Group 1-A: Record keeping of hiring decisions

March 4  I organized Virtual CCCT Candidates Forum

March 9  DEI Steering Committee
1. Review the Record keeping of hiring decisions template
   View the template here:
   https://docs.google.com/spreadsheets/d/1Cpmq9C9UiVo8NN3Fh7hisM400MNVCujF/edit#gid=1667193229

   2. Next steps
      a. Final Revised Recommendation and template to
         Trustee DEI Steering Committee
      b. Policy related work we had started

March 11  Trustee Webinar Addressing the Housing Affordability Crisis for CCC Students

  • Housing Affordability Report
  • AB 1377 (McCarty) Student Housing: California Student Housing Revolving Loan Fund Act of 2021
  • John Burton Advocates for Youth
  • Affordability, Food & Housing Task Force
  • Foundation for CCC’s – CalFresh Resources
  • Jovenes Inc. College Housing
  • AB 635 (Low) Postsecondary Education: California Educational Facilities Authority
  • AB 75 (O’Donnell) Education Finance: School Facilities: Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022

March 16  DEI Steering Committee

March 18 Guided Pathways: Supporting Learning for Disabled Students
highlight student and college leaders that will share their experiences in strengthening and supporting teaching and learning for students with disabilities. Guest presenters will include:
  • Dr. Darla Cooper, Executive Director, RP Group
  • Stormy Miller, Ed. D., Director of Student Services, Student Accessibility Services/Psychological Services, College of Marin
  • Student Representative from the Student Senate for California Community Colleges (SSCCC)
1. College Students with Disabilities are Too Often Excluded
2. Perceptions of College Students with Disabilities
3. College Students with Physical Disabilities: Common on Campus, Uncommon in the Literature
4. National Center for College Students with Disabilities
5. Examples of Cross-Departmental & Systems Collaboration to Support Students with Disabilities
6. Peralta Online Equity Rubric

- March 23  DEI Steering Committee
  - Discussion of WorkGroup 1A completion of the DEI Implementation Progress Form

- March 24  Meeting with APITA – Discussion
  - AB 99 - Irwin Cradle-to-Career Longitudinal Student Data Act (Disaggregation)
  - AB 1040 – Murastuchi, revises current provisions of law related to ethnic studies in community colleges, ethnic studies a graduation requirement from community colleges so that not only transfer students but all our community college graduates take at least one course

- March 25  Understanding the Student Success Imitative (Excellence in Trusteeship Program)
  - This session will examine the reasons why the California State Legislature has focused the system’s attention on student success, and describe the major initiatives that are tackling the problem

- March 30  DEI Steering Committee
  - DEI Crosstalk” will review recommendations for Exit Interviews compiled by lead associations (ACHRO, Trustees, and CEOs) together with any input/feedback collaborating associations have on this subject. Your inputs will help finalize Exit Interview guidance scheduled for presentation to the statewide DEI Implementation

- April 1  Trustees Virtual Town Hall – DEI Mission Statement
  - I facilitated a Breakout Session
OHLCOMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14, 2021
SUBJECT: New Department Name for 2022-2023

The new department name listed on this memorandum was approved by the Curriculum Committee for implementation in the 2022-2023 academic year.

RECOMMENDATION

The Superintendent/President recommends approval of the following curriculum item.
The Curriculum Committee has approved a proposal to merge the current Multimedia Department and Graphic Arts/Computer Graphics Department into one department with the new name of Digital Arts and Interactive Design Department.
The new credit program listed on the following memorandum was approved by the Curriculum Committee for implementation in the 2021-2022 academic year.

RECOMMENDATION

The Superintendent/President recommends approval of the following curriculum items.
The following new credit program was approved by the Curriculum Committee:

**Business Administration**

**Business Administration 2.0: Associate in Science for Transfer**

- **Goals and Objectives:** The goals and objectives of the Associate in Science in Business Administration for Transfer 2.0 degree program are to prepare students for seamless transfer to a CSU. The curriculum has been updated to mirror the revisions to the Business Administration Transfer Model Curriculum (TMC) template released by the CCCCO in February 2021.

  The degree is designed to provide students with the common core of lower division courses required for transfer that will facilitate their pursuit of a baccalaureate degree in Business Administration. This includes business degree majors in Accounting, Finance, Human Resources Management, International Business, International Business, Management, Operations Management, and Marketing.

  Upon completion of the appropriate baccalaureate institution degree, students will be prepared to enter occupations such as Accountants and Auditors, Business Operations Specialists, Financial Managers, General and Operations Managers, Human Resources Specialists, and Sales Managers.

  Occupational competencies students will acquire are technical, human relations, employability, and general education skills.

- **Master Planning:** This program prepares students for transfer and provides them with interdisciplinary preparation necessary for upper division success, regardless of the receiving CSU campus to which they transfer. This task must be accomplished within the guidelines of SB 1440 at the direction of the California legislature.

- **Resources:** The following resources are available to support this program: library and media center resources; facilities; financial support; and faculty.
OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Dr. Eric Bishop

DATE: April 14, 2021

SUBJECT: Review of Purchase Orders

Board Policy 6330 delegates to the President/Superintendent “…the authority to purchase supplies, materials, apparatus, equipment and services as necessary to the efficient operation of the District.” Both Policy and Education Code Section 81656 state such purchases shall be reviewed by the governing board every sixty days.

The purchase order and blanket purchase order reports are attached. Purchase Orders (PO) are typically issued for single transactions of materials to be delivered at one time, such as computers, office supplies, etc. Blanket Purchase Orders (BPO) are usually issued for annual procurements of goods or services that will be provided at various or on-going times throughout the year, such as utilities, emergency auto parts, maintenance agreements, etc. Both types of transaction have been issued in compliance with administrative processes. Funding for every PO and BPO has been identified from a Board approved budget account, authorized by the budget manager, reviewed by appropriate administrative offices (i.e. Facilities, Information Technology, etc.), and verified by the professional staff in the Purchasing and Contracts Department before being issued. There is a three step check and balance system by separate individuals to prevent fraud or misappropriation, consisting of transaction review at the time of order, receipt, and payment.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees signifies review of the purchases on the attached page(s) by majority vote.
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<th>PO #</th>
<th>Vendor Name</th>
<th>PO Date</th>
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<td>$47,859.00</td>
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<tr>
<td>P0019862</td>
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<td>2/17/2021</td>
<td>$119,949.53</td>
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<td>P0019869</td>
<td>Foundation for Grossmont College</td>
<td>2/17/2021</td>
<td>$1,670.00</td>
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<td>2/18/2021</td>
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<td>Enviroclean Sanitation Supply</td>
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<td>$3,928.16</td>
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<td>P0019873</td>
<td>Solutions Office Interiors</td>
<td>2/22/2021</td>
<td>$3,689.44</td>
<td>RECONFIGURATION F/RM 4110</td>
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<td>P0019885</td>
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<td>P0019886</td>
<td>College Source Inc</td>
<td>2/24/2021</td>
<td>$5,938.00</td>
<td>COLLEGESOURCE</td>
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<tr>
<td>----------</td>
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<td>-----------</td>
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<tr>
<td>P0019887</td>
<td>EMSI</td>
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<td>$14,750.00</td>
<td>ANALYST SOFTWARE RENEWAL</td>
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<td>P0019892</td>
<td>Du-All Safety, LLC</td>
<td>2/25/2021</td>
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<td>P0019893</td>
<td>Schools Excess Liability Fund</td>
<td>2/25/2021</td>
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<td>LIABILITY FUNDING PLAN</td>
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<tr>
<th>PO #</th>
<th>Vendor Name</th>
<th>PO Date</th>
<th>PO Amount</th>
<th>Description</th>
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<tbody>
<tr>
<td>B0009798</td>
<td>Universal Personnel Services</td>
<td>2/1/2021</td>
<td>$1,000.00</td>
<td>ODIAC TRAINING</td>
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<tr>
<td>B0009799</td>
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<td>2/2/2021</td>
<td>$12,405.00</td>
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<td>B0009800</td>
<td>ThinkEDU, LLC</td>
<td>2/2/2021</td>
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<td>B0009802</td>
<td>Reptabko Design</td>
<td>2/3/2021</td>
<td>$500.00</td>
<td>DESIGN SERVICES</td>
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<td>B0009804</td>
<td>FHEG Ohlone Bookstore</td>
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<td>$2,200.00</td>
<td>BOOKS FOR THE LIBRARY</td>
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<td>B0009805</td>
<td>Samuel Di Gregorio</td>
<td>2/9/2021</td>
<td>$4,500.00</td>
<td>CONSULT/CCCCO MH GRANT</td>
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<td>B0009806</td>
<td>Automatic Controls Engineering</td>
<td>2/10/2021</td>
<td>$46,505.00</td>
<td>BLDG MGMT CORE SYS UPGRD</td>
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<td>B0009807</td>
<td>Elco Electric, Inc</td>
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<td>POWER FOR BREAK ROOM</td>
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<td>PUMP REPAIR/ SEALS</td>
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<td>B0009809</td>
<td>Gabriel E. Reyna</td>
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<tr>
<td>B0009810</td>
<td>Aubury S. Freed</td>
<td>2/18/2021</td>
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<tr>
<td>B0009811</td>
<td>Rachael N. Bowker</td>
<td>2/18/2021</td>
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<td>TUTORING SERVICE</td>
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<tr>
<td>B0009812</td>
<td>Wayne R. Hamilton</td>
<td>2/18/2021</td>
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<td>B0009813</td>
<td>Gurjaap S. Jhajj</td>
<td>2/18/2021</td>
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<td>B0009814</td>
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<td>2/18/2021</td>
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<td>HANDWASHING STATIONS</td>
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<td>B0009816</td>
<td>Elaine C. Nicholson</td>
<td>2/18/2021</td>
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<td>TUTORING SERVICES</td>
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<td>B0009817</td>
<td>Environmental Systems</td>
<td>2/22/2021</td>
<td>$13,955.00</td>
<td>BLDG# 12 COMMISSIONING REPAIRS</td>
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<td>ThinkEDU, LLC</td>
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<td>$13,964.77</td>
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</tbody>
</table>
CONSENT - #16

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14, 2021
SUBJECT: Measure G Project 6105A, Academic Core Buildings
Cannon Design – Amendment #39

In October 2012, the Board of Trustees approved a Master Agreement with Cannon Design for Architectural Services for the Academic Core Buildings. The original contract value and previously approved amendments total $16,698,666.

Amendment #39 is issued in the amount of $30,510 for Cannon Design to develop and provide design for the new glass wall at ACB building 3 level 5 for added library security and to provide construction administration and closeout services.

- Develop and provide the design documents (drawings, specifications and calculations) for construction and DSA CCD submission.
- Coordination as required during design and construction.
- Construction administration
- Closeout

The revised contract amount is $16,729,176.

Funding will be provided from Fund 43 – Measure G funds.

RECOMMENDATION

The Superintendent/President recommends the Board of Trustees approves Amendment #39 in the amount of $30,510 to the agreement with Cannon Design.
AMENDMENT NO. 39 TO
MASTER AGREEMENT FOR ARCHITECTURAL SERVICES
BY AND BETWEEN
OHLONE COMMUNITY COLLEGE DISTRICT AND
Cannon Design

This AMENDMENT NO. 39 TO MASTER AGREEMENT FOR ARCHITECTURAL SERVICES (hereinafter referred to as the "Amendment"), is made and entered into this 14th day of April 2021, by and between the OHLONE COMMUNITY COLLEGE DISTRICT (hereinafter "District") and Cannon Design (hereinafter "Architect") (jointly, the "Parties") as follows:

RECITALS

WHEREAS, the Parties entered into a Master Agreement for Architectural Services dated October 10, 2012 ("Master Agreement") relative to the design and construction administration of the projects for the District’s Measure G Bond Program, and at this time desire to amend and supplement the Agreement.

NOW, THEREFORE, the parties agree as follows:

Section 1. Amendment of Agreement.

The scope of work identified in the Master Agreement as “Project” is amended and supplemented to include the scope of work described in Amendment 39 Exhibit 1, attached hereto and incorporated herein as Exhibit "1." Furthermore, the payment of consideration to Architect as provided in the Fee Proposal shall be full compensation for all of Architect’s Services incurred in the performance of the scope of work described in the Fee Proposal.

Section 2. Other Provisions Reaffirmed

All other provisions of the Master Agreement shall remain in full force and effect and are reaffirmed. If there is any conflict between this Amendment and any provision of the Master Agreement relating to scope of work, the provisions of this Amendment shall control.

IN WITNESS WHEREOF, the Parties have executed and entered into this Agreement as of the date herein above set forth.

Dated: ____________________________, 20__

Dated: ____________________________, 20__

OHLONE COMMUNITY COLLEGE DISTRICT

By: ________________________________
Print Name: _________________________
Print Title: __________________________

CANNON DESIGN

By: ________________________________
Print Name: _________________________
Print Title: __________________________
Amendment #39 to the Agreement for Architectural Services dated October 10, 2012 between Ohlone Community College District and Cannon Design.

DATE OF REVISION:
April 14th 2021

SCOPE:
Architect and subconsultants to assist with the ACB Building 3 Level 5 new Glass Wall for added Library Security including design, construction administration and closeout.
- Develop and provide the design documents (drawings, specifications and calculations) for construction and DSA CCD submission.
- Coordination as required during design and construction.
- Construction administration
- Closeout

COMPENSATION:
Total change due to this revision: $30,510

SCHEDULE:
- N/A

OTHER:
All other contract terms are to remain in place per the agreement referenced above.
In July 2020, the Board of Trustees approved a Contract with D.L. Falk Construction, Inc to provide construction services for the Renovate Building-5 project at the Fremont campus. The original contract value is $8,824,000.

Change Order #1 includes costs to deliver the Air Handling Unit in three pieces, revisions to the kitchen grease duct system and kitchen equipment electrical locations, changes to third floor restroom wall framing, and the addition of condensate drain piping air-gap equipment.

This change also extends the final completion date of the project by (8) non-compensable calendar days from May 3, 2021 to May 11, 2021.

The amount of this change order is $212,203, and the revised contract amount is $9,036,203.

Funding will be provided from Fund 43 - Measure G.

**RECOMMENDATION**

The Superintendent/President recommends the Board of Trustees approves Change Order #1 in the additive amount of $212,903 to the contract with D.L. Falk Construction, Inc.
## Change Order

**6114 - Renovate Building 5**

**BPO No.:** B1162101  
**Change Order #:** 1

The following parties agree to the terms of this Change Order:

**Owner:** Ohlone Community College District  
43600 Mission Boulevard  
Fremont CA 94539

**Contractor:** D.L. Falk Construction, Inc.  
3526 Investment Blvd  
Hayward CA 94545

**Architect:** LPAS Architecture + Design  
2484 Natomas Park Drive, Suite 100  
Sacramento CA 95833-2938

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Cost</th>
<th>Days Ext.</th>
</tr>
</thead>
<tbody>
<tr>
<td>PCO# 15</td>
<td>COR 6.2 - Added costs to deliver Air Handling Unit in three pieces, reassemble in mechanical room. Fully assembled unit would not fit through existing mechanical room doors.</td>
<td>$12,454.00</td>
<td></td>
</tr>
<tr>
<td>Requested By:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Performed By:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason:</td>
<td>Field Condition</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| PCO# 33   | COR 22.1 - RFI 35.2 - Revise horizontal kitchen grease duct system to avoid existing structural conflicts and replace two existing corroded vertical grease ducts | $156,215.00 | |
| Requested By: | | | |
| Performed By: | | | |
| Reason: | Field Condition | | |

| PCO# 37   | COR 18.3 - ASI 3 - Revised electrical outlet locations and coordination with new kitchen equipment | $33,468.00 | |
| Requested By: | | | |
| Performed By: | | | |
| Reason: | Architect Design Change | | |

| PCO# 46   | COR 28 - RFI 156, 167 - Revise 3rd floor restroom door opening framing to meet ADA compliance | $1,048.00 | |
| Requested By: | | | |
| Performed By: | | | |
| Reason: | Field Condition | | |

| PCO# 53   | COR 27 - RFI 95, 139 - Add condensate piping air-gap equipment at fan coil units and floor sinks | $6,306.00 | |
| Requested By: | | | |
| Performed By: | | | |
| Reason: | Architect Design Change | | |

| PCO# 60   | COR 33 - RFI 190 - Replace existing corroded wall framing at 3rd floor restrooms | $2,712.00 | |
| Requested By: | | | |
| Performed By: | | | |
| Reason: | Field Condition | | |
Extend contract completion date by (8) non-compensable calendar days due to delayed NTP issuance and adverse weather days. NTP issuance was delayed by (5) calendar days. (3) adverse weather days are 9/11/2020, 9/14/2020, and 2/2/2021. The contract completion date is being extended from 5/3/2021 to 5/11/2021.

<table>
<thead>
<tr>
<th>Requested By:</th>
<th>Field Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Performed By:</td>
<td>Reason: Field Condition</td>
</tr>
</tbody>
</table>

Contract time will be adjusted as follows:

<table>
<thead>
<tr>
<th>Previous Completion Date: 5/3/2021</th>
<th>Current Completion Date: 5/11/2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 Calendar Days Extension (zero unless otherwise indicated)</td>
<td></td>
</tr>
<tr>
<td>Original Contract Amount: $8,824,000.00</td>
<td>Amount of This Change Order: $212,203.00</td>
</tr>
<tr>
<td>Amount of Previously Approved Change Order(s): $0.00</td>
<td>Contract Amount: $9,036,203.00</td>
</tr>
</tbody>
</table>

The undersigned Contractor approves the foregoing as to the changes, if any, to the Contract Price, specified for each item and as to the extension of time allowed, if any, for completion of the entire work as stated therein, and agrees to furnish all labor, materials and services and perform all work necessary to complete any additional work specified for the consideration stated therein. Submission of sums which have no basis in fact or which Contractor knows are false are at the sole risk of Contractor and may be in violation of the False Claims Act set forth under Government Code section 12650, et seq.

This change order is subject to approval by the governing board of this District and must be signed by the District. Until such time as this change order is approved by the District's governing board and executed by a duly authorized District representative, this change order is not effective and not binding.

It is expressly understood that the compensation and time, if any, granted herein represent a full accord and satisfaction for any and all time and cost impacts of the items herein, and Contractor waives any and all further compensation or time extension based on the items herein. The value of the extra work or changes expressly includes any and all of the Contractors costs and expenses, both direct and indirect, resulting from additional time required on the project or resulting from delay to the project. Any costs, expenses, damages or time extensions not included are deemed waived.

**Signatures:**

**District:**
Ohlone Community College District
43600 Mission Boulevard
Fremont CA  94539

**Contractor:**
D.L. Falk Construction, Inc.
3526 Investment Blvd
Hayward CA  94545

**Architect:**
LPAS Architecture + Design
2484 Natomas Park Drive, Suite 100
Sacramento CA  95833-2938

END OF DOCUMENT
TO:        Board of Trustees
FROM:      Dr. Eric Bishop
DATE:      April 14, 2021
SUBJECT:   Measure G Project 6114, Building 5 Renovation
           LPAS Architecture + Design, Amendment #7 for Architectural Services

In January of 2018, the Board of Trustees amended a Contract with LPAS Architecture + Design to provide design and construction administration services for the Building 5 Renovation project at the Fremont Campus. The original contract value and previously approved amendments total $946,125.

Amendment #7 includes additional on-site attendance at weekly Owner Architect Contractor meetings to resolve complex existing conditions issues. The original contract included bi-weekly on-site meetings with remote meeting attendance for other meetings. Due to the complexity of existing conditions and conflicts, in person attendance at all meetings is necessary. An additional (13) on-site meetings will be required during the duration of the project.

Amendment #7 is issued in the amount of $15,250 and the revised contract amount is $961,375.

Funding will be provided from Fund 43 – Measure G funds.

RECOMMENDATION

The Superintendent/President recommends the Board of Trustees approves Amendment #7 in the amount of $15,250 to the agreement with LPAS Architecture + Design.
This AMENDMENT NO. 7 TO CONSULTANT AGREEMENT FOR ARCHITECTURAL SERVICES (hereinafter referred to as the “Amendment”), is made and entered into this 14th day of April, 2021, by and between the OHLONE COMMUNITY COLLEGE DISTRICT (hereinafter “District”) and LPAS Architecture + Design (hereinafter “Architect”) (jointly, the “Parties”) as follows:

RECITALS

WHEREAS, the Parties entered into an Consultant Agreement for Architectural Services dated April 12, 2017 (“Consultant Agreement”) relative to the planning and design of the projects for the District’s Measure G Bond Program, and at this time desire to amend and supplement the Agreement.

NOW, THEREFORE, the parties agree as follows:

Section 1. Amendment of Agreement.

The scope of work identified in the Consultant Agreement as “Services” is amended and supplemented to include the scope of work described in Amendment #7 Exhibit 1, attached hereto and incorporated herein as Exhibit “1.” Furthermore, the payment of consideration to Consultant as provided in the Fee Proposal shall be full compensation for all of Consultant’s Services incurred in the performance of the scope of work described in the Fee Proposal.

Section 2. Other Provisions Reaffirmed

All other provisions of the Consultant Agreement shall remain in full force and effect and are reaffirmed. If there is any conflict between this Amendment and any provision of the Agreement relating to scope of work, the provisions of this Amendment shall control.

IN WITNESS WHEREOF, the Parties have executed and entered into this Agreement as of the date herein above set forth.

Dated: _________________________, 2021   Dated: _________________________, 2021

OHLONE COMMUNITY COLLEGE DISTRICT

By: ___________________________   By: ___________________________
Print Name: _____________________   Print Name: _____________________
Print Title: _____________________   Print Title: _____________________
Amendment #7 to the Consultant Agreement for Architectural Services dated April 12, 2017 between Ohlone Community College District and LPAS Architecture + Design.

DATE OF REVISION:
April 14, 2021

SCOPE:
Additional on-site attendance at weekly Owner Architect Contractor meetings to resolve complex existing conditions issues. The original contract included bi-weekly on-site meetings with remote meeting attendance for other meetings. Due to the complexity of existing conditions and conflicts, in person attendance at all meetings is necessary. An additional (13) on-site meetings will be required during the duration of the project.

COMPENSATION:
Contract Schedule of Values is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attend (13) additional on-site construction meetings</td>
<td>$15,250</td>
</tr>
</tbody>
</table>

Net change due to this revision: $15,250

OTHER:
All other contract terms are to remain in place per the agreement referenced above.
On February 12, 2021 the District issued Contract Documents for bidding purposes for the Buildings 7 and 12 Exterior Painting project at the Fremont campus.

The District received fourteen (14) responses from contractors on March 11, 2021. Selway Construction was selected as the lowest responsive and responsible bidder.

The contract amount is $141,290.

Budget for this agreement will be provided from Fund 43 - Measure G.

RECOMMENDATION

The Superintendent/President recommends the Board of Trustees approves the agreement for Selway Construction in the amount of $141,290.
CONTRACT FOR LABOR AND MATERIALS

This Contract for Labor and Materials (“Contract”) is entered into this 15th day of April, 2021 by and between OHLONE COMMUNITY COLLEGE DISTRICT (“District”) and Selway Construction (“Contractor”) for the Work of the Project. In consideration of the mutual covenants set forth herein, the Contractor and District agree as follows:

A. In consideration of the payment of the sum of One Hundred Forty One Thousand Two Hundred Ninety Dollars ($141,290.00) (“the Contract Price”), and includes alternates 2-4 and 6-8 (Exhibit A), the Contractor shall perform and complete the Work generally described as:

Ohlone Community College Project
Buildings 7 & 12 Exterior Painting
Project #6142/43

B. Contractor shall commence the Work on the date indicated in the Notice to Proceed issued by or on behalf of the District and shall complete the Work by July 16, 2021. Failure to complete the Work within the Contract Time will subject the Contractor to Liquidated Damages at the rate of One Thousand Dollars ($1,000.00) per day until the Work is completed.

C. The location of the Work is Ohlone Community College - Fremont Campus (“the Site”).

D. At all times during the Work, the Contractor and each Subcontractor shall obtain and maintain the following insurance coverages:

Contractor:
- Workers Compensation Per applicable law
- Employer’s Liability $1,000,000
- Commercial General Liability
  - Per Occurrence $1,000,000
  - Aggregate $2,000,000
- Automobile
  - Per Occurrence $1,000,000
  - Aggregate $2,000,000

Subcontractors:
- Workers Compensation Per applicable law
- Employer’s Liability $1,000,000
- Commercial General Liability
  - Per Occurrence $1,000,000
  - Aggregate $2,000,000
- Automobile
  - Per Occurrence $1,000,000
  - Aggregate $2,000,000

Buildings 7 & 12 Exterior Painting
Project #6142/43
E. The Contract Documents consists of this Contract for Labor and Materials, the attached Contract Terms and Conditions, the Bid Proposal and other documents submitted by the Contractor to the District as a Bidder and the documents identified below. By executing this Contract, the Contractor acknowledges its receipt and review of the Contract Documents; based upon this review, the Contractor confirms that the work can be completed for the Contract Price and within the Contract Time. The Contract Documents consist of:

- Notice Calling for Bids
- Instructions For Bidders
- Scope of Work
- Subcontractors List
- Non-Collusion Declaration
- Contract for Labor and Materials
- Certificate of Worker’s Compensation Ins.
- Bid Proposal
- W-9 Form
- Bid Bond
- Performance Bond
- Labor and Materials Payment Bond
- Drawings & Specifications
- Drug-Free Workplace Certification
- Tobacco-Free Environment Certification
- Sex Offender Registration Act Certification
- Bid Addenda, if any

F. The District Representative is Elaine Trujillo (510) 979-7567.

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTORS’ STATE LICENSE BOARD. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS’ STATE LICENSE BOARD, P.O. BOX 2600, SACRAMENTO, CALIFORNIA 95826

IN WITNESS WHEREOF, the District and Contractor have executed this Contract as of the date set forth above.

“DISTRICT”
Ohlone Community College District
By: __________________________
Title: Director of Purchasing Contracts & Auxiliary Services

“CONTRACTOR”
Selway Construction
By: __________________________
Title: __________________________
**EXHIBIT "A"**

Contract Cost Breakdown

### Building 7

- Building 7 Base Price: $48,760.00
- Alternate #2 – Building 7 Doors: $7,070.00
- Alternate #3 – Building 7 Stairs: $16,030.00
- Alternate #4 – Building 7 Railings: $15,890.00

**Total Building 7 Cost: $87,750.00**

### Building 12 (Hyman Hall)

- Building 12 Base Price: $33,005.00
- Alternate #6 – Building 12 Doors: $6,580.00
- Alternate #7 – Building 12 Stairs: $6,405.00
- Alternate #8 – Building 12 Railings: $7,550.00

**Total Building 12 Cost: $53,540.00**

**Total Contract Cost: $141,290.00**

**Separate pay applications required for each building**
OHLLONE COMMUNITY COLLEGE DISTRICT
MEMORANDUM

TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14, 2021
SUBJECT: Futility Resolution – Emergency Responder Radio System – Academic Core Buildings Project

BACKGROUND

To award the Emergency Responder Radio System contract for the Academic Core Building Project (“Project”) to Contra Costa Electric and EMCOR Co. (“Contra Costa”) without competitive bidding, the Board of Trustees must approve a futility resolution. The purpose of the futility resolution is to find that the purposes of competitive bidding would not be served by putting the new construction portion of the Project out to bid.

The District completed the Academic Core Buildings Project in January 2020. Contra Costa was the electrical subcontractor for the Academic Core Buildings, and they were responsible for all the electrical, low voltage, fire alarm, and security systems. They have maintained a presence on-site over the last year to complete punch list and warranty work. The original contract documents for the academic core buildings referred to the Emergency Responder Radio System scope but not required unless confirmed necessary following the three buildings' completion. The District completed the emergency responder radio frequency testing on all three buildings and determined that there were dead spots within each building. Therefore, to meet local jurisdiction requirements and for safety, the Academic Core Buildings need to incorporate the emergency responder radio system is required as soon as possible.

This contract is subject to the competitive bidding rules that require the District to select the lowest responsive and responsible bidder. However, there are various exceptions to that rule, one of which is when bidding the project would be futile. California law provides that public entities need not comply with competitive bidding processes where to do so would be impractical or futile and would not serve the purposes of competitive bidding. (Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal.App.3d 631.); "[w]here competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply" (Hiller v. City of Los Angeles (1961) 197 Cal.App.2d 685, 694).

Therefore, for an awarding body to utilize a futility resolution, it must demonstrate that the cost savings to the District in awarding the contract without bidding are so significant that prospective bidders would not be able to submit a bid that could compete with the contract price provided by the contractor to which, the District intends to award the contract directly.

Contra Costa has already performed all the electrical, fire alarm, low voltage, and security scopes for the Academic Core Buildings. They continue to be involved with warranty scope on site. There will be significant cost savings that can be realized if they are also awarded the Emergency Responder Radio System scope.
Contra Costa already visits the site off and on in assisting the District with warranty issues. If they were also awarded the Emergency Responder Radio System work, they would charge less for site work set up and storage as they already have a site presence. Furthermore, they are very familiar with the three buildings.

By using the previous ACB contractor for the electrical, low voltage, and fire alarm work, the District avoids the risk of a gap occurring between the scopes of work of the ACB project and the emergency responder radio system’s scope. Contra Costa has intimate knowledge of all three buildings as they have been on site for the last four years.

Contra Costa can also bring on the same low voltage and fire alarm subcontractors that installed the original scope of work for ACB, who also maintain an intimate knowledge of the buildings and original systems intelligence. Contra Costa will ensure the emergency responder system is compliant with and uniform with the existing system. Introducing a new contractor that is not familiar with the buildings or the existing systems could incur additional costs to the District in change orders for unforeseen or unknown conditions.

Another factor that should assist Contra Costa is the fact that since October 2016, they have been providing construction services under the ACB project. This has allowed ample time for Contra Costa to develop good communications with the District’s Construction Manager, Gilbane, as well as the Inspector of Record, Michael Henley Co., evaluate and investigate existing conditions, conduct project research, and become familiar with campus operations. Because of this experience and knowledge acquired over four years of Project involvement, Contra Costa should reasonably be expected to provide the most responsive/responsible pricing available for the Emergency Responder Radio System scope of work.

Another factor is that Contra Costa could start work immediately following board approval and contract execution. This would ensure all work is complete before the Fall semester. If the Emergency Responder Radio System was to be issued for public bidding, this would delay installation and likely push this code required scope beyond school opening in Fall.

For the reasons set forth above, District staff believes that there is an adequate basis to support a finding that bidding the Emergency Responder Radio System Scope would be futile. Therefore, staff endorses the adoption of a futility resolution to complete the Emergency Radio System for the Academic Core Buildings.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees approves the Futility Resolution for Measure G Project 6105 Emergency Responder Radio System for the new Academic Core Buildings.
RESOLUTION NO. 28/20-21

OHLONE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

RESOLUTION OF FUTILITY REGARDING ACADEMIC CORE BUILDING PROJECT – EMERGENCY RESPONDER RADIO SYSTEM

WHEREAS, the Ohlone Community College District ("District") is currently completing the construction the Academic Core Building Project ("Project");

WHEREAS, the Project has been completed except for limited punchlist and warranty and related work.

WHEREAS, Contra Costa Electric and EMCOR Co. (collectively, “Contra Costa”) were the electrical subcontractor for the Academic Core Buildings responsible for all the electrical, low voltage, fire alarm and security systems. Contra Costa has maintained a presence on site over the last year to complete punchlist and warranty work;

WHEREAS, The Emergency Responder Radio System scope was referred to in the original contact documents, but not required unless confirmed necessary following the completion of the three Project buildings. Emergency responder radio frequency testing was completed on all three buildings and it was determined that there were dead spots within each building.

WHEREAS, Incorporation of the Emergency Responder Radio System is required as soon as possible to meet local jurisdiction code / requirements;

WHEREAS, the District would like to use Contra Costa as the contractor for the Emergency Responder Radio System scope work. However, this scope of work would normally be subject to the competitive bidding rules which require that the District select the lowest responsive and responsible bidder.

WHEREAS, Contra Costa already visits the site off and on assisting the District with warranty issues, if they were also awarded the Emergency Responder Radio System work, they would charge less for site work set up and storage as they already have a site presence and they are extremely familiar with the three buildings. If the Emergency Responder Radio System work were performed by different contractor, the District would have to pay additional costs for site mobilization and demobilization that would otherwise be avoided by contracting with Contra Costa.

WHEREAS, by using the previous Project contractor for the electrical, low voltage and fire alarm work, the District avoids the risk of a gap occurring between the scopes of work of the Project and the emergency responder radio system scope. Contra Costa has intimate knowledge of all three buildings as they have been on site for the last three years;

WHEREAS, Contra Costa is also able to bring on the same low voltage and fire alarm subcontractors that installed the original scope of work for ACB who also maintain intimate knowledge of the buildings and original systems intelligence. This will ensure the emergency responder system is compliant and uniform with the existing system. Introducing a new
contractor that is not familiar with the buildings or the existing systems could result in additional costs to the District in change orders for unforeseen or unknown conditions;

WHEREAS, Contra Costa has been providing construction services for the Project since June 2016. Contra Costa has developed good communications with the District’s Construction Manager, Gilbane, as well as the Inspector of Record, Michael Henley Co., has evaluated and investigated existing conditions, conducted Project research, and become familiar with campus operations. Because of this experience and knowledge acquired over four years of Project involvement, Contra Costa should reasonably be expected to provide the most responsive/responsible pricing available for the Emergency Responder Radio System scope of work.

WHEREAS, Contra Costa could start work immediately following board approval and contract execution. This would ensure all work is complete prior to the Fall semester. If the Emergency Responder Radio System scope work were to be issued for public bidding, this would delay installation and likely push this code required scope beyond school opening in Fall.

WHEREAS, California law provides that public entities need not comply with competitive bidding processes where to do so would be impractical or futile and would not serve the purposes of competitive bidding. (Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal.App.3d 631.); “[w]here competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply” (Hiller v. City of Los Angeles (1961) 197 Cal.App.2d 685, 694).

NOW THEREFORE, the Ohlone Community College District Board of Trustees hereby resolves, determines, and finds the following:

Section 1. That the foregoing recitals are true.

Section 2. That competitively bidding the Emergency Responder Radio System scope work would be futile, not serve the purposes of competitive bidding, and not produce any advantage to the District for the following reasons:

1. That the foregoing recitals are true.

2. For the reason stated above, it was in the best interest of the District to accommodate proceed with the Emergency Responder Radio System scope work promptly to accommodate code requirements;

3. For the reason stated above, public bidding of the work would not produce an advantage to the District and would produce a net burden and distinct disadvantages to the District.

4. Based on the foregoing, it would be incongruous, futile, and unavailing to publicly bid the work.
5. That the District’s Chancellor or designee is authorized to take all steps and perform all actions necessary to execute and implement the contract with Contra Costa for the Emergency Responder Radio System scope work.

**Section 3.** That the District’s President is authorized pursuant to this Resolution to take any action which is necessary to carry out, give effect to and comply with the terms and intent of this Resolution.

**PASSED AND ADOPTED** by Ohlone Community College District Board of Trustees, this ____ day of ____________, 2021, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

By: _____________________________
President, Board of Trustees
Ohlone Community College District

Attest:

__________________________  Secretary,
Board of Trustees
of the Ohlone Community College District
TO:     Board of Trustees
FROM:    Dr. Eric Bishop
DATE:    April 14, 2021
SUBJECT: Agreement for Construction Services, Contra Costa Electric
         Project 6105A – Emergency Responder Radio System - Academic Core Buildings

Pursuant to Futility Resolution (Resolution #26/20-21) resolved by this Board of Trustees on April 14, 2021, Contra Costa Electric and EMCOR Co. (“Contra Costa”) will provide Electrical, Low Voltage and Fire Alarm services for the Emergency Responder Radio System required for the new Academic Core Buildings. The scope of work includes installation of all infrastructure and equipment for the emergency responder radio system.

Budget for this agreement will be provided from Fund 43 - Measure G.

RECOMMENDATION

The Superintendent/President recommends the Board of Trustees approves the agreement for Contra Costa in the amount of $479,460.
CONTRACT FOR LABOR AND MATERIALS

This Contract for Labor and Materials (“Contract”) is entered into this 15th day of April, 2021 by and between OHLONE COMMUNITY COLLEGE DISTRICT (“District”) and Contra Costa Electric and EMCOR Co. (“Contra Costa”) (“Contractor”) for the Work of the Project. In consideration of the mutual covenants set forth herein, the Contractor and District agree as follows:

A. In consideration of the payment of the sum of Four Hundred Seventy Nine Thousand Four Hundred Sixty Dollars ($479,460) (“the Contract Price”), the Contractor shall perform and complete the Work generally described as:

Ohlone Community College Project
Academic Core Buildings Emergency Responder Radio System
Project #6105

B. Contractor shall commence the Work on the date indicated in the Notice to Proceed issued by or on behalf of the District and shall complete the Work within One Hundred (100) calendar days after the commencement date for the Work (“the Contract Time”). Failure to complete the Work within the Contract Time will subject the Contractor to Liquidated Damages at the rate of One Thousand Dollars ($1,000.00) per day until the Work is completed.

C. The location of the Work is Ohlone Community College - Fremont Campus (“the Site”).

D. At all times during the Work, the Contractor and each Subcontractor shall obtain and maintain the following insurance coverages:

Contractor:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workers Compensation</td>
<td>Per applicable law</td>
</tr>
<tr>
<td>Employer’s Liability</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Commercial General Liability</td>
<td></td>
</tr>
<tr>
<td>Per Occurrence</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Aggregate</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Automobile</td>
<td></td>
</tr>
<tr>
<td>Per Occurrence</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Aggregate</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>

Subcontractors:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workers Compensation</td>
<td>Per applicable law</td>
</tr>
<tr>
<td>Employer’s Liability</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Commercial General Liability</td>
<td></td>
</tr>
<tr>
<td>Per Occurrence</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Aggregate</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Automobile</td>
<td></td>
</tr>
<tr>
<td>Per Occurrence</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Aggregate</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>
E. The Contract Documents consists of this Contract for Labor and Materials, the attached Contract Terms and Conditions, the Bid Proposal and other documents submitted by the Contractor to the District as a Bidder and the documents identified below. By executing this Contract, the Contractor acknowledges its receipt and review of the Contract Documents; based upon this review, the Contractor confirms that the work can be completed for the Contract Price and within the Contract Time. The Contract Documents consist of:

- Bid Proposal
- Scope of Work
- Subcontractors List
- Contract for Labor and Materials
- Performance Bond
- Labor and Materials Payment Bond
- Project Documents
- Drug-Free Workplace Certification
- Tobacco-Free Environment Certification
- Cert. of Worker’s Compensation Ins.
- Sex Offender Registration Act Cert.
- Safety Requirements

F. The District Representative is Elaine Trujillo (510) 979-7567.

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTORS’ STATE LICENSE BOARD. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS’ STATE LICENSE BOARD, P.O. BOX 2600, SACRAMENTO, CALIFORNIA 95826

IN WITNESS WHEREOF, the District and Contractor have executed this Contract as of the date set forth above.

“DISTRICT”
Ohlone Community College District

By: __________________________
Title: Director of Purchasing, Contracts & Auxiliary Services

“CONTRACTOR”
[Company]

By: __________________________
Title: __________________________

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Dr. Eric Bishop

DATE: April 14, 2021

SUBJECT: Ratification of Contracts

Board Policy 6340 delegates to the President/Superintendent “the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management…” Both District Policy and Education Code Section 81655 state that any such contract is not a valid or enforceable obligation against the District until it is approved or ratified by the Board.

In the past, most contracts have been ratified by inclusion in the warrant report, which provided information on checks that have already been written. To make contract reporting more transparent, the District is now providing contract information for the Board in the attached format. This will allow the Board to take action prior to payments being made.

As before, where a specific contract requires prior Board approval or where the nature of the contract warrants specific action, these transactions will continue to be separated out and placed on the action or consent agenda for individual consideration.

Funding for each contract has been verified from the appropriate fund account or grant.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees ratifies the contracts on the attached page(s).
<table>
<thead>
<tr>
<th>No.</th>
<th>Contractor</th>
<th>Description</th>
<th>Amount</th>
<th>Account</th>
<th>For</th>
</tr>
</thead>
<tbody>
<tr>
<td>2142101</td>
<td>Twilio, Inc.</td>
<td>Texting Service to be Integrated with CRM and CRM Recruit</td>
<td>$20,000.00</td>
<td>Fund 20</td>
<td>District</td>
</tr>
<tr>
<td>2152101</td>
<td>South Bay Physical Rehab</td>
<td>Clinical Agreement</td>
<td>n/a</td>
<td>n/a</td>
<td>District</td>
</tr>
<tr>
<td>2162101</td>
<td>Tri-City Physical Therapy</td>
<td>Clinical Agreement</td>
<td>n/a</td>
<td>n/a</td>
<td>District</td>
</tr>
<tr>
<td>2172101</td>
<td>Ellucian</td>
<td>CRM Recruit Community Edition Implementation</td>
<td>$72,000.00</td>
<td>Fund 20</td>
<td>District</td>
</tr>
<tr>
<td>2182101</td>
<td>Virus Geeks</td>
<td>PRC COVID-19 Testing Agreement for Students and Employees</td>
<td>$104,000.00</td>
<td>Fund 21</td>
<td>District</td>
</tr>
<tr>
<td>2192101</td>
<td>CCLC-EX Libris</td>
<td>Institution Participation Agreement for Library Services</td>
<td>n/a</td>
<td>n/a</td>
<td>District</td>
</tr>
<tr>
<td>2202101</td>
<td>I-Study Link Co, Ltd</td>
<td>Recruiting and Counseling Agreement</td>
<td>n/a</td>
<td>n/a</td>
<td>District</td>
</tr>
<tr>
<td>2212101</td>
<td>Integrated Academic Solutions</td>
<td>Develop Comprehensive Human Capital Management Plan</td>
<td>$40,000.00</td>
<td>Fund 21</td>
<td>District</td>
</tr>
<tr>
<td>2222101</td>
<td>Andersen Brule Architects, Inc.</td>
<td>Providing Additional Information for District’s Facilities COVID Strategy</td>
<td>$40,000.00</td>
<td>Fund 21</td>
<td>District</td>
</tr>
<tr>
<td>2232101</td>
<td>KIS</td>
<td>Annual ProSupport Plus Hardware Support for VXRail System</td>
<td>$17,196.00</td>
<td>Fund 10</td>
<td>District</td>
</tr>
<tr>
<td>2242101</td>
<td>Peninsula Post Acute</td>
<td>Clinical Agreement</td>
<td>n/a</td>
<td>n/a</td>
<td>District</td>
</tr>
<tr>
<td>2262101</td>
<td>Lasana Hotep</td>
<td>Consultant Services for Faculty Senate</td>
<td>$30,000.00</td>
<td>Fund 10</td>
<td>District</td>
</tr>
<tr>
<td>7121701</td>
<td>LPAS Architecture + Design</td>
<td>CO #6 - Additional Design and Construction Administration Services to Comply with New Alameda County Dept. of Health Requirements for a Full Trash Enclosure Adjacent to Bldg. 5, Revisions to Kitchen Hood Structural Attachment Details Due to Existing Structural Conditions and Approval of New Structural Details by DSA</td>
<td>$18,775.00</td>
<td>Fund 43</td>
<td>Fremont</td>
</tr>
</tbody>
</table>

Note:  
Fund 10 = General Fund  
Fund 12 = Program Distribution (Other Income)  
Fund 13 = Community Education  
Fund 18 = Special Projects  
Fund 20 = Categorical Fund  
Fund 21 = Grant Funding  
Fund 41 = Capital Outlay (State or Redevelopment Funding)  
Fund 42 = Measure A Bond  
Fund 43 = Measure G Bond  
Fund 69 = Internal Services Fund  
Fund 71 = ASOC  
Fund 79 = Trust & Agency Accounts
OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14, 2021
SUBJECT: Civic Center and Smith Center Rental Rate Increase

CA Education Code Section 82537, known as the California Community College Civic Center Act, governs the use of community college facilities by external groups. It identifies a "civic center" at every community college and provides that "governing boards" of the community college districts may authorize the use, by citizens and organizations, of any other properties under their control for supervised recreation activities.

The Civic Center rates were last adjusted in 2014 and the Smith Center rates were last adjusted in 2004. In both cases, demands and operating costs have increased significantly. In an effort to adjust the rates to recover the costs of maintaining these facilities used by non-students and, at the same time, stay on par with rates charged by other local community colleges, an average rate study was compiled and compared to Ohlone’s rates. As shown in the attached worksheet, many of the district’s fees fall significantly below the Bay Area average rates.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees adopt the proposed rates to offset the increase costs effective July 1, 2021.
## Civic Center Facilities - Proposed Rates Effective July 1, 2021

### Civic Center Facilities

(3 hour minimum rent unless noted)

<table>
<thead>
<tr>
<th>Civic Center Facilities</th>
<th>STANDARD RATE</th>
<th>NON-PROFIT RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current Rate</td>
<td>Proposed Rate</td>
</tr>
<tr>
<td>Baseball/Softball Field</td>
<td>$155.00</td>
<td>$155.00</td>
</tr>
<tr>
<td>Cafeteria</td>
<td>$180.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Classroom</td>
<td>$70.00</td>
<td>$90.00</td>
</tr>
<tr>
<td>Conference/Community Room</td>
<td>$110.00</td>
<td>$110.00</td>
</tr>
<tr>
<td>Gymnasium</td>
<td>$180.00</td>
<td>$180.00</td>
</tr>
<tr>
<td>Lecture Hall-Large</td>
<td>$160.00</td>
<td>$165.00</td>
</tr>
<tr>
<td>Lecture Hall-Small</td>
<td>$150.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>Parking Lot</td>
<td>$92.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>Music Recital Hall</td>
<td>$105.00</td>
<td>$125.00</td>
</tr>
<tr>
<td>Music Practice Room - one hour minimum</td>
<td>n/a</td>
<td>$25.00</td>
</tr>
<tr>
<td>Swimming Pool</td>
<td>$190.00</td>
<td>$190.00</td>
</tr>
<tr>
<td>Soccer Field</td>
<td>$150.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>Tennis Courts (Temporary Rate until courts are resurfaced)</td>
<td>$8.75</td>
<td>$12.75</td>
</tr>
<tr>
<td>Tennis Courts (After Resurfacing/Restoration)</td>
<td>$8.75</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

Rental clients requesting for support staff will be charged for labor fee on current hourly rates adjusted yearly based on actual staff rates.

### Civic Center Additional Fees

<table>
<thead>
<tr>
<th>Civic Center Additional Fees</th>
<th>Current Fees</th>
<th>Proposed Fees</th>
<th>Average Comparison</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application Fee (non refundable)</td>
<td>$25.00</td>
<td>$25.00</td>
<td>$27.50</td>
</tr>
<tr>
<td>Bleachers plus Labor TBD</td>
<td>n/a</td>
<td>$25.00</td>
<td>$24.50</td>
</tr>
<tr>
<td>Chairs</td>
<td>$2.00</td>
<td>$2.00</td>
<td>$1.50</td>
</tr>
<tr>
<td>Facility Fee (event/performances 100+ guests)</td>
<td>n/a</td>
<td>$250.00</td>
<td>$250.00</td>
</tr>
<tr>
<td>Field Striping Fee</td>
<td>n/a</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Gym Floor Covering (not including labor cost)</td>
<td>Labor Only</td>
<td>$100.00</td>
<td>n/a</td>
</tr>
<tr>
<td>Lighting Fee (Amphitheatre General Wash)</td>
<td>n/a</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Lighting Fee (Fields)</td>
<td>n/a</td>
<td>$100.00</td>
<td>$51.50</td>
</tr>
<tr>
<td>Lighting Fee (Tennis after 5pm per court)</td>
<td>n/a</td>
<td>$2.00</td>
<td>$5.00</td>
</tr>
<tr>
<td>Locker Room (dressing rooms)</td>
<td>n/a</td>
<td>$105.00</td>
<td>$85.00</td>
</tr>
<tr>
<td>PA System - Standard (fee does not include operator)</td>
<td>$25.00</td>
<td>$25.00</td>
<td>$87.50</td>
</tr>
<tr>
<td>Scoreboard (fee does not include operator)</td>
<td>n/a</td>
<td>$25.00</td>
<td>n/a</td>
</tr>
<tr>
<td>Tables</td>
<td>$4.00</td>
<td>$7.00</td>
<td>$5.00</td>
</tr>
<tr>
<td>Deposit (Required when not prepaid in full)</td>
<td>$300.00</td>
<td>$500.00</td>
<td>$650.00</td>
</tr>
</tbody>
</table>
OHLONE COMMUNITY COLLEGE DISTRICT

Smith Center Facilities - Proposed Rates Effective July 1, 2021

NOTE:
Average Comparison is based on the performing arts center rates of other colleges in the Bay Area.

<table>
<thead>
<tr>
<th>Smith Center Venues and Services</th>
<th>STANDARD RATE</th>
<th>NON-PROFIT RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current Rate</td>
<td>Proposed Rate</td>
</tr>
<tr>
<td>Jackson Theatre (400 Seats)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rehearsal minimum 3 hour block performance minimum</td>
<td>$278.33</td>
<td>$300.00</td>
</tr>
<tr>
<td>6 hour block plus Facility Fee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NUMMI Studio Theatre (~100 seats)</td>
<td>$253.00</td>
<td>$175.00</td>
</tr>
<tr>
<td>Rehearsal minimum 3 hour block performance minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 hour block plus Facility Fee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smith Center Amphitheatre FULL SETUP (680 Seats)</td>
<td>$100.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>3 hour minimum plus Facility Fee for performances</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All technicians and add’l equipment are “a la carte”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smith Center Amphitheatre AS IS-Bare Stage (680 Seats)</td>
<td>n/a</td>
<td>$45.00</td>
</tr>
<tr>
<td>3 hour minimum plus Facility Fee for performances</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All technicians and equipment are “a la carte”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smith Center Dance Studio</td>
<td>$45.00</td>
<td>$85.00</td>
</tr>
<tr>
<td>3 hour minimum plus Facility Fee for performances</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Filming/Streaming Event no audience</td>
<td>n/a</td>
<td>$125.00</td>
</tr>
<tr>
<td>Front of Curtain Event</td>
<td>$125.00</td>
<td>$175.00</td>
</tr>
<tr>
<td>Minimum 3 hours maximum 5 hours plus Facility Fee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Fee per performance/event</td>
<td>n/a</td>
<td>$250.00</td>
</tr>
<tr>
<td>Deposit - partially refundable based on agreement minus $100</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>LAM Plaza</td>
<td>$75.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Smith Center Lobby</td>
<td>$50.00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Art Gallery</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Smith Center Concession Stand per day</td>
<td>$75.00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Smith Center Box Office per day</td>
<td>$25.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Smith Center Shop per week w/rental</td>
<td>$100.00</td>
<td>$125.00</td>
</tr>
<tr>
<td>Large Dressing Rooms</td>
<td>$25.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Small Dressing Rooms</td>
<td>$25.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Auxiliary Space setup as a Green Room per day</td>
<td>$100.00</td>
<td>$125.00</td>
</tr>
<tr>
<td>Work light Rehearsal (no stage lights)</td>
<td>$100.00</td>
<td>$125.00</td>
</tr>
<tr>
<td>Green Room</td>
<td>$35.00</td>
<td>$75.00</td>
</tr>
</tbody>
</table>

Rental clients requesting for support staff will be charged for labor fee on current hourly rates adjusted yearly based on actual staff rates.
<table>
<thead>
<tr>
<th>Smith Center Equipment (Per Item)</th>
<th>Current Rate</th>
<th>Proposed Rate</th>
<th>Smith Center Equipment (Per Item)</th>
<th>Current Rate</th>
<th>Proposed Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>42&quot; LCD TV/Monitor on rolling cart</td>
<td>n/a</td>
<td>$25.00</td>
<td>Loading Dock permit replacement</td>
<td>$40.00</td>
<td>$40.00</td>
</tr>
<tr>
<td>Audio Recording</td>
<td>$10.00</td>
<td>$25.00</td>
<td>Marley Dance Floor - plus labor to install and remove</td>
<td>$150.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Audio: DI Box/input</td>
<td>$5.00</td>
<td>$10.00</td>
<td>Movie Screen Large</td>
<td>$50.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Audio: Microphone (Cordless- Hand Held or Lavaliere)</td>
<td>$25.00</td>
<td>$30.00</td>
<td>Movie Screen Small</td>
<td>$10.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Audio: Microphone (Hand Held Wired)- 6 included with rental</td>
<td>$5.00</td>
<td>$5.00</td>
<td>Movie Screen-Supertitle</td>
<td>$10.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Audio: Microphone PCC</td>
<td>$10.00</td>
<td>$20.00</td>
<td>Music Stand</td>
<td>$2.00</td>
<td>$2.50</td>
</tr>
<tr>
<td>Audio: Speakers-Line Array System per section</td>
<td>$50.00</td>
<td>$50.00</td>
<td>Orchestra Pit-reset/change or for show use</td>
<td>$50.00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Audio: Stage Monitors</td>
<td>$10.00</td>
<td>$15.00</td>
<td>Orchestra Shell (Full)</td>
<td>$200.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Ballet Rosin-boxes (set of 6)</td>
<td>n/a</td>
<td>$25.00</td>
<td>Orchestra Shell (Half/Partial)</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Carpet/Area Rug</td>
<td>n/a</td>
<td>$5.00</td>
<td>Parking Permit presale/print -plus permit costs</td>
<td>$25.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Chairs - folding or stacking</td>
<td>n/a</td>
<td>$2.00</td>
<td>Piano - Lyon &amp; Healy 5’ GLOSS WHITE</td>
<td>n/a</td>
<td>$75.00</td>
</tr>
<tr>
<td>Cleaning charge - per hour</td>
<td>$25.00</td>
<td>$60.00</td>
<td>Piano Tuning -market rate plus $25</td>
<td>$120.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>Concession Sales Item Commission</td>
<td>15%</td>
<td>$0.20</td>
<td>Piano-Rehearsal/Prop upright</td>
<td>$50.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Contract Change/Reschedule Fee</td>
<td>n/a</td>
<td>$25.00</td>
<td>Piano-Steinway 9’ MATTE BLACK</td>
<td>$150.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Curtain Conversion- flying to traveling</td>
<td>$25.00</td>
<td>$50.00</td>
<td>Piano-Yamaha 7” GLOSS BLACK</td>
<td>$100.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>Delivery/pick up charge per hour</td>
<td>$25.00</td>
<td>$35.00</td>
<td>Pit Seating</td>
<td>$50.00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Drop Bag; balloon / snow / specialty</td>
<td>$15.00</td>
<td>$50.00</td>
<td>Platforms</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Dry Erase/ Chalk Board</td>
<td>$5.00</td>
<td>$5.00</td>
<td>Podium (with microphone)</td>
<td>$5.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>DVD Player</td>
<td>$10.00</td>
<td>$5.00</td>
<td>Popcorn Machine</td>
<td>$50.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>FX: Dry Ice fogger -user to provide dry ice and is not included</td>
<td>$100.00</td>
<td>$100.00</td>
<td>Power Distro or Spider box</td>
<td>n/a</td>
<td>$25.00</td>
</tr>
<tr>
<td>FX: Flame Bowls -simulated fire effect</td>
<td>$15.00</td>
<td>$25.00</td>
<td>Risers-choral</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>FX: Hazer -plus cost of fluid</td>
<td>$25.00</td>
<td>$50.00</td>
<td>Riser-seating</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>FX: Smoke/Fog machine -plus cost of fog juice</td>
<td>$25.00</td>
<td>$50.00</td>
<td>Scenery: White scrim</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Gaffers tape-per roll</td>
<td>$15.00</td>
<td>$20.00</td>
<td>Scenery: Black scrim</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Internet Connection</td>
<td>$15.00</td>
<td>$25.00</td>
<td>Scenery: Black Velour Drape</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Lectern</td>
<td>$5.00</td>
<td>$5.00</td>
<td>Scenery: Mylar Silt Curtain</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Lighting Booms - up to 8 with 3 lights each</td>
<td>$100.00</td>
<td>$150.00</td>
<td>Scenery: Rigging Batten/Fly</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Lighting Restoration Fee -refocus for special or large events</td>
<td>n/a</td>
<td>$200.00</td>
<td>Table Skirting</td>
<td>$5.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Lighting: Automated Lighting Fixtures-operator not included</td>
<td>$250.00</td>
<td>$200.00</td>
<td>Tables 3x6-6 included with rental</td>
<td>$5.00</td>
<td>$7.00</td>
</tr>
<tr>
<td>Lighting: Black-Light Cannon</td>
<td>$100.00</td>
<td>$50.00</td>
<td>Tech Table -setup/strike</td>
<td>n/a</td>
<td>$50.00</td>
</tr>
<tr>
<td>Lighting: Black-Light-Elation</td>
<td>$15.00</td>
<td>$25.00</td>
<td>Ticket Printing: BATCH -includes Ohlone/SC stock</td>
<td>$50.00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Lighting: Follow spot -operator not included</td>
<td>$25.00</td>
<td>$25.00</td>
<td>Ticket Sales Per ticket sold fee</td>
<td>$2.00</td>
<td>$2.50</td>
</tr>
<tr>
<td>Lighting: Gel</td>
<td>n/a</td>
<td>$15.00</td>
<td>Ticketing Online Setup</td>
<td>$25.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Lighting: Mini strip MR16</td>
<td>$25.00</td>
<td>$25.00</td>
<td>Video Projector 10K -EPSON</td>
<td>$200.00</td>
<td>$250.00</td>
</tr>
<tr>
<td>Lighting: Mirror Ball 16’</td>
<td>$25.00</td>
<td>$25.00</td>
<td>Video Projector 2.5K Varied makers</td>
<td>$75.00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Lighting: Mirror Ball 36’</td>
<td>$25.00</td>
<td>$50.00</td>
<td>Video Projector 8K-EIKI</td>
<td>$150.00</td>
<td>$175.00</td>
</tr>
<tr>
<td>Lighting: R40 Strip Lights</td>
<td>$25.00</td>
<td>$50.00</td>
<td>Warehousing &amp; Facility -daily storage rate for scenery/props</td>
<td>n/a</td>
<td>$25.00</td>
</tr>
<tr>
<td>Lighting: Star Drop LED Curtain</td>
<td>$150.00</td>
<td>$200.00</td>
<td>Wurlitzer Theatre Pipe Organ -plus organ technician</td>
<td>n/a</td>
<td>$200.00</td>
</tr>
<tr>
<td>Lighting: Strobe Light</td>
<td>$25.00</td>
<td>$25.00</td>
<td>Zero-throw casters</td>
<td>$50.00</td>
<td>$50.00</td>
</tr>
</tbody>
</table>
The Faculty Senate will provide a brief report to the Board of Trustees.

RECOMMENDATION

Standing report for information only.
TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14th, 2021
SUBJECT: Report from the Associated Students of Ohlone College (ASOC)

The Associated Students of Ohlone College (ASOC) will provide a brief report to the Board of Trustees.

RECOMMENDATION

Standing report for information only.
The Superintendent/President will provide the Board of Trustees with updates.

RECOMMENDATION

Information item only.
Each member community college district board of the Community College League of California (CCLC) shall have one vote for each of the seven vacancies on the CCCT Board. Details are provided on the attached paperwork from the CCLC.

RECOMMENDATION

The Superintendent/President recommends the Board consider voting for each of the vacancies on the CCCT Board.
2021 CCCT Board Election
Candidates Listed in Secretary of State’s Random Drawing Order of February 12, 2021

VOTE FOR NO MORE THAN SEVEN (7) CANDIDATES

1. Yvette Davis, Glendale CCD
2. Tina Arias Miller, Rancho Santiago CCD
3. Marguerite Bulkin, Yosemite CCD
4. Edralin Maduli, Chabot-Las Positas CCD
5. Bernardo Perez, Ventura County CCD
6. Gregory Pensa, Allan Hancock Joint CCD*
7. Kendall Pierson, Shasta-Tehama-Trinity Joint CCD
8. Mary Strobridge, San Luis Obispo County CCD
9. Alan Siemer, Lassen CCD
10. Cindi Reiss, Peralta CCD
11. Mark Edney, Imperial CCD
12. Barbara Calhoun, Compton CCD
13. Nan Gomez-Heitzeberg, Kern CCD
14. Margaret Fishman, Sonoma County Junior College District
15. Mary Lombardo, Copper Mountain CCD
16. Michele Jenkins, Santa Clarita CCD
17. Carolyn Inmon, South Orange County CCD
18. Deborah Ikeda, State Center CCD

* Incumbent
Form: CCCT Board Nomination Form
Thu, 02/11/2021 – 11:00

District Name Glendale Community College District

The above named district nominates the following candidate for the CCCT Board:

First Name Yvette

Last Name Davis

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Candidate First Name: Yvette
Candidate Last Name: Davis
Address: 300 E GLENOAKS BLVD, SUITE 100
City and Zip Code: GLENDALE
Phone Number: 8183884632
Email Address: yvette@countinghouseca.com

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
I am a small-business owner, involved in my community, and a lifelong learner committed to public education. A GCC alumna, I know the value of community colleges – turning hope into action. Service on the League’s DEI workgroup has shown me how involvement in the League makes a difference.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
Taking policy-focused positions, advocating, and providing development that help local boards, colleges, and the system achieve:
* Diversity, equity, inclusion and access
* Improvements in SCFF
* Vision for success goals
* Pandemic recovery with equity
* Strong Workforce Program efforts; accomplished with appropriate balance of local and state control.

Certificates/Degrees: BA - Anthropology

Present Occupation: Tax Accountant

Other: Board Trustee

Your Community College District: Glendale Community College

Years of Service on Local Board: 4

Offices and Committee Memberships on Local Board: Served as Clerk, and current President of the Board of Trustees

CCCT and other organizations' boards, committees, workshop presenter, Chancellor's Committees, etc.: DEI Workgroup - Mentoring subcommittee

ACCT and other organizations, boards, committees, etc.: ACCT Emerging Leaders committee (formerly Trustees Under 45)
Civic engagement and community service related volunteer work
Glendale Rose Float Association - Vice President
Glendale Education Foundation - Board Member, Treasurer
Silver Lake Chamber of Commerce – Treasurer
Glendale Healthy Kids - Audit Committee
Glendale Arts – Treasurer
Vincent Price Art Museum – Board Member
Glendale Sunrise Rotary – Past President

Enter any remaining activities or information here.
Form: CCCT Board Nomination Form
Fri, 02/12/2021 - 11:09

**District Name** Rancho Santiago Community College District

The above named district nominates the following candidate for the CCCT Board:

**First Name** Tina  
**Last Name** Arias Miller

**Nomination Agreement:** This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Candidate First Name Tina
Candidate Last Name Arias Miller
Address 621 W. Fletcher Ave Unit 4
City and Zip Code Orange 92865
Phone Number 714-307-4639
Email Address AriasMiller_Tina@rsccd.edu

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

Deliberative advocacy and policy development to adapt to post-pandemic changes and elevate student populations that are at-risk. Consistent collaborative partnership and professional development to help new and developing leaders effectively scale up. Exercising inclusiveness across a variety of communication platforms and program offerings to increase awareness of League services.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

Professional work experience in higher education (20 years) encompassing student support services, enrollment, and operations provides a great foundation to understanding the needs and challenges at community college campuses. My civic work demonstrates advocacy in higher education policy development and legislative support, as well as amplifying the community voice.

Certificates/Degrees Educational Leadership Doctorate (Ed.D.), Masters Business Administration (MBA), Bachelor Liberal Studies, Grant Writing Certif.

Present Occupation Currently focused on Trusteeship at Rancho Santiago Community College District as Vice President of the Board.

Other Worked as Project Director at North Orange Community College District for 3 years. Total of 20 years higher ed work experience.

Your Community College District Rancho Santiago Community College District

Years of Service on Local Board Less than one year.

Offices and Committee Memberships on Local Board
Currently serving as Board Vice President.
Chairperson for the board Policy Committee and Institutional Effectiveness Committee.
Member of board Legislation Committee.

**CCCT and other organizations' boards, committees, workshop presenter, Chancellor’s Committees, etc.**
Appointed as the district/board representative for the Orange County Community College Legislative Task Force.
California Community College Association of Occupational Education (CCCAOE) member and participation in biennial conferences.
California Coalition of Early and Middle Colleges (CCEMC) member and participation in leadership workshops and annual conferences.
Participant in Los Angeles/Orange County Regional Consortium (Strong Workforce Program).

**ACCT and other organizations, boards, committees, etc.**
CCCT/ACCT membership and participation in all conferences, legislative summit, and webinars.

**Civic engagement and community service related volunteer work**
Boys Scouts of America, Orange County - volunteered as a cub scout den mother and then served as committee secretary and treasurer for boy scout troop 1475.
Orange Chamber of Commerce - volunteer Ambassador for three years to increase membership and promote business networking.
Latino Peace Officers Association - volunteer Board Secretary for non-profit organization for two years.
Democratic Party of Orange County - elected central committee member and state delegate, volunteer co-facilitator for education officials (K12, CC) monthly meetings to network and discuss local issues around delivery and quality of instruction.

**Enter any remaining activities or information here.**
I have first-hand working experience working initiatives such as the College Promise Program (AB 19), Career and College Access Program (AB 288), the state Strong Workforce Program, and the federal GEAR UP grant program. Community colleges are the best value and source of quality education providing a greater bridge of opportunity for our under-served populations. With appropriate coordination and resources, I believe we can continue to improve access and outcomes that will benefit our local workforce and the families we serve.
District Name Yosemite Community College District

The above named district nominates the following candidate for the CCCT Board:

First Name Marguerite
Last Name Bulkin

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Candidate First Name Marguerite
Candidate Last Name Bulkin
Address 19636 Grey Owl Court
City and Zip Code Twain Harte, CA 95383
Phone Number 760-815-8392
Email Address bulkinm@yosemite.edu

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
The major issues would be to reflect the League’s goals and to take advantage of the unique time in which we find ourselves to provide advocacy, awareness and access to community college as a critical and indispensable component to stimulate the revitalization and economic growth of our communities.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
I have 36 years of accumulated experience serving public education in California at all levels including teaching, school administration, and Board membership. I have always championed a K-14 system of education whereby community college is the natural progression for education and skills attainment beginning as early as high school.

Certificates/Degrees MA Public School Administration; MA Policy Studies/Cross Cultural Education; Calif. Teaching Credential; BA Spanish Literature

Present Occupation Professor & Coach in the Administrative Credential Program at the Teachers College of San Joaquin

Other Retired elected Tuolumne County Superintendent of Schools (34 years Public School Service)

Your Community College District Yosemite Community College District

Years of Service on Local Board Currently in year 3 of service on the Board.

Offices and Committee Memberships on Local Board
Board Chair (2021); Board Vice Chair (2020); Board Representative to College Foundation (2019 - 2021).

CCCT and other organizations' boards, committees, workshop presenter, Chancellor’s Committees, etc.
Participant CCLC 2021 Effective Trustee Board Chair Workshop; Governing Board Member of Sonora Regional Medical Center/Adventist Health Hospital; Committee Chair for the Promise Scholarship Program for Columbia College/Yosemite Community College District; Committee Chair for Dual Enrollment Education and Recruitment for Tuolumne County Schools/Columbia College.
Retired Superintendent Bulkin was elected to serve as the Tuolumne County Superintendent of Schools on June 5, 2014, and sworn into office on January 5, 2015. Mrs. Bulkin is a graduate of the University of California, San Diego. She received her teaching credential and Master’s Degree from San Diego State University and an Administrative Credential and Master’s Degree in Educational Administration from National University. Mrs. Bulkin was a teacher, program coordinator, assistant principal, principal, and executive director of instruction with the San Dieguito Union High School District from 1984 - 2007. In Tuolumne County, beginning in 2007, she served as superintendent of the Sonora School District and also for the Curtis Creek School District, and later as the deputy superintendent at the Tuolumne County Superintendent of Schools Office before becoming the elected Tuolumne County Superintendent of Schools. In 2010, Mrs. Bulkin was selected to serve as a delegate to Washington D.C. to lobby for Secure Rural Schools Funding, which resulted in reauthorization at the Federal level.

During her term as the elected Tuolumne County Superintendent of Schools, she served in a number of community organizations including as a member, president, and past president of the Tuolumne Charter Association of California School Administrators (TCACSA), Commissioner and Chair for First Five Tuolumne County, Columbia College Foundation Board Member and Chair of the Promise Scholarship Committee, Board Member of the California Fiscal Crisis Management Team Board of Directors, YES Partnership Executive Board Member, Mother Lode Workforce Investment Board Member, Member of the American Association of University Women Sonora Branch, Chair of the Tuolumne Joint Powers Authority, Task Force Member of the Community Health Needs Assessment and President of the Civic Advisory Board of Sonora Regional Medical Center/Adventist Health Hospital and currently as a Governing Board Member of Sonora Regional Medical Center/Adventist Health Hospital.

Civic engagement and community service related volunteer work
With an accumulated 36 years of public service and a career devoted to the development of young people, I am optimistic about the future of public education in Tuolumne County, in the footprint of Yosemite Community College District, and in California. I am forever impressed at the dedicated board members, administrators, teachers, support staff, business and community members that seamlessly collaborate to support positive outcomes for students. I felt that I could retire from my role as Superintendent in 2019, and let the next generation improve upon the accomplishments made during my 34 year tenure. However upon retirement, I had more to give, and I ran for the vacancy for Trustee Area 1, for the Yosemite Community College District and was elected to serve as Trustee in November, 2019, and currently serve as the Board Chair. I also continue to remain actively involved in supporting access to college and careers for the young people of Tuolumne County through my work to support community giving as a Columbia College Foundation member and Chair of Columbia College’s Promise Scholarship Program, which when fully funded, guarantees full time paid tuition and college admission to high school graduates of Tuolumne County. I also continue to serve public education at the university level in the recruitment, training and development of new teachers and aspiring school administrators, in addition to my duties as Trustee for Area 1 for the Yosemite Community College District. Free and public education is a societal miracle, with affects so far reaching that no one can deny and no one can ever do without. It has been my privilege and honor to be associated with such an endeavor.

Enter any remaining activities or information here.
After 34 years of service in public education in California, Margie Bulkin ran for the Trustee Area 1 vacancy on the Yosemite Community College District Board of Trustee, and was elected to serve in November, 2019. Margie Bulkin currently serves as Board Chair.
Form: CCCT Board Nomination Form
Tue, 02/09/2021 – 13:30

District Name Chabot- Las Positas Community College District

The above named district nominates the following candidate for the CCCT Board:

First Name Edralin

Last Name Maduli

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]

[Name]
Candidate First Name Edralin
Candidate Last Name Maduli
Address 1177 Avenida De La Palmas
City and Zip Code Livermore
Phone Number 9252161861
Email Address trusteeboard-area7@clpccd.org

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
There are many pressing issues facing our community college system. The pandemic and its impact to all of us is the foremost issue. Community college funding remains a pressing issue as the system grapples with the new funding formula. Other issues include Diversity, Equity and Inclusion and student housing/food insecurity.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
I bring to this position a unique set of experiences and knowledge that can be beneficial to the CCCT Board. A graduate of a community college. An Air Force veteran. A former community college administrator serving in various executive positions for 25+ years. Served on several accreditation teams.

Certificates/Degrees AA--Hartnell College, BS (Aero Engr)--Cal Poly (SLO), MS(Aero Engr)--University of Oklahoma, MBA--Golden Gate University

Present Occupation Emeritus Vice Chancellor--West Valley Mission CCD
Other Educational Consultant--Mission West Valley Land Corporation

Your Community College District Chabot Las Positas CCD

Years of Service on Local Board 4+ years--elected in 2016 and reelected in 2020

Offices and Committee Memberships on Local Board Board President--2 terms, 2019 and 2020 Services on Audit Committee

CCCT and other organizations' boards, committees, workshop presenter, Chancellor’s Committees, etc.
Previously--CCFC Board Member, ACBO Board Member, SWACC Board Member and President, Bay Area JPA Board Member and President, Redevelopment Oversight Board for cities of San Jose, Santa Clara, Campbell and Los Gatos--served as Chair for Campbell and Vice-Chair for San Jose and Santa Clara.

ACCT and other organizations, boards, committees, etc. N/A
Civic engagement and community service related volunteer work Rotary, Air Force Association, Veterans of Foreign Wars,

Enter any remaining activities or information here.
Air Force veteran with over 20 years of active military service, retiring as Lieutenant Colonel. Served overseas in Thailand, Germany, and Saudi Arabia. Graduate of military's Armed Forces Staff College and the Air Command and Staff College
Form: CCCT Board Nomination Form
Thu, 02/10/2021 – 16:47

**District Name** Ventura County Community College District

The above named district nominates the following candidate for the CCCT Board:

**First Name** Bernardo

**Last Name** Perez

**Nomination Agreement:** This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature Image]
Candidate First Name: Bernardo M
Candidate Last Name: Perez
Address: 4627 Bella Vista Drive
City and Zip Code: Moorpark 93021-2228
Phone Number: 805-208-3570
Email Address: bperez@vcccd.edu

What League in the next are the major issues and activities that should be considered by the CCCT Board and the two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
1- Stable, sufficient, guaranteed base funding for CCC System;
2- Vision For Success Diversity Equity Inclusion Call To Action;
3- Closing the educational equity gap;
4- Student resources to overcome Total Cost of Education;
5- Permanent and Expanded CC baccalaureate program;
6- Increased flexibility in workforce-based learning programs.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
As CCCT Board Member, I can build upon my participation and experience on the League’s Advisory Committee-Legislation and member of the Diversity Equity Inclusion Task Force Work Group #3 (Professional Development/Mentoring) to advocate for the advancement of Trustee- and League-identified policy priorities.

Certificates/Degrees: n/a
Present Occupation: Retired
Other: Water Service Representative, LA DWP (30 years); nonprofit Real Estate Development Project Manager (17 years)

Your Community College District: Ventura County CCD
Years of Service on Local Board: 10

Offices and Committee Memberships on Local Board:
Board Chair and Vice-Chair
Chair and Member, Administrative Services Committee and Capital, Planning & Facilities
CCCT and other organizations’ boards, committees, workshop presenter, Chancellor’s Committees, etc.
Advisory Committee-Legislation
DEI Work Group #3
Excellence in Trusteeship Program-initial and recertified
Latino Caucus

ACCT and other organizations, boards, committees, etc.
ACCT National Legislative Summit—regular attendee and Hill Visit participant

Civic engagement and community service related volunteer work
Previous: 12-year City Council Member including a term as Mayor, City of Moorpark; Planning Commissioner; Ventura Local Agency Formation Commission; Moorpark Chamber of Commerce; Community Action of Ventura County; Workforce Development Board, Ventura County; little league and soccer coach, referee
Current: House Farm Workers!; Adventist Health Simi Valley Hospital Foundation; Moorpark Foundation for the Arts; Knights of Columbus, Simi Valley Chamber of Commerce

Enter any remaining activities or information here.
I have always sought to address the ‘human element’ aspect when participating in local governance. What better place to be than at the table where policy direction is set? In so doing, it is important that every one involved and/or affected has their questions/concerns identified, heard, thoroughly discussed in a fair and transparent process so that every one will respect and accept the outcome.
Form: CCCT Board Nomination Form
Thu, 02/10/2021 – 8:42

**District Name** Allan Hancock College

The above named district nominates the following candidate for the CCCT Board:

**First Name** Greg

**Last Name** Pensa

**Nomination Agreement:** This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Form: CCCT Board Statement of Candidacy & Biographic Sketch Form
Thu, 02/11/2021 – 16:11

Candidate First Name Gregory
Candidate Last Name Pensa
Address 69 Ironwood Way
City and Zip Code Solvang 93463-2947
Phone Number 805-455-1751
Email Address gpensa@hancockcollege.edu

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
Funding levels from State need to be increased. COLA is unacceptable. CC COLA need to equal K-12. Pell & CAL Grant reform, grants do not reflect true needs. More monies need to be allocated for student mental health. Community College baccalaureate needs to be made available to more Community Colleges.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
Being a Community College trustee for 11 years, my experience as a member of CCCT and being aware of the needs of the students gives me the ability to advocate for CCCT. I have a very good relationship with State Senator Monique Limon, which I can leverage for CCCT.

Certificates/Degrees A.A. Allan Hancock College & B.A. San Diego State University Telecommunications & Film

Present Occupation Retired
Other Previous occupations, Petroleum Marketing & Asset Development Director

Your Community College District Allan Hancock College

Years of Service on Local Board 11

Offices and Committee Memberships on Local Board
AHC Board President 3 years, Board VP 2 years
Santa Barbara County School Board Association AHC Representative 7 years
Solvang Festival TheaterAHC Representative 11 years
AHC Foundation Representative 11 years
Santa Barbara County Committee on School District Organization AHC Representative 2 years

CCCT and other organizations’ boards, committees, workshop presenter, Chancellor’s Committees, etc.
CCCT Master Plan Revisioning Committee
Santa Barbara County Committee on School District Organization
Santa Barbara County School Board Association
ACCT and other organizations, boards, committees, etc.
ACCT Voting Representative 6 years
Presenter ACCT NY 2018-Allan Hancock College Promise
Presenter Bellwether College Consortium-2019-Allan Hancock College Promise
Presenter ACCT Virtual 2020-Improved Graduation Rates Through Technology

Civic engagement and community service related volunteer work
Solvang School Trustee 10 years, passed Mello-Roos Bond to build 6 classrooms & gym
Allan Hancock Foundation 9 years, help pass $180 million dollar Bond
Solvang Friendship House-Alzheimer’s & Dementia Care, 11 years, past President
Buellton Chamber of Commerce, past President
Valley Haven Senior Day Care, founding Board member and past President

Enter any remaining activities or information here.
Excellence in Trusteeship 2011, recertification 2015
IDC Foundation-Founding Board member, Non-Government Org. helping needy in the Philippines
Rotarian for 40+ years, past President
Radio Broadcaster for Santa Ynez High sports since 1983
"Man of Year" Santa Valley Foundation 2013
District Name: Shasta-Tehama-Trinity Joint Community College District

The above named district nominates the following candidate for the CCCT Board:

First Name: Kendall
Last Name: Pierson

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Candidate First Name Kendall
Candidate Last Name Pierson
Address 1455 Riverside Dr.
City and Zip Code Redding 96001
Phone Number 530-949-0663
Email Address Kenspierson@gmail.com

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
1. Post Pandemic: How to deliver the optimum mix of Online and In Person courses
2. Improving Equity at the California Community Colleges
3. Advocating for funding for the Community Colleges

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
1. Provide each district with resources necessary to evaluate and plan for adapting courses
2. Reinforce the importance of each district evaluating data on improving Equity outcomes. Stress to each district the need to address the shortcomings
3. Articulate a clear message of resource needs of CC system to Legislators.

Certificates/Degrees B. S. Wood Science and Technology, Colorado State University 1982
Present Occupation Small Business Owner

Other Retired President. Sierra Pacific Windows and Millwork

Your Community College District Shasta-Tehama-Trinity Joint Community College District

Years of Service on Local Board 22

Offices and Committee Memberships on Local Board
Policy Committee member
Capital Outlay Committee member
Sabbatical Leave Subcommittee member
Audit Committee member
District Retirement Board member

CCCT and other organizations' boards, committees, workshop presenter, Chancellor's Committees, etc. Participant: California Community Colleges Trustee Fellowship

ACCT and other organizations, boards, committees, etc.
**Civic engagement and community service related volunteer work** Board Member: Job Training Center, Tehama County

**Enter any remaining activities or information here.**

Biographic Sketch:

Kendall Pierson has served as a Shasta College Trustee since 1997. Mr. Pierson represented Area B through 2008, and began his representation of Area A in 2009. He also serves on the Tehama County Job Training Center Board of Directors, a post he has held since 1991. Mr. Pierson recently retired as President of the Millwork/Window Division at Sierra Pacific Industries, a company he had been with since 1984. He received his Bachelor of Wood Science and Technology degree from Colorado State University in 1982.
Form: CCCT Board Nomination Form
Fri, 01/15/2021 - 14:04

**District Name** San Luis Obispo CCD

The above named district nominates the following candidate for the CCCT Board:

**First Name** Mary

**Last Name** Strobridge

**Nomination Agreement:** This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☑ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Candidate First Name  Mary  
Candidate Last Name  Strobridge  
Address  9235 North Santa Margarita Road  
City and Zip Code  Atascadero 93422  
Phone Number  805-674-3652  
Email Address  mstrobridge@sbcglobal.net  

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

Areas to focus on are: students success and access while incorporating diversity, equity and inclusion; virtual learning - present and future; educational pathways to provide that students are graduating in 2 years and moving on to the workforce or a 4-year college/university.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

Educational leadership requires being proactive in the political arena. My background includes lobbying legislators in California with fellow educators. I attend budget and legislative professional development workshops that pertain to education.

Certificates/Degrees  BA/Liberal Studies; M.Ed.; CA Multiple Subject Credential (Active); CA Specialist Credential- Reading (Active)  
Present Occupation  Retired K-12 teacher  
Other  None  
Your Community College District  San Luis Obispo County Community College District - Cuesta College  
Years of Service on Local Board  4 Years  
Offices and Committee Memberships on Local Board  
Currently President of the Board; served as Vice-President; 2021 Audit Review Committee; Ad Hoc Committees as needed  
CCCT and other organizations' boards, committees, workshop presenter, Chancellor’s Committees, etc.  None at this time.  
ACCT and other organizations, boards, committees, etc.  None at this time.  
Civic engagement and community service related volunteer work
County-wide Chamber of Commerce events - virtual/pre-COVID; South County Animal Rescue volunteer; SLO County Library/Atascadero volunteer (pre-COVID); 4-H Food and Arts Committee; El Camino Homeless Organization - ECHO (food preparation volunteer as needed)

Enter any remaining activities or information here.

I attend CCLC conferences/workshops/Board Chair workshops; ACCT Conference attendee; Graduate of the Excellence in Trusteeship program; Member of the Community College Women’s Caucus; 20+ years as a 4-H leader and volunteer. I support/attend Cuesta’s Harold J. Miossi Cultural and Performing Arts Center programs.
Form: [CCCT Board Nomination Form](#)
Thu, 02/11/2021 – 11:51

**District Name** Peralta Community College District

The above named district nominates the following candidate for the CCCT Board:

**First Name** Cindi

**Last Name** Reiss

**Nomination Agreement:** This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

Maïsha Jameson
Candidate First Name Cindi
Candidate Last Name Reiss
Address 1693 trestle glen
City and Zip Code Oakland, CA 94610
Phone Number 4156404902
Email Address cinapoli@aol.com

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
CCCT needs to prioritize securing support and funding for our students and institutions. CCCT needs to ensure that we strengthen DEI efforts and DEI advocacy, while actively supporting on the ground efforts to protect our most vulnerable students as we continue through these next two years.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
My work on the CCCT DEI task-force, my experience as a peer reviewer and as a Commissioner on ACCJC; my direct interaction with students in the classroom will inform my lens on the CCCT Board.

Certificates/Degrees PhD
Present Occupation Art History Professor
Other ACCJC Commissioner

Your Community College District Peralta CCD
Years of Service on Local Board 2 years and 3 months

Offices and Committee Memberships on Local Board
This year I am President of the Board and last year, I was VP of the PCCD Board. I am also a member of the Finance/ Budget Committee and Accreditation and Student Success Committees on the PCCD Board.

CCCT and other organizations' boards, committees, workshop presenter, Chancellor’s Committees, etc.
I've been a member of the following ASCCC Committees: Educational Policies, Government and Internal Policies, and Legislative Policies.
I've presented at many ASCCC conferences and Plenaries since 2015, as well as on Global Education and Civic Engagement at CCLC.

I've presented on Accreditation issues as an ACCJC Commissioner at CCLC. I have also been a facilitator for the ACCJC Peer Review all day Training workshop.
Before becoming a Commissioner, I served on about six Peer Evaluation visits to Colleges across the California as well as Hawaii.

**ACCT and other organizations, boards, committees, etc.** I am a Commissioner on ACCJC which is a regional accreditation agency.

**Civic engagement and community service related volunteer work**
I’m a Board Member for Daily Bowl (2nd year) focused on resourcing food to families in the East Bay in need of food; I served as a Board Member for Oakland Leaf (8 years), an organization focused on supporting kids from age 5 to 17 years old in academic, emotional and leadership growth by providing community support, free camps, free tutoring and mentoring.

**Enter any remaining activities or information here.** n/a
Form:  [CCCT Board Nomination Form](#)
Sat, 02/13/2021 - 14:50

**District Name** Imperial Community College

The above named district nominates the following candidate for the CCCT Board:

**First Name** Mark

**Last Name** Edney

**Nomination Agreement:** This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Martha Garcia (Feb 13, 2021 10:02 PST)](#)

Signature of Clerk or Secretary of Governing Board
Dr. Martha O. Garcia, Secretary
Candidate First Name  Mark
Candidate Last Name  Edney
Address  153 E. Brighton Avenue
City and Zip Code  El Centro 92243
Phone Number  7607918742
Email Address  mark.edney@imperial.edu

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

Priority will be returning to campuses safely and with maximum agreement from all stakeholders. CCCT must focus on rectifying the student access issues exposed during the pandemic. CCCT must advocate for greater funding for CCCs and for comprehensive student financial aid. It must lead on advocating for an Equity-Based Recovery.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

A leader in a diverse and economically challenged CCC district, I can speak first-hand to the need for systemic change across the board. Poorer CCC districts and our students face great hardships. I will advocate but will also expose where policy and legislation are still leaving the poorest behind.

Certificates/Degrees  B.A. (Berkeley), M-Phil (Cambridge) , M.A. (Honorary) (Oxford)

Present Occupation  Pastor, Our Lady of Guadalupe Parish, El Centro and St. Mary Parish, El Centro, Governor of St. Mary's School

Other  Dean for the Imperial Valley; Director and Vice-President of the CAPS Corporation; Hospital Chaplain

Your Community College District  Imperial Community College

Years of Service on Local Board  Since August 2017

Offices and Committee Memberships on Local Board  Board President, elected December 2020; re-elected December 2021

CCCT and other organizations' boards, committees, workshop presenter, Chancellor’s Committees, etc.
Completed the Excellence in Trustee Program in 2019. Regular participant in the Effective Trusteeship and Board Chair Workshops, the Annual Legislative Conference and Annual Convention.

**ACCT and other organizations, boards, committees, etc.** n/a

**Civic engagement and community service related volunteer work**
- Member of the Executive Board of the Imperial Valley Continuum of Care Council
- Director and Finance Committee Member for Catholic Charities of the Diocese of San Diego
- Coordinator for Emergency Food Distribution Network, Imperial Valley
- Member of the Imperial Valley Business Recovery Taskforce

**Enter any remaining activities or information here.**
I am a relatively new CCC Trustee, but I have worked very hard for my district and to learn what is necessary to be an effective Trustee. The people in our county have few local opportunities for higher education, which is why our college must succeed with and for them. It is why I am so committed to the work of the League and the community college mission. We cannot fail the 60 percent of high school grads in our area for whom IVC is their sole opportunity to attend college and realize their educational dreams.
Form: CCCT Board Nomination Form

**District Name** Compton Community College District

The above named district nominates the following candidate for the CCCT Board:

**First Name** Barbara

**Last Name** Calhoun

**Nomination Agreement:** This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Candidate First Name  Barbara
Candidate Last Name  Calhoun
Address  1403 W. 133rd Street
City and Zip Code  Compton 90222
Phone Number  31091866667
Email Address  bcalhoun@compton.edu

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

The CCCT and League should focus on addressing and finding solutions for the growing number of students facing housing, food insecurity during the COVID-19 pandemic, as well as expanded support and resources for the approximately 89,000 Veterans, active duty service members and dependents enrolled at a community college each year.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

I have extensive experience in civil service and community/social impact areas. As founder of the annual Compton Homeless Veterans Stand Down, I understand the needs of Veterans looking to transition into civilian life. I served two terms on Compton City Council, one term as Compton Unified School District Board member.

Certificates/Degrees
• High School Diploma from John C. Fremont High School, Gompers Jr. High School
• Studied Labor Law at Trade Technical College in South Los Angeles
• Completed the U.S. Department of Justice FBI Community Relations Executive Seminar (2015)
• National League of Cities Leadership Training Institute various courses (2006-2010)

Present Occupation  Retired

Other  34 years at the City of Los Angeles, traffic officer, clerk typist supervisor

Your Community College District  Compton Community College District

Years of Service on Local Board  1-1/2 years

Offices and Committee Memberships on Local Board
• 2018-2019 Board Member
• 2019-2020 Board Clerk
CCCT and other organizations' boards, committees, workshop presenter, Chancellor's Committees, etc.
• Member of the African American California Community College Trustees (AACCCT)
• Annually attend the CCLC Legislative Conference.
• Elected member of the State Democratic County Committee
• Delegate to the 52nd Assembly District and representative to the Executive Board for the California Democratic Party
• Delegate to the 64th Assembly District and representative to the Executive Board for the California Democratic Party

ACCT and other organizations, boards, committees, etc.
• Member of the African American California Community College Trustees (AACCCT)
• Annually attend the ACCT Community College Legislative Summit.

Civic engagement and community service related volunteer work
• City Council Member for the City of Compton (2003-2011)
• Compton Unified School District School Board Member (2001-2003)
• Member of the New Frontier Democratic Club and Martin Luther King, Jr. Democratic Club
• Los Angeles County Community Action Board Public Sector 2nd District Representative
• Member of the Bellflower/Long Beach Elks Lodge
• Founder and organizer of the Compton Homeless Veterans Stand Down (since 2008)
• Organized events for senior citizens in the City of Compton
• Coordinator of the free Compton Winter Wonderland for children
• Local Juneteenth Festival organizer

Enter any remaining activities or information here.
• Proctor for the State Bar of California’s Committee of Bar Examiners (since 2014)
• First female president of the Service Employees International Union (SEIU) Local 347; served as chair and vice chair of the Western Region Women’s Caucus of SEIU
• Member of the A. Phillip Randolph Institute (APRI)
• Member of the Coalition of Black Trade Unionists (CBTU)
• Member of the Coalition of Labor Women (CLUW)
• American Association of Retired People (AARP) Member
• California Alliance for Retired Americans (CARA) Member
District Name Kern CCD

The above named district nominates the following candidate for the CCCT Board:

First Name Nan
Last Name Gomez-Heitzeberg

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]

Thomas J. Burke
Chancellor
Kern Community College District
Form: CCCT Board Statement of Candidacy & Biographic Sketch Form
Wed, 02/03/2021 - 10:02

Candidate First Name Nan
Candidate Last Name Gomez-Heitzeberg
Address 1500 Camino Sierra
City and Zip Code Bakersfield 93306
Phone Number 6618092545
Email Address nan4ccct@gmail.com

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

With almost four decades in education, I pride myself in making fiscally educated and creative decisions. My focus has and continues to be, on student success using an equity lens. I have served in a variety of roles ranging from faculty to Chief Instructional Officer, and presently as a Trustee.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

Areas of focus should be advancing an equity-based student success agenda with fiscally responsible practices and strengthening partnerships between trustees and CEOs. A focused professional development campaign is an essential and sustainable approach to engage board members in more meaningful ways to support their districts in accomplishing outcomes.

Certificates/Degrees M.A. Art, California State University, Fresno, 1978 & B.A. Art, California State University, Fresno, 1971

Present Occupation Kern Community College District Trustee

Other Vice President, Instruction; Acting President; Executive Vice President, Academic Affairs and Student Services

Your Community College District Kern Community College District

Years of Service on Local Board 2

Offices and Committee Memberships on Local Board

Role/ Institution/ Years of Service
Clerk, Board of Trustees, KCCD, Present (less than 1 year)
Chair, Accreditation Committee, KCCD, 2
Member, Legislation Committee, KCCD, 2
Trustee Representative, Kern County Committee on School District Organization, KCCD, 2
Member, Finance and Audit Committee, KCCD, Present (less than 1 year)
Member, Board Evaluation Committee, KCCD, Present (less than 1 year)

CCCT and other organizations' boards, committees, workshop presenter, Chancellor’s Committees, etc.

Role/ Institution
Member, CCCT Equity, Diversity, and Inclusion Workgroup, CCCT
Member, CCCT Townhall Planning Team, CCCT
Co-chair and Founding Member, California Community College Women’s Caucus (CCCWC), CCCWC

ACCT and other organizations, boards, committees, etc.

I served as the institutional co-lead for the National AACC Pathways Project to develop the framework for student success and equity through Guided Pathways. This group ensured that the college was prepared to implement this framework at scale. Engagement with this work has prepared me to explore, implement, and support creative solutions to expand student success and equity efforts.

Civic engagement and community service related volunteer work

The Farmworker Institution of Education and Leadership Development (FIELD) honored me with the Cesar E. Chavez Legacy Award for Promoting Social and Economic Prosperity for my support of educational opportunities for rural communities. Since retiring, I’ve been a presenter in the Levan Center Arts and Humanities program for the community.

Enter any remaining activities or information here.

As an Art faculty, I embrace the creative process of addressing and solving complex issues. As an administrator, I focused my efforts on addressing equity in serving students in rural areas. As the Chief Instructional Officer, I engaged in critical conversations around equity in curriculum and degree completion. During this time, I was also asked to step in as Interim President of Bakersfield College. I used this time to address institutional matters on student retention and progression in challenging budget times. Currently, I serve as a Trustee in the Kern Community College District, the largest service area in the Central Valley.

As I have engaged in the transformational work of serving first-generation rural communities that live below the poverty line, I have learned how to influence and incentivize policy in the field. This includes the skill of bringing policy to practice so that students gain the most through the implementation of federal, state, and local mandates. This has been a critical part of my work, as I refuse to shy away from radical equity.
District Name: Sonoma County Junior College District

The above named district nominates the following candidate for the CCCT Board:

First Name: Margaret
Last Name: Fishman

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☐ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Candidate First Name Margaret
Candidate Last Name Fishman
Address P.O. Box 134
City and Zip Code Penngrove, 94951
Phone Number 7073381441
Email Address Mfishman@santarosa.edu

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
Change is in the air at both macro and micro levels. Many challenges: Curriculum, Financial aid, food insecurity, Professional Development, Fiscal Stability. These require institutional responses and fresh thinking. "Education" is the great equalizer, but "Equity must be our measure of success. It is time to turn ideas into action

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
I have Demonstrated devotion to Community Colleges as graduate, community member, educator and trustee.
Six years as SRJC Trustee-two as chair
Strong understanding of the Legislative Process as former legislative aide and instructor on legislative process for USC.
Supported the League’s lobbying efforts.
Close relationships with my Legislators.

Certificates/Degrees AA Santa Rosa Junior College, Single Subject Teaching Credential and BA Political Science,

Present Occupation Retired from Montgomery High School, Santa Rosa

Other Legislative Aide, Program Manager/Instructor at USC’s School of Public Administration in Sacramento

Your Community College District Sonoma County Junior College District aka Santa Rosa Junior College

Years of Service on Local Board Six years

Offices and Committee Memberships on Local Board
Chair (two years), Finance Committee, Legislative Committee, Board Facilities, Foundation, and President’s Consultation Council
CCCT and other organizations' boards, committees, workshop presenter, Chancellor's Committees, etc.
Supported the League's Lobbying efforts. Currently a member of DEI sub group #3, Professional Development

ACCT and other organizations, boards, committees, etc. n/a

Civic engagement and community service related volunteer work
Member, supporter and volunteer of many local groups: Mentor Me, Petaluma Education Foundation, Sonoma County Conservation Action, Petaluma People Services, AAUW, Los Cien, Sonoma County Democratic Party, and Sonoma County Democratic Central Committee.

Enter any remaining activities or information here.
Attended numerous California Democratic State Conventions as a delegate. Worked for the DNC, part of the Press Concierge, in Charlotte at the Democratic Convention.
Form: CCCT Board Nomination Form
Fri, 02/12/2021 – 5:05

**District Name** Copper Mountain Community College District

The above named district nominates the following candidate for the CCCT Board:

**First Name** Mary

**Last Name** Lombardo

**Nomination Agreement:** This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]

Candidate First Name Mary
Candidate Last Name Lombardo
Address 9231 Hermosa Ave
City and Zip Code Yucca Valley
Phone Number 7602281353
Email Address mlombardo.cmc@gmail.com

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
Rural student experience equity is a major issue. There are two challenges I have noticed that impact the parity with urban students. Lack of access to reliable and affordable internet and poor transportation options in rural communities have hindered student success during in-person and online instruction.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
I have personal relationships with my local government, the state government through our State Assemblyperson, and nationally with our State Representative. Being on the CCCT Board would provide the early context of the advocacy agenda and an opportunity to promote solutions that serve students in all communities.

Certificates/Degrees Associate's degree in Dental Hygiene, Bachelor of Science from URI and Certificate of Excellence in the Trusteeship Program

Present Occupation Dental Hygienist and co-owner of a Dental Practice

Other Board of Trustees CMC

Your Community College District Copper Mountain college

Years of Service on Local Board 8

Offices and Committee Memberships on Local Board Copper Mountain College Foundation, Board of Directors

CCCT and other organizations’ boards, committees, workshop presenter, Chancellor’s Committees, etc. Veterans Caucus

ACCT and other organizations, boards, committees, etc.

Civic engagement and community service related volunteer work
Kiwanis Club of Yucca Valley
Key Club Advisor (high school service group)
Steering Committee for a local High School
Classroom Volunteer K through 6th Grade

Enter any remaining activities or information here.
District Name Santa Clarita Community College District

The above named district nominates the following candidate for the CCCT Board:

First Name Michele
Last Name Jenkins

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Candidate First Name Michele
Candidate Last Name Jenkins
Address 25243 Running Horse Road
City and Zip Code Newhall 91321
Phone Number 6616186847
Email Address Michele.Jenkins@earthlink.net

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

Monitoring funding formula proposals
Insure equitable distribution of base dollars & increase in student base numbers
Certificate & Degree program development targeted at future job growth sectors advocacy
Increased hiring of staff & student growth that reflect diversity advocacy

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)

California Community College historical knowledge & dedication to community colleges as former student, lengthy tenure on local board of high successful, innovative district, & previous service on CCCT & CCLC Boards
Skilled at collaboration reaching best decisions for students, community & business

Certificates/Degrees AA, College of the Canyons, BA UCLA, MA U OF NO DAKOTA

Present Occupation Medical Office Administrator

Other Excellent research & writing skills

Your Community College District Santa Clarita Community College District, College of the Canyons

Years of Service on Local Board 36 1/2 years

Offices and Committee Memberships on Local Board
President of BOT which hired Dr Dianne Van Hook, longest serving CEO in California
Multiple Terms as President, Vice President & Secretary
Board Liaison to College Foundation & to Accreditation Self Study Committee
CCCT and other organizations' boards, committees, workshop presenter, Chancellor's Committees, etc.
Presenter at numerous conferences on Board/CEO Role; Role & Responsibilities of Trustees; presenter for Santa Clarita League of Women Voters on Value of Civic Engagement

ACCT and other organizations, boards, committees, etc.
Assistant to Presentation on Excellence In Trustee Program
Co-Founder Santa Clarita League of Women Voters
Canyon Country Community Advisory Committee
Hiring committee for League Director of Operations

Civic engagement and community service related volunteer work
League of Women Voters
American Association of University Women

Enter any remaining activities or information here.
Zonta
Soroptomists
Empowering Hearts Awardee for women's advocacy
Santa Clarita Top 51 Most Influential Awardee
Form:  CCCT Board Nomination Form
Wed, 02/10/2021 – 8:07

District Name South Orange County Community College District

The above named district nominates the following candidate for the CCCT Board:

First Name Carolyn

Last Name Inmon

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board

[Signature]
Form: CCCT Board Statement of Candidacy & Biographic Sketch Form
Tue, 02/09/2021 – 20:02

Candidate First Name Carolyn
Candidate Last Name Inmon
Address 28000 Marguerite Pkwy.
City and Zip Code Mission Viejo 92692
Phone Number 949.582.4850
Email Address cinmon@socccd.edu

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
1. Diversity and Inclusion – Policies which have equity help to actually include all students.
2. Free or debt free community college – support efforts to help students financially especially Covid-19.
3. Retention – Increase help to students that fall through the cracks.
4. Mental health – Policies to support students emotionally.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
My 40-year career dedicated to education and the community, allowed me to excel in leadership roles. Educational leadership allowed me to advocate for my two favorite groups of people - students and teachers. Through these opportunities, I can be a thoughtful and impactful leader for CCCT.

Certificates/Degrees El Camino College, BA UCLA, MA from California State University Northridge
Present Occupation SOCCCD Board Trustee - Elected in 2020
Other Community College Professor, Mt. San Antonio College. Teacher of the Year (2008), Communication Department Chairperson

Your Community College District South Orange County Community College District

Years of Service on Local Board <1 year

Offices and Committee Memberships on Local Board
• South Orange County Community College District, Trustee, Area 1
• Village Park Homeowners Association, President
• Academic Senate, Mt. San Antonio College, Secretary
• District Advisory Forum, Irvine Unified School District, President,
• Irvine Education Foundation, Founding board member and Secretary/Treasurer

CCCT and other organizations’ boards, committees, workshop presenter, Chancellor’s Committees, etc.
Pacific Southwest Collegiate Forensics Association, President
• California Community College Forensics Association, Secretary/Treasurer
• Southern California Debate League, President
• Honors Transfer Council of California, President,
• Community College Association, President
• CCA Leadership Academy, Founder and Chair
Community Advisory Committee Gifted and Talented Education, Chair

**ACCT and other organizations, boards, committees, etc.**

**Civic engagement and community service related volunteer work**
• City of Irvine Volunteer
  o Childcare Committee (political appointee)
  o City of Irvine Children Youth Families Advisory Committee, Chair
  o City of Irvine Senior Citizens Council, Chair
• OC Senior Citizens Advisory Council, Housing & Transportation Committee Chair
• Exchange Club of Irvine (President)
• University Exchange Club, Irvine, Charter member and President-Elect
• Crime Survivors, Board member
• YWCA Trailblazers of Orange County, President

**Enter any remaining activities or information here.**
• Phi Theta Kappa Paragon Advisor Award (international honorary society)
• Phi Rho Pi Service Award (national forensics society)
• California Community College Forensics Association Service Award
• CTA WHO award for Higher Education
District Name: State Center Community College District

The above named district nominates the following candidate for the CCCT Board:

First Name: Deborah
Last Name: Ikeda

Nomination Agreement: This nominee is a member of the above Community College District governing board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination. The Statement of Candidacy and the CCCT Biographical Sketch Form for our nominee have also been completed and submitted.

☒ Yes, I agree to this statement.

Signature of Clerk or Secretary of Governing Board
Candidate First Name: Deborah
Candidate Last Name: Ikeda
Address: 8812 N Colfax Ave
City and Zip Code: Fresno
Phone Number: 559-917-1427
Email Address: deborah.ikeda@scccd.edu

What are the major issues and activities that should be considered by the CCCT Board and the League in the next two years? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
Returning to campus due to COVID crisis and implementing Diversity, Equity and Inclusion Committee recommendations. Addressing the true cost of education and the all equity gaps magnified by COVID: access to technology, food and housing insecurity, transportation, health services, job skills necessary for a living wage. Diversity transfer requirement, SSFF.

How do you feel you can contribute in these areas? (Please use 50 words or less. Any portion of the statement beyond this limit will not be included.)
I will continue advocating for Diversity, Equity and Inclusion recommendations based on my experience as a CCCT Co-Chair of a DEI Workgroup. As a founding president of Clovis Community College and 40+ years as CA Community College professional, I will use my experience to advocate for students and colleges.

Certificates/Degrees: BS Education, University of IL, Masters in Counseling Psychology, University of IL, Doctoral Coursework Completed, Ed Admin

Present Occupation: Retired

Other: Association Community College Trustees Elected to Equity, Diversity & Inclusion Committee,

Your Community College District: State Center Community College District - SCCC

Years of Service on Local Board: 4+

Offices and Committee Memberships on Local Board:
Past-President and Vice President of SCCC Board, Serve on the VIP Joint Powers Agreement Board for Liability, Physical Plant, etc Insurance as SCCC Board Member, Ed Care Health Insurance Board Member for SCCC, Member of SCCCChancellors Circle - Foundation

CCCT and other organizations' boards, committees, workshop presenter, Chancellor's Committees, etc.
CCCT DEI Workgroup 2B; APITA Caucus President, Past Vice President, Past Secretary; ACES Committee Member; CCLC Workshop Presenters at several conferences; ACCJC Visiting Team Chair as former College President as well as serving currently as a Trustee member on ACCJC visiting teams; former CIO Executive Board Member for CA Community Colleges (CCC); Former Intersegmental Curriculum Workgroup Member to implement SB 1440 Transfer Degrees - statewide organization that includes representatives from the CSU Academic Senate, CSU Chancellor’s Office, CCC Chancellor’s Office, CCC Academic Senate, and CCC Chief Instructional Officers; Former California Community College Chancellor’s Office (CCCO) Matriculation Advisory Committee Member; Former CCCCO Counseling Advisory Committee Member

**ACCT and other organizations, boards, committees, etc.**

Association Community College Trustees (ACCT) Elected to Equity, Diversity & Inclusion Committee, former member of American Association of Community Colleges (AACC), Commission on Academic, Student & Community Engagement

**Civic engagement and community service related volunteer work**

- Current California Health Science University Board Vice Chair, Fresno, CA
- Current Member of Citizens Oversight Committee for Measure B, Fresno County Library Sales Tax Measure
- Current National Japanese American Citizens League Strategic Planning Committee Chair
- Current Board Member of the San Joaquin Valley Town Hall Program and Education Chair bringing national speakers to Fresno and inviting students to attend free
- Former Board Member Women’s Foundation of California
- Former St. Agnes Medical Center Board Member, Board Chair and Vice Chair, Fresno, CA
- Former Clovis Chamber of Commerce Board Member and Past Board Chair
- Completed Leadership Fresno Class IX
- Former Golden Valley Girl Scout Council Board and Nominating Committee Member
- Served on the California State Superintendent of Education’s Advisory Council for Asian Pacific Islander Affairs
- Past President of the Fresno Japanese American Citizens League
- Former member of the Fresno Unified School District Citizens Diversity Committee
- City of Clovis Economic Development Strategy Committee Member 2013-14
- Past Secretary of the VFW Auxiliary for Post 8499
- Fresno and Pinedale Assembly Centers Memorial Plaza Committees

**Enter any remaining activities or information here.**

- Inducted into the City of Clovis Hall of Fame June 2013
- University of Illinois Asian American Alumni Award winner 2019
- Martin Luther King Keynote Speaker 2020 at annual breakfast for Fresno and Clovis area
- Bill F. Stewart Achievement of Excellence 2016
- Top Ten Professional Women Marjorie Mason, 2014
- Clovis Chamber of Commerce Professional Woman of the Year 2017
- KSEE TV Portrait of Success
- Clovis Hall of Fame Inductee 2013
- League of Women Voters, Women’s Equality Day Award 2016
OHLINE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees
FROM: Dr. Eric Bishop
DATE: April 14, 2021
SUBJECT: Resolution No. 29/20-21, RESOLUTION AUTHORIZING THE ISSUANCE OF THE OHLINE COMMUNITY COLLEGE DISTRICT (ALAMEDA COUNTY, CALIFORNIA) 2021 GENERAL OBLIGATION REFUNDING BONDS

BACKGROUND

An Election was held in the Ohlone Community College District (the “District”) on November 2, 2010 for the issuance and sale of general obligation bonds of the District for various purposes in the maximum principal amount of $349,000,000 (the “2010 Authorization”). Pursuant to the 2010 Authorization, the District previously issued $74,995,430.35 of its Election of 2010 General Obligation Bonds, Series B (the “Prior Bonds”).

The District now desires to refinance portions of the outstanding Prior Bonds (so refunded, the “Refunded Bonds”), thereby generating savings for District taxpayers, through the issuance of general obligation refunding bonds (the “Refunding Bonds”) in an aggregate principal amount not-to-exceed $72,000,000. All benefits from the refunding will be delivered to the property owners in the District. The final maturity of the Refunding Bonds will not be later than the final maturity date of the Refunded Bonds (August 1, 2044).

(a) Resolution. This Resolution authorizes the issuance of the Refunding Bonds, in one or more series of federally taxable or federally tax-exempt bonds. The Resolution authorizes the issuance of the Refunding Bonds, specifies the basic terms, parameters and form of the Refunding Bonds, and approves the form of Purchase Contract, Continuing Disclosure Certificate, Escrow Agreement and Preliminary Official Statement described below. In particular, Section 1 of the Resolution establishes the maximum aggregate initial principal amount of the Refunding Bonds to be issued ($72,000,000). Section 4 of the Resolution states the maximum underwriting discount (0.35%) with respect to the Refunding Bonds, the maximum legal interest rate on the Refunding Bonds, and authorizes the Refunding Bonds to be sold at a negotiated sale to Piper Sandler & Co. (the “Underwriter”). The Resolution authorizes the issuance of current interest bonds only; capital appreciation bonds are not authorized.

(b) Form of Purchase Contract. Pursuant to the Purchase Contract, the Underwriter will agree to buy the Refunding Bonds from the District. All of the conditions of closing the transaction are set forth in this document, including the documentation to be provided at the closing by various
parties. Upon the pricing of the Refunding Bonds, the final execution copy of the Purchase Contract will be prepared following this form.

(c) **Form of Preliminary Official Statement.** The Resolution approves the form of the Preliminary Official Statement. The Preliminary Official Statement (“POS”) is the offering document describing the Refunding Bonds which may be distributed to prospective purchasers of the Refunding Bonds. The POS discloses information with respect to, among other things, (i) the proposed uses of proceeds of the Refunding Bonds, (ii) the terms of the Refunding Bonds (interest rate, redemption terms, etc.), (iii) the bond insurance policy for the Refunding Bonds, if any, (iv) the security for repayment of the Refunding Bonds (the *ad valorem* property tax levy), (v) information with respect to the District’s tax base (upon which such *ad valorem* property taxes may be levied), (vi) District financial and operating data, (vii) continuing disclosure with respect to the Refunding Bonds and the District, and (viii) absence of material litigation and other miscellaneous matters expected to be of interest to prospective purchasers of the Refunding Bonds. Following the pricing of the Refunding Bonds, a final Official Statement for the Refunding Bonds will be prepared, substantially in the form of the POS.

(d) **Form of the Continuing Disclosure Certificate.** The form of the Continuing Disclosure Certificate can be found in APPENDIX C to the POS. Effective July 3, 1995, all underwriters of municipal bonds, are obligated to procure from a bond issuer a covenant that such public agency will annually file “material financial information and operating data with respect to the District” through the web-based Electronic Municipal Market Access (“EMMA”) system maintained by the Municipal Securities Rulemaking Board (which is the federal agency that regulates “broker-dealers,” including investment bank firms that underwrite municipal obligation issuance). This requirement is expected to be satisfied by the filing of the District’s audited financial statements and other operating information about the District, in the same manner the District has filed in connection with prior bond issuances. The purpose of the law is to provide investors in the Refunding Bonds with current information regarding the District. Similar laws have governed the corporate debt market for many years.

(e) **Escrow Agreement.** Pursuant to the Escrow Agreement, proceeds from the sale of the Refunding Bonds in an amount sufficient to redeem the Refunded Bonds will be deposited in the escrow fund (the “Escrow Fund”) held by U.S. Bank National Association (acting as “Escrow Agent”). The monies in the Escrow Fund will be used by the Escrow Agent to refund all or a portion of the Prior Bonds on the first available optional redemption date following the closing of the Refunding Bonds (which is expected to be August 1, 2024). As a result of the deposit and application of funds so provided in the Escrow Agreement, the Refunded Bonds will be defeased and the obligation of Alameda County to levy *ad valorem* taxes for payment of the Refunded Bonds will cease.

**FISCAL IMPACT**

There is no fiscal impact to the General Fund resulting from the issuance of the Refunding Bonds.

**RECOMMENDATION**

That the Superintendent/President recommends approval of Resolution No. 29/20-21, a RESOLUTION AUTHORIZING THE ISSUANCE OF THE OHLONE COMMUNITY COLLEGE
DISTRICT (ALAMEDA COUNTY, CALIFORNIA) 2021 GENERAL OBLIGATION REFUNDING BONDS.
RESOLUTION AUTHORIZING THE ISSUANCE OF THE OHLONE COMMUNITY COLLEGE DISTRICT (ALAMEDA COUNTY, CALIFORNIA) 2021 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, a duly called election (the “Election”) was held in the Ohlone Community College District (the “District”), Alameda County (the “County”), State of California, on November 2, 2010 and thereafter canvassed pursuant to law;

WHEREAS, at such election there was submitted to and approved by the requisite fifty-five percent or more vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District for various purposes set forth in the ballot submitted to the voters, in the maximum amount of $349,000,000, payable from the levy of an ad valorem property tax against the taxable property in the District (the “Authorization”);

WHEREAS, pursuant to the Authorization, the District previously caused the issuance of $74,995,430.35 of Ohlone Community College District (Alameda County, California) Election of 2010 General Obligation Bonds, Series B (the “Prior Bonds”);

WHEREAS, pursuant to Government Code Sections 53550 et seq. and 53580 et seq. (the “Act”), this Board of Trustees (the “Board”) finds that the District is authorized to issue general obligation refunding bonds (the “Refunding Bonds”) to refund all or a portion of the outstanding Prior Bonds (so refunded, the “Refunded Bonds”);

WHEREAS, this Board desires to authorize the issuance of the Refunding Bonds in one or more Series of Taxable Bonds or Tax-Exempt Bonds, and further as Current Interest Bonds (as such terms are defined herein);

WHEREAS, pursuant to Government Code Section 5852.1, the District has obtained from the Underwriter (as defined herein) and disclosed herein, in a meeting open to the public, prior to authorization of the execution and delivery of the Refunding Bonds, good faith estimates of (a) the true interest cost of the Refunding Bonds, (b) the sum of all fees and charges paid to third parties with respect to the Refunding Bonds, (c) the amount of proceeds of the Refunding Bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the Refunding Bonds, and (d) the sum total of all debt service payments to be evidenced by the Refunding Bonds calculated to the final payment date evidenced by the Refunding Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Refunding Bonds;

WHEREAS, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation refunding bonds of the District, and whereas the indebtedness of the District, including this proposed issue of Refunding Bonds, is within all limits prescribed by law; and

WHEREAS, at this time the Board desires to appoint professionals related to the issuance of the Refunding Bonds.
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
OHLINE COMMUNITY COLLEGE DISTRICT, ALAMEDA COUNTY, CALIFORNIA AS
FOLLOWS:

SECTION 1. Purpose. To refund all or a portion of the currently outstanding principal amount
of the Prior Bonds and to pay all necessary legal, financial, and contingent costs in connection therewith,
the Board hereby authorizes the issuance of the Refunding Bonds pursuant to the Act in an aggregate
principal amount not-to-exceed $72,000,000, in one or more Series of Taxable Bonds or Tax-Exempt
Bonds, and further as Current Interest Bonds (each as defined herein), to be styled as the “Ohlone
Community College District (Alameda County, California) 2021 General Obligation Refunding Bonds”
(the “Refunding Bonds”) (or such other name as set forth in the Purchase Contract (defined herein) with
appropriate additional Series designation if more than one Series of Refunding Bonds are issued.
Additional costs authorized to be paid from the proceeds of the Refunding Bonds are all of the authorized
costs of issuance set forth in Government Code Section 53550(e) and (f) and Section 53587. Pursuant to
Government Code Sections 53584 and 53587, the Board hereby determines it to be reasonably required to
fund capitalized interest from proceeds of the Refunding Bonds for the purpose of paying interest on all or
a portion of the Refunding Bonds.

SECTION 2. Paying Agent. The Board hereby appoints the Paying Agent, as defined herein,
to act as paying agent, bond registrar, authentication agent and transfer agent for the Refunding Bonds on
behalf of the District. The Board hereby authorizes the payment of the reasonable fees and expenses of the
Paying Agent, as they shall become due and payable. The fees and expenses of the Paying Agent which
are not paid as a cost of issuance of the Refunding Bonds may be paid in each year from ad valorem property
taxes levied and collected for the payment thereof, insofar as permitted by law, including specifically
Education Code Section 15232.

SECTION 3. Terms and Conditions of Sale. The Refunding Bonds are hereby authorized to
be sold at a negotiated sale to the Underwriter (defined herein) upon the direction of the
President/Superintendent of the District or the Vice President of Administrative Services of the District, or
such other officer or employee of the District as may be designated by the President/Superintendent of the
District or the Vice President of Administrative Services for such purpose (collectively, the “Authorized
Officers”). The Refunding Bonds shall be sold pursuant to the terms and conditions set forth in the Purchase
Contract, as described below.

SECTION 4. Approval of Purchase Contract. The Purchase Contract, by and between the
Underwriter (as defined herein) and the District, substantially in the form on file with the Secretary to the
Board, is hereby approved and the Authorized Officers, each alone, are hereby authorized to execute and
deliver the Purchase Contract, with such changes therein, deletions therefrom and modifications thereto as
the Authorized Officer executing the same may approve, such approval to be conclusively evidenced by
his or her execution and delivery thereof; provided, however, that (i) the maximum interest rates on the
Refunding Bonds shall not exceed that authorized by law, and (ii) the underwriting discount, excluding
original issue discount, shall not exceed 0.35% of the aggregate principal amount of the Refunding Bonds
actually issued. The Authorized Officers, each alone, are further authorized to determine the principal
amount of the Refunding Bonds to be specified in the Purchase Contract for sale by the District up to
$72,000,000 and to enter into and execute the Purchase Contract with the Underwriter, if the conditions set
forth in this Resolution are satisfied.

SECTION 5. Certain Definitions. As used in this Resolution, the terms set forth below shall
have the meanings ascribed to them (unless otherwise set forth in the Purchase Contract):

(a) “Act” means Government Code Sections 53550 et seq. and 53580 et seq.
(b) "Authorizing Documents" means the authorizing resolution(s), indenture, agreement or other legal document(s) pursuant to which the Prior Bonds were authorized and issued.

(c) "Beneficial Owner" means, when used with reference to book-entry Refunding Bonds registered pursuant to Section 6 hereof, the person who is considered the beneficial owner of such Refunding Bonds pursuant to the arrangements for book-entry determination of ownership applicable to the Depository.

(d) "Bond Insurer" means any insurance company which issues a municipal bond insurance policy insuring the payment of principal of and interest on the Refunding Bonds.

(e) "Bond Payment Date" means, unless otherwise provided by the Purchase Contract, February 1 and August 1 of each year commencing August 1, 2021 with respect to the interest on the Refunding Bonds, and August 1 of each year commencing August 1, 2021 with respect to the principal payments on the Refunding Bonds.

(f) "Bond Register" means the registration books which the Paying Agent shall keep or cause to be kept on which the registered ownership, transfer and exchange of Refunding Bonds will be recorded.

(g) "Code" means the Internal Revenue Code of 1986, as the same may be amended from time to time. Reference to a particular section of the Code shall be deemed to be a reference to any successor to any such section.

(h) "Continuing Disclosure Certificate" means that certain contractual undertaking executed by the District in connection with the issuance of the Refunding Bonds pursuant to paragraph (b)(5) of Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, dated as of the date of issuance of the Refunding Bonds, as amended from time to time in accordance with the provisions thereof.

(i) "County" means Alameda County.

(j) "Current Interest Bonds" means Refunding Bonds, the interest on which is payable semiannually on each Bond Payment Date specified for each such Refunding Bond as designated and maturing in the years and in the amounts set forth in the Purchase Contract.

(k) "Date of Delivery" means the date of initial issuance and delivery of the Refunding Bonds, or such other date as shall be set forth in the Purchase Contract or Official Statement.

(l) "Depository" means, the entity acting as securities depository for the Refunding Bonds pursuant to Section 6(c) hereof.

(m) "DTC" means The Depository Trust Company, New York, New York, 55 Water Street, New York, New York 10041, a limited purpose trust company organized under the laws of the State of New York, in its capacity as the initial Depository for the Refunded Bonds.

(n) "Escrow Agent" means U.S. Bank National Association, or any other successor thereto, in its capacity as escrow agent for the Refunded Bonds.

(o) "Escrow Agreement" means that certain agreement relating to the deposit and investment of funds to refund the Refunded Bonds, by and between the District and the Escrow Agent.
(p) “Federal Securities” means securities as permitted, in accordance with the respective Authorizing Documents, to be deposited with the Escrow Agent for the purpose of defeasing the Prior Bonds.

(q) “Holder” or “Owner” means the registered owner of a Refunding Bond as set forth in the Bond Register maintained by the Paying Agent pursuant to Section 6 hereof.

(r) “Information Services” means the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access System; or, such other services providing information with respect to called municipal obligations as the District may specify in writing to the Paying Agent or, in the absence of such written specification, as the Paying Agent may select.

(s) “Moody’s” means Moody’s Investors Service, Inc. a corporation organized and existing under the laws of the State of Delaware, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, any other nationally recognized securities rating agency designated by the District.

(t) “Nominee” means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 6(c) hereof.

(u) “Official Statement” means the Official Statement for the Refunding Bonds, as described in Section 17 hereof.

(v) “Outstanding” means, when used with reference to the Refunding Bonds, as of any date, Bonds theretofore issued or thereupon being issued under this Resolution except:

(i) Refunding Bonds canceled at or prior to such date;

(ii) Refunding Bonds in lieu of or in substitution for which other Refunding Bonds shall have been delivered pursuant to Section 8 hereof; or

(iii) Refunding Bonds for the payment or redemption of which funds or Government Obligations in the necessary amount shall have been set aside (whether on or prior to the maturity or redemption date of such Refunding Bonds), in accordance with Section 19 of this Resolution.

(w) “Participants” means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(x) “Paying Agent” means initially U.S. Bank National Association, or such other Paying Agent as shall be named as such in the Purchase Contract or Official Statement, and afterwards any successor financial institution, serving as the authentication agent, bond registrar, transfer agent and Paying Agent.

(y) “Purchase Contract” means the contract or contracts for purchase and sale of the Refunding Bonds, by and between the District and the Underwriter. To the extent the Refunding Bonds are sold pursuant to more than one Purchase Contract, each shall be substantially in the form presented to the Board, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve.

(z) “Record Date” means the close of business on the fifteenth day of the month preceding each Bond Payment Date.
(aa) “Series” means any Refunding Bonds executed, authenticated and delivered pursuant to the provisions hereof and identified as a separate series of bonds.

(bb) “S&P” means S&P Global Ratings, a business unit of Standard & Poor’s Financial Services LLC, its successors and their assigns, or, if such entity shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, any other nationally recognized securities rating agency designated by the District.

(cc) “Taxable Bonds” means any Refunding Bonds the interest on which is not excludable from gross income for federal income tax purposes.

(dd) “Tax-Exempt Bonds” means any Refunding Bonds the interest on which is excludable from gross income for federal income tax purposes and is not treated as an item of tax preference for purposes of calculating the federal alternative minimum tax, as further described in an opinion of Bond Counsel supplied to the original purchasers of such Refunding Bonds.

(ee) “Term Bonds” means those Refunding Bonds for which mandatory sinking fund redemption dates have been established in the Purchase Contract.

(ff) “Treasurer-Tax Collector” means the Treasurer-Tax Collector of the County or other comparable officer of the County.

(gg) “Underwriter” means Piper Sandler & Co, as Underwriter of the Refunding Bonds.

SECTION 6. Terms of the Refunding Bonds.

(a) Denomination, Interest, Date of Delivery. The Refunding Bonds shall be issued as fully-registered book-entry bonds, registered as to both principal and interest, in the denominations of $5,000 principal amount or any integral multiple thereof. The Refunding Bonds will be initially registered in the name of “Cede & Co.,” as the Nominee of DTC.

Each Refunding Bond shall be dated the Date of Delivery, and shall bear interest at the rates set forth in the Purchase Contract from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from the Date of Delivery. Interest on the Refunding Bonds shall be payable on the respective Bond Payment Dates and shall be computed on the basis of a 360-day year of twelve 30-day months.

No Refunding Bond shall mature later than the final maturity date of the Refunded Bonds to be refunded from proceeds of such Refunding Bond.

(b) Redemption.

(i) Optional Redemption. The Refunding Bonds shall be subject to optional redemption prior to maturity as provided in the Purchase Contract or the Official Statement.

(ii) Mandatory Redemption. Any Refunding Bonds issued as Term Bonds shall be subject to mandatory sinking fund redemption as provided in the Purchase Contract or the Official Statement.
(iii) **Selection of Refunding Bonds for Redemption.** Whenever provision is made in this Resolution for the optional redemption of Refunding Bonds and less than all Outstanding Refunding Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select Refunding Bonds for redemption as so directed by the District and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Refunding Bonds for redemption as directed by the District and, if not so directed, by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that with respect to redemption by lot, the portion of any Refunding Bond to be redeemed in part shall be in the principal amount of $5,000 or any integral multiple thereof.

The Purchase Contract may provide that (i) in the event that a portion of any Term Bond is optionally redeemed prior to maturity pursuant to Section 6(b)(i) hereof, the remaining mandatory sinking fund payments with respect to such Term Bonds shall be reduced proportionately or as otherwise directed by the District, in integral multiples of $5,000 principal amount, in respect to the portion of such Term Bond optionally redeemed, or (ii) within a maturity, Refunding Bonds shall be selected for redemption on a “Pro Rata Pass-Through Distribution of Principal” basis in accordance with DTC procedures, provided further that, such pro-rata redemption is made in accordance with the operational arrangements of DTC then in effect.

(iv) **Redemption Notice.** When optional redemption is authorized or required pursuant Section 6(b) hereof, the Paying Agent, upon written instruction from the District, shall give notice (a “Redemption Notice”) of the redemption of the Refunding Bonds. Such Redemption Notice shall specify: the Refunding Bonds or designated portions thereof (in the case of redemption of the Refunding Bonds in part but not in whole) which are to be redeemed; the date of redemption; the place or places where the redemption will be made, including the name and address of the Paying Agent; the redemption price; the CUSIP numbers (if any) assigned to the Refunding Bonds to be redeemed, the Refunding Bond numbers of the Refunding Bonds to be redeemed in whole or in part and, in the case of any Refunding Bond to be redeemed in part only, the portion of the principal amount of such Refunding Bond to be redeemed; and the original issue date, interest rate and stated maturity date of each Refunding Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Refunding Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date thereon, and that from and after such date, interest thereon shall cease to accrue.

The Paying Agent shall take the following actions with respect to such Redemption Notice:

(A) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Refunding Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register.

(B) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service to the Depository.

(C) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service to one of the Information Services.
(D) Such Redemption Notice shall be given to such other persons as may be required pursuant to the Continuing Disclosure Certificate.

A certificate of the Paying Agent or District that a Redemption Notice has been given as provided herein shall be conclusive as against all parties. Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Refunding Bonds. Each check issued or other transfer of funds made by the Paying Agent for the purpose of redeeming Refunding Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Refunding Bonds being redeemed with the proceeds of such check or other transfer. Such Redemption Notice may state that no representation is made as to the accuracy or correctness of CUSIP numbers printed thereon, or on the Refunding Bonds.

With respect to any Redemption Notice of Refunding Bonds (or portions thereof) pursuant to this section, unless upon the giving of such notice such Refunding Bonds or portions thereof shall be deemed to have been defeased pursuant to Section 19 hereof, such notice shall state that such redemption shall be conditional upon the receipt by an independent escrow agent selected by the District on or prior to the date fixed for such redemption of the moneys necessary and sufficient to pay the principal of, premium, if any, and interest on, such Refunding Bonds (or portions thereof) to be redeemed, and that if such moneys shall not have been so received said notice shall be of no force and effect, no portion of the Refunding Bonds shall be subject to redemption on such date and such Refunding Bonds shall not be required to be redeemed on such date. In the event that such Redemption Notice contains such a condition and such moneys are not so received, the redemption shall not be made and the Paying Agent shall within a reasonable time thereafter (but in no event later than the date originally set for redemption) give notice, to the persons to whom and in the manner in which the Redemption Notice was given, that such moneys were not so received. In addition, the District shall have the right to rescind any Redemption Notice, by written notice to the Paying Agent, on or prior to the date fixed for redemption. The Paying Agent shall distribute a notice of the rescission of such Redemption Notice in the same manner as such notice was originally provided.

(v) Partial Redemption of Refunding Bonds. Upon the surrender of any Refunding Bond redeemed in part only, the Paying Agent shall execute and deliver to the Owner thereof a new Refunding Bond or Refunding Bonds of like tenor and maturity and of authorized denominations equal in principal amounts to the unredeemed portion of the Refunding Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(vi) Effect of Redemption Notice. Notice having been given as aforesaid, and the moneys for the redemption (including the interest accrued to the applicable date of redemption) having been set aside as provided in Section 19 hereof, the Refunding Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Refunding Bonds to be redeemed as provided in Section 6(b)(i) hereof, together with interest accrued to such redemption date, shall be held in trust as provided in Section 19 hereof, so as to be available therefor on such redemption date, and if a Redemption Notice thereof shall have been given as aforesaid, then from and after such redemption date, interest on the Refunding Bonds to be redeemed shall cease to accrue and become payable. All money held for the redemption of Refunding Bonds shall be held in trust for the account of the Owners of the Refunding Bonds so to be redeemed.
Refunding Bonds No Longer Outstanding. When any Refunding Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys shall be irrevocably held in trust for the payment of the redemption price of such Refunding Bonds or portions thereof, and accrued interest thereon to the date fixed for redemption, all as provided in this Resolution, then such Refunding Bonds shall no longer be deemed Outstanding and shall be surrendered to the Paying Agent for cancellation.

All Refunding Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 6 shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Refunding Bond purchased by the District shall be cancelled by the Paying Agent.

(c) Book-Entry System.

(i) Election of Book-Entry System. The Refunding Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Refunding Bonds in an authorized denomination. The ownership of each such Refunding Bond shall be registered in the Bond Register maintained by the Paying Agent in the name of the Nominee, as nominee of the Depository and ownership of the Refunding Bonds, or any portion thereof may not thereafter be transferred except as provided in Section 6(c)(i)(4).

With respect to book-entry Refunding Bonds, the District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Refunding Bonds. Without limiting the immediately preceding sentence, the District and the Paying Agent shall have no responsibility or obligation with respect to: (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Refunding Bonds; (ii) the delivery to any Participant or any other person, other than an Owner as shown in the Bond Register, of any notice with respect to book-entry Refunding Bonds, including any Redemption Notice; (iii) the selection by the Depository and its Participants of the beneficial interests in book-entry Refunding Bonds to be prepaid in the event the District redeems such Refunding Bonds in part; (iv) or the payment by the Depository or any Participant or any other person, of any amount with respect to principal, premium, if any, or interest on book-entry Refunding Bonds. The District and the Paying Agent may treat and consider the person in whose name each book-entry Refunding Bond is registered in the Bond Register as the absolute Owner of such Refunding Bond for the purpose of payment of principal of and premium and interest on and to such Refunding Bond, for the purpose of giving notices of redemption and other matters with respect to such Refunding Bond, for the purpose of registering transfers with respect to such Refunding Bond, and for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on book-entry Refunding Bonds only to or upon the order of the respective Owner, as shown in the Bond Register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District’s obligations with respect to payment of principal of, premium, if any, and interest on book-entry Refunding Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Bond Register, shall receive a certificate evidencing the obligation to make payments of principal of, premium, if any, and interest on book-entry Refunding Bonds. Upon delivery by the Depository to the Owner and the Paying Agent, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word “Nominee” in this Resolution shall refer to such nominee of the Depository.
1. **Delivery of Letter of Representations.** In order to qualify the Refunding Bonds for the Depository’s book-entry system, the District and the Paying Agent shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any way impose upon the District or the Paying Agent any obligation whatsoever with respect to persons having interests in the Refunding Bonds other than the Owners, as shown on the Bond Register. By executing a Letter of Representations, the Paying Agent shall agree to take all action necessary at all times so that the District will be in compliance with all representations of the District in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District and the Paying Agent shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify the Refunding Bonds for the Depository’s book-entry program.

2. **Selection of Depository.** In the event (i) the Depository determines not to continue to act as securities depository for the Refunding Bonds, or (ii) the District determines that continuation of the book-entry system is not in the best interest of the Beneficial Owners of the Refunding Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such Refunding Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in subsection (4) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Refunding Bonds shall no longer be restricted to being registered in such Bond Register in the name of the Nominee, but shall be registered in whatever name or names the Owners transferring or exchanging such Refunding Bonds shall designate, in accordance with the provisions of this Section 6(c).

3. **Payments and Notices to Depository.** Notwithstanding any other provision of this Resolution to the contrary, so long as all Outstanding Refunding Bonds are held in book-entry form and registered in the name of the Nominee, all payments by the District or Paying Agent with respect to principal of and premium, if any, or interest on book-entry Refunding Bonds and all notices with respect to such Refunding Bonds, including Redemption Notices, shall be made and given, respectively to the Nominee, as provided in the Letter of Representations or as otherwise instructed by the Depository and agreed to by the Paying Agent notwithstanding any inconsistent provisions herein.

4. **Transfer of Refunding Bonds to Substitute Depository.**

   (A) The Refunding Bonds shall be initially issued as described in the Official Statement. Registered ownership of such Refunding Bonds, or any portions thereof, may not thereafter be transferred except:

   (1) to any successor of DTC or its Nominee, or of any substitute depository designated pursuant to Section 6(c)(i)(4)(A)(2) (“Substitute Depository”), provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

   (2) to any Substitute Depository, upon (a) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (b) a determination by the District that DTC (or its successor) is no longer able to carry out its functions as depository; provided that any such Substitute Depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or
to any person as provided below, upon (a) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (b) a determination by the District that DTC or its successor (or Substitute Depository or its successor) is no longer able to carry out its functions as depository.

(B) In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(1) or (2), upon receipt of all Outstanding Refunding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent designating the Substitute Depository, a single new Refunding Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Refunding Bonds then Outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(3), upon receipt of all Outstanding Refunding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, new Refunding Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Paying Agent shall not be required to deliver such new Refunding Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption or advance refunding of any Refunding Bonds evidencing a portion of the principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall make an appropriate notation on such Refunding Bonds indicating the date and amounts of such reduction in principal, in form acceptable to the Paying Agent, all in accordance with the Letter of Representations. The Paying Agent shall not be liable for such Depository’s failure to make such notations or errors in making such notations.

(D) The District and the Paying Agent shall be entitled to treat the person in whose name any Refunding Bond is registered as the Owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Paying Agent or the District; and the District and the Paying Agent shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any Beneficial Owners of the Refunding Bonds. Neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to any such Beneficial Owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Refunding Bonds, and the Paying Agent may rely conclusively on its records as to the identity of the Owners of the Refunding Bonds.

SECTION 7. Execution of Refunding Bonds. The Refunding Bonds shall be signed by the Chair of the Board of Trustees, or by such other member of the Board authorized to sign on behalf of the Chair, by his or her manual or facsimile signature, and countersigned by the manual or facsimile signature of the Secretary to or Clerk of the Board, or the designees thereof, all in their official capacities. No Refunding Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Refunding Bond is signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the Refunding Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

SECTION 8. Paying Agent: Transfer and Exchange. So long as any of the Refunding Bonds remain Outstanding, the District will cause the Paying Agent to maintain and keep at its designated corporate trust office all books and records necessary for the registration, exchange and transfer of the Refunding Bonds as provided in this Section. Subject to the provisions of Section 9 below, the person in
whose name a Refunding Bond is registered on the Bond Register shall be regarded as the absolute Owner of that Refunding Bond for all purposes of this Resolution. Payment of or on account of the principal of, premium, if any, and interest on any Refunding Bond shall be made only to or upon the order of that person; neither the District nor the Paying Agent shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District’s liability upon the Refunding Bonds, including interest, to the extent of the amount or amounts so paid.

Any Refunding Bond may be exchanged for Refunding Bonds of like tenor, Series, maturity and principal amount upon presentation and surrender at the designated corporate trust office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Refunding Bond may be transferred on the Bond Register only upon presentation and surrender of the Refunding Bond at the designated corporate trust office of the Paying Agent together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver a new Refunding Bond or Refunding Bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the principal amount of the Refunding Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

If any Refunding Bond shall become mutilated, the District, at the expense of the Owner of said Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Refunding Bond of like Series, tenor, maturity and principal amount in exchange and substitution for the Refunding Bond so mutilated, but only upon surrender to the Paying Agent of the Refunding Bond so mutilated. If any Refunding Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Paying Agent and, if such evidence be satisfactory to the Paying Agent and indemnity for the Paying Agent and the District satisfactory to the Paying Agent shall be given by the Owner, the District, at the expense of the Owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Refunding Bond of like Series, tenor, maturity and principal amount in lieu of and in substitution for the Refunding Bond so lost, destroyed or stolen (or if any such Refunding Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Refunding Bond the Paying Agent may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Paying Agent and the District). The Paying Agent may require payment of a reasonable fee for each new Refunding Bond issued under this paragraph and of the expenses which may be incurred by the District and the Paying Agent.

If manual signatures on behalf of the District are required in connection with an exchange or transfer, the Paying Agent shall undertake the exchange or transfer of Refunding Bonds only after the new Refunding Bonds are signed by the authorized officers of the District, as provided in Section 7. In all cases of exchanged or transferred Refunding Bonds, the District shall sign and the Paying Agent shall authenticate and deliver Refunding Bonds in accordance with the provisions of this Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Refunding Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and entitled to the same security and benefit under this Resolution as the Refunding Bonds surrendered upon that exchange or transfer.

Any Refunding Bond surrendered to the Paying Agent for payment, retirement, exchange, replacement or transfer shall be cancelled by the Paying Agent. The District may at any time deliver to the Paying Agent for cancellation any previously authenticated and delivered Refunding Bonds that the District may have acquired in any manner whatsoever, and those Refunding Bonds shall be promptly cancelled by the Paying Agent. Written reports of the surrender and cancellation of Refunding Bonds shall be made to
the District by the Paying Agent as requested by the District. The cancelled Refunding Bonds shall be retained for three years, then destroyed by the Paying Agent as directed by the District.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Refunding Bonds during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Refunding Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable Redemption Notice is given or (b) to transfer any Refunding Bonds which have been selected or called for redemption in whole or in part.

SECTION 9. Payment. Payment of interest on any Refunding Bond on any Bond Payment Date shall be made to the person appearing on the registration books of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by wire transfer to such Owner on the Bond Payment Date at his or her address or bank and account number as it appears on such Bond Register or at such other address as he or she may have filed with the Paying Agent for that purpose on or before the Record Date. The principal of and redemption premium, if any, payable on the Refunding Bonds shall be payable upon maturity or redemption upon surrender at the designated corporate trust office of the Paying Agent. The principal of, premiums, if any, and interest on the Refunding Bonds shall be payable in lawful money of the United States of America. The Paying Agent is hereby authorized to pay the Refunding Bonds when duly presented for payment at maturity, and to cancel all Refunding Bonds upon payment thereof. Unless as otherwise provided for in the Act regarding crossover refunding bonds, the Refunding Bonds are obligations of the District payable solely from the levy of ad valorem property taxes upon all property subject to taxation within the District, which taxes are unlimited as to rate or amount. The Refunding Bonds do not constitute an obligation of the County and no part of any fund of the County is pledged or obligated to the payment of the Refunding Bonds.

SECTION 10. Form of Refunding Bonds. The Refunding Bonds shall be in substantially the form attached as Exhibit A, allowing those officials executing the Refunding Bonds to make the insertions and deletions necessary to conform the Refunding Bonds to this Resolution, the Purchase Contract and the Official Statement, or to correct or cure any defect, inconsistency, ambiguity or omission therein. The Paying Agent is authorized to deliver the Refunding Bonds in temporary form and, if so, the Paying Agent shall execute and deliver definitive Bonds in an equal aggregate principal amount of authorized denominations, when available, and thereupon the temporary Refunding Bonds shall be surrendered to the Paying Agent. Until so exchanged, the temporary Refunding Bonds shall be entitled to the same benefits hereunder as definitive Refunding Bonds.

SECTION 11. Delivery of Refunding Bonds. The proper officials of the District shall cause the Refunding Bonds to be prepared and, following their sale, shall have the Refunding Bonds signed and delivered, together with a final transcript of proceedings with reference to the issuance of the Refunding Bonds, to the Underwriter upon payment of the purchase price therefor.

SECTION 12. Deposit of Proceeds of Refunding Bonds; Escrow Agreement. An amount of proceeds from the sale of the Refunding Bonds necessary to purchase certain Federal Securities, or to otherwise refund the Refunded Bonds, shall be transferred to the Escrow Agent for deposit in the escrow funds established under the Escrow Agreement (the “Escrow Fund”), which amount, if uninvested, shall be sufficient, or if invested, together with an amount or amounts of cash held uninvested therein, shall be sufficient to refund the Refunded Bonds all as set forth in a certificate of an Authorized Officer. The Board hereby authorizes the deposit of all or a portion of the premium received from the sale of the Refunding Bonds into the respective Escrow Fund. Premium or proceeds received from the sale of the Refunding Bonds desired to pay all or a portion of the costs of issuing the Refunding Bonds are hereby authorized to be deposited in the fund of the District held by a fiscal agent selected thereby and shall be kept separate and
distinct from all other District funds, and those proceeds shall be used solely for the purpose of paying costs of issuance of the Refunding Bonds.

Any accrued interest received by the District from the sale of the Refunding Bonds shall be kept separate and apart in the fund hereby created and established and to be designated as the “Ohlone Community College District, 2021 General Obligation Refunding Bonds Debt Service Fund” (the “Debt Service Fund”) for the Refunding Bonds and used only for payments of principal of and interest on the Refunding Bonds. At the election of the District (i) to the extent the Refunding Bonds are sold in the more than one Series, there shall be created a separate Debt Service Fund for each such Series of Refunding Bonds, and all references herein to a Debt Service Fund shall be deemed to include each Debt Service Fund created for a Series of Refunding Bonds, and (ii) the Debt Service Fund may be established as a subaccount of, or otherwise combined with, any fund established by the County for the purpose of holding proceeds of ad valorem property tax levies made to pay any bonds issued pursuant to the Authorization. Any excess proceeds of the Refunding Bonds not needed for the authorized purposes set forth herein for which the Refunding Bonds are being issued shall be transferred to the Debt Service Fund and applied to the payment of the principal of and interest on the Refunding Bonds. If, after payment in full of the Refunding Bonds, there remain any such excess proceeds, such amounts shall be transferred to any other debt service fund for general obligation bond indebtedness of the District, and in the event there is no such debt outstanding, shall be transferred to the general fund of the District, upon the order of the County Auditor-Controller, as provided in Education Code Section 15234.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to DTC to pay the principal of and interest on the Refunding Bonds. DTC will thereupon make payments of principal of and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of such principal and interest to the Beneficial Owners of the Refunding Bonds. Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District.

Except as required below to satisfy the requirements of Section 148(f) of the Code, interest earned on the investment of monies held in the Debt Service Fund shall be retained in the Debt Service Fund and used to pay principal of and interest on the Refunding Bonds when due.

SECTION 13. Rebate Fund. The following provisions shall apply to any Bonds issued as Tax-Exempt Bonds.

(a) General. If necessary, there shall be created and established a special fund designated the “Ohlone Community College District 2021 General Obligation Refunding Bonds Rebate Fund” (the “Rebate Fund”). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to the extent required to satisfy the requirement to make rebate payments to the United States (the “Rebate Requirement”) pursuant to Section 148 of the Code, as the same may be amended from time to time, and the Treasury Regulations promulgated thereunder (the “Rebate Regulations”). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and Section 14 of this Resolution and by the that certain tax certificate concerning certain matters pertaining to the use and investment of proceeds of the Refunding Bonds, executed and delivered to the District on the date of issuance of the Refunding Bonds, including any and all exhibits attached thereto (the “Tax Certificate”).

(b) Deposits.
(i) Within forty-five (45) days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate) (1) the District shall calculate or cause to be calculated with respect to the Refunding Bonds the amount that would be considered the “rebate amount” within the meaning of Section 1.148-3 of the Rebate Regulations, using as the “computation date” for this purpose the end of such five Bond Years, and (2) the District shall deposit to the Rebate Fund from deposits from the District or from amounts available therefor on deposit in the other funds established hereunder, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the “rebate amount” so calculated.

(ii) The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the “rebate amount” calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section.

(iii) The District shall not be required to calculate the “rebate amount” and the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Refunding Bonds (including amounts treated as the proceeds of the Refunding Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148 (f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations or the small issuer exception of Section 148(f)(4)(D) of the Code, whichever is applicable, and otherwise qualify for the exception of the Rebate Requirement pursuant to whichever of said sections is applicable, or (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a “bona fide debt service fund.” In such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) Withdrawal Following Payment of Refunding Bonds. Any funds remaining in the Rebate Fund after redemption of all the Refunding Bonds and any amounts described in paragraph (ii) of subsection (d) of this Section, including accrued interest, shall be transferred to the general fund of the District.

(d) Withdrawal for Payment of Rebate. Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the “rebate amount” and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(i) not later than sixty (60) days after the end of (a) the fifth (5th) Bond Year, and (b) each fifth (5th) Bond Year thereafter, an amount that, together with all previous rebate payments, is equal to at least 90% of the “rebate amount” calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Rebate Regulations; and

(ii) not later than sixty (60) days after the payment of all Refunding Bonds, an amount equal to one hundred percent (100%) of the “rebate amount” calculated as of the date of such payment (and any income attributable to the “rebate amount” determined to be due and payable) in accordance with Section 1.148-3 of the Rebate Regulations.

(e) Rebate Payments. Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service Center, Ogden, Utah 84201, on or before the date on
which such payment is due, and shall be accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by or on behalf of the District.

(f) **Deficiencies in the Rebate Fund.** In the event that, prior to the time of any payment required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is due, the District shall calculate the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(g) **Withdrawals of Excess Amount.** In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the “rebate amount” calculated in accordance with said subsection, upon written instructions from the District, the District may withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) **Record Retention.** The District shall retain records of all determinations made hereunder until three years after the retirement of the Refunding Bonds.

(i) **Survival of Defeasance.** Notwithstanding anything in this Resolution to the contrary, the Rebate Requirement shall survive the payment in full or defeasance of the Refunding Bonds.

**SECTION 14. Security for the Refunding Bonds.** Except as provided in the Act, there shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* property tax annually during the period the Refunding Bonds are Outstanding in an amount sufficient to pay the principal of and interest on the Refunding Bonds when due, which moneys when collected will be deposited in the Debt Service Fund of the District, and which money shall be applied to the payment of the principal of and interest on the Refunding Bonds when and as the same fall due, and for no other purpose. The District covenants to cause the County to take all actions necessary to levy such *ad valorem* property tax in accordance with this Section 14 and Section 53559 of the Act.

Pursuant to Government Code Section 53515, the Refunding Bonds shall be secured by a statutory lien on all revenues received pursuant to the levy and collection of *ad valorem* property taxes for the payment of the Refunding Bonds.

Pursuant to Government Code Sections 5450 and 5451, the District hereby pledges all revenues received from the levy and collection of *ad valorem* property taxes for the payment of each Series of Refunding Bonds and all amounts on deposit in the corresponding Debt Service Fund created pursuant to Section 12 to the payment of such Series of Refunding Bonds. Such pledge shall constitute a lien on and security interest in such taxes and amounts in such Debt Service Fund. This pledge shall constitute an agreement between the District and the Owners of such Series of Refunding Bonds to provide security for the payment of such Refunding Bonds in addition to any statutory lien that may exist.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to DTC to pay such principal and interest. DTC will thereupon make payments of principal of and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of such principal and interest to the Beneficial Owners of the Refunding Bonds. Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District.
SECTION 15. Arbitrage Covenant. The District covenants that it will restrict the use of the proceeds of the Refunding Bonds issued as Tax-Exempt Bonds in such manner and to such extent, if any, as may be necessary, so that the Refunding Bonds issued as Tax-Exempt Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations prescribed under that Section or any predecessor section. Calculations for determining arbitrage requirements shall be the sole responsibility of the District.

SECTION 16. Legislative Determinations. The Board hereby determines that all acts and conditions necessary to be performed by the District or the Board or to have been met precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Refunding Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Refunding Bonds. Furthermore, the Board hereby finds and determines pursuant to Section 53552 of the Act that the prudent management of the fiscal affairs of the District requires that it issue the Refunding Bonds without submitting the question of the issuance of the Refunding Bonds to a vote of the qualified electors of the District.

SECTION 17. Official Statement. The Preliminary Official Statement relating to the Refunding Bonds, substantially in the form on file with the Secretary to the Board is hereby approved and the Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriter to be used in connection with the offering and sale of the Refunding Bonds. The Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement “final” pursuant to Rule 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the Underwriter a final Official Statement, substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Refunding Bonds and is directed to deliver copies of any final Official Statement to the purchasers of the Refunding Bonds. Execution of the Official Statement shall conclusively evidence the District’s approval of the Official Statement.

SECTION 18. Insurance. In the event the District purchases bond insurance for the Refunding Bonds, and to the extent that the Bond Insurer makes payment of the principal of or interest on the Refunding Bonds, it shall become the Owner of such Refunding Bonds with the right to payment of principal of or interest on the Refunding Bonds, and shall be fully subrogated to all of the Owners’ rights, including the Owners’ rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims of past due interest, the Paying Agent shall note the Bond Insurer’s rights as subrogee on the registration books for the Refunding Bonds maintained by the Paying Agent upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Refunding Bonds, and (ii) in the case of subrogation as to claims for past due principal, the Paying Agent shall note the Bond Insurer as subrogee on the registration books for the Refunding Bonds maintained by the Paying Agent upon surrender of the Refunding Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

SECTION 19. Defeasance. All or any portion of the Outstanding maturities of the Refunding Bonds may be defeased prior to maturity in the following ways:

(a) Cash: by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with any amounts transferred from the Debt Service Fund, if any, is
sufficient to pay and discharge all Refunding Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date; or

(b) Government Obligations: by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations, together with cash and amounts transferred from the Debt Service Fund and any other cash, in such amount as will, together with interest to accrue thereon, in the opinion of an independent certified public accountant, be fully sufficient to pay and discharge all Refunding Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Refunding Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated Outstanding Refunding Bonds shall cease and terminate, except only the obligation of the independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the Owners of such designated Refunding Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, “Government Obligations” shall mean:

Direct and general obligations of the United States of America, obligations that are unconditionally guaranteed as to principal and interest by the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations secured or otherwise guaranteed, directly or indirectly, as to principal and interest by a pledge of the full faith and credit of the United States of America. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian’s general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed at least as high as direct and general obligations of the United States of America by either Moody’s or S&P.

SECTION 20. Other Actions, Determinations and Approvals.

(a) Officers of the Board, District officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Refunding Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

(b) The Board hereby finds and determines that both the total net interest cost to maturity on the Refunding Bonds plus the principal amount of the Refunding Bonds will be less than the total net interest cost to maturity on the Refunded Bonds plus the principal amount of the Refunded Bonds.

(c) The Board anticipates that each series of the Refunded Bonds will be redeemed on the respective first optional redemption dates therefor following the issuance of the Refunding Bonds.
The Board hereby appoints U.S. Bank National Association as Escrow Agent for the Refunded Bonds, and further approves the form of the Escrow Agreement substantially in the form on file with the Secretary to the Board. The Authorized Officers, each alone, are hereby authorized to execute the Escrow Agreement with such changes as they shall approve, such approval to be conclusively evidenced by such individual’s execution and delivery thereof.

The Board hereby appoints Piper Sandler & Co., as Underwriter, Keygent LLC as Municipal Advisor, and Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, as Bond Counsel and Disclosure Counsel, each with respect to the issuance of the Refunding Bonds.

The provisions of this Resolution as they relate to the terms of the Refunding Bonds may be amended by the Purchase Contract and the Official Statement. If the Purchase Contract so provides, the Refunding Bonds may be issued as crossover refunding bonds pursuant to Government Code Section 53558(b). All or a portion of the Refunding Bonds are further authorized to be issued on a forward delivery basis, pursuant to a Purchase Contract with such changes therein and modifications thereto necessary to effectuate such forward delivery as the Authorized Officer executing the same shall approve.

Based on a good faith estimate received by the District from the Municipal Advisor, the Board hereby finds that (i) the True Interest Cost of the Refunding Bonds (as defined in Government Code Section 5852.1(a)(1)(A)) is expected to be approximately 3.02%, (ii) the total Finance Charge of the Refunding Bonds (as defined in Government Code Section 5852.1(a)(1)(B)) is expected to be $470,560, (iii) the total proceeds expected to be received by the District from the sale of the Refunding Bonds, less the Finance Charge of the Refunding Bonds and any reserves or capitalized interest paid or funded with proceeds of the Refunding Bonds, is $69,686,031, and (iv) the District expects that the Total Payment Amount (as defined in Government Code Section 5852.1(a)(1)(D)), calculated to the final maturity of the Refunding Bonds, will be $111,196,423. The information presented in this section is included in satisfaction of Government Code Section 5852.1, and shall not abrogate or otherwise limit any other provision of this Resolution.

The District hereby approves the execution and delivery of all agreements, documents, certificates and instruments referred to herein with electronic signatures as may be permitted under the California Uniform Electronic Transactions Act and digital signatures as may be permitted under Section 16.5 of the Government Code using DocuSign.

SECTION 21. Resolution to Treasurer. The Secretary to the Board is hereby directed to provide a certified copy of this Resolution to the Treasurer immediately following its adoption.

SECTION 22. Request to County to Levy Tax. The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of ad valorem property taxes in each year sufficient to pay all principal of and interest coming due on the Refunding Bonds in such year, and to pay from such taxes all amounts due on the Refunding Bonds. The District hereby requests the Board of Supervisors of the County to annually levy a tax upon all taxable property in the District sufficient to pay all such principal and interest coming due on the Refunding Bonds in such year, and to pay from such taxes all amounts due on the Refunding Bonds. The Board hereby finds and determines that such ad valorem property taxes shall be levied specifically to pay the Refunding Bonds being issued to finance and refinance specific projects authorized by the voters of the District at the Election.

SECTION 23. Continuing Disclosure. The District hereby covenants and agrees that it will comply with and carry out all of the provisions of that certain Continuing Disclosure Certificate executed by the District and dated the Date of Delivery of the Refunding Bonds, as originally executed and as it may
be amended from time to time in accordance with the terms thereof. The Board hereby approves the form of the Continuing Disclosure Certificate appended to the form of Preliminary Official Statement on file with the Secretary to the Board as of the date hereof, and the Authorized Officers are hereby authorized to execute and delivery such Continuing Disclosure Certificate with such changes therein or modifications thereto as shall be requested by the Underwriter and as such Authorized Officer executing the same shall approve. Any Bond Holder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Section. Noncompliance with this Section shall not result in acceleration of the Refunding Bonds.

SECTION 24. Recitals. All the recitals in this Resolution above are true and correct and the Board so finds, determines and represents.

SECTION 25. Further Actions Authorized. It is hereby covenanted that the District, and its appropriate officials, have duly taken all actions necessary to be taken by them, and will take any additional actions necessary to be taken by them, for carrying out the provisions of this Resolution.
SECTION 26. **Effective Date.** This Resolution shall take effect immediately upon its passage.

PASSED, ADOPTED AND APPROVED this 14th day of April, 2021, by the following vote:

AYES: MEMBERS

NOES: MEMBERS

ABSTAIN: MEMBERS

ABSENT: MEMBERS

_________________________________
Chair of the Board of Trustees

ATTEST:

_________________________________
Secretary to the Board of Trustees
SECRETARY’S CERTIFICATE

I, Dr. Eric Bishop, Secretary to the Board of Trustees (the “Board”) of the Ohlone Community College District (the “District”), hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board duly and regularly and legally held at the regular meeting place thereof on April 14, 2021, of which meeting all of the members of the Board had due notice and at which a quorum was present.

An Agenda of said meeting was posted at least 72 hours before said meeting at a location freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda. A copy of said agenda is attached hereto.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: April ___, 2021

__________________________________________
Secretary to the Board of Trustees
Ohlone Community College District
OHLONE COMMUNITY COLLEGE DISTRICT
(ALAMEDA COUNTY, CALIFORNIA)
2021 GENERAL OBLIGATION REFUNDING BONDS
(FEDERALLY TAXABLE)

INTEREST RATE: ___% per annum
MATUREY DATE: August 1, ___
DATED AS OF: _____________, 2021
CUSIP ___________

REGISTERED OWNER: CEDE & CO.
PRINCIPAL AMOUNT: $__________

The Ohlone Community College District (the “District”) in Alameda County, California, for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 of each year (the “Bond Payment Dates”), commencing August 1, 2021. This bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before July 15, 2021, in which event it shall bear interest from the Date of Delivery. Interest on this bond shall be computed on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the “Registered Owner”) on the Register maintained by the Paying Agent, initially U.S. Bank National Association. Principal is payable upon presentation and surrender of this bond at the designated office of the Paying Agent. Interest is payable by wire transfer by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown and to the bank and account number on file at the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the “Record Date”).

This bond is one of an authorization of bonds issued by the District pursuant to California Government Code Section 53550 et seq. (the “Act”) for the purpose of refunding certain of the District’s outstanding Election of 2010 General Obligation Bonds, Series B and (iii) paying all necessary legal, financial, and contingent costs in connection therewith. The bonds are being issued under authority of and pursuant to the Act, the laws of the State of California, and the resolution of the Board of Trustees of the District adopted on April 14, 2021 (the “Bond Resolution”). This bond and the issue of which this bond is one are general obligation bonds of the District payable as to both principal and interest solely from the proceeds of the levy of ad valorem property taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.

The bonds of this issue comprise $_________ Principal Amount of current interest bonds, of which this bond is a part (each a “Refunding Bond”).

A-1

4832-8238-6145v2/024230-0016
This bond is exchangeable and transferable for bonds of like Series, tenor, maturity and principal amount and in authorized denominations at the designated corporate trust office of the Paying Agent by the Registered Owner or by a person legally empowered to do so, upon presentation and surrender hereof to the Paying Agent, together with a request for exchange or an assignment signed by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute Owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Refunding Bonds maturing on or before August 1, 20__ are not subject to redemption prior to their fixed maturity dates. The Refunding Bonds maturing on or after August 1, 20__ are subject to redemption on or after August 1, 20__ or on any date thereafter at the option of the District, as a whole or in part, at a redemption price equal to the principal amount of the Refunding Bonds called for redemption, plus interest accrued thereon to the date fixed for redemption, without premium.

The Refunding Bonds maturing on August 1, 20__ are subject to mandatory sinking fund redemption on August 1 of each year on and after August 1, 20__, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium. The principal amounts represented by such Refunding Bonds to be so redeemed and the dates therefore and the final payment date is as indicated in the following table:

<table>
<thead>
<tr>
<th>Redemption Dates</th>
<th>Principal Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$</td>
</tr>
</tbody>
</table>

The principal amount to be redeemed in each year shown above will be reduced proportionately or as otherwise directed by the District, in integral multiples of $5,000, by any portion of the Refunding Term Bond optionally redeemed prior to the mandatory sinking fund redemption date.

If less than all of the Refunding Bonds of any one maturity shall be called for redemption, the particular Refunding Bonds or portions thereof to be redeemed shall be selected by lot by the Paying Agent in such manner as the Paying Agent in its discretion may determine; provided, however, that the portion of any Refunding Bond to be redeemed shall be in the principal amount of $5,000 or some multiple thereof. If less than all of the Refunding Bonds stated to mature on different dates shall be called for redemption, the particular Refunding Bonds or portions thereof to be redeemed shall be called by the Paying Agent in any order of maturity as directed by the District or, if the Paying Agent is not so directed, in the inverse order of maturity.
Reference is made to the Bond Resolution for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the Refunding Bonds of this series, the rights, duties and obligations of the District, the Paying Agent and the Registered Owners, and the terms and conditions upon which the Refunding Bonds are issued and secured. The Registered Owner of this bond assents, by acceptance hereof, to all of the provisions of the Bond Resolution.

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the Refunding Bonds has been received; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the Refunding Bonds; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay principal of and interest on the Refunding Bonds when due.

This bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.

[REMAINDER OF PAGE LEFT BLANK]
IN WITNESS WHEREOF, the Ohlone Community College District, Alameda County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signatures of the Chair of the Board of Trustees of the District and to be countersigned by the manual or facsimile signature of the [Secretary to/Clerk of] the Board of Trustees of the District, all as of the date stated above.

OHLONE COMMUNITY COLLEGE DISTRICT

By: ___________ (Facsimile Signature)
Chair, Board of Trustees

COUNTERSIGNED:

(Facsimile Signature)
[Secretary to]/[Clerk,] the Board of Trustees

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on ____________, 2021.

U.S. Bank National Association, as Paying Agent

By: ____________________________
Authorized Representative
ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): ___________________________________________ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: ________________________  ______________________________

Signature Guaranteed: ______________________________

Notice: The assignor’s signature to this assignment must correspond with the name as it appears upon the within bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: ____________________

Unless this bond is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any bond issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

LEGAL OPINION

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation in connection with the issuance of, and dated as of the date of the original delivery of, the bonds. A signed copy is on file in my office.

(Facsimile Signature)
[Secretary to/Clerk,] Board of Trustees

(Form of Legal Opinion)
Ohlone Community College District

General Obligation Bond Refinancing Overview

April 14, 2021
Prior General Obligation Bond Refinancings

The District has been proactive in taking advantage of low interest rate environments to benefit local taxpayers

- **Measure A**
  - 2010 Refunding Bonds
    - Taxpayer savings: $3,477,935
  - 2012 Refunding Bonds
    - Taxpayer savings: $8,301,685
  - 2019 Refunding Bonds
    - Taxpayer savings: $6,290,758

- **Measure G**
  - 2016 Refunding Bonds
    - Taxpayer savings: $11,114,180

- **These refinancings have saved taxpayers a total of $29,184,558**
General Obligation Bond Refinancing Overview

The District has an additional series of Measure G bonds that may be a candidate for a refinancing (“Prior Bonds”):

- **Election of 2010, Series B Bonds**

Depending on market conditions, the District may realize savings for its taxpayers by refinancing portions of the Prior Bonds:

- Similar to refinancing a home mortgage, savings would be generated for the District’s taxpayers by replacing the higher interest rate Prior Bonds with lower interest rate refunding bonds (“Refunding Bonds”)
  - Refinancing does NOT extend the original bond term

- In order to comply with IRS rules, the Refunding Bonds would be sold as taxable bonds

- All financing costs (except for credit ratings) are contingent upon the successful issuance of the Refunding Bonds and are paid only from bond proceeds, not the General Fund
Credit Ratings

The District has very strong credit ratings of ‘Aa1’ from Moody’s and ‘AA+’ from S&P

- Following is an overview of the credit rating factors and weighting:
  - Local economy (30%)
  - District finances (30%)
  - District management (20%)
  - District debt/pension (20%)

- Moody’s upgraded the District from ‘Aa2’ to ‘Aa1’ on February 1, 2018

- S&P upgraded the District from ‘AA’ to ‘AA+’ on March 18, 2019

<table>
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<tr>
<th>Moody’s</th>
<th>S&amp;P</th>
<th>Rating Description</th>
</tr>
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<tbody>
<tr>
<td>Aaa</td>
<td>AAA</td>
<td>Prime</td>
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<tr>
<td>Aa1</td>
<td>AA+</td>
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<tr>
<td>Aa2</td>
<td>AA</td>
<td>High grade</td>
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<tr>
<td>Aa3</td>
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<tr>
<td>A1</td>
<td>A+</td>
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<tr>
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<tr>
<td>A3</td>
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<td>Baa1</td>
<td>BBB+</td>
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<td>B3</td>
<td>B-</td>
<td></td>
</tr>
<tr>
<td>Caa1 &amp; below</td>
<td>CCC+ &amp; below</td>
<td>Extremely speculative/ Default</td>
</tr>
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</table>
Municipal Bond Interest Rates

The economic impact and central bank response to COVID-19 has resulted in historically low interest rates, however rates have risen in recent months due to:

- Positive sentiment surrounding vaccine distribution
- Potential inflation resulting from economic re-opening and additional stimulus

![Graph of 10-Year U.S. Treasury Rates](January 2014 - Present)

**Sensitivity Analysis**

<table>
<thead>
<tr>
<th>Rates</th>
<th>Savings</th>
</tr>
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<tbody>
<tr>
<td>+0.1%</td>
<td>$3.6M</td>
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<tr>
<td>Current Rates</td>
<td>$5.0M</td>
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<tr>
<td>-0.1%</td>
<td>$6.4M</td>
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</tbody>
</table>

(1) Source: U.S. Department of the Treasury.
Legal Documentation

Following is a summary of legal documents before the Board for approval:

- **Authorizing resolution**
  - Approves the issuance of Refunding Bonds
  - Specifies the terms and parameters of the Refunding Bonds
  - Authorizes the District administration to take the necessary steps to issue the Refunding Bonds

- **Approves the form of other legal documents**
  - Preliminary official statement
    - Offering document circulated to prospective investors describing the District and the Refunding Bonds
  - Bond purchase contract
    - Agreement in which the underwriter agrees to purchase the District’s Refunding Bonds under certain conditions and parameters
  - Continuing disclosure certificate
    - Agreement outlining the District’s duties to provide ongoing information to the investing community on its finances, tax base information and listed events
  - Escrow agreement
    - Agreement outlining the escrow agent’s duties related to monies deposited in the escrow fund and utilized to redeem the Prior Bonds
Next Steps

- **Mid-April:**
  - Receive updated credit rating from Moody’s
  - Circulate preliminary official statement to prospective investors
- **End of April:** Sell bonds/lock interest rates
- **Mid-May:** Closing of refinancing
ESCROW AGREEMENT
RELATING TO THE DEFEASANCE OF

$74,995,430.35
OHLONE COMMUNITY COLLEGE DISTRICT
(Alameda County, California)
Election of 2010 General Obligation Bonds, Series B

THIS ESCROW AGREEMENT, dated as of May 1, 2021, by and between the Ohlone Community College District (the “District”), and U.S. Bank National Association, acting in its capacity as escrow agent (the “Escrow Agent”) pursuant to this Escrow Agreement (the “Agreement”);

W I T N E S S E T H:

WHEREAS, the District has previously caused the issuance of $74,995,430.35 Ohlone Community College District (Alameda County, California) Election of 2010 General Obligation Bonds, Series B (the “Prior Bonds”); and

WHEREAS, the District determined that it is in the District’s best interest to advance refund portions of the outstanding Prior Bonds (so refunded, the “Refunded Bonds”) as more particularly described on Schedule C hereto;

WHEREAS, the District has authorized the issuance of $_______ of its 2021 General Obligation Refunding Bonds (Federally Taxable) (the “Bonds”), the sale of which shall provide proceeds to accomplish such a refunding; and

WHEREAS, the District expects the Bonds to be issued on __________, 2021; and

WHEREAS, the proceeds of the sale of the Bonds shall be applied to the refunding of the Refunded Bonds in accordance with the terms of this Agreement; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the District and the Escrow Agent agree as follows:

SECTION 1. Deposit of Moneys.

(a) As used herein, the term “Investment Securities” means the Investment Securities set forth in Schedule A hereto. The District hereby deposits with the Escrow Agent $_______, which amount represents the net proceeds of the Bonds. Such amounts shall be held in irrevocable escrow by the Escrow Agent, separate and apart from other funds of the District and the Escrow Agent, in a fund hereby created and established and to be known as the “Ohlone Community College District 2021 General Obligation Refunding Bonds Escrow Fund” (referred to herein as the “Escrow Fund”) to be applied solely as provided in this Agreement. Such moneys are at least equal to an amount sufficient to purchase the principal amount of Investment Securities set forth in Schedule A hereto.

(b) The Escrow Agent hereby acknowledges receipt of the cash flow and yield verification report of Causey Demgen & Moore P.C., certified public accountants, dated the date hereof (the “Verification Report”), and the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, dated the date hereof (the “Defeasance Opinion”), relating to the sufficiency of the Investment Securities
and cash deposited pursuant hereto to defease the Refunded Bonds and, with respect to the Defeasance Opinion, relating to this Agreement.

SECTION 2. Use and Investment of Moneys. The Escrow Agent acknowledges receipt of the moneys described in Section 1 and agrees:

(a) to immediately invest $_______ of the moneys described in Section 1(a) hereof in the Investment Securities set forth in Schedule A hereto and to deposit such Investment Securities in the Escrow Fund, and to hold $________ uninvested as cash; and

(b) to make the payments required under Sections 3(a) hereof at the times set forth therein.

SECTION 3. Payment of Refunded Bonds.

(a) Payment of the Refunded Bonds. As the principal of the Investment Securities set forth in Schedule A hereof and the investment income and earnings thereon are paid, and together with other monies on deposit therein, the Escrow Agent shall transfer from the Escrow Fund to the paying agent for the Refunded Bonds (the “Paying Agent”) amounts sufficient to pay the interest on the Refunded Bonds due on and prior to August 1, 2024, and to redeem on such date the Refunded Bonds, at a redemption price equal to 100% of the outstanding principal amount.

Such transfers shall constitute the respective payments of the principal of and interest on the Refunded Bonds and redemption price due from the District.

(b) Unclaimed Moneys. Any moneys which remain unclaimed for two years after the date such moneys have become due and payable hereunder shall be repaid (without liability for interest) by the Escrow Agent to the District and deposited by the District in the Debt Service Fund relating to the Bonds. Any moneys remaining in the Escrow Fund established hereunder after August 1, 2024 (aside from unclaimed monies of the Refunded Bonds) which are in excess of the amount needed to pay owners of the Refunded Bonds payments of principal and interest and redemption premium, if any, with respect to the Refunded Bonds or to pay any amounts owed to the Escrow Agent shall be immediately transferred by the Escrow Agent to the District and deposited by the District in the Debt Service Fund relating to the Bonds.

(c) Priority of Payments. The holders of the Refunded Bonds shall have a first lien on the moneys and Investment Securities in the Escrow Fund which are allowable and sufficient to pay the Refunded Bonds until such moneys and Investment Securities are used and applied as provided in this Agreement, as verified by the Verification Report. Any cash or securities held in the Escrow Fund are irrevocably pledged only to the holders of the Refunded Bonds.

SECTION 4. Performance of Duties. The Escrow Agent agrees to perform the duties set forth herein.

SECTION 5. Reinvestment. Upon written direction of the District, the Escrow Agent may reinvest any uninvested amounts held as cash under this Agreement in noncallable nonprepayable obligations which are direct obligations issued by the United States Treasury or obligations which are unconditionally guaranteed as to full and timely payment by the United States of America provided (i) the amounts of and dates on which the anticipated transfers from the Escrow Fund to the Paying Agent for the payment of the principal of, redemption price of, and interest on the Refunded Bonds will not be diminished or postponed thereby, (ii) the Escrow Agent shall receive the unqualified opinion of nationally recognized municipal bond counsel to the effect that such reinvestment will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds or the Refunded Bonds, (iii) the

4813-8657-2002v2/024230-0016
Escrow Agent shall receive from a firm of independent certified public accountants a certification that, immediately after such reinvestment, the principal of and interest on obligations in the Escrow Fund will, together with other cash on deposit in the Escrow Fund available for such purposes, be sufficient without reinvestment to pay, when due, the principal or redemption price of and interest on the Refunded Bonds; and (iv) the Escrow Agent shall receive an opinion of nationally recognized bond counsel that such reinvestment is permissible under this Agreement.

SECTION 6. Indemnity. The District hereby assumes liability for, and hereby agrees (whether or not any of the transactions contemplated hereby are consummated) to indemnify, protect, save and keep harmless the Escrow Agent and its respective successors, assigns, agents, employees, directors, officers and servants, from and against any and all liabilities, obligations, losses, damages, penalties, claims, actions, suits, costs, expenses and disbursements (including reasonable legal fees and disbursements) of whatsoever kind and nature which may be imposed on, incurred by, or asserted against, the Escrow Agent at any time (whether or not also indemnified against the same by the District or any other person under any other agreement or instrument, but without double indemnity) in any way relating to or arising out of the execution, delivery and performance of its Agreement, the establishment hereunder of the Escrow Fund, the acceptance of the funds and securities deposited therein, the purchase of the Investment Securities, the retention of the Investment Securities or the proceeds thereof and any payment, transfer or other application of moneys or securities by the Escrow Agent in accordance with the provisions of this Agreement; provided, however, that the District shall not be required to indemnify the Escrow Agent against the Escrow Agent’s own negligence or willful misconduct or the negligent or willful misconduct of the Escrow Agent’s respective successors, assigns, agents and employees or the breach by the Escrow Agent of the terms of this Agreement. In no event shall the District or the Escrow Agent be liable to any person by reason of the transactions contemplated hereby other than to each other as set forth in this section. The indemnities contained in this section shall survive the termination of this Agreement and the earlier resignation or removal of the Escrow Agent.

SECTION 7. Responsibilities of the Escrow Agent. The Escrow Agent and its respective successors, assigns, agents and servants shall not be held to any personal liability whatsoever, in tort, contract or otherwise, in connection with the execution and delivery of this Agreement, the establishment of the Escrow Fund, the acceptance of the moneys or securities deposited therein, the purchase of the Investment Securities, the retention of the Investment Securities or the proceeds thereof and any payment, transfer or other application of moneys or obligations by the Escrow Agent in accordance with the provisions of this Agreement or by reason of any non-negligent act, non-negligent omission or non-negligent error of the Escrow Agent made in good faith in the conduct of its duties. The recitals of fact contained in the “whereas” clauses herein shall be taken as the statements of the District and the Escrow Agent assumes no responsibility for the correctness thereof. The Escrow Agent makes no representation as to the sufficiency of the Investment Securities to accomplish the refunding and defeasance of the Refunded Bonds or any payment, transfer or other application of moneys or obligations by the Escrow Agent in accordance with the provisions of this Agreement or by reason of any non-negligent act, non-negligent omission or non-negligent error of the Escrow Agent made in good faith in the conduct of its duties. The Escrow Agent shall not be liable in connection with the performance of its duties under this Agreement except for its own negligence, willful misconduct or default, and the duties and obligations of the Escrow Agent shall be determined by the express provisions of this Agreement. The Escrow Agent may consult with counsel, who may or may not be counsel to the District, and in reliance upon the written opinion of such counsel shall have full and complete authorization and protection with respect to any action taken, suffered or omitted by it in good faith in accordance therewith. Whenever the Escrow Agent shall deem it necessary or desirable that a matter be proved or established prior to taking, suffering, or omitting any action under this Agreement, such matter may be deemed to be conclusively established by a certificate signed by an authorized officer of the District.
None of the provisions of this Agreement shall require the Escrow Agent to expend or risk its own funds or otherwise to incur any liability, financial or otherwise, in the performance of any of its duties hereunder. The Escrow Agent may conclusively rely and shall be fully protected in acting or refraining from acting upon any resolution, certificate, statement, instrument, opinion, report, notice, request, consent, order, approval or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties. The Escrow Agent may execute any of the trusts or powers hereunder or perform any duties hereunder either directly or by or through agents, attorneys, custodians or nominees appointed with due care, and shall not be responsible for any willful misconduct or negligence on the part of any agent, attorney, custodian or nominee so appointed. The Escrow Agent agrees to accept and act upon instructions or directions pursuant to this Agreement sent by unsecured e-mail, facsimile transmission or other similar unsecured electronic methods, provided, however, that, the Escrow Agent shall have received an incumbency certificate listing persons designated to give such instructions or directions and containing specimen signatures of such designated persons, which such incumbency certificate shall be amended and replaced whenever a person is to be added or deleted from the listing. If the District elects to give the Escrow Agent e-mail or facsimile instructions (or instructions by a similar electronic method) and the Escrow Agent in its discretion elects to act upon such instructions, the Escrow Agent’s understanding of such instructions shall be deemed controlling. The Escrow Agent shall not be liable for any losses, costs or expenses arising directly or indirectly from the Escrow Agent’s reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The District agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Escrow Agent, including without limitation the risk of the Escrow Agent acting on unauthorized instructions, and the risk of interception and misuse by third parties.

SECTION 8. Substitution of Investment Securities. At the written request of the District and upon compliance with the conditions hereinafter set forth, the Escrow Agent shall have the power to sell, transfer, request the redemption or otherwise dispose of some or all of the Investment Securities in the Escrow Fund and to substitute noncallable nonprepayable obligations (the “Substitute Investment Securities”) constituting direct obligations issued by the United States Treasury or obligations which are unconditionally guaranteed as to full and timely payment by the United States of America. The foregoing may be effected only if: (i) the substitution of Substitute Investment Securities for the Investment Securities (or Substitute Investment Securities) occurs simultaneously; (ii) the amounts of and dates on which the anticipated transfers from the Escrow Fund to the Paying Agent for the payment of the principal of and/or redemption price of and/or interest on the Refunded Bonds will not be diminished or postponed thereby; (iii) the Escrow Agent shall receive the unqualified opinion of nationally recognized municipal bond counsel to the effect that such disposition and substitution would not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Refunded Bonds or the Bonds, and that the conditions of this Section 8 as to the disposition and substitution have been satisfied and that the substitution is permitted by this Agreement; and (iv) the Escrow Agent shall receive from a firm of independent certified public accountants a certification that, immediately after such transaction, the principal of and interest on the Substitute Investment Securities in the Escrow Fund will, together with other cash on deposit in the Escrow Fund available for such purpose, be sufficient without reinvestment to pay, when due, the principal or redemption price of and interest on the Refunded Bonds. Any cash from the sale of Investment Securities (including U.S. Treasury Securities) received from the disposition and substitution of Substitute Investment Securities pursuant to this Section 8 to the extent such cash will not be required, in accordance with this Agreement, and as demonstrated in the certification described in subsection (iv) above, at any time for the payment when due of the principal or redemption price of or interest on the Refunded Bonds shall be paid to the District as received by the Escrow Agent free and clear of any trust, lien, pledge or assignment securing such Bonds or otherwise existing under this Agreement. Any other substitution of securities in the Escrow Fund not described in the previous sentence must satisfy the requirements of this Section 8. In no event shall the Escrow Agent invest or reinvest moneys held under this Agreement in mutual funds or unit investment trusts.
SECTION 9.  Irrevocable Instructions as to Notice; Termination of Obligations.

(a) The Escrow Agent hereby acknowledges that upon the funding of the Escrow Fund as provided in Section 1(a) hereof and the simultaneous purchase of the Investment Securities as provided in Section 2 hereof, the receipt of the Defeasance Opinion and the Verification Report described in Section 1(b) of this Agreement, then the Refunded Bonds shall be paid in accordance with their terms and all obligations of the District with respect to the Refunded Bonds shall cease and terminate, except only the obligation to make payments therefore from the monies provided for hereunder.

(b) The Escrow Agent further agrees it shall provide timely notice of the redemption of the Refunded Bonds, pursuant to the Irrevocable Instructions and Request to Escrow Agent attached hereto as Schedule B.

SECTION 10. Amendments.  This Agreement is made for the benefit of the District and the holders from time to time of the Refunded Bonds and it shall not be repealed, revoked, altered or amended without the written consent of all such holders, the Escrow Agent and the District; provided, however, but only after the receipt by the Escrow Agent of an opinion of nationally recognized bond counsel that the exclusion from gross income of interest on the Bonds and the Refunded Bonds will not be adversely affected for federal income tax purposes, that the District and the Escrow Agent may, without the consent of, or notice to, such holders, amend this Agreement or enter into such agreements supplemental to this Agreement as shall not materially adversely affect the rights of such holders and as shall not be inconsistent with the terms and provisions of this Agreement for any one or more of the following purposes: (i) to cure any ambiguity or formal defect or omission in this Agreement; (ii) to grant to, or confer upon, the Escrow Agent for the benefit of the holders of the Refunded Bonds any additional rights, remedies, powers or authority that may lawfully be granted to, or conferred upon, such holders or the Escrow Agent; and (iii) to include under this Agreement additional funds, securities or properties. The Escrow Agent shall be entitled to rely conclusively upon an unqualified opinion of nationally recognized municipal bond attorneys with respect to compliance with this Section 10, including the extent, if any, to which any change, modification, addition or elimination affects the rights of the holders of the Refunded Bonds or that any instrument executed hereunder complies with the conditions and provisions of this Section 10. In the event of any conflict with respect to the provisions of this Agreement, this Agreement shall prevail and be binding.

SECTION 11.  Term.  This Agreement shall commence upon its execution and delivery and shall terminate on the later to occur of either (i) the date upon which the Refunded Bonds have been paid in accordance with this Agreement or (ii) the date upon which no unclaimed moneys remain on deposit with the Escrow Agent pursuant to Section 3(b) of this Agreement.

SECTION 12.  Compensation.  The Escrow Agent shall receive its reasonable fees and expenses as previously agreed to; provided, however, that under no circumstances shall the Escrow Agent be entitled to any lien nor will it assert a lien whatsoever on any moneys or obligations in the Escrow Fund for the payment of fees and expenses for services rendered by the Escrow Agent under this Agreement.

SECTION 13.  Resignation or Removal of Escrow Agent.

(a) The Escrow Agent may resign by giving notice in writing to the District, a copy of which shall be sent to DTC. The Escrow Agent may be removed (1) by (i) filing with the District an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of the Refunded Bonds then remaining unpaid, (ii) sending notice at least 60 days prior to the effective date of said removal to DTC, and (iii) the delivery of a copy of the instruments filed with the District to the Escrow Agent or (2) by a court of competent jurisdiction for failure to act in accordance with the provisions of this Agreement upon application by the District or the holders of 5% in aggregate principal amount of the Refunded Bonds then remaining unpaid.
If the position of Escrow Agent becomes vacant due to resignation or removal of the Escrow Agent or any other reason, a successor Escrow Agent may be appointed by the District. The holders of a majority in principal amount of the Refunded Bonds then remaining unpaid may, by an instrument or instruments filed with the District, appoint a successor Escrow Agent who shall supersede any Escrow Agent theretofore appointed by the District. If no successor Escrow Agent is appointed by the District or the holders of such Refunded Bonds then remaining unpaid, within 45 days after any such resignation or removal, the holder of any such Refunded Bond or any retiring Escrow Agent may apply to a court of competent jurisdiction for the appointment of a successor Escrow Agent. The responsibilities of the Escrow Agent under this Escrow Agreement will not be discharged until a new Escrow Agent is appointed and until the cash and investments held under this Escrow Agreement are transferred to the new Escrow Agent.

SECTION 14. Severability. If any one or more of the covenants or agreements provided in this Agreement on the part of the District or the Escrow Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, such covenants or agreements shall be null and void and shall be deemed separate from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Agreement.

SECTION 15. Counterparts. This Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

SECTION 16. Governing Law. This Agreement shall be construed under the laws of the State of California.

SECTION 17. Holidays. If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Agreement, shall be a legal holiday or a day on which banking institutions in the city in which is located the principal office of the Escrow Agent are authorized by law to remain closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are authorized by law to remain closed, with the same force and effect as if done on the nominal date provided in this Agreement, and no interest shall accrue for the period after such nominal date.

SECTION 18. Assignment. This Agreement shall not be assigned by the Escrow Agent or any successor thereto without the prior written consent of the District, except as provided in Section 20 hereof, which shall require no such prior written consent.

SECTION 19. Rating Agencies. The District agrees to send to Moody’s Investors Service, 7 World Trade Center at 250 Greenwich Street, New York, New York, 10007, and Standard & Poor’s Global Ratings, a Standard & Poor’s Financial Services LLC business, 55 Water Street, New York, New York, 10071, prior notice of each amendment entered into pursuant to Section 10 hereof and a copy of such proposed amendment, and to forward a copy (as soon as possible) of (i) each amendment hereto entered into pursuant to Section 10 hereof, and (ii) any action relating to severability or contemplated by Section 14 hereof.

SECTION 20. Reorganization of Escrow Agent. Notwithstanding anything to the contrary contained in this Agreement, any company into which the Escrow Agent may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which the Escrow Agent is a party, or any company to which the Escrow Agent may sell or transfer all or substantially all of its corporate trust business shall be the successor to the Escrow Agent without execution or filing of any paper or any paper or further act, if such company is eligible to serve as Escrow Agent.
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers as of the day and year first above written.

OHLONE COMMUNITY COLLEGE DISTRICT

By:________________________________________
    Chris Dela Rosa D.M.,
    Vice President, Administrative Services

U.S. BANK NATIONAL ASSOCIATION, as Escrow Agent

By:________________________________________
    Authorized Signatory
SCHEDULE A

“Investment Securities” are defined to be and shall be the following:
SCHEDULE B

IRREVOCABLE INSTRUCTIONS AND REQUEST TO
ESCROW AGENT

____________, 2021

U.S. Bank National Association
633 W. 5th Street, 24 Floor
Los Angeles, California 90071

$74,995,430.35
OHLONE COMMUNITY COLLEGE DISTRICT
(Alameda County, California)
Election of 2010 General Obligation Bonds, Series B

Ladies and Gentlemen:

As Escrow Agent with respect to the Refunded Bonds (defined herein) pursuant to that certain escrow agreement (the “Escrow Agreement”), dated as of May 1, 2021, by and between the Ohlone Community College District (the “District”) and U.S. Bank National Association, with respect to the outstanding Ohlone Community College District (Alameda County, California) Election of 2010 General Obligation Bonds, Series B, maturing on August 1, 20___ through and including August 1, 20__ (the “Refunded Bonds”), you are hereby notified of the irrevocable election of the District to pay the interest on the Refunded Bonds due on and prior to August 1, 2024, and to redeem on such date the Refunded Bonds at a price of 100% of the principal amount thereof.

You are hereby irrevocably instructed to give, as provided in the resolution of the District authorizing the issuance of the Refunded Bonds, notice of redemption of such principal amounts of said Refunded Bonds as are scheduled to be redeemed prior to maturity to the extent such Refunded Bonds have not been otherwise redeemed or purchased by the Escrow Agent prior to such dates. Such notices shall substantially be in the forms annexed hereto as Exhibit X.

You are further hereby irrevocably instructed to file notices of defeasances of the Refunded Bonds with the Municipal Securities Rulemaking Board, which can be found at http://emma.msrb.org/
Finally, you are hereby irrevocably instructed to provide, as soon as practicable, notices to the holders of the Refunded Bonds (substantially in the forms annexed hereto as Exhibit Y) that the deposit of investment securities and moneys has been made with you as such Escrow Agent and that you have received a verification report verifying that the projected withdrawals from such escrow have been calculated to be adequate to pay the principal or redemption price of and the interest on said Refunded Bonds outstanding as such become due or are subject to redemption.

OLHONE COMMUNITY COLLEGE DISTRICT

By:____________________________________

Chris Dela Rosa D.M.,
Vice President, Administrative Services

Receipt acknowledged and consented to:

U.S. BANK NATIONAL ASSOCIATION,
as Escrow Agent

By:____________________________________

Authorized Signatory
Notice of Redemption

$74,995,430.35
OHLONE COMMUNITY COLLEGE DISTRICT
(Alameda County, California)
Election of 2010 General Obligation Bonds, Series B

Original Issue Date: September 4, 2014

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<th>Maturity (August 1)</th>
<th>Rate</th>
<th>Original Principal Amount</th>
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NOTICE IS HEREBY GIVEN to the holders of the outstanding $74,995,430.35 Ohlone Community College District (Alameda County, California) Election of 2010 General Obligation Bonds, Series B maturing on August 1, 20__ through and including August 1, 20__ as further identified above, that such bonds have been called for redemption prior to maturity on August 1, 2024 (the “Redemption Date”) in accordance with their terms at a redemption price of 100% of such principal amount, together with accrued interest evidenced thereby to the Redemption Date. The source of the funds to be used for such redemption is the principal of and interest on investment securities heretofore deposited with U.S. Bank National Association, as Escrow Agent, together with moneys heretofore deposited with the Escrow Agent and held as cash.

Interest on the Refunded Bonds and the redemption price shall become due and payable on the Redemption Date, and after such date interest on such Refunded Bonds shall cease to accrue and be payable.

Holders of the Refunded Bonds will receive payment of the redemption price and accrued interest to which they are entitled upon presentation and surrender thereof at the corporate trust office of U.S. Bank National Association in the following manner:

**If by Mail:**

U.S. Bank Global Corporate Trust
111 Filmore Ave E
St Paul MN 55107-1402

**If by Hand or Overnight Mail:**

U.S. Bank Global Corporate Trust
111 Filmore Ave E
St Paul MN 55107-1402

Bondholders presenting their Bond in person for same day payment must surrender their bond(s) by 1:00 PM on the Redemption Date and a check will be available for pickup after 2:00PM. Checks not picked up by 4:30PM will be mailed out to the bondholder via first class mail. If payment of the Redemption Price is to be made to the registered owner of the Bond, you are not required to endorse the Bond to collect the Redemption Price.

Interest on the principal amount designated to be redeemed shall cease to accrue on and after the Redemption Date.

IMPORTANT NOTICE

Under the Economic Growth and Tax Relief Reconciliation Act of 2001 (the “Act”) 28% will be withheld if tax identification number is not properly certified.

*Neither the Ohlone Community College District nor the Paying Agent shall be held responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness as shown in the Redemption Notice. It is included solely for convenience of the Holders.

By U.S. BANK NATIONAL ASSOCIATION
as Paying Agent
Date: __________, 2024
EXHIBIT Y

NOTICE OF DEFEASANCE OF

$74,995,430.35
OHLONE COMMUNITY COLLEGE DISTRICT
(Alameda County, California)
Election of 2010 General Obligation Bonds, Series B

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Notice is hereby given to the holders of the outstanding Ohlone Community College District (Alameda County, California) Election of 2010 General Obligation Bonds, Series B maturing on August 1, 20__ through and including August 1, 20__ (the “Bonds”) (i) that there has been deposited with U.S. Bank National Association, as escrow agent (the “Escrow Agent”), moneys and investment securities as permitted by the Escrow Agreement, dated as of May 1, 2021, between the Ohlone Community College District and the Escrow Agent (the “Agreement”), the principal of and the interest on which when due will provide moneys which, together with such other moneys deposited with the Escrow Agent, shall be available and sufficient (according to the verification report provided to the Escrow Agent) (a) to pay the interest with respect to a portion of the Bonds scheduled to be paid on and prior to August 1, 2024 (the “Redemption Date”) and (b) to redeem such Bonds on such Redemption Date at a redemption price (expressed as a percentage of such portion of principal amount of the Bonds to be redeemed) equal to 100%; (ii) that the Escrow Agent has been irrevocably instructed to so redeem such Bonds; and (iii) that such Bonds are deemed to be paid in accordance with Sections 3 and 9 of the Agreement.

Dated this ____th day of _____, 2021.

OHLONE COMMUNITY COLLEGE DISTRICT

U.S. BANK NATIONAL ASSOCIATION, as Escrow Agent
SCHEDULE C

REFUNDED BONDS

$74,995,430.35
OHLONE COMMUNITY COLLEGE DISTRICT
(Alameda County, California)
Election of 2010 General Obligation Bonds, Series B

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OHLONE COMMUNITY COLLEGE DISTRICT  
(ALAMEDA COUNTY, CALIFORNIA)  
2021 GENERAL OBLIGATION REFUNDING BONDS  
(FEDERALLY TAXABLE)  

PURCHASE CONTRACT

__________, 2021

Board of Trustees  
Ohlone Community College District  
843600 Mission Boulevard  
Fremont, California 94539

Ladies and Gentlemen:

The undersigned, Piper Sandler & Co. (the “Underwriter”), offers to enter into this Purchase Contract (the “Purchase Contract”) with the Ohlone Community College District (the “District”), which, upon the District’s acceptance hereof, will be binding upon the District and the Underwriter. This offer is made subject to the written acceptance of this Purchase Contract by the District and delivery of such acceptance to the Underwriter at or prior to 11:59 P.M., Pacific Time, on the date hereof. Capitalized terms used and not otherwise defined herein shall have the meanings given to such terms in the Resolution (defined below).

The District acknowledges and agrees that: (i) the primary role of the Underwriter is to purchase securities for resale to investors in an arms-length commercial transaction between the District and the Underwriter and that the Underwriter has financial and other interests that differ from those of the District, (ii) the Underwriter is not acting as a municipal advisor, financial advisor or fiduciary to the District or any other person or entity and has not assumed any advisory or fiduciary responsibility to the District with respect to the transaction contemplated hereby and the discussions, undertakings and proceedings leading thereto (irrespective of whether the Underwriter has provided other services or is currently providing other services to the District on other matters), (iii) the only obligations the Underwriter has to the District with respect to the transaction contemplated hereby expressly are set forth in this Purchase Contract, except as otherwise provided by applicable rules and regulations of the Securities and Exchange Commission (“SEC”) or the rules of the Municipal Securities Rulemaking Board (“MSRB”), and (iv) the District has consulted its own legal, accounting, tax, financial and other advisors, as applicable, to the extent it has deemed appropriate in connection with the transaction contemplated herein. The District acknowledges that it has previously provided the Underwriter with an acknowledgement of receipt of the required Underwriter disclosure under Rule G 17 of the MSRB.

1. Purchase and Sale of the Bonds. Upon the terms and conditions and in reliance upon the representations, warranties and agreements herein set forth, the Underwriter hereby agrees to purchase from the District for reoffering to the public, and the District hereby agrees to sell to the Underwriter for such purpose, all (but not less than all) of $________ aggregate principal amount of
the District’s 2021 General Obligation Refunding Bonds (Federally Taxable) (the “Bonds”). The Bonds shall bear interest at the rates, shall mature in the years and shall be subject to redemption as shown on Appendix A hereto, which is incorporated herein by this reference. The Bonds shall be dated the date of delivery thereof (the “Date of Delivery”) and shall bear interest from such date, payable semiannually on each February 1 and August 1, commencing August 1, 2021. The Underwriter shall purchase the Bonds at a price of $________ (consisting of the principal amount of the Bonds of $_________ and less Underwriter’s discount of $___________). The final maturity dates, interest rates, yields (or yields to redemption, as applicable) and redemption provisions of the Bonds are shown in Appendix A hereto, which appendix is incorporated by reference herein.

2. The Bonds. The Bonds shall be dated their Date of Delivery. The Bonds shall mature on the dates and in the years shown on Appendix A hereto, shall otherwise be as described in the Official Statement (defined herein), and shall be issued and secured pursuant to the provisions of the Resolution of the District adopted on April 14, 2021 (the “Resolution”), and Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code (the “Act”).

The Bonds shall be executed and delivered under and in accordance with the provisions of this Purchase Contract and the Resolution. The Bonds shall bear CUSIP numbers, and shall be in fully registered book-entry form, registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”). The Bonds shall initially be in authorized denominations of Five Thousand Dollars ($5,000) principal amount, or any integral multiple thereof.

The net proceeds of the Bonds will be used to advance refund portions of the outstanding Ohlone Community College District (Alameda County, California) Election of 2010 General Obligation Bonds, Series B (the “Refunded Bonds”) pursuant to an Escrow Agreement dated as of May 1, 2021 (the “Escrow Agreement”), by and between the District and U.S. Bank National Association, as escrow bank (the “Escrow Agent”). The net proceeds of the Bonds will be deposited into an escrow fund held pursuant to the Escrow Agreement and invested in certain Federal Securities, as such term is defined in the Resolution, the principal of and interest on which shall be used, together with funds deposited with the Escrow Agent as cash, to pay the redemption price of the Refunded Bonds on their first available redemption date, and interest due thereon on and before such dates.

3. Use of Documents. The District hereby authorizes the Underwriter to use, in connection with the offer and sale of the Bonds, this Purchase Contract, the Escrow Agreement, the Continuing Disclosure Certificate (defined herein), the Preliminary Official Statement (defined herein) and the Official Statement (defined below), the Resolution and all information contained herein and therein and all of the documents, certificates or statements furnished by the District to the Underwriter in connection with the transactions contemplated by this Purchase Contract.

4. Public Offering of the Bonds. The Underwriter agrees to make a bona fide public offering of all the Bonds at the initial public offering prices or yields to be set forth on the inside cover page of the Official Statement. Subsequent to such initial public offering, the Underwriter reserves the right to change such initial public offering prices or yields as it deems necessary in connection with the marketing of the Bonds.

5. Review of Official Statement. The Underwriter hereby represents that it has received and reviewed the Preliminary Official Statement with respect to the Bonds, dated
The District represents that it has duly authorized and prepared the Preliminary Official Statement for use by the Underwriter in connection with the sale of the Bonds, and that it has deemed the Preliminary Official Statement to be final as of its date, except for either revision or addition of the offering price(s), interest rate(s), yield(s) to maturity, selling compensation, aggregate principal amount, principal amount per maturity, delivery date, redemption provisions, rating(s) and other terms of the Bonds which depend upon the foregoing as provided in and pursuant to Rule 15c2-12 of the SEC promulgated under the Securities Exchange Act of 1934, as amended (the “Rule”).

The Underwriter agrees that prior to the time the final Official Statement (the “Official Statement”) relating to the Bonds is available, the Underwriter will send to any potential purchaser of the Bonds, upon the request of such potential purchaser, a copy of the most recent Preliminary Official Statement. Such Preliminary Official Statement shall be sent by first class mail or electronic distribution (or other equally prompt means) not later than the first business day following the date upon which each such request is received.

The Underwriter agrees to file the Official Statement with the MSRB through its Electronic Municipal Market Access (“EMMA”) system within one business day after receipt thereof from the District, but in no event later than the Closing (as defined below).

6. **Closing.** At 9:00 A.M., Pacific Time, on __________, 2021, or at such other time or on such other date as shall have been mutually agreed upon by the District and the Underwriter (the “Closing”), the District will deliver to the Underwriter, through the facilities of DTC in New York, New York, or at such other place as the District and the Underwriter may mutually agree upon, the Bonds in fully registered book-entry form, duly executed and registered in the name of Cede & Co., as nominee of DTC, and at the offices of Bond Counsel, the other documents hereinafter mentioned; and the Underwriter will accept such delivery and pay the purchase price of the Bonds identified in Section 1 above in immediately available funds to the account or accounts designated by the District.

7. **Representations, Warranties and Agreements of the District.** The District hereby represents, warrants and agrees with the Underwriter that:

(a) **Due Organization.** The District is a community college district duly organized and validly existing under the laws of the State of California, with the power to issue the Bonds pursuant to the Act.

(b) **Due Authorization.** (i) At or prior to the Closing, the District will have taken all action required to be taken by it to authorize the issuance and delivery of the Bonds; (ii) the District has full legal right, power and authority to refund the Refunded Bonds, to enter into this Purchase Contract, the Continuing Disclosure Certificate (as defined herein) and the Escrow Agreement, to adopt the Resolution, to perform its obligations under each such document or instrument, to approve the Official Statement and to carry out and effectuate the transactions contemplated by this Purchase Contract, the Escrow Agreement, the Continuing Disclosure Certificate and the Resolution; (iii) the execution and delivery or adoption of, and the performance by the District of the obligations contained in the Bonds, the Resolution, the Escrow Agreement, the Continuing Disclosure Certificate and this Purchase Contract have been duly authorized and such authorization shall be in full force and effect at the time of the Closing; (iv) this Purchase Contract, the Escrow Agreement and the
Continuing Disclosure Certificate, assuming the due authorization, execution and delivery by
the other parties thereto, constitute valid and legally binding obligations of the District; and
(v) the District has duly authorized the consummation by it of all transactions contemplated
by this Purchase Contract.

(c) Consents. No consent, approval, authorization, order, filing, registration, qualification, election or referendum, of or by any court or governmental agency or public
body whatsoever is required in connection with the issuance, delivery or sale of the Bonds,
the execution and delivery of this Purchase Contract, and the Continuing Disclosure
Certificate, the adoption of the Resolution, or the consummation of the other transactions
effected or contemplated herein or hereby, except for such actions as may be necessary to
qualify the Bonds for offer and sale under the Blue Sky or other securities laws and
regulations of such states and jurisdictions of the United States as the Underwriter may
reasonably request, or which have not been taken or obtained; provided, however, that the
District shall not be required to subject itself to service of process in any jurisdiction in which
it is not so subject as of the date hereof.

(d) Internal Revenue Code. The District has complied with the requirements of
the Internal Revenue Code of 1986, as amended (the “Code”), with respect to the Bonds.

(e) No Conflicts. To the best knowledge of the District, the issuance of the
Bonds, and the execution, delivery and performance of this Purchase Contract, the Escrow
Agreement, the Continuing Disclosure Certificate, the Resolution and the Bonds, and the
compliance with the provisions hereof do not conflict with or constitute on the part of the
District a violation of or default under, the Constitution of the State of California or any
existing law, charter, ordinance, regulation, decree, order or resolution and do not conflict
with or result in a violation or breach of, or constitute a default under, any agreement,
indenture, mortgage, lease or other instrument to which the District is a party or by which it
is bound or to which it is subject.

(f) Litigation. As of the time of acceptance hereof, no action, suit, proceeding,
hearing or investigation is pending or, to the best knowledge of the District, threatened
against the District: (i) in any way affecting the existence of the District or in any way
challenging the respective powers of the several offices of the District or of the titles of the
officials of the District to such offices; or (ii) seeking to restrain or enjoin the sale, issuance
or delivery of any of the Bonds, the application of the proceeds of the sale of the Bonds, the
levy or collection of ad valorem property taxes contemplated by the Resolution available to
pay the principal of and interest on the Bonds, or, or in any way contesting or affecting the
validity or enforceability of the Bonds, this Purchase Contract, the Escrow Agreement, the
Continuing Disclosure Certificate or the Resolution or contesting the powers of the District
or its authority with respect to the Bonds, the Resolution, the Escrow Agreement, the
Continuing Disclosure Certificate or this Purchase Contract; or (iii) in which a final adverse
decision could (a) materially adversely affect the operations or financial condition of the
District or the consummation of the transactions contemplated by this Purchase Contract, the
Escrow Agreement, the Continuing Disclosure Certificate or the Resolution, (b) declare this
Purchase Contract to be invalid or unenforceable in whole or in material part, or (c) adversely
affect the exemption of the interest paid on the Bonds from California personal income
taxation.
(g) **No Other Debt.** Between the date hereof and the Closing, without the prior written consent of the Underwriter, neither the District, nor any person on behalf of the District, will have issued in the name and on behalf of the District any bonds, notes or other obligations for borrowed money except for such borrowings as may be described in or contemplated by the Official Statement.

(h) **Certificates.** Any certificates signed by any officer of the District and delivered to the Underwriter shall be deemed a representation and warranty by the District to the Underwriter, but not by the person signing the same, as to the statements made therein.

(i) **Continuing Disclosure.** In accordance with the requirements of Rule 15c2-12 (the “Rule”), at or prior to the Closing, the District shall have duly authorized, executed and delivered a Continuing Disclosure Certificate (the “Continuing Disclosure Certificate”) on behalf of each obligated person for which financial and/or operating data is presented in the Official Statement (as defined herein). The Continuing Disclosure Certificate shall comply with the provisions of the Rule and be substantially in the form attached to the Official Statement as Appendix C. Except as otherwise disclosed in the Official Statement and based on a review of its previous undertakings, the District has not, within the past five years, failed to comply in a material respect with any of its previous undertakings pursuant to the Rule to provide annual reports or notice of certain listed events.

(j) **Official Statement Accurate and Complete.** The Preliminary Official Statement, as of its date, did not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading. As of the date hereof the Official Statement does not, and as of the Closing Date, the Official Statement will not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading. The District makes no representation or warranty as to the information contained in or omitted from the Preliminary Official Statement or the Official Statement in reliance upon and in conformity with information furnished in writing to the District by or on behalf of the Underwriter through a representative of the Underwriter specifically for inclusion therein.

(k) **Levy of Tax.** The District hereby agrees to take any and all actions as may be required by Alameda County (the “County”) or otherwise necessary in order to arrange for the levy and collection of taxes, payment of the Bonds, and the deposit and investment of Bond proceeds. In particular, the District hereby agrees to provide to the Treasurer-Tax Collector and Auditor-Controller of the County a copy of the Resolution, a copy of Appendix A hereto, and the full debt service schedule for the Bonds, in accordance with Education Code Section 15140(c) and policies and procedures of the County.

(l) **Representation Regarding Refunded Bonds.** The District hereby represents that it has not entered into any contract or agreement that would limit or restrict the District’s ability to refund the Refunded Bonds or enter into this Purchase Contract for the sale of the Bonds to the Underwriter.

(m) **No Material Adverse Change.** The financial statements of, and other financial information regarding the District, in the Official Statement fairly present the
financial position and results of the District as of the dates and for the periods therein set forth. Prior to the Closing, there will be no adverse change of a material nature in such financial position, results of operations or condition, financial or otherwise, of the District.

8. **Covenants of the District.** The District covenants and agrees with the Underwriter that:

   (a) **Securities Laws.** The District will furnish such information, execute such instruments, and take such other action in cooperation with the Underwriter if and as the Underwriter may reasonably request in order to qualify the Bonds for offer and sale under the Blue Sky or other securities laws and regulations or such states and jurisdictions, provided, however, that the District shall not be required to consent to service of process in any jurisdiction in which it is not so subject as of the date hereof;

   (b) **Application of Proceeds.** The District will apply the proceeds from the sale of the Bonds for the purposes specified in the Resolution and as described in the Official Statement;

   (c) **Official Statement.** The District hereby agrees to deliver or cause to be delivered to the Underwriter, not later than the seventh (7th) business day following the date this Purchase Contract is signed, copies of a final Official Statement substantially in the form of the Preliminary Official Statement, with only such changes therein as shall have been accepted by the Underwriter and the District (such Official Statement with such changes, if any, and including the cover page and all appendices, exhibits, maps, reports and statements included therein or attached thereto being herein called the “Official Statement”) in such quantities as may be requested by the Underwriter not later than seven (7) business days following the date this Purchase Contract is signed, in order to permit the Underwriter to comply with paragraph (b)(4) of the Rule and with the rules of the MSRB. The District hereby authorizes the Underwriter to use and distribute the Official Statement in connection with the offering and sale of the Bonds;

   (d) **Subsequent Events.** The District hereby agrees to notify the Underwriter of any event or occurrence that may affect the accuracy or completeness of any information set forth in the Official Statement relating to the District, until the date which is twenty-five (25) days following the Closing;

   (e) **References.** References herein to the Preliminary Official Statement and the final Official Statement include the cover page and all appendices, exhibits, maps, reports and statements included therein or attached thereto; and

   (f) **Amendments to Official Statement.** During the period ending on the 25th day after the End of the Underwriting Period (or such other period as may be agreed to by the District and the Underwriter), the District (i) shall not supplement or amend the Official Statement or cause the Official Statement to be supplemented or amended without the prior written consent of the Underwriter and (ii) shall notify the Underwriter promptly if any event shall occur, or information comes to the attention of the District, that is reasonably likely to cause the Official Statement (whether or not previously supplemented or amended) to contain any untrue statement of a material fact or to omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not
misleading. If, in the opinion of the Underwriter, such event requires the preparation and distribution of a supplement or amendment to the Official Statement, the District shall prepare and furnish to the Underwriter such number of copies of the supplement or amendment to the Official Statement, in form and substance mutually agreed upon by the District and the Underwriter, as the Underwriter may reasonably request. If such notification shall be given subsequent to the Closing, the District also shall furnish, or cause to be furnished, such additional legal opinions, certificates, instruments and other documents as the Underwriter may reasonably deem necessary to evidence the truth and accuracy of any such supplement or amendment to the Official Statement.

(1) For purposes of this Agreement, the “End of the Underwriting Period” is used as defined in the Rule and shall occur on the later of (A) the date of Settlement Date or (B) when the Underwriter no longer retains an unsold balance of the Bonds; unless otherwise advised in writing by the Underwriter on or prior to the Settlement Date, or otherwise agreed to by the District and the Underwriter, the District may assume that the End of the Underwriting Period is the Settlement Date.

9. Representations, Warranties and Agreements of the Underwriter. The Underwriter represents to and agrees with the District that, as of the date hereof and as of the Closing:

(a) The Underwriter is duly authorized to execute this Purchase Contract and to take any action under this Purchase Contract required to be taken by it.

(b) The Underwriter is in compliance with MSRB Rule G-37 with respect to the District, and is not prohibited thereby from acting as the underwriter with respect to securities of the District.

(c) The Underwriter has, and has had, no financial advisory relationship, as that term is defined in Government Code Section 53590 (c) or MSRB Rule G-23, with the District with respect to the Bonds, and no investment firm controlling, controlled by or under common control with the Underwriter has or has had any such financial advisory relationship.

10. Conditions to Closing. The Underwriter has entered into this Purchase Contract in reliance upon the representations and warranties of the District contained herein and the performance by the District of its obligations hereunder, both as of the date hereof and as of the date of Closing. The Underwriter’s obligations under this Purchase Contract are and shall be subject at the option of the Underwriter, to the following further conditions at the Closing:

(a) Representations True. The representations and warranties of the District contained herein shall be true, complete and correct in all material respects at the date hereof and at and as of the Closing, as if made at and as of the Closing, and the statements made in all certificates and other documents delivered to the Underwriter at the Closing pursuant hereto shall be true, complete and correct in all material respects on the date of the Closing; and the District shall be in compliance with each of the agreements made by it in this Purchase Contract;
(b) **Obligations Performed.** At the time of the Closing, (i) the Official Statement, this Purchase Contract, the Escrow Agreement, the Continuing Disclosure Certificate and the Resolution shall be in full force and effect and shall not have been amended, modified or supplemented except as may have been agreed to in writing by the Underwriter; (ii) all actions under the Act which, in the opinion of Stradling Yocca Carlson & Rauth, bond counsel (“Bond Counsel”), shall be necessary in connection with the transactions contemplated hereby, shall have been duly taken and shall be in full force and effect; and (iii) the District shall perform or have performed all of their obligations required under or specified in the Resolution, this Purchase Contract, the Escrow Agreement, the Continuing Disclosure Certificate or the Official Statement to be performed at or prior to the Closing;

(c) **Adverse Rulings.** No decision, ruling or finding shall have been entered by any court or governmental authority since the date of this Purchase Contract (and not reversed on appeal or otherwise set aside), or to the best knowledge of the District, pending or threatened which has any of the effects described in Section 7(f) hereof or contesting in any way the completeness or accuracy of the Official Statement;

(d) **Marketability.** Between the date hereof and the Closing, the market price or marketability or the ability of the Underwriter to enforce contracts for the sale of the Bonds, at the initial offering prices of the Bonds set forth in the Official Statement, shall not have been materially adversely affected in the evidenced judgment of the Underwriter by reason of any of the following:

1. legislation enacted or introduced in the Congress or recommended for passage by the President of the United States, or a decision rendered by a court established under Article III of the Constitution of the United States or by the United States Tax Court, with the purpose or effect, directly or indirectly, of causing the inclusion in gross income for purposes of federal income taxation of the interest received by the owners of the Bonds, or an order, ruling, regulation (final, temporary or proposed) or official statement issued or made:
   
   (i) by or on behalf of the United States Treasury Department, or by or on behalf of the Internal Revenue Service, with the purpose or effect, directly or indirectly, of causing inclusion in gross income for purposes of federal income taxation of the interest received by the owners of the Bonds; or
   
   (ii) by or on behalf of the Securities and Exchange Commission, or any other governmental agency having jurisdiction over the subject matter thereof, to the effect that the Bonds, or obligations of the general character of the Bonds, including any and all underlying arrangements, are not exempt from registration under the Securities Act of 1933, as amended;

2. legislation enacted by the legislature of the State of California (the "State"), or a decision rendered by a court of the State, or a ruling, order, or regulation (final or temporary) made by State authority, which would have the effect of changing, directly or indirectly, the State tax consequences of interest on obligations of the general character of the Bonds in the hands of the holders thereof;
(3) the formal declaration of war by Congress or a new major engagement in or escalation of military hostilities by order of the President of the United States, or the occurrence of any other declared national emergency that interrupts or causes disorder to the operation of the financial markets in the United States;

(4) the declaration of a general banking moratorium by federal, New York or California authorities, or the general suspension of trading by the New York Stock Exchange, any national securities exchange, or any governmental authority securities exchange;

(5) the imposition by the New York Stock Exchange, other national securities exchange, or any governmental authority, of any material restrictions not now in force with respect to the Bonds, or obligations of the general character of the Bonds, or securities generally, or the material increase of any such restrictions now in force, including those relating to the extension of credit by, or the charge to the net capital requirements of, the Underwriter;

(6) an order, decree or injunction of any court of competent jurisdiction, or order, filing, regulation or official statement by the Securities and Exchange Commission, or any other governmental agency having jurisdiction over the subject matter thereof, issued or made to the effect that the issuance, offering or sale of obligations of the general character of the Bonds, or the issuance, offering or sale of the Bonds, as contemplated hereby or by the Official Statement, is or would be in violation of the federal securities laws, as amended and then in effect;

(7) there shall have occurred or any notice shall have been given of any intended downgrade, suspension, withdrawal or negative change in credit watch status by any national credit agency of the District’s outstanding indebtedness (without regard to any bond insurance);

(8) any event occurring, or information becoming known which, in the reasonable judgment of the Underwriter, makes untrue in any material adverse respect any statement or information contained in the Official Statement, or has the effect that the Official Statement contains any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements made therein, in light of the circumstances under which they were made, not misleading;

(9) the suspension by the SEC of trading in the outstanding securities of the District;

(10) any amendment shall have been made to the federal or State Constitution or action by any federal or State court, legislative body, regulatory body, or other authority materially adversely affecting the tax status of the District, its property, income securities (or interest thereon) or the validity or enforceability of the levy of taxes to pay principal of and interest on the Bonds; or
(11) the purchase of and payment for the Bonds by the Underwriter, or the resale of the Bonds by the Underwriter, on the terms and conditions herein provided shall be prohibited by any applicable law, governmental authority, board, agency or commission.

e) Delivery of Documents. At or prior to the date of the Closing, the Underwriter shall receive copies of the following documents satisfactory in form and substance thereto:

(1) Bond Opinion; Defeasance Opinion. (i) An approving opinion of Bond Counsel, as to the validity of the Bonds, dated the date of the Closing, addressed to the District in substantially the form set forth in the Preliminary Official Statement and Official Statement as Appendix B; and (ii) a defeasance opinion of Bond Counsel, addressed to the District and the Underwriter, with respect to the effective defeasance of the Refunded Bonds, and including therein an opinion that the Escrow Agreement has been duly authorized and delivered by the District and, assuming due authorization, execution and delivery by the Escrow Agent, is a valid and binding agreement of the District;

(2) Reliance Letter. A reliance letter from Bond Counsel to the effect that the Underwriter can rely upon the opinions described in Section 10(e)(1)(i);

(3) Supplemental Opinion of Bond Counsel. A supplemental opinion of Bond Counsel addressed to the District and the Underwriter, in form and substance acceptable to the Underwriter, dated as of the Closing, substantially to the following effect:

(i) the description of the Bonds and the security for the Bonds and statements in the Official Statement on the cover page thereof and under the captions “INTRODUCTION,” “THE BONDS,” “LEGAL MATTERS – Continuing Disclosure – Current Undertaking” and “TAX MATTERS,” to the extent they purport to summarize certain provisions of the Bonds, the Resolution, the Continuing Disclosure Certificate and the form and content of Bond Counsel’s approving opinion with respect to the treatment of interest on the Bonds under State or federal law, fairly and accurately summarize the matters purported to be summarized therein; provided that Bond Counsel need not express any opinion with respect to (i) any information contained in Appendices A, D, or E to the Official Statement, (ii) financial or statistical data or forecasts, numbers, charts, estimates, projections, assumptions or expressions of opinion contained in the Official Statement, including in any of the appendices thereto, (iii) information with respect to The Depository Trust Company or its book-entry only system included therein, (iv) any CUSIP numbers or information relating thereto, (v) the District’s compliance with its obligations to file annual reports or provide notice of the events described in Rule 15c2-12 promulgated under the Securities Act of 1934, (vi) any information with respect to the Underwriter or underwriting matters with respect to the Bonds, including but not limited to information under the caption “UNDERWRITING”; and (vii) any information with respect to the
rating on the Bonds and the rating agency referenced therein, including but not limited to information under the caption “RATING”;

(ii) the Continuing Disclosure Certificate and this Purchase Contract have each been duly authorized, executed and delivered by the District and, assuming due authorization, execution and delivery by all the other parties thereto, constitute legal, valid and binding agreements of the District enforceable in accordance with their respective terms, except as enforcement thereof may be limited by bankruptcy, insolvency, reorganization, moratorium or other laws relating to or affecting generally the enforcement of creditors’ rights and except as such enforcement may be subject to the application of equitable principles and the exercise of judicial discretion in appropriate cases if equitable remedies are sought and by the limitations on legal remedies against public agencies in the State of California;

(iii) the Bonds are exempt from registration pursuant to the Securities Act of 1933, as amended, and the Resolution is exempt from qualification as an indenture pursuant to the Trust Indenture Act of 1939, as amended;

(4) Disclosure Counsel Assurance. A letter from Stradling Yocca Carlson & Rauth, dated the date of Closing and addressed to the District and the Underwriter, substantially to the effect that based on such counsel’s participation in conferences with representatives of the Underwriter, the District, the District’s municipal advisor, and others, during which conferences the contents of the Official Statement and related matters were discussed, and in reliance thereon and on the records, documents, certificates and opinions described therein, such counsel advises the District and the Underwriter, as a matter of fact and not opinion, that during the course of its engagement as Disclosure Counsel no information came to the attention of such counsel’s attorneys rendering legal services in connection with such representation which caused such counsel to believe that the Official Statement as of its date contained any untrue statement of a material fact or omitted to state any material fact necessary in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading (provided that such counsel need not express any opinion with respect to (i) any information contained in Appendices A, D, or E to the Official Statement, (ii) financial or statistical data or forecasts, numbers, charts, estimates, projections, assumptions or expressions of opinion contained in the Official Statement, including in any of the appendices thereto, (iii) information with respect to The Depository Trust Company or its book-entry only system included therein, (iv) any CUSIP numbers or information relating thereto, (v) the District’s compliance with its obligations to file annual reports or provide notice of the events described in Rule 15c2-12 promulgated under the Securities Act of 1934, (vi) any information with respect to the Underwriter or underwriting matters with respect to the Bonds, including but not limited to information under the caption “UNDERWRITING”; and (vii) any information with respect to the rating on the Bonds and the rating agency referenced therein, including but not limited to information under the caption “RATING”);
(5) **Certificates.** A certificate signed by appropriate officials of the District to the effect that (i) such officials are authorized to execute this Purchase Contract, (ii) the representations, agreements and warranties of the District herein are true and correct in all material respects as of the date of Closing, (iii) the District has complied with all the terms of the Resolution, the Escrow Agreement, the Continuing Disclosure Certificate and this Purchase Contract to be complied with by the District prior to or concurrently with the Closing, and, as to the District, such documents are in full force and effect, (iv) such District officials have reviewed the Official Statement and on such basis certify that the Official Statement does not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in light of the circumstances in which they were made, not misleading, (v) the Bonds being delivered on the date of the Closing to the Underwriter under this Purchase Contract substantially conform to the descriptions thereof contained in the Resolution, and (vi) no event concerning the District has occurred since the date of the Official Statement which has not been disclosed therein or in any supplement thereto, but should be disclosed in order to make the statements in the Official Statement in light of the circumstances in which they were made not misleading;

(6) **Reserved.**

(7) **Rating.** Evidence satisfactory to the Underwriter (A) that the Bonds have been rated “___” by Moody’s Investors Service (“Moody’s”) (or such other equivalent ratings as such rating agencies may give), and (B) that any such ratings have not been revoked or downgraded;

(8) **Resolution.** A certificate, together with fully executed copies of the Resolution, of the Secretary to or Clerk of the District Board of Trustees to the effect that:

   (i) such copies are true and correct copies of the Resolution; and

   (ii) that the Resolution was duly adopted and has not been modified, amended, rescinded or revoked and is in full force and effect on the date of the Closing.

(9) **Official Statement.** A certificate of the appropriate official of the District evidencing his or her determinations respecting the Preliminary Official Statement in accordance with the Rule;

(10) **Continuing Disclosure Certificate.** An executed copy of the Continuing Disclosure Certificate, substantially in the form presented in the Official Statement as Appendix C thereto;

(11) **The Escrow Agreement,** dated as of May 1, 2021, and executed by the District and the Escrow Agent;

(12) **Certificate of the Paying Agent.** A certificate of the Paying Agent, signed by a duly authorized officer thereof, and in form and substance satisfactory to
the Underwriter, substantially to the effect that no litigation is pending or, to the best of the Paying Agent’s knowledge, threatened (either in state or federal courts) (i) seeking to restrain or enjoin the delivery by the Paying Agent of any of the Bonds, or (ii) in any way contesting or affecting any authority of the Paying Agent for the delivery of the Bonds or the validity or enforceability of the Bonds or any agreement with the Paying Agent;

(13) **Certificate of the Escrow Agent.** A certificate of the Escrow Agent, dated the date of Closing, signed by a duly authorized officer of the Escrow Agent, and in form and substance satisfactory to the Underwriter, to the effect that (i) the Escrow Agent has all necessary power and authority to enter into and perform its duties under the Escrow Agreement; (ii) the Escrow Agent has duly authorized, executed and delivered the Escrow Agreement, and, assuming due authorization, execution and delivery by the District, the Escrow Agreement constitutes the valid and binding agreement of the Escrow Agent enforceable against the Escrow Agent in accordance with its terms, except as enforceability may be subject to bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors’ rights and to the application of equitable principles; (iii) the execution and delivery of the Escrow Agreement and compliance with the provisions thereof have been duly authorized by all necessary corporate action on the part of the Escrow Agent and, to the best knowledge of the Escrow Agent, will not conflict with or constitute a breach of or default under any law, administrative regulation, court decree, resolution, charter, bylaws or any agreement to which the Escrow Agent is subject or by which it is bound; and (iv) no litigation is pending or, to the best knowledge of the Escrow Agent, threatened (either in state or federal courts) against the Escrow Agent in any way contesting or affecting the validity or enforceability of the Bonds or the Escrow Agreement;

(14) **Verification Report.** A report and opinion of Causey Demgen & Moore P.C. with respect to the sufficiency of the funds held under the Escrow Agreement to refund the Refunded Bonds as provided in the Escrow Agreement.

(15) **Other Documents.** Such additional legal opinions, certificates, proceedings, instruments and other documents as Bond Counsel or the Underwriter may reasonably request to evidence compliance (i) by the District with legal requirements, (ii) the truth and accuracy, as of the time of Closing, of the representations of the District herein contained and of the Official Statement, and (iii) the due performance or satisfaction by the District at or prior to such time of all agreements then to be performed and all conditions then to be satisfied by the District.

(f) **Termination.** Notwithstanding anything to the contrary herein contained, if for any reason whatsoever the Bonds shall not have been delivered by the District to the Underwriter as provided in Section 6 herein, then the obligation to purchase Bonds hereunder shall terminate and be of no further force or effect except with respect to the obligations of the District and the Underwriter under Sections 12(c) and 14 hereof.

11. **Conditions to Obligations of the District.** The performance by the District of its obligations is conditioned upon (i) the performance by the Underwriter of its obligations hereunder;
(i) receipt by the District and the Underwriter of opinions and certificates being delivered at the
Closing by persons and entities other than the District.

12. **Expenses.** To the extent that the transactions contemplated by this Purchase Contract
are consummated at the Settlement, the District shall pay (or cause to be paid) costs of issuance of
the Bonds from proceeds thereof, including but not limited to the following: (i) the cost of the
preparation and reproduction of the Resolution; (ii) the fees and disbursements of Bond Counsel and
Disclosure Counsel, and the District’s municipal advisor; (iii) the cost of the preparation, printing
and delivery of the Bonds; (iv) the fees for bond ratings; (v) the cost of the printing and distribution
of the Preliminary Official Statement and the Official Statement; (vi) the initial fees of the Paying
Agent and Fiscal Agent (defined below); (vii) the initial fees of the Escrow Agent; (viii) the fees of
the Verification Agent; (ix) expenses for travel, lodging, and subsistence related to rating agency
visits and other meetings connected to the authorization, sale, issuance and distribution of the Bonds;
and (x) all other fees and expenses incident to the issuance and sale of the Bonds. The District
hereby directs the Underwriter to wire, at the Settlement, a portion of the purchase price of the Bonds
not-to-exceed $_________ to U.S. Bank National Association, as fiscal agent (the “Fiscal Agent”) to
the District, for the payment of costs of issuance with respect to the Bonds.

(b) Notwithstanding any of the foregoing, the Underwriter shall pay all out-of-
pocket expenses of the Underwriter, the California Debt and Investment Advisory Commission fee
and other expenses (except those expressly provided above) without limitation, except travel and
related expenses attributable to District personnel in connection with the bond ratings.

(c) Notwithstanding Section 10(f) hereof, the District hereby agrees, in the event
the purchase and sale of the Bonds does not occur as contemplated hereunder, to reimburse the
Underwriter for any costs described in Subsection 12(a)(ix) above that are attributable to District
personnel.

13. **Notices.** Any notice or other communication to be given under this Purchase
Contract (other than the acceptance hereof as specified in the first paragraph hereof) may be given by
delivering the same in writing if to the District, to Ohlone Community College District, 43600
Mission Boulevard, Fremont, California 94539, Attention: Vice President of Administrative
Services; or if to the Underwriter to Piper Sandler & Co., 55 California Street, Suite 3100, San
Francisco, California 94111, attention: Ivory Li.

14. **Parties in Interest; Survival of Representations and Warranties.** This Purchase
Contract when accepted by the District in writing as heretofore specified shall constitute the entire
agreement between the District and the Underwriter. This Purchase Contract is made solely for the
benefit of the District and the Underwriter (including the successors or assigns of the Underwriter).
No person shall acquire or have any rights hereunder or by virtue hereof. All the representations,
warranties and agreements of the District in this Purchase Contract shall survive regardless of (a) any
investigation or any statement in respect thereof made by or on behalf of the Underwriter,
(b) delivery of and payment by the Underwriter for the Bonds hereunder, and (c) any termination of
this Purchase Contract.

15. **Execution in Counterparts.** This Purchase Contract may be executed in several
counterparts each of which shall be regarded as an original and all of which shall constitute but one
and the same document.
17. **Applicable Law.** This Purchase Contract shall be interpreted, governed and enforced in accordance with the laws of the State of California applicable to contracts made and performed in such State.

Very truly yours,

**PIPER Sandler & CO., as Underwriter**

By: ________________________________  
Managing Director

The foregoing is hereby agreed to and accepted as of the date first above written:

**OHLONE COMMUNITY COLLEGE DISTRICT**

By: ________________________________  
Vice President of Administrative Services

Accepted at ___________ p.m. Pacific Time  
This ___th day of ________, 2021
## Redemption Provisions

*Optional Redemption.* The Bonds maturing on or before August 1, 20__ are not subject to redemption prior to their respective maturity dates. The Bonds maturing on August 1, __ are subject to redemption prior to their stated maturity date at the option of the District, from any source of available funds, in whole or in part, on any date on or after August 1, 20__, at a redemption price equal to the principal amount of the Bonds called for redemption, together with interest accrued thereon to the date of redemption, without premium.
NEW ISSUE -- FULL BOOK-ENTRY

In the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California ("Bond Counsel"), under existing statutes, regulations, rulings and judicial decisions, interest (and original issue discount) on the Bonds is not excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended. In the further opinion of Bond Counsel, interest (and original issue discount) on the Bonds is exempt from State of California personal income tax. See “TAX MATTERS” herein with respect to tax consequences relating to the Bonds.

$72,000,000*

OHLONE COMMUNITY COLLEGE DISTRICT
(Alameda County, California)
2021 General Obligation Refunding Bonds
(Federally Taxable)

Dated: Date of Delivery  
Due: August 1, as shown on inside front cover

This cover page contains information for general reference only. It is not a summary of this issue. Investors must read the entire official statement to obtain information essential to the making of an informed investment decision. Capitalized terms used on this cover page and not otherwise defined shall have the meanings set forth herein.

The Ohlone Community College District (Alameda County, California) 2021 General Obligation Refunding Bonds (Federally Taxable) (the “Bonds”) in the aggregate principal amount of $72,000,000* are being issued by the Ohlone Community College District (the “District”) to (i) refund portions of the District’s outstanding Election of 2010 General Obligation Bonds, Series B, and (ii) pay the costs of issuance of the Bonds.

The Bonds are general obligations of the District payable solely from ad valorem property taxes. The Board of Supervisors of Alameda County is empowered and obligated to annually levy such ad valorem property taxes upon all property subject to taxation by the District without limitation of rate or amount (except as to certain personal property which is taxable at limited rates), for the payment of the principal of and interest on the Bonds.

The Bonds will be issued in book-entry form only, and will be initially issued and registered in the name of Cede & Co. as nominee of The Depository Trust Company, New York, New York (collectively referred to herein as “DTC”). Purchasers of the Bonds (the “Beneficial Owners”) will not receive physical certificates representing their interest in the Bonds, but will instead receive credit balances on the books of their respective nominees.

The Bonds will be issued as current interest bonds, such that interest thereon will accrue from the date of delivery and be payable semiannually on February 1 and August 1 of each year, commencing August 1, 2021. The Bonds are issuable in denominations of $5,000 principal amount or any integral multiple thereof.

Payments of principal of and interest on the Bonds will be made by U.S. Bank National Association, as paying agent, bond registrar, authentication agent and transfer agent (collectively, the “Paying Agent”), to DTC for subsequent disbursement to DTC Participants who will remit such payments to the Beneficial Owners of the Bonds. See “THE BONDS – Book-Entry Only System” herein.

The Bonds are subject to optional and mandatory sinking fund redemption prior to their stated maturity dates as described herein.*

Maturity Schedule*
(see inside front cover pages)

The Bonds are offered when, as and if issued, and received by the Underwriter subject to the approval as to their legality by Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, Bond Counsel and Disclosure Counsel. It is anticipated that the Bonds, in book-entry form, will be available for delivery through the facilities of DTC in New York, New York on or about ____________, 2021.*

Piper Sandler & Co.

Dated: _________________, 2021

* Preliminary, subject to change.
# MATURITY SCHEDULE

$72,000,000*

**OHLONE COMMUNITY COLLEGE DISTRICT**
(Alameda County, California)

2021 General Obligation Refunding Bonds
(Federally Taxable)

Base CUSIP†: 677765

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* Preliminary, subject to change.

† CUSIP is a registered trademark of the American Bankers Association. CUSIP data herein is provided by CUSIP Global Services ("CGS"), managed by S&P Capital IQ on behalf of The American Bankers Association. This data is not intended to create a database and does not serve in any way as a substitute for the CGS database. None of the Underwriter, the Municipal Advisor or the District is responsible for the selection, uses or correctness of the CUSIP numbers set forth herein. CUSIP numbers have been assigned by an independent company not affiliated with the District, the Municipal Advisor or the Underwriter and are included solely for the convenience of the registered owners of the applicable Bonds. The CUSIP number for a specific maturity is subject to being changed after the execution and delivery of the Bonds as a result of various subsequent actions including, but not limited to, a refunding in whole or in part or as a result of the procurement of secondary market portfolio insurance or other similar enhancement by investors that is applicable to all or a portion of certain maturities of the Bonds.

(1) Yield to call at par on August 1, ____.
This Official Statement does not constitute an offering of any security other than the original offering of the Bonds of the District. No dealer, broker, salesperson or other person has been authorized by the District to give any information or to make any representations other than as contained in this Official Statement, and if given or made, such other information or representation not so authorized should not be relied upon as having been given or authorized by the District.

The issuance and sale of the Bonds have not been registered under the Securities Act of 1933 or the Securities Exchange Act of 1934, both as amended, in reliance upon exemptions provided thereunder by Section 3(a)2 and 3(a)12, respectively, for the issuance and sale of municipal securities. This Official Statement does not constitute an offer to sell or a solicitation of an offer to buy in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

Certain information set forth herein has been obtained from sources outside of the District which are believed to be reliable, but such information is not guaranteed as to accuracy or completeness, and is not to be construed as a representation by the District. The information and expressions of opinions herein are subject to change without notice and neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District since the date hereof. This Official Statement is submitted in connection with the sale of the Bonds referred to herein and may not be reproduced or used, in whole or in part, for any other purpose.

When used in this Official Statement and in any continuing disclosure by the District in any press release and in any oral statement made with the approval of an authorized officer of the District or any other entity described or referenced in this Official Statement, the words or phrases “will likely result,” “are expected to,” “will continue,” “is anticipated,” “estimate,” “project,” “forecast,” “expect,” “intend” and similar expressions identify “forward-looking statements” within the meaning of the Private Securities Litigation Reform Act of 1995. Such statements are subject to risks and uncertainties that could cause actual results to differ materially from those contemplated in such forward-looking statements. Any forecast is subject to such uncertainties. Inevitably, some assumptions used to develop the forecasts will not be realized and unanticipated events and circumstances may occur. Therefore, there are likely to be differences between forecasts and actual results, and those differences may be material.

The Underwriter has provided the following sentence for inclusion in this Official Statement:

“The Underwriter has reviewed the information in this Official Statement in accordance with, and as part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriter does not guarantee the accuracy or the completeness of such information.”

IN CONNECTION WITH THIS OFFERING, THE UNDERWRITER MAY OVERALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICES OF THE BONDS AT LEVELS ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME. THE UNDERWRITER MAY OFFER AND SELL THE BONDS TO CERTAIN SECURITIES DEALERS AND DEALER BANKS AND BANKS ACTING AS AGENT AT PRICES LOWER THAN THE PUBLIC OFFERING PRICES STATED ON THE INSIDE COVER PAGE AND SAID PUBLIC OFFERING PRICES MAY BE CHANGED FROM TIME TO TIME BY THE UNDERWRITER.

The District maintains a website. However, the information presented on such website is not part of this Official Statement and should not be relied upon in making an investment decision with respect to the Bonds.
OHZONE COMMUNITY COLLEGE DISTRICT

Board of Trustees

Richard Watters, Chair
Suzanne Lee Chan Teresa Cox, Vice Chair
Greg Bonaccorsi, Member
Jan Giovannini-Hill, Member
Lance Kwan, Member
Vivien Larsen, Member
Rakesh Sharma, Member

District Administration

Dr. Eric Bishop, Superintendent/President
Chris Dela Rosa, D.M., Vice President, Administrative and Technology Services
Tony DiSalvo, Vice President of Academic Affairs/Deputy Superintendent
Milton Lang, Ed.D., Vice President of Student Services
Shairon Zingsheim, Vice President of Human Resources

PROFESSIONAL SERVICES

Bond Counsel and Disclosure Counsel

Stradling Yocca Carlson & Rauth, a Professional Corporation
San Francisco, California

Municipal Advisor

Keygent LLC
El Segundo, California

Paying Agent and Escrow Agent

U.S. Bank National Association
San Francisco, California

Verification Agent

Causey Demgen & Moore P.C.
Denver, Colorado
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INTRODUCTION

This Official Statement, which includes the cover page, inside cover page and appendices hereto, provides information in connection with the sale of Ohlone Community College District (Alameda County, California) 2021 General Obligation Refunding Bonds (Federally Taxable) (the “Bonds”).

This Introduction is not a summary of this Official Statement. It is only a brief description of and guide to, and is qualified by, more complete and detailed information contained in the entire Official Statement, including the cover page, inside cover page and appendices hereto, and the documents summarized or described herein. A full review should be made of the entire Official Statement. The offering of the Bonds to potential investors is made only by means of the entire Official Statement.

The District

The Ohlone Community College District (the “District”) is a community college district of the State of California. The District, formerly known as Fremont-Newark Community College District, was established in 1965 and encompasses over 100 square miles in the southern portion of the County of Alameda (the “County”). The District serves local communities in the cities of Fremont, Newark and Union City. The District currently operates Ohlone College, in Fremont, and Ohlone College Newark Center, in Newark. Ohlone College’s Fremont Campus is composed of approximately 534 acres, 350 acres of which are leased to a local park district. Ohlone College Newark Center is located on an 81-acre campus, which opened for classes in January of 2008. The District provides collegiate level instruction across a wide spectrum of subjects for grades 13 and 14. Ohlone College is fully accredited by the Accrediting Commission for Community and Junior Colleges (the “ACCJC”). The District has budgeted ~8,240 funded Full-Time Equivalent Students (“FTES”) for fiscal year 2020-21. The 2020-21 assessed valuation of the area served by the District is ~$70,370,466,216.

As a result of the current outbreak of COVID-19 (as defined herein), the College campus is currently closed, and the District has largely transitioned to distance learning through at least the spring term of the 2020-21 academic year. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein.

The District is governed by a seven-member Board of Trustees (the “Board”), each member of which is elected to a four-year term. Elections for positions to the Board are held every two years, alternating between three and four available positions. The management and policies of the District are administered by a Superintendent/President appointed by the Board who is responsible for day-to-day District operations as well as the supervision of the District’s other key personnel. Dr. Eric Bishop, is the District Superintendent/President.

For more information regarding the District’s tax base, see “TAX BASE FOR REPAYMENT OF BONDS” herein. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA” and

* Preliminary, subject to change.
“OHLONE COMMUNITY COLLEGE DISTRICT” herein for more general information regarding the District and its finances. The District’s audited financial statement for fiscal year ended June 30, 2020 is attached hereto as APPENDIX A and should be read in its entirety.

Security and Sources of Payment for the Bonds

The Bonds are general obligations of the District payable solely from the proceeds of *ad valorem* property taxes. The Board of Supervisors of the County is empowered and obligated to annually levy such *ad valorem* property taxes upon all property within the District subject to taxation by the District without limitation of rate or amount (except as to certain personal property which is taxable at limited rates), for the payment of the principal of and interest on the Bonds. See “THE BONDS – Security and Sources of Payment” and “TAX BASE FOR REPAYMENT OF BONDS” herein.

Purpose of Issue

The proceeds of the Bonds will be used to (i) refund portions of the District’s outstanding Election of 2010 General Obligation Bonds, Series B (the “Series B Bonds”), and (ii) pay the costs of issuance of the Bonds. The Series B Bonds to be refunded with proceeds of the Bonds are referred to herein as the “Refunded Bonds”.

See also “REFUNDING PLAN” and “ESTIMATED SOURCES AND USES OF FUNDS” herein.

Description of the Bonds

**Form and Registration.** The Bonds will be issued in fully registered form only (without coupons), initially registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”), and will be available to actual purchasers of the Bonds (the “Beneficial Owners”) in the denominations set forth on the inside cover, under the book-entry only system maintained by DTC, only through brokers and dealers who are or act through DTC Participants as described herein. Beneficial Owners will not receive physical certificates representing their interest in the Bonds purchased, but will instead receive credit balances on the books of their respective nominees. See “THE BONDS – Book-Entry Only System” herein. In event that the book-entry only system described below is no longer used with respect to the Bonds, the Bonds will be registered in accordance with the Resolution described herein. See “THE BONDS – Discontinuation of Book-Entry Only System; Payment To Beneficial Owners” herein.

So long as Cede & Co. is the registered owner of the Bonds, as nominee of DTC, references herein to the “Owners” or “Holders” of the Bonds (other than under the caption “— Tax Matters” herein and “TAX MATTERS” herein will mean Cede & Co. and will not mean the Beneficial Owners of the Bonds.

**Denominations.** Individual purchases of interests in the Bonds will be available to purchasers of the Bonds in the denominations of $5,000 principal amount or any integral multiple thereof.

**Redemption.** The Bonds are subject to optional and mandatory sinking fund redemption prior to their stated maturity dates, as further described herein. See “THE BONDS – Redemption” herein.

**Payments.** The Bonds will be issued as current interest bonds, such that interest thereon will accrue from the initial date of delivery of the Bonds (the “Date of Delivery”), and be payable semiannually on each February 1 and August 1 (each a “Bond Payment Date”), commencing August 1, 2021. Principal of the Bonds is payable on August 1 in the amounts and years as set forth on the inside cover pages hereof.

* Preliminary, subject to change.
Payments of the principal of and interest on the Bonds will be made by U.S. Bank National Association, as the designated paying agent, bond registrar and transfer agent (the “Paying Agent”), to DTC for subsequent disbursement through DTC Participants (defined herein) to the Beneficial Owners. See also “THE BONDS – Book-Entry Only System” herein.

Tax Matters

In the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California (“Bond Counsel”), under existing statutes, regulations, rulings and judicial decisions, interest (and original issue discount) on the Bonds is not excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”). In the further opinion of Bond Counsel, interest (and original issue discount) on the Bonds is exempt from State of California (the “State”) personal income tax. See “TAX MATTERS” herein.

Authority for Issuance of the Bonds

The Bonds are issued pursuant to certain provisions of the Government Code and other applicable law, and pursuant to a resolution adopted by the Board. See “THE BONDS – Authority for Issuance of the Bonds” herein.

Offering and Delivery of the Bonds

The Bonds are offered when, as and if issued, subject to approval as to their legality by Bond Counsel. It is anticipated that the Bonds in book-entry form will be available for delivery through the facilities of DTC in New York, New York, on or about _________ __, 2021 (the “Closing Date”).

Bond Owner’s Risks

The Bonds are general obligations of the District payable solely from ad valorem property taxes which may be levied on all taxable property in the District, without limitation as to rate or amount (except with respect to certain personal property which is taxable at limited rates). For more complete information regarding the taxation of property within the District and certain other considerations related thereto, see “TAX BASE FOR REPAYMENT OF BONDS” and “LIMITATION ON REMEDIES; BANKRUPTCY” herein.

Continuing Disclosure

Pursuant to that certain Continuing Disclosure Certificate relating to the Bonds, the District will covenant for the benefit of the Owners and Beneficial Owners of the Bonds to make available certain financial information and operating data relating to the District and to provide notices of the occurrence of certain listed events. The specific nature of the information to be made available and of the notices of listed events is summarized below under “LEGAL MATTERS – Continuing Disclosure” and “APPENDIX C – FORM OF CONTINUING DISCLOSURE CERTIFICATE” herein. These covenants have been made in order to assist the Underwriter in complying with Rule 15c2-12(b)(5) promulgated under the Securities Exchange Act of 1934, as amended (the “Rule”).

Professionals Involved in the Offering

Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California is acting as Bond Counsel and Disclosure Counsel to the District with respect to the Bonds. Keygent LLC, El Segundo, California is acting as Municipal Advisor to the District with respect to the Bonds. Stradling Yocca Carlson & Rauth, a Professional Corporation, and Keygent LLC will receive compensation from the District
contingent upon the sale and delivery of the Bonds. U.S. Bank National Association, San Francisco, California, has been appointed as Paying Agent for the Bonds, and as Escrow Agent (as defined herein) with respect to the Refunded Bonds. Causey Demgen & Moore P.C., Denver, Colorado is acting as verification agent for the Bonds.

Forward Looking Statements

Certain statements included or incorporated by reference in this Official Statement constitute “forward-looking statements” within the meaning of the United States Private Securities Litigation Reform Act of 1995, Section 21E of the United States Securities Exchange Act of 1934, as amended, and Section 27A of the United States Securities Act of 1933, as amended. Such statements are generally identifiable by the terminology used such as “plan,” “expect,” “estimate,” “intend,” “project,” “budget” or other similar words. Such forward-looking statements include, but are not limited to, certain statements contained in the information regarding the District herein.

THE ACHIEVEMENT OF CERTAIN RESULTS OR OTHER EXPECTATIONS CONTAINED IN SUCH FORWARD-LOOKING STATEMENTS INVOLVE KNOWN AND UNKNOWN RISKS, UNCERTAINTIES AND OTHER FACTORS WHICH MAY CAUSE ACTUAL RESULTS, PERFORMANCE OR ACHIEVEMENTS DESCRIBED TO BE MATERIALLY DIFFERENT FROM ANY FUTURE RESULTS, PERFORMANCE OR ACHIEVEMENTS EXPRESSED OR IMPLIED BY SUCH FORWARD-LOOKING STATEMENTS. THE DISTRICT DOES NOT PLAN TO ISSUE ANY UPDATES OR REVISIONS TO THE FORWARD-LOOKING STATEMENTS SET FORTH IN THIS OFFICIAL STATEMENT.

Other Information

This Official Statement speaks only as of its date, and the information contained herein is subject to change. Copies of documents referred to herein and information concerning the Bonds are available from the Assistant Superintendent/Vice President, Administrative Services, Ohlone Community College District, 43600 Mission Boulevard, Fremont, California 94539, telephone: (510) 659-6000. The District may impose a charge for copying, mailing and handling.

No dealer, broker, salesperson or other person has been authorized by the District to give any information or to make any representations other than as contained herein and, if given or made, such other information or representations must not be relied upon as having been authorized by the District. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the Bonds by a person in any jurisdiction in which it is unlawful for such person to make such an offer, solicitation or sale.

This Official Statement is not to be construed as a contract with the purchasers of the Bonds. Statements contained in this Official Statement which involve estimates, forecasts or matters of opinion, whether or not expressly so described herein, are intended solely as such and are not to be construed as representations of fact. The summaries and references to documents, statutes and constitutional provisions referred to herein do not purport to be comprehensive or definitive, and are qualified in their entireties by reference to each of such documents, statutes and constitutional provisions.

Certain information set forth herein, other than that provided by the District, has been obtained from official sources which are believed to be reliable but it is not guaranteed as to accuracy or completeness, and is not to be construed as a representation by the District. The information and expressions of opinions herein are subject to change without notice and neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs
of the District since the date hereof. This Official Statement is submitted in connection with the sale of the Bonds referred to herein and may not be reproduced or used, in whole or in part, for any other purpose.

Capitalized terms used but not otherwise defined herein shall have the meanings assigned to such terms in the Resolution (defined herein).

THE BONDS

Authority for Issuance

The Bonds are issued pursuant to the provisions of Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code, commencing with Section 53550 et seq., and other applicable law, and pursuant to a resolution adopted by the Board on April 14, 2021 (the “Resolution”).

Security and Sources of Payment

The Bonds are general obligations of the District payable solely from the proceeds of ad valorem property taxes. The Board of Supervisors of the County is empowered and obligated to levy such ad valorem property taxes, without limitation as to rate or amount, upon all property within the District subject to taxation thereby (except certain personal property which is taxable at limited rates), for the payment of principal of and interest on the Bonds when due. Such ad valorem property taxes will be levied annually in addition to all other taxes in an amount sufficient to pay the principal of and interest thereon when due, as described above. The levy of ad valorem property taxes for payment of the Bonds may include an allowance for an annual reserve, established for the purpose of avoiding fluctuating tax levies. The County, however, is not obligated to establish or maintain such a reserve for any of the Bonds, and the District can make no representation that the County will do so.

Such taxes, when collected, will be placed by the County in the Debt Service Fund (defined herein) created by the Resolution, which funds are required to be segregated and maintained by the County and which are designated for the payment of the Bonds and interest thereon, as applicable, when due, and for no other purpose. Pursuant to the Resolution, the District has pledged funds on deposit in the Debt Service Fund to the payment of the Bonds. Although the County is obligated to levy ad valorem property taxes for the payment of the Bonds as described above, and the County will maintain the Debt Service Fund, the Bonds are not a debt of the County.

Moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Bonds as the same become due and payable, will be transferred to the Paying Agent. The Paying Agent will in turn remit the funds to DTC for remittance of such principal and interest to its Participants (as defined herein) for subsequent disbursement to the respective Beneficial Owners of such Bonds.

The amount of the annual ad valorem property taxes levied by the County to repay the Bonds, as described above, will be determined by the relationship between the assessed valuation of taxable property in the District and the amount of debt service due on the Bonds in any year. Fluctuations in the annual debt service on the Bonds and the assessed value of taxable property in the District may cause the annual tax rates to fluctuate. Economic and other factors beyond the District’s control, such as general market decline in land values, disruption in financial markets that may reduce the availability of financing for purchasers of property, outbreak of disease, reclassification of property to a class exempt from taxation, whether by ownership or use (such as exemptions for property owned by the State and local agencies and property used for qualified education, hospital, charitable or religious purposes), or the complete or partial destruction of the taxable property caused by a natural or manmade disaster, such as earthquake, flood, fire, wildfire, drought or toxic contamination, could cause a reduction in the assessed value of taxable property within the District and
necessitate a corresponding increase in the respective annual tax rates. For further information regarding the District’s assessed valuation, tax rates, overlapping debt, and other matters concerning taxation, see “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS – Article XIII A of the California Constitution”, “TAX BASE FOR REPAYMENT OF BONDS” and “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein.

Statutory Lien

Pursuant to California Government Code Section 53515, the Bonds will be secured by a statutory lien on all revenues received pursuant to the levy and collection of ad valorem property taxes for the payment thereof. The lien automatically attaches, without further action or authorization by the Board, and is valid and binding from the time the Bonds are executed and delivered. The revenues received pursuant to the levy and collection of the ad valorem property tax will be immediately subject to the lien, and such lien will be enforceable against the District, its successor, transferees and creditors, and all other parties asserting rights therein, irrespective of whether such parties have notice of the lien and without the need for physical delivery, recordation, filing or further act.

This statutory lien, by its terms, secures not only the Bonds, but also any other bonds of the District issued after January 1, 2016 and payable, both as to principal and interest, from the proceeds of ad valorem property taxes that may be levied pursuant to paragraphs (2) and (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution. The statutory lien provision does not specify the relative priority of obligations so secured or a method of allocation in the event that the revenues received pursuant to the levy and collection of such ad valorem property taxes are insufficient to pay all amounts then due and owing that are secured by the statutory lien.

General Provisions

The Bonds will be issued in book-entry form only, and will be initially issued and registered in the name of Cede & Co. as nominee for DTC. See “— Book-Entry Only System” herein. Beneficial Owners will not receive certificates representing their interest in the Bonds, but will instead receive credit balances on the books of their respective nominees.

Interest on the Bonds accrues from the Date of Delivery, and is payable semiannually on each February 1 and August 1, commencing August 1, 2021. Interest on the Bonds will be computed on the basis of a 360-day year of 12, 30-day months. Each Bond will bear interest from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it will bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date (defined herein), in which event it will bear interest from the Closing Date. The Bonds are issuable in denominations of $5,000 principal amount or any integral multiple thereof. The Bonds mature on August 1, in the years and amounts set forth on the inside cover pages hereof.

Payment of interest on any Bond on any Bond Payment Date will be made to the person appearing on the registration books of the Paying Agent as the registered Owner thereof as of the 15th day of the month immediately preceding such Bond Payment Date (the “Record Date”), such interest to be paid by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date. The principal of and redemption premiums, if any, payable on the Bonds shall be payable upon maturity upon surrender at the designated office of the Paying Agent. The principal of, and interest, and redemption premiums, if any, on the Bonds shall be payable in lawful money of the United States of America. The Paying Agent is authorized to pay the Bonds when duly presented for payment at maturity, and to cancel all Bonds upon payment thereof. So long as the Bonds are held in the book-entry system of DTC, all payments of principal of and interest on
the Bonds will be made by the Paying Agent to Cede & Co. (as a nominee of DTC), as the registered owner of
the Bonds.

Annual Debt Service

The following table shows the debt service schedule with respect to the Bonds (assuming no optional
redemptions are made):

<table>
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<tr>
<th>Year Ending (August 1)</th>
<th>Annual Principal Payment</th>
<th>Annual Interest Payment</th>
<th>Total Annual Debt Service</th>
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TOTAL

(1) Interest payments on the Bonds will be made semiannually on February 1 and August 1 of each year, commencing August 1, 2021.

See “OHLONE COMMUNITY COLLEGE DISTRICT – District Debt Structure – General Obligation Bonds” herein for a schedule of the combined debt service requirements for all of the District’s outstanding general obligation bonds.

Redemption

Optional Redemption.* The Bonds maturing on or before August 1, 20__ are not subject to
redemption prior to their respective maturity dates. The Bonds maturing on or after August 1, 20__ are
subject to redemption prior to their respective stated maturity dates at the option of the District, from any
source of available funds, in whole or in part, on any date on or after August 1, 20__, at a redemption price
equal to the principal amount of the Bonds called for redemption, together with interest accrued thereon to the
date of redemption, without premium.

* Preliminary, subject to change.
**Mandatory Sinking Fund Redemption.** The Bonds maturing on August 1, 20__, are subject to redemption prior to maturity from mandatory sinking fund payments on August 1 of each year, on and after August 1, 20__ at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium. The principal amount of such Bonds to be so redeemed and the dates therefor and the final maturity date is as indicated in the following table:

<table>
<thead>
<tr>
<th>Redemption Date</th>
<th>Principal Amount to be Redeemed</th>
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<tr>
<td>(August 1)</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
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**Selection of Bonds for Redemption.** Whenever provision is made for the optional redemption of Bonds and less than all Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select Bonds for redemption as so directed by the District, and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Bonds for redemption as directed by the District and, if not so directed, by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that with respect to redemption by lot, the portion of any Bond to be redeemed in part shall be in the principal amount of $5,000 or any integral multiple thereof.

**Notice of Redemption.** When redemption is authorized or required pursuant to the Resolution, the Paying Agent, upon written instruction from the District, will give notice (a “Redemption Notice”) of the redemption of the Bonds (or portions thereof). Each Redemption Notice will specify (a) the Bonds or designated portions thereof (in the case of redemption of the Bonds in part but not in whole) which are to be redeemed, (b) the date of redemption, (c) the place or places where the redemption will be made, including the name and address of the Paying Agent, (d) the redemption price, (e) the CUSIP numbers (if any) assigned to the Bonds to be redeemed, (f) the Bond numbers of the Bonds to be redeemed in whole or in part and, in the case of any Bond to be redeemed in part only, the portion of the principal amount of such Bond to be redeemed, and (g) the original issue date, interest rate and stated maturity date of each Bond to be redeemed in whole or in part. Such Redemption Notice will further state that on the specified date there will become due and payable upon each Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date thereon, and that from and after such date, interest thereon will cease to accrue.

The Paying Agent will take the following actions with respect to each such Redemption Notice: (a) at least 20 but not more than 45 days prior to the redemption date, such Redemption Notice will be given to the respective Owners of Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the bond register; (b) at least 20 but not more than 45 days prior to the redemption date, such Redemption Notice will be given by registered or certified mail, postage prepaid, telephonically confirmed facsimile transmission, or overnight delivery service, to the Securities Depository; (c) at least 20 but not more than 45 days prior to the redemption date, such Redemption Notice will be given by registered or certified mail, postage prepaid, or overnight delivery service, to one of the Information Services; and (d) provide such Redemption Notice to such other persons as may be required pursuant to the Continuing Disclosure Certificate.

* Preliminary, subject to change.
“Information Services” means the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access.

“Securities Depository” shall mean The Depository Trust Company, 55 Water Street, New York, New York 10041.

A certificate of the Paying Agent or the District that a Redemption Notice has been given as provided in the Resolution will be conclusive as against all parties. Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given will affect the sufficiency of the proceedings for the redemption of the affected Bonds. Each transfer of funds made by the Paying Agent for the purpose of redeeming Bonds will bear or include the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such transfer.

**Payment of Redeemed Bonds.** When notice of redemption has been given substantially as described above, and, when the amount necessary for the redemption of the Bonds called for redemption (principal, interest, and premium, if any) is irrevocably set aside in trust for that purpose, as described in “—Defeasance” herein, the Bonds designated for redemption in such notice will become due and payable on the date fixed for redemption thereof and upon presentation and surrender of said Bonds at the place specified in the notice of redemption, said Bonds will be redeemed and paid at the redemption price out of such funds. All unpaid interest payable at or prior to the redemption date will continue to be payable to the respective Owners, but without interest thereon.

**Partial Redemption of Bonds.** Upon the surrender of any Bond redeemed in part only, the Paying Agent will execute and deliver to the Owner thereof a new Bond or Bonds of like tenor and maturity and of authorized denominations equal in principal amounts to the unredeemed portion of the Bond surrendered. Such partial redemption is valid upon payment of the amount required to be paid to such Owner, and the District will be released and discharged thereupon from all liability to the extent of such payment.

**Effect of Notice of Redemption.** If on the applicable designated redemption date, money for the redemption of the Bonds to be redeemed, together with interest accrued to such redemption date, is held by an independent escrow agent selected by the District so as to be available therefor on such redemption date as described in “—Defeasance,” and if a Redemption Notice thereof will have been given substantially as described above, then from and after such redemption date, interest on the Bonds to be redeemed shall cease to accrue and become payable.

**Conditional Redemption Notice.** With respect to any Redemption Notice in connection with the optional redemption of Bonds (or portions thereof) as described above, unless upon the giving of such notice such Bonds or portions thereof shall be deemed to have been defeased as described in “—Defeasance” herein, such Redemption Notice will state that such redemption will be conditional upon the receipt by the Paying Agent (or an independent escrow agent selected by the District), on or prior to the date fixed for such redemption, of the moneys necessary and sufficient to pay the principal of, premium, if any, and interest on, such Bonds (or portions thereof) to be redeemed, and that if such moneys shall not have been so received said Redemption Notice will be of no force and effect, no portion of the Bonds will be subject to redemption on such date and such Bonds will not be required to be redeemed on such date. In the event that such Redemption Notice contains such a condition and such moneys are not so received, the redemption will not be made and the Paying Agent will within a reasonable time thereafter but in no event later than the date originally set for redemption) give notice to the persons to whom and in the manner in which the Redemption Notice was given that such moneys were not so received. In addition, the District shall have the right to rescind any Redemption Notice, by written notice to the Paying Agent, on or prior to the date fixed for such redemption. The Paying Agent will distribute a notice of the rescission such Redemption Notice in the same manner as such notice was originally provided.
**Bonds No Longer Outstanding.** When any Bonds (or portions thereof), which have been duly called for redemption prior to maturity, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys shall be irrevocably held in trust for the payment of the redemption price of such Bonds or portions thereof, and, accrued interest thereon to the date fixed for redemption, then such Bonds will no longer be deemed outstanding and shall be surrendered to the Paying Agent for cancellation.

**Book-Entry Only System**

The information in this section concerning DTC and DTC’s book-entry system has been obtained from sources that the District believes to be reliable, but none of the District, the Municipal Advisor, nor the Underwriter take any responsibility for the accuracy or completeness thereof. The District and the Underwriter cannot and do not give any assurances that DTC, DTC Participants or Indirect Participants (as defined herein) will distribute to the Beneficial Owners (a) payments of interest, principal or premium, if any, with respect to the Bonds, (b) certificates representing ownership interest in or other confirmation or ownership interest in the Bonds, or (c) redemption or other notices sent to DTC or Cede & Co., its nominee, as the registered owner of the Bonds, or that they will so do on a timely basis or that DTC, DTC Participants or DTC Indirect Participants will act in the manner described in this Official Statement. The current “Rules” applicable to DTC are on file with the Securities and Exchange Commission and the current “MMI Procedures” of DTC to be followed in dealing with DTC Participants are on file with DTC.

The Depository Trust Company, New York, New York, will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of the Bonds, each in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world’s largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the holding company for DTC, National Securities Clearing Corporation, and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants” and together with the Direct Participants, the “Participants”). DTC has an S&P (as defined herein) rating of “AA+.” The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com. The information set forth on such website is not incorporated by reference herein.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each Beneficial Owner is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive
written confirmation from DTC of their purchases. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Bonds, such as redemptions, defaults, and proposed amendments to the Resolution. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC’s practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC’s MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the District as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.’s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds and distributions on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC’s practice is to credit Direct Participants’ accounts upon DTC’s receipt of funds and corresponding detail information from the District or the Paying Agent, on payable date in accordance with their respective holdings shown on DTC’s records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in “street name,” and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds or distributions to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent. Under such circumstances, in the event that a
successor depository is not obtained, Bond certificates are required to be printed and delivered. The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

The information in this section concerning DTC and DTC’s book-entry system has been obtained from sources that the District believes to be reliable, but the District takes no responsibility for the accuracy thereof.

**Discontinuation of Book-Entry Only System; Payment to Beneficial Owners**

So long as any of the Bonds remain outstanding, the District will cause the Paying Agent to maintain at its designated office all books and records necessary for the registration, exchange and transfer of such Bonds, which shall at all times be open to inspection by the District, and, upon presentation for such purpose, the Paying Agent shall, under such reasonable regulations as it may prescribe, register, exchange or transfer or cause to be registered, exchanged or transferred, on said books, Bonds as provided in the Resolution.

In the event that the book-entry system described above is no longer used with respect to the Bonds, the following provisions will govern the payment, transfer and exchange of the Bonds.

The principal of the Bonds and any premium and interest upon the redemption thereof prior to the maturity will be payable in lawful money of the United States of America upon presentation and surrender of the Bonds at the designated office of the Paying Agent, initially located in San Francisco, California. Interest on the Bonds will be paid by the Paying Agent by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date.

Any Bond may be exchanged for a Bond of like series, tenor, maturity and principal amount upon presentation and surrender at the designated corporate trust office of the Paying Agent, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Bond may be transferred only on the Bond registration books upon presentation and surrender of the Bond at such designated office of the Paying Agent together with an assignment executed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver a new Bond or Bonds of like tenor and of any authorized denomination or denominations requested by the owner equal to the principal amount of the Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

Neither the District nor the Paying Agent will be required to (a) issue or transfer any Bonds during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable notice of redemption is given or (b) transfer any Bonds which have been selected or called for redemption in whole or in part.

**Defeasance**

All or any portion of the outstanding maturities of the Bonds may be defeased at any time prior to maturity in the following ways:

(a) **Cash.** By irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with any amounts transferred from the Debt Service Fund, if any, is sufficient to pay and discharge all Bonds outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date; or
(b) **Government Obligations.** By irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations (as defined herein) together with cash and amounts transferred from the Debt Service Fund and any other cash, if any, in such amount as will, together with interest to accrue thereon, in the opinion of an independent certified public accountant, be fully sufficient to pay and discharge all Bonds outstanding and designated for defeasance (including all principal thereof, accrued interest thereon, and redemption premiums, if any), at or before their maturity date;

then, notwithstanding that any such maturities of Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated outstanding Bonds shall cease and terminate, except only the obligation of the Paying Agent or an independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) above, to the Owners of such designated Bonds not so surrendered and paid all sums due with respect thereto.

Direct and general obligations of the United States of America, obligations that are unconditionally guaranteed as to principal and interest by the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations secured or otherwise guaranteed, directly or indirectly, as to principal and interest by a pledge of the full faith and credit of the United States of America. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian’s general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that all such obligations are rated or assessed at least as high as direct and general obligations of the United States of America by either S&P Global Ratings (“S&P”) or by Moody’s Investors Service (“Moody’s”).

**REFUNDING PLAN**

The Bonds are being issued by the District to (i) refund the Refunded Bonds, and (ii) pay the costs of issuance of the Bonds.

The net proceeds from the sale of the Bonds will be paid to U.S. Bank National Association, acting as escrow agent (the “Escrow Agent”), to the credit of an escrow fund (the “Escrow Fund”) established pursuant to an escrow agreement relating to the Bonds (the “Escrow Agreement”) by and between the District and the Escrow Agent. Pursuant to the Escrow Agreement, the amount deposited in the Escrow Fund will be used to purchase certain non-callable direct and general obligations of the United States of America, or non-callable obligations the payment of which is unconditionally guaranteed by the United States of America, the principal of and interest on which will be sufficient, together with any monies deposited in the Escrow Fund and held as cash, to enable the Escrow Agent to pay the redemption price of the Refunded Bonds on their respective first optional redemption dates therefor, as well as the interest due thereon on and before such dates.

Information regarding specific maturities of the Refunded Bonds is listed in the following tables.
The sufficiency of the amounts on deposit in the Escrow Fund, together with realizable interest and earnings thereon, to pay the redemption price of the Refunded Bonds as described above will be verified by Causey Demgen & Moore P.C. (the “Verification Agent”). As a result of the deposit and application of funds so provided in the Escrow Agreement, and assuming the accuracy of the computations of the Underwriter and

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* Preliminary, subject to change.

† CUSIP is a registered trademark of the American Bankers Association. CUSIP data herein is provided by CUSIP Global Services (“CGS”), managed by S&P Capital IQ on behalf of The American Bankers Association. This data is not intended to create a database and does not serve in any way as a substitute for the CGS database. None of the District, Municipal Advisor, or the Underwriter is responsible for the selection, uses or correctness of the CUSIP numbers set forth herein. CUSIP numbers have been assigned by an independent company not affiliated with the District, the Municipal Advisor or the Underwriter and are included solely for the convenience of the registered owners of the applicable Bonds and Refunded Bonds. The CUSIP number for a specific maturity is subject to being changed as a result of various subsequent actions including, but not limited to, a refunding in whole or in part or as a result of the procurement of secondary market portfolio insurance or other similar enhancement by investors that is applicable to all or a portion of certain maturities of the Bonds and Refunded Bonds.
the Verification Agent, the Refunded Bonds will be defeased and the obligation of the County to levy *ad valorem* property taxes for payment of the Refunded Bonds will terminate. See “LEGAL MATTERS – Escrow Verification” herein.

Any accrued interest on the Bonds, when received by the District from the sale of the Bonds, any surplus moneys in the Escrow Fund, when received by the District following the redemption of the Refunded Bonds, and any other excess proceeds of the Bonds not needed for the authorized purposes for which the Bonds are being issued, will be kept separate and apart in the fund held by the County and designated as the “Ohlone Community College District 2021 General Obligation Refunding Bonds Debt Service Fund” (the “Debt Service Fund”) and applied to the payment of principal of and interest on the Bonds. If, after payment in full of the Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

**Investment of Funds.** Moneys in the Debt Service Fund are expected to be invested through the Alameda County Treasury Pool. See “APPENDIX E – ALAMEDA COUNTY INVESTMENT POOL” attached hereto.

**ESTIMATED SOURCES AND USES OF FUNDS**

The estimated sources and uses of funds with respect to the Bonds are as follows:

<table>
<thead>
<tr>
<th>Sources of Funds</th>
<th>Uses of Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Amount of the Bonds</td>
<td>Escrow Fund</td>
</tr>
<tr>
<td>Original Issue [Premium/Discount]</td>
<td>Costs of Issuance(1)</td>
</tr>
<tr>
<td>Total Sources</td>
<td>Total Uses</td>
</tr>
</tbody>
</table>

(1) Reflects all costs of issuance, including but not limited to the Underwriter’s discount, legal fees, municipal advisor fees, printing costs, rating agency fees, and the costs and fees of the Paying Agent, Verification Agent and Escrow Agent.

**TAX BASE FOR REPAYMENT OF BONDS**

The information in this section describes *ad valorem* property taxation, assessed valuation, and other measures of the tax base of the District. The Bonds are payable solely from *ad valorem* property taxes levied and collected by the County on taxable property in the District, which taxes are unlimited as to rate or amount. The District’s general fund is not a source for the repayment of the Bonds.

**Ad Valorem Property Taxation**

District property taxes are assessed and collected by the County at the same time and on the same tax rolls as county, city and special district property taxes. Assessed valuations are the same for both District and county taxing purposes.

Taxes are levied for each fiscal year on taxable real and personal property which is located in the District as of the preceding January 1. For assessment and collection purposes, property is classified either as “secured” or “unsecured” and is listed accordingly on separate parts of the assessment roll. The “secured roll” is that part of the assessment roll containing State assessed public utilities property and real property having a
tax lien which is sufficient, in the opinion of the assessor, to secure payment of the taxes. Unsecured property is assessed on the “unsecured roll.” Unsecured property comprises all property not attached to land, such as personal property or business property. Boats and airplanes are examples of unsecured property. A supplemental roll is developed when property changes hands or new construction is completed. The County levies and collects all property taxes for property falling within the respective county’s taxing boundaries.

The valuation of secured property is established as of January 1 and is subsequently equalized in August. Property taxes on the secured roll are payable in two installments, due November 1 and February 1 of the calendar year. If unpaid, such taxes become delinquent after December 10 and April 10, respectively, and a 10% penalty attaches to any delinquent installment plus any additional amount determined by the tax-collecting authority of the County. After the second installment of taxes on the secured roll is delinquent, the tax-collecting authority of the County will collect a cost of $10 for preparing the delinquent tax records and giving notice of the delinquency. Property on the secured roll with delinquent taxes is declared tax-defaulted on July 1 of the calendar year. Such property may thereafter be redeemed, until the right of redemption is terminated, by payment of the delinquent taxes and the delinquency penalty, plus a $15 redemption fee and a redemption penalty of 1.5% per month to the time of redemption. If taxes are unpaid for a period of five years or more, the property is subject to sale by the tax-collecting authority of the County.

Property taxes on the unsecured roll as of July 31 become delinquent if they are not paid by August 31 and are thereafter subject to a delinquent penalty of 10%. Taxes added to the unsecured tax roll after July 31, if unpaid, are delinquent and subject to a penalty of 10% on the last day of the month succeeding the month of enrollment. In the case of unsecured property taxes, an additional penalty of 1.5% per month begins to accrue when such taxes remain unpaid on the last day of the second month after the 10% penalty attaches. The taxing authority has four ways of collecting unsecured personal property taxes: (1) a civil action against the assessee; (2) filing a certificate in the office of the county clerk specifying certain facts in order to obtain a judgment lien on specific property of the assessee; (3) filing a certificate of delinquency for record in the county recorder’s office in order to obtain a lien on specified property of the assessee; and (4) seizure and sale of personal property, improvements or possessory interests belonging or assessed to the assessee. See also “– Tax Levies, Collections and Delinquencies” herein.

State law exempts from taxation $7,000 of the full cash value of an owner-occupied dwelling, but this exemption does not result in any loss of revenue to local agencies, since the State reimburses local agencies for the value of the exemptions.

All property is assessed using full cash value as defined by Article XIII-A of the State Constitution. State law provides exemptions from ad valorem property taxation for certain classes of property, such as churches, colleges, non-profit hospitals, and charitable institutions.

Assessed valuation growth allowed under Article XIII-A (new construction, certain changes of ownership, 2% inflation) is allocated on the basis of “situs” among the jurisdictions that serve the tax rate area within which the growth occurs. Local agencies, including K-14 school districts (as defined herein), share the growth of “base” revenues from the tax rate area. Each year’s growth allocation becomes part of each agency’s allocation in the following year.

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Assessed Valuations

The following table shows the historical assessed valuations in the District as of the date the equalized assessment tax roll is established in August of each year, excluding any exemptions granted after such date in each year.

<table>
<thead>
<tr>
<th>Fiscal Years 2011-12 through 2020-21</th>
<th>Local Secured</th>
<th>Utility</th>
<th>Unsecured</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>$37,224,751,163</td>
<td>$3,258,671</td>
<td>$2,685,661,229</td>
<td>$39,913,671,063</td>
</tr>
<tr>
<td>2012-13</td>
<td>37,963,048,262</td>
<td>67,546,102</td>
<td>2,740,039,276</td>
<td>40,770,633,640</td>
</tr>
<tr>
<td>2013-14</td>
<td>40,038,221,798</td>
<td>59,375,354</td>
<td>2,624,777,735</td>
<td>42,722,374,887</td>
</tr>
<tr>
<td>2015-16</td>
<td>45,755,381,499</td>
<td>52,630,161</td>
<td>3,168,092,133</td>
<td>48,976,103,793</td>
</tr>
<tr>
<td>2016-17</td>
<td>50,626,481,889</td>
<td>3,814,911</td>
<td>2,703,930,158</td>
<td>53,334,226,958</td>
</tr>
<tr>
<td>2017-18</td>
<td>54,404,478,361</td>
<td>8,481,536</td>
<td>3,003,954,446</td>
<td>57,416,914,343</td>
</tr>
<tr>
<td>2018-19</td>
<td>58,705,829,343</td>
<td>8,481,536</td>
<td>2,928,555,363</td>
<td>61,642,866,242</td>
</tr>
<tr>
<td>2019-20</td>
<td>62,879,284,099</td>
<td>8,481,536</td>
<td>3,212,882,448</td>
<td>66,100,648,083</td>
</tr>
<tr>
<td>2020-21</td>
<td><strong>66,734,227,219</strong></td>
<td><strong>7,446,536</strong></td>
<td><strong>3,628,792,461</strong></td>
<td><strong>70,370,466,216</strong></td>
</tr>
</tbody>
</table>

Source: California Municipal Statistics, Inc.

For fiscal year 2020-21, the total assessed valuation of taxable property within the District increased by $70,370,466,216, representing an increase of approximately 6.07% from the prior year. Economic and other factors beyond the District’s control, such as general market decline in property values, outbreak of disease, disruption in financial markets that may reduce availability of financing for purchasers of property, reclassification of property to a class exempt from taxation, whether by ownership or use (such as exemptions for property owned by the State and local agencies and property used for qualified education, hospital, charitable or religious purposes), or the complete or partial destruction of the taxable property caused by a natural or manmade disaster, such as earthquake, flood, fire, wildfire, drought or toxic contamination, could cause a reduction in the assessed value of taxable property within the District. Any such reduction would result in a corresponding increase in the annual tax rate levied by the County to pay the debt service with respect to the Bonds. See “THE BONDS – Security and Sources of Payment” and “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein.
**Appeals and Adjustments of Assessed Valuation.** Under State law, property owners may apply for a reduction of their property tax assessment by filing a written application, in form prescribed by the State Board of Equalization (the “SBE”), with the appropriate county board of equalization or assessment appeals board. In most cases, the appeal is filed because the applicant believes that present market conditions (such as residential home prices) cause the property to be worth less than its current assessed value. Any reduction in the assessment ultimately granted as a result of such appeal applies to the year for which application is made and during which the written application was filed. Such reductions are subject to yearly reappraisals and may be adjusted back to their original values when market conditions improve. Once the property has regained its prior value, adjusted for inflation, it once again is subject to the annual inflationary factor growth rate allowed under Article XIII-A. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS – Article XIII-A of the California Constitution” herein.

A second type of assessment appeal involves a challenge to the base year value of an assessed property. Appeals for reduction in the base year value of an assessment, if successful, reduce the assessment for the year in which the appeal is taken and prospectively thereafter. The base year is determined by the completion date of new construction or the date of change of ownership. Any base year appeal must be made within four years of the change of ownership or new construction date.

In addition to the above-described taxpayer appeals, county assessors may independently reduce assessed valuations based on changes in the market value of property, outbreak of disease, or for other factors such as the complete or partial destruction of taxable property caused by natural or man-made disasters such as earthquakes, floods, fire, drought or toxic contamination pursuant to relevant provisions of the State Constitution. See also “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS – Article XIII-A of the California Constitution” herein. Such reductions are subject to yearly reappraisals by the county assessor and may be adjusted back to their original values when real estate market conditions improve. Once property has regained its prior assessed value, adjusted for inflation, it once again is subject to the annual inflationary growth rate factor allowed under Article XIII-A.

The District does not have information regarding pending appeals of assessed valuation of property within the District. No assurance can be given that property tax appeals currently pending or in the future, or actions by county assessors, will not significantly reduce the assessed valuation of property within the District.

**Assembly Bill 102.** On June 27, 2017, the Governor signed into law Assembly Bill 102 (“AB 102”). AB 102 restructures the functions of the SBE and creates two new separate agencies: (i) the California Department of Tax and Fee Administration, and (ii) the Office of Tax Appeals. Under AB 102, the California Department of Tax and Fee Administration will take over programs previously in the SBE Property Tax Department, such as the Tax Area Services Section, which is responsible for maintaining all property tax-rate area maps and for maintaining special revenue district boundaries. Under AB 102, the SBE will continue to perform the duties assigned by the State Constitution related to property taxes, however, beginning January 1, 2018, the SBE will only hear appeals related to the programs that it constitutionally administers and the Office of Tax Appeals will hear tax appeals on all other taxes and fee matters, such as sales and use tax and other special taxes and fees. AB 102 obligates the Office of Tax Appeals to adopt regulations as necessary to carry out its duties, powers, and responsibilities. No assurances can be given as to the effect of such regulations on the appeals process or on the assessed valuation of property within the District.

**Assessed Valuation by Jurisdiction**

The following is an analysis of the assessed valuation of property within the District by jurisdiction for fiscal year 2020-21.
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Assessed Valuation in District</th>
<th>% of District</th>
<th>Assessed Valuation of Jurisdiction</th>
<th>% of Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Fremont</td>
<td>$57,921,552,591</td>
<td>82.31%</td>
<td>$57,930,689,385</td>
<td>99.98%</td>
</tr>
<tr>
<td>City of Newark</td>
<td>11,242,134,678</td>
<td>15.98%</td>
<td>11,242,134,678</td>
<td>100.00%</td>
</tr>
<tr>
<td>City of Union City</td>
<td>1,206,778,947</td>
<td>1.71%</td>
<td>11,475,007,618</td>
<td>10.52%</td>
</tr>
<tr>
<td>Total District</td>
<td>$70,370,466,216</td>
<td>100.00%</td>
<td>$331,459,902,826</td>
<td>21.23%</td>
</tr>
</tbody>
</table>

Source: California Municipal Statistics, Inc.

[REMAINDER OF PAGE LEFT BLANK]
Assessed Valuation and Parcels by Land Use

The following show a per-parcel analysis of the distribution of taxable property within the District by principal use, and the fiscal year 2020-21 assessed valuation of such parcels.

**ASSESSED VALUATION AND PARCELS BY LAND USE**
Fiscal Year 2020-21
Ohlone Community College District

<table>
<thead>
<tr>
<th>Non-Residential:</th>
<th>2020-21 Assessed Valuation(1)</th>
<th>% of Total</th>
<th>No. of Parcels</th>
<th>% of Parcels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural/Rural</td>
<td>$180,964,240</td>
<td>0.27%</td>
<td>176</td>
<td>0.22%</td>
</tr>
<tr>
<td>Commercial</td>
<td>4,402,745,391</td>
<td>6.60%</td>
<td>1,294</td>
<td>1.59%</td>
</tr>
<tr>
<td>Vacant Commercial</td>
<td>93,856,833</td>
<td>0.14%</td>
<td>88</td>
<td>0.11%</td>
</tr>
<tr>
<td>Industrial</td>
<td>10,532,884,663</td>
<td>15.78%</td>
<td>1,207</td>
<td>1.48%</td>
</tr>
<tr>
<td>Vacant Industrial</td>
<td>706,191,040</td>
<td>1.06%</td>
<td>164</td>
<td>0.20%</td>
</tr>
<tr>
<td>Recreational</td>
<td>91,292,859</td>
<td>0.14%</td>
<td>26</td>
<td>0.03%</td>
</tr>
<tr>
<td>Government/Social/Institutional</td>
<td>135,052,670</td>
<td>0.20%</td>
<td>320</td>
<td>0.39%</td>
</tr>
<tr>
<td>Subtotal Non-Residential</td>
<td>$16,142,987,696</td>
<td>24.19%</td>
<td>3,275</td>
<td>4.02%</td>
</tr>
</tbody>
</table>

| Residential:            |                              |            |               |             |
| Single Family Residence | $38,520,512,871               | 57.72%     | 57,639        | 70.82%      |
| Condominium             | 7,264,141,458                 | 10.89%     | 16,622        | 20.42%      |
| Mobile Home             | 21,141,052                    | 0.03%      | 476           | 0.58%       |
| Mobile Home Park        | 34,658,913                    | 0.05%      | 9             | 0.01%       |
| 2-4 Residential Units   | 402,178,644                   | 0.60%      | 643           | 0.79%       |
| 5+ Residential Units/Apartments | 3,667,844,948  | 5.50%      | 1,504         | 1.85%       |
| Vacant Residential      | 680,761,637                   | 1.02%      | 1,219         | 1.50%       |
| Subtotal Residential    | $50,591,239,523               | 75.81%     | 78,112        | 95.98%      |
| Total                   | $66,734,227,219               | 100.00%    | 81,387        | 100.00%     |

(1) Total secured assessed valuation, excluding tax-exempt property.

Source: California Municipal Statistics, Inc.
Assessed Valuation of Single Family Homes

The following table displays the per-parcel analysis of single family residences within the District, in terms of their 2020-21 assessed valuation.

### ASSESSED VALUATION OF SINGLE FAMILY HOMES
Fiscal Year 2020-21
Ohlone Community College District

<table>
<thead>
<tr>
<th>No. of Parcels</th>
<th>2020-21 Assessed Valuation</th>
<th>Average Assessed Valuation</th>
<th>Median Assessed Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>57,639</td>
<td>$38,520,512,871</td>
<td>$668,306</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2020-21 Assessed Valuation</th>
<th>No. of Parcels(1)</th>
<th>% of Total</th>
<th>Total</th>
<th>% of Total</th>
<th>Valuation</th>
<th>% of Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - $99,999</td>
<td>4,136</td>
<td>7.176%</td>
<td>$290,354,679</td>
<td>0.754%</td>
<td>$290,354,679</td>
<td>0.754%</td>
<td></td>
</tr>
<tr>
<td>100,000 - 199,999</td>
<td>3,922</td>
<td>6.804</td>
<td>1,163,526,186</td>
<td>3.021</td>
<td>2,183,495,855</td>
<td>5.668</td>
<td></td>
</tr>
<tr>
<td>200,000 - 299,999</td>
<td>4,603</td>
<td>7.986</td>
<td>3,478,790,369</td>
<td>9.031</td>
<td>5,062,342,514</td>
<td>13.276</td>
<td></td>
</tr>
<tr>
<td>300,000 - 399,999</td>
<td>6,234</td>
<td>10.816</td>
<td>6,758,414,993</td>
<td>18.072</td>
<td>11,240,937,407</td>
<td>30.548</td>
<td></td>
</tr>
<tr>
<td>400,000 - 499,999</td>
<td>5,432</td>
<td>9.424</td>
<td>8,928,506,886</td>
<td>23.094</td>
<td>15,667,413,293</td>
<td>43.322</td>
<td></td>
</tr>
<tr>
<td>500,000 - 599,999</td>
<td>4,992</td>
<td>8.661</td>
<td>11,098,595,779</td>
<td>29.456</td>
<td>20,666,009,072</td>
<td>58.778</td>
<td></td>
</tr>
<tr>
<td>600,000 - 699,999</td>
<td>4,756</td>
<td>8.251</td>
<td>13,268,695,672</td>
<td>35.818</td>
<td>24,934,704,745</td>
<td>69.636</td>
<td></td>
</tr>
<tr>
<td>700,000 - 799,999</td>
<td>4,444</td>
<td>7.857</td>
<td>15,438,795,565</td>
<td>41.279</td>
<td>30,393,400,329</td>
<td>84.915</td>
<td></td>
</tr>
<tr>
<td>800,000 - 899,999</td>
<td>4,251</td>
<td>7.375</td>
<td>17,608,895,458</td>
<td>47.740</td>
<td>35,652,295,787</td>
<td>102.254</td>
<td></td>
</tr>
<tr>
<td>900,000 - 999,999</td>
<td>3,573</td>
<td>6.199</td>
<td>20,779,095,351</td>
<td>55.201</td>
<td>41,431,391,138</td>
<td>116.423</td>
<td></td>
</tr>
<tr>
<td>1,000,000 - 1,099,999</td>
<td>2,532</td>
<td>4.393</td>
<td>23,949,295,244</td>
<td>63.662</td>
<td>46,380,686,382</td>
<td>132.685</td>
<td></td>
</tr>
<tr>
<td>1,100,000 - 1,199,999</td>
<td>1,929</td>
<td>3.347</td>
<td>26,119,495,137</td>
<td>71.124</td>
<td>51,500,181,519</td>
<td>145.807</td>
<td></td>
</tr>
<tr>
<td>1,200,000 - 1,299,999</td>
<td>1,388</td>
<td>2.408</td>
<td>28,289,695,030</td>
<td>74.586</td>
<td>56,720,876,659</td>
<td>159.033</td>
<td></td>
</tr>
<tr>
<td>1,300,000 - 1,399,999</td>
<td>1,183</td>
<td>2.052</td>
<td>30,459,895,923</td>
<td>78.048</td>
<td>62,070,572,582</td>
<td>172.381</td>
<td></td>
</tr>
<tr>
<td>1,400,000 - 1,499,999</td>
<td>969</td>
<td>1.681</td>
<td>32,630,095,816</td>
<td>81.510</td>
<td>67,441,268,468</td>
<td>185.731</td>
<td></td>
</tr>
<tr>
<td>1,500,000 - 1,599,999</td>
<td>729</td>
<td>1.265</td>
<td>34,800,295,709</td>
<td>84.972</td>
<td>72,811,964,356</td>
<td>209.083</td>
<td></td>
</tr>
<tr>
<td>1,600,000 - 1,699,999</td>
<td>551</td>
<td>0.956</td>
<td>37,070,495,602</td>
<td>98.434</td>
<td>78,182,660,258</td>
<td>222.435</td>
<td></td>
</tr>
<tr>
<td>1,700,000 - 1,799,999</td>
<td>385</td>
<td>0.668</td>
<td>39,340,695,505</td>
<td>101.896</td>
<td>83,553,356,163</td>
<td>235.787</td>
<td></td>
</tr>
<tr>
<td>1,800,000 - 1,899,999</td>
<td>315</td>
<td>0.547</td>
<td>41,610,895,408</td>
<td>105.358</td>
<td>88,924,052,066</td>
<td>249.139</td>
<td></td>
</tr>
<tr>
<td>1,900,000 - 1,999,999</td>
<td>238</td>
<td>0.413</td>
<td>43,880,095,311</td>
<td>108.820</td>
<td>94,294,747,973</td>
<td>262.491</td>
<td></td>
</tr>
<tr>
<td>2,000,000 and greater</td>
<td>877</td>
<td>1.522</td>
<td>100,000</td>
<td>2,226,173,802</td>
<td>5.779</td>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td>57,639</td>
<td>100.000%</td>
<td>$38,520,512,871</td>
<td>100.000%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) Improved single family residential parcels. Excludes condominiums and parcels with multiple family units.

Source: California Municipal Statistics, Inc.

### Tax Levies, Collections and Delinquencies

Property taxes on the secured roll are due in two installments, November 1 and February 1 of the calendar year, and if unpaid, become delinquent after December 10 and April 10, respectively. A 10% penalty attaches to any delinquent installment plus a minimum $10 cost on the second installment, plus any additional amount determined by the Treasurer. See “Ad Valorem Property Taxation” herein.
Pursuant to Revenue and Taxation Code Section 4985.2, the Treasurer may cancel any penalty, costs or other charges resulting from tax delinquency upon a finding that the late payment is due to reasonable cause and circumstances beyond the taxpayer’s control, and occurred notwithstanding the exercise of ordinary care in the absence of willful neglect, provided the property taxes are paid within four fiscal years of such taxes coming due. See “– Alternative Method of Tax Apportionment – Teeter Plan” and “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein.

In addition, on May 6, 2020, the Governor signed Executive Order N-61-20 (“Order N-61-20”). Under Order N-61-20, certain provisions of the Revenue and Taxation Code are suspended until May 6, 2021 to the extent said provisions require a tax collector to impose penalties, costs or interest for the failure to pay secured or unsecured property taxes, or to pay a supplemental bill, before the date that such taxes become delinquent, subject to certain conditions set forth in in Order N-61-20. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein.

The historical annual secured tax levies and delinquencies for the District for the years shown are as follows.

SECURED TAX CHARGES AND DELINQUENCIES
Fiscal Years 2010-11 through 2019-20
Ohlone Community College District

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Secured Tax Charge($1)</th>
<th>Amount Delinquent as of June 30</th>
<th>Percent Delinquent June 30</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-11</td>
<td>$12,037,976.70</td>
<td>$315,431.24</td>
<td>2.62%</td>
</tr>
<tr>
<td>2011-12</td>
<td>11,937,516.51</td>
<td>263,900.76</td>
<td>2.21</td>
</tr>
<tr>
<td>2012-13</td>
<td>12,147,721.14</td>
<td>189,886.25</td>
<td>1.56</td>
</tr>
<tr>
<td>2013-14</td>
<td>12,742,030.50</td>
<td>156,483.99</td>
<td>1.23</td>
</tr>
<tr>
<td>2014-15</td>
<td>14,414,462.39</td>
<td>156,682.84</td>
<td>1.09</td>
</tr>
<tr>
<td>2015-16</td>
<td>16,261,747.41</td>
<td>199,026.09</td>
<td>1.22</td>
</tr>
<tr>
<td>2016-17</td>
<td>17,763,522.51</td>
<td>189,304.29</td>
<td>1.07</td>
</tr>
<tr>
<td>2017-18</td>
<td>19,194,426.09</td>
<td>164,965.84</td>
<td>0.86</td>
</tr>
<tr>
<td>2018-19</td>
<td>20,600,483.21</td>
<td>174,924.08</td>
<td><strong>0.85</strong></td>
</tr>
<tr>
<td>2019-20</td>
<td>22,037,239.66</td>
<td>227,361.94</td>
<td><strong>1.03</strong></td>
</tr>
</tbody>
</table>

(1) 1% General Fund apportionment.

Source: California Municipal Statistics, Inc.
## SECURED TAX CHARGES AND DELINQUENCIES
Fiscal Years 20010-11 through 2019-20
Ohlone Community College District

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Secured Tax Charge⁽¹⁾</th>
<th>Amount Delinquent as of June 30</th>
<th>Percent Delinquent June 30</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-11</td>
<td>$7,066,210.98</td>
<td>$114,287.70</td>
<td>1.62%</td>
</tr>
<tr>
<td>2011-12</td>
<td>14,882,031.45</td>
<td>267,914.62</td>
<td>1.80</td>
</tr>
<tr>
<td>2012-13</td>
<td>14,478,475.92</td>
<td>135,128.59</td>
<td>0.93</td>
</tr>
<tr>
<td>2013-14</td>
<td>15,855,687.68</td>
<td>105,532.21</td>
<td>0.67</td>
</tr>
<tr>
<td>2014-15</td>
<td>16,107,387.51</td>
<td>121,260.04</td>
<td>0.75</td>
</tr>
<tr>
<td>2015-16</td>
<td>19,285,430.77</td>
<td>39,325.52</td>
<td>0.20</td>
</tr>
<tr>
<td>2016-17</td>
<td>18,593,013.74</td>
<td>113,353.12</td>
<td>0.61</td>
</tr>
<tr>
<td>2017-18</td>
<td>19,521,537.72</td>
<td>89,302.20</td>
<td>0.46</td>
</tr>
<tr>
<td>2018-19</td>
<td><strong>18,443,970.27</strong></td>
<td><strong>92,539.11</strong></td>
<td><strong>0.50</strong></td>
</tr>
<tr>
<td>2019-20</td>
<td><strong>19,286,470.14</strong></td>
<td><strong>131,673.36</strong></td>
<td><strong>0.68</strong></td>
</tr>
</tbody>
</table>

⁽¹⁾ District’s general obligation bond debt service levy.

Source: California Municipal Statistics, Inc.
Alternative Method of Tax Apportionment – “Teeter Plan”

Under the Alternative Method of Distribution of Tax Levies and Collections and of Tax Sale Proceeds (the “Teeter Plan”), as provided for in Section 4701 et seq. of the California Revenue and Taxation Code, each participating local agency levying property taxes, including school districts, receives from its county the amount of uncollected taxes credited to its fund, in the same manner as if the amount credited had been collected. In return, the county receives and retains delinquent payments, penalties and interest as collected, that would have been due the local agency. The Teeter Plan, once adopted by a county, remains in effect unless the county board of supervisors orders its discontinuance or unless, prior to the commencement of any fiscal year, the board of supervisors receives a petition for its discontinuance from two-thirds of the participating revenue districts in the county. A board of supervisors may, after holding a public hearing on the matter, discontinue the procedures under the Teeter Plan with respect to any tax levying agency in the county when delinquencies for taxes levied by that agency exceed 3%.

The Teeter Plan applies to the 1% general purpose property tax levy. Whether or not the Teeter Plan also is applied to other tax levies for local agencies, such as the tax levy for general obligation bonds of a local agency, varies by county.

The Teeter Plan, as adopted by the County, apportions secured property taxes on an accrual basis when due (irrespective of actual collections) to local political subdivisions for which the County acts as the tax-levying or tax-collecting agency. However the Teeter Plan, as implemented by the County, is not applicable to ad valorem property taxes levied to pay the principal of and interest on the District’s general obligation bonds, including the Bonds. Consequently, the District will receive ad valorem property taxes to pay debt service on the Bonds based on actual collections for that purpose, rather than the amount levied.

Property tax delinquencies may be impacted by economic and other factors beyond the District’s control or the control of the County, including the ability or willingness of property owners to pay property taxes during an economic recession or depression. An economic recession or depression could be caused by many factors outside the control of the District, including high interest rates, reduced consumer confidence, reduced real wages or reduced economic activity as a result of the spread of COVID-19 or other pandemic or natural or manmade disaster. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein.

Notwithstanding any possible future change to or discontinuation of the Teeter Plan or increases in property tax delinquencies, State law requires the County to levy ad valorem property taxes sufficient to pay the Bonds when due.

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Principal Taxpayers

The more property (by assessed value) which is owned by a single taxpayer within the District, the greater amount of tax collections that are exposed to weaknesses in such a taxpayer’s financial situation and ability or willingness to pay property taxes. The following table lists the 20 largest local secured taxpayers in the District in terms of their fiscal year 2020-21 secured assessed valuations. Each taxpayer listed below is a name listed on the tax rolls. The District cannot make any representation as to whether individual persons, corporations or other organizations are liable for tax payments with respect to multiple properties held in various names that in aggregate may be larger than is suggested by the table below. The following table lists the major taxpayers in the District in terms of their 2020-21 secured assessed valuations.

LARGEST LOCAL SECURED TAXPAYERS
Fiscal Year 2020-21
Ohlone Community College District

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Primary Land Use</th>
<th>Assessed Valuation</th>
<th>2020-21 % of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Tesla Motors Inc.</td>
<td>Industrial</td>
<td>$2,541,821,173</td>
<td>3.81%</td>
</tr>
<tr>
<td>2. BMR Gateway Boulevard LLC</td>
<td>Industrial</td>
<td>366,645,851</td>
<td>0.55</td>
</tr>
<tr>
<td>3. Hart Pacific Commons LLC</td>
<td>Shopping Center</td>
<td>274,651,596</td>
<td>0.41</td>
</tr>
<tr>
<td>4. Seagate Technology LLC</td>
<td>Industrial</td>
<td>261,406,380</td>
<td>0.39</td>
</tr>
<tr>
<td>5. BRE Properties Inc.</td>
<td>Apartments</td>
<td>260,288,765</td>
<td>0.39</td>
</tr>
<tr>
<td>6. John T. Arrillaga &amp; Richard T. Peery Trust</td>
<td>Industrial</td>
<td>234,642,773</td>
<td>0.35</td>
</tr>
<tr>
<td>7. Sobrato Interests</td>
<td>Industrial</td>
<td>212,439,759</td>
<td>0.32</td>
</tr>
<tr>
<td>8. Pacific Commons Owner LP</td>
<td>Industrial</td>
<td>209,900,368</td>
<td>0.31</td>
</tr>
<tr>
<td>9. Apple Computer Inc.</td>
<td>Industrial</td>
<td>203,294,162</td>
<td>0.30</td>
</tr>
<tr>
<td>10. JMB Newpark Associates &amp; GGP Newpark LLC</td>
<td>Shopping Center</td>
<td>177,459,590</td>
<td>0.27</td>
</tr>
<tr>
<td>11. Fremont Technology Business Center LLC</td>
<td>Industrial</td>
<td>175,829,307</td>
<td>0.26</td>
</tr>
<tr>
<td>12. Fremont Retail Partners LP</td>
<td>Shopping Center</td>
<td>174,049,988</td>
<td>0.26</td>
</tr>
<tr>
<td>13. Catellus Development Corporation</td>
<td>Industrial</td>
<td>160,512,772</td>
<td>0.24</td>
</tr>
<tr>
<td>14. Crossing 880 Industrial LLC</td>
<td>Industrial</td>
<td>146,121,700</td>
<td>0.22</td>
</tr>
<tr>
<td>15. BTMU Capital Leasing &amp; Finance Inc.</td>
<td>Industrial</td>
<td>145,455,665</td>
<td>0.22</td>
</tr>
<tr>
<td>16. CP V Walnut LLC</td>
<td>Apartments</td>
<td>142,143,563</td>
<td>0.21</td>
</tr>
<tr>
<td>17. SCI LP I</td>
<td>Industrial</td>
<td>138,744,753</td>
<td>0.21</td>
</tr>
<tr>
<td>18. Essex Portfolio LP</td>
<td>Apartments</td>
<td>138,689,966</td>
<td>0.21</td>
</tr>
<tr>
<td>19. AGNL Wafer LLC</td>
<td>Industrial</td>
<td>129,649,776</td>
<td>0.19</td>
</tr>
<tr>
<td>20. CLPF Artist Walk LP</td>
<td>Apartments</td>
<td>109,954,000</td>
<td>0.16</td>
</tr>
</tbody>
</table>

$6,203,711,907 9.30%

Source: California Municipal Statistics, Inc.
Tax Rates

A representative tax rate area located within the District is Tax Rate Area 12-013. The table below demonstrates the total ad valorem property tax rates levied, as a percentage of assessed valuation, by all taxing entities in this tax rate area during the five-year period from 2016-17 through 2020-21.

TOTAL TAX RATES PER $100 OF ASSESSED VALUATION
(TRA 12-013)
Fiscal Years 2016-17 through 2020-21
Ohlone Community College District

<table>
<thead>
<tr>
<th></th>
<th>2016-17</th>
<th>2017-18</th>
<th>2018-19</th>
<th>2019-20</th>
<th>2020-21</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>1.0000%</td>
<td>1.0000%</td>
<td>1.0000%</td>
<td>1.0000%</td>
<td>1.0000%</td>
</tr>
<tr>
<td>Alameda County</td>
<td>--</td>
<td>--</td>
<td>.0112</td>
<td>.0108</td>
<td>.0036</td>
</tr>
<tr>
<td>Fremont Unified School District</td>
<td>.0808</td>
<td>.0784</td>
<td>.0809</td>
<td>.0756</td>
<td>.0756</td>
</tr>
<tr>
<td>Ohlone Community College District</td>
<td>.0370</td>
<td>.0361</td>
<td>.0315</td>
<td>.0308</td>
<td>.0334</td>
</tr>
<tr>
<td><strong>Washington Township Hospital</strong></td>
<td><strong>0.0256</strong></td>
<td><strong>0.0242</strong></td>
<td><strong>0.0221</strong></td>
<td><strong>0.0213</strong></td>
<td><strong>0.0213</strong></td>
</tr>
<tr>
<td>District</td>
<td>.0256</td>
<td>.0242</td>
<td>.0221</td>
<td>.0213</td>
<td></td>
</tr>
<tr>
<td>Bay Area Rapid Transit District</td>
<td>.0080</td>
<td>.0084</td>
<td>.0070</td>
<td>.0120</td>
<td>.0139</td>
</tr>
<tr>
<td>East Bay Regional Park District</td>
<td>.0032</td>
<td>.0021</td>
<td>.0057</td>
<td>.0060</td>
<td>.0014</td>
</tr>
<tr>
<td>Alameda County Water District</td>
<td>.0080</td>
<td>.0082</td>
<td>.0049</td>
<td>.0071</td>
<td>.0067</td>
</tr>
<tr>
<td>△</td>
<td>△</td>
<td>△</td>
<td>△</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Fremont</td>
<td>.0070</td>
<td>.0066</td>
<td>.0052</td>
<td>.0055</td>
<td>.0050</td>
</tr>
<tr>
<td>Total</td>
<td>1.1696%</td>
<td>1.1641%</td>
<td>1.1706%</td>
<td>1.1699%</td>
<td>1.1609%</td>
</tr>
</tbody>
</table>

(1) 2020-21 assessed valuation of TRA 12-013 is $10,926,581,770 which is 15.53% of the District’s total assessed valuation.

Source: California Municipal Statistics, Inc.

Statement of Direct and Overlapping Debt

Set forth on the following page is a direct and overlapping debt report (the “Debt Report”) prepared by California Municipal Statistics, Inc., dated as of April 1, 2021, for debt issued as of March 19, 2021. The Debt Report is included for general information purposes only. The District has not reviewed the Debt Report for completeness or accuracy and makes no representation in connection therewith.

The Debt Report generally includes long-term obligations sold in the public credit markets by public agencies whose boundaries overlap the boundaries of the District in whole or in part. Such long-term obligations generally are not payable from revenues of the District (except as indicated) nor are they necessarily obligations secured by land within the District. In many cases long-term obligations issued by a public agency are payable only from the general fund or other revenues of such public agency.

The first column in the table names each public agency which has outstanding debt as of the date of the report and whose territory overlaps the District in whole or in part. The second column shows the percentage of each overlapping agency’s assessed value located within the boundaries of the District. This percentage, multiplied by the total outstanding debt of each overlapping agency (which is not shown in the table) produces the amount shown in the third column, which is the apportionment of each overlapping agency’s outstanding debt to taxable property in the District.
### STATEMENT OF DIRECT AND OVERLAPPING BONDED DEBT

**Ohlone Community College District**

**2020-21 Assessed Valuation:** $70,370,466,216

#### DIRECT AND OVERLAPPING TAX AND ASSESSMENT DEBT:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>% Applicable</th>
<th>Debit 4/1/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alameda County</td>
<td>21.230%</td>
<td>$40,612,990</td>
</tr>
<tr>
<td>Bay Area Rapid Transit District</td>
<td>8.216</td>
<td>153,794,482</td>
</tr>
<tr>
<td>Ohlone Community College District</td>
<td>100.00</td>
<td>411,435,430</td>
</tr>
<tr>
<td>Fremont Unified School District</td>
<td>99.984</td>
<td>610,687,274</td>
</tr>
<tr>
<td>New Haven Unified School District</td>
<td>9.041</td>
<td>21,927,988</td>
</tr>
<tr>
<td>Newark Unified School District</td>
<td>100.00</td>
<td>79,297,075</td>
</tr>
<tr>
<td>City of Fremont</td>
<td>99.984</td>
<td>32,909,734</td>
</tr>
<tr>
<td>Washington Township Hospital District</td>
<td>85.436</td>
<td>278,837,473</td>
</tr>
<tr>
<td>East Bay Regional Park District</td>
<td>13.145</td>
<td>17,620,873</td>
</tr>
<tr>
<td>City of Fremont Community Facilities District No. 1</td>
<td>100.000</td>
<td>77,225,000</td>
</tr>
<tr>
<td>City of Fremont Community Facilities District No. 2</td>
<td>100.000</td>
<td>16,410,000</td>
</tr>
<tr>
<td>City of Newark 1915 Act Bonds</td>
<td>100.000</td>
<td>2,745,368</td>
</tr>
</tbody>
</table>

**TOTAL DIRECT AND OVERLAPPING TAX AND ASSESSMENT DEBT:** $1,743,503,687

#### OVERLAPPING GENERAL FUND DEBT:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>% Applicable</th>
<th>Debt 4/1/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alameda County General Fund Obligations</td>
<td>21.230%</td>
<td>$169,061,390</td>
</tr>
<tr>
<td>Alameda-Contra Costa Transit District Certificates of Participation</td>
<td>25.116</td>
<td>2,927,270</td>
</tr>
<tr>
<td>Fremont Unified School District Certificates of Participation</td>
<td>99.984</td>
<td>60,375,338</td>
</tr>
<tr>
<td>City of Fremont Certificates of Participation</td>
<td>99.984</td>
<td>87,071,522</td>
</tr>
<tr>
<td>City of Newark Certificates of Participation</td>
<td>100.000</td>
<td>62,820,000</td>
</tr>
<tr>
<td>City of Union City General Fund and Pension Obligation Bonds</td>
<td>10.517</td>
<td>1,542,126</td>
</tr>
</tbody>
</table>

**TOTAL OVERLAPPING GENERAL FUND DEBT:** $383,797,646

#### OVERLAPPING TAX INCREMENT DEBT (Successor Agency):

<table>
<thead>
<tr>
<th>Municipality</th>
<th>% Applicable</th>
<th>Debt 4/1/21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined Total Debt</td>
<td></td>
<td>$785,145</td>
</tr>
</tbody>
</table>

**COMBINED TOTAL DEBT:** $2,128,086,478

#### Ratios to 2020-21 Assessed Valuation:

<table>
<thead>
<tr>
<th>Ratio</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Debt ($411,435,430)</td>
<td>0.58%</td>
</tr>
<tr>
<td>Total Direct and Overlapping Tax and Assessment Debt</td>
<td>2.48%</td>
</tr>
<tr>
<td>Combined Total Debt</td>
<td>3.02%</td>
</tr>
</tbody>
</table>

#### Ratio to Redevelopment Incremental Valuation ($407,419,740):

<table>
<thead>
<tr>
<th>Ratio</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Overlapping Tax Increment Debt</td>
<td>0.19%</td>
</tr>
</tbody>
</table>

\( ^{1}\) Excludes the Bond and includes the Refunded Bonds described herein.

\( ^{2}\) Excludes tax and revenue anticipation notes, enterprise revenue, mortgage revenue and non-bonded capital lease obligations.

---

*Source: California Municipal Statistics, Inc.*
CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS

The principal of and interest on the Bonds are payable solely from the proceeds of an ad valorem property tax required to be levied by the County on taxable property within the District in an amount sufficient for the payment thereof. See “THE BONDS – Security and Sources of Payment” herein. Articles XIII A, XIII B, XIII C and XIII D of the State Constitution, Propositions 98 and 111, and certain other provisions of law discussed below, are included in this section to describe the potential effect of these Constitutional and statutory measures on the ability of the County to levy taxes on behalf of the District and the District to spend tax proceeds for operating and other purposes, and it should not be inferred from the inclusion of such information that these laws impose any limitation on the ability of the County to levy ad valorem property taxes on behalf of the District for payment of the principal of and interest on the Bonds.

Article XIII A of the California Constitution

Article XIII A (“Article XIII A”) of the State Constitution limits the amount of ad valorem property taxes on real property to 1% of “full cash value” as determined by the county assessor of each county. Article XIII A defines “full cash value” to mean “the county assessor’s valuation of real property as shown on the fiscal year 1975-76 bill under “full cash value,” or thereafter, the appraised value of real property when purchased, newly constructed or a change in ownership has occurred after the 1975 assessment,” subject to exemptions in certain circumstances of property transfer or reconstruction. Determined in this manner, the “full cash value” is also referred to as the “base year value.” The full cash value is subject to annual adjustment to reflect increases, not to exceed 2% for any year, or decreases in the consumer price index or comparable local data, or to reflect reductions in property value caused by damage, destruction or other factors.

Article XIII A has been amended to allow for temporary reductions of assessed value in instances where the fair market value of real property falls below the adjusted base year value described above. Proposition 8—approved by State voters in November of 1978—provides for the enrollment of the lesser of the base year value or the market value of real property, taking into account reductions in value due to damage, destruction, depreciation, obsolescence, removal of property, or other factors causing a similar decline. In these instances, the market value is required to be reviewed annually until the market value exceeds the base year value, adjusted for inflation. Reductions in assessed value could result in a corresponding increase in the annual tax rates levied by the County to pay debt service on the Bonds. See “THE BONDS – Security and Sources of Payment” and “TAX BASE FOR REPAYMENT OF BONDS – Assessed Valuations” herein.

Article XIII A requires a vote of two-thirds or more of the qualified electorate of a city, county, special district or other public agency to impose special taxes, while totally precluding the imposition of any additional ad valorem property, sales or transaction tax on real property. Article XIII A exempts from the 1% tax limitation any taxes above that level required to pay debt service (i) on any indebtedness approved by the voters prior to July 1, 1978, or (ii) as the result of an amendment approved by State voters on June 3, 1986, on any bonded indebtedness approved by two-thirds or more of the votes cast by the voters for the acquisition or improvement of real property on or after July 1, 1978, or (iii) on bonded indebtedness incurred by a school district or community college district for the construction, reconstruction, rehabilitation or replacement of school facilities or the acquisition or lease of real property for school facilities, approved by 55% or more of the votes cast on the proposition, but only if certain accountability measures are included in the proposition.

In addition, Article XIII A requires the approval of two-thirds or more of all members of the Legislature of the State (the “State Legislature”) to change any State taxes for the purpose of increasing tax revenues.
Proposition 19

On November 3, 2020, State voters approved Proposition 19, a legislatively referred constitutional amendment (“Proposition 19”), which amends Article XIII A to: (i) expand special rules that give property tax savings to homeowners that are over the age of 55, severely disabled, or whose property has been impacted by wildfire or natural disaster, when they buy a different home; (ii) narrow existing special rules for inherited properties; and (iii) dedicate most of the potential new State revenue generated from Proposition 19 toward fire protection. The District cannot make any assurance as to what effect the implementation of Proposition 19 will have on District revenues or the assessed valuation of real property in the District.

Legislation Implementing Article XIII A

Legislation has been enacted and amended a number of times since 1978 to implement Article XIII A. Under current law, local agencies are no longer permitted to levy directly any property tax (except to pay voter-approved indebtedness). The 1% property tax is automatically levied by the relevant county and distributed according to a formula among taxing agencies. The formula apportions the tax roughly in proportion to the relative shares of taxes levied prior to 1979.

Increases of assessed valuation resulting from reappraisals of property due to new construction or change in ownership or from the annual adjustment not to exceed 2% are allocated among the various jurisdictions in the “taxing area” based upon their respective “situs.” Any such allocation made to a local agency continues as part of its allocation in future years.

All taxable property value included in this Official Statement is shown at 100% of taxable value (unless noted differently) and all tax rates reflect the $1 per $100 of taxable value.

Both the United States Supreme Court and the State Supreme Court have upheld the general validity of Article XIII A.

State-Assessed Utility Property

Some amount of property tax revenue of the District is derived from utility property which is considered part of a utility system with components located in many taxing jurisdictions. Under the State Constitution, such property is assessed by the State Board of Equalization (“SBE”) as part of a “going concern” rather than as individual pieces of real or personal property. Such State-assessed unitary and certain other property is allocated to counties by the SBE, taxed at special county-wide rates, and the tax revenues distributed to taxing jurisdictions (including the District) according to statutory formulae generally based on the distribution of taxes in the prior year. So long as the District is not a basic aid district, taxes lost through any reduction in assessed valuation will be compensated by the State as equalization aid under the State’s financing formula for community college districts. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Major Revenues” herein.
Proposition 50 and Proposition 171

On June 3, 1986, the voters of the State approved Proposition 50. Proposition 50 amends Section 2 of Article XIIIa of the State Constitution to allow owners of property that was “substantially damaged or destroyed” by a disaster, as declared by the Governor (the “Damaged Property”), to transfer their existing base year value (the “Original Base Year Value”) to a comparable replacement property within the same county, which is acquired or constructed within five years after the disaster. At the time of such transfer, the Damaged Property will be reassessed at its full cash value immediately prior to damage or destruction (the “Original Cash Value”); however, such property will retain its base year value notwithstanding such a transfer. Property is substantially damaged or destroyed if either the land or the improvements sustain physical damage amounting to more than 50% of either the land or improvements full cash value immediately prior to the disaster. There is no filing deadline, but the assessor can only correct four years of assessments when the owner fails to file a claim within four years of acquiring a replacement property.

Under Proposition 50, the base year value of the replacement property (the “Replacement Base Year Value”) depends on the relation of the full cash value of the replacement property (the “Replacement Cash Value”) to the Original Cash Value: if the Replacement Cash Value exceeds 120% of the Original Cash Value, then the Replacement Base Year Value is calculated by combining the Original Base Year Value with such excessive Replacement Cash Value; if the Replacement Cash Value does not exceed 120% of the Original Cash Value, then the Replacement Base Year Value equals the Original Base Year Value; if the Replacement Cash Value is less than the Original Cash Value, then the Replacement Base Year Value equals the Replacement Cash Value. The replacement property must be comparable in size, utility, and function to the Damaged Property.

On November 2, 1993, the voters of the State approved Proposition 171. Proposition 171 amends subdivision (e) of Section 2 of Article XIIIa of the State Constitution to allow owners of Damaged Property to transfer their Original Base Year Value to a “comparable replacement property” located within another county in the State, which is acquired or newly constructed within three years after the disaster.

Intra-county transfers under Proposition 171 are more restrictive than inter-county transfers under Proposition 50. For example, Proposition 171 (1) only applies to (a) structures that are owned and occupied by property owners as their principal place of residence and (b) land of a “reasonable size that is used as a site for a residence;” (2) explicitly does not apply to property owned by firms, partnerships, associations, corporations, companies, or legal entities of any kind; (3) only applies to replacement property located in a county that adopted an ordinance allowing Proposition 171 transfers; (4) claims must be timely filed within three years of the date of purchase or completion of new construction; and (5) only applies to comparable replacement property, which has a full cash value that is of “equal or lesser value” than the Original Cash Value.

Within the context of Proposition 171, “equal or lesser value” means that the amount of the Replacement Cash Value does not exceed either (1) 105% of the Original Cash Value when the replacement property is acquired or constructed within one year of the destruction, (2) 110% of the Original Cash Value when the replacement property is acquired or constructed within two years of the destruction, or (3) 115% of the Original Cash Value when the replacement property is acquired or constructed within three years of the destruction.

Article XIIIb of the California Constitution

Article XIIIb of the State Constitution (“Article XIIIb”), as subsequently amended by Propositions 98 and 111, respectively, limits the annual appropriations of the State and of any city, county, school district, community college district, authority or other political subdivision of the State to the level of appropriations of the particular governmental entity for the prior fiscal year, as adjusted for changes in the cost of living and
in population and for transfers in the financial responsibility for providing services and for certain declared emergencies. As amended, Article XIIIB defines

(a) “change in the cost of living” with respect to school districts and community college districts (collectively, “K-14 school districts”) to mean the percentage change in State per capita income from the preceding year, and

(b) “change in population” with respect to K-14 school districts to mean the percentage change in the average daily attendance of such K-14 school district from the preceding fiscal year.

For fiscal years beginning on or after July 1, 1990, the appropriations limit of each entity of government shall be the appropriations limit for fiscal year 1986-87 adjusted for the changes made from that fiscal year pursuant to the provisions of Article XIIIB, as amended.

The appropriations of an entity of local government subject to Article XIIIB limitations include the proceeds of taxes levied by or for that entity and the proceeds of certain State subventions to that entity. “Proceeds of taxes” include, but are not limited to, all tax revenues and the proceeds to the entity from (a) regulatory licenses, user charges and user fees (but only to the extent that these proceeds exceed the reasonable costs in providing the regulation, product or service), and (b) the investment of tax revenues.

Appropriations subject to limitation do not include (a) refunds of taxes, (b) appropriations for debt service, such as the Bonds, (c) appropriations required to comply with certain mandates of the courts or the federal government, (d) appropriations of certain special districts, (e) appropriations for all qualified capital outlay projects as defined by the State Legislature, (f) appropriations derived from certain fuel and vehicle taxes and (g) appropriations derived from certain taxes on tobacco products.

Article XIIIB includes a requirement that all revenues received by an entity of government other than the State in a fiscal year and in the fiscal year immediately following it in excess of the amount permitted to be appropriated during that fiscal year and the fiscal year immediately following it shall be returned by a revision of tax rates or fee schedules within the next two subsequent fiscal years.

Article XIIIB also includes a requirement that 50% of all revenues received by the State in a fiscal year and in the fiscal year immediately following it in excess of the amount permitted to be appropriated during that fiscal year and the fiscal year immediately following it shall be transferred and allocated to the State School Fund pursuant to Section 8.5 of Article XVI of the State Constitution. See “—Propositions 98 and 111” herein.

Article XIIIC and Article XIIID of the California Constitution

On November 5, 1996, State voters approved Proposition 218, popularly known as the “Right to Vote on Taxes Act.” Proposition 218 added to the State Constitution Articles XIIIC and XIIID (respectively, “Article XIIIC” and “Article XIIID”), which contain a number of provisions affecting the ability of local agencies, including K-14 school districts, to levy and collect both existing and future taxes, assessments, fees and charges.

According to the “Title and Summary” of Proposition 218 prepared by the State Attorney General, Proposition 218 limits “the authority of local governments to impose taxes and property-related assessments, fees and charges.” Among other things, Article XIIIC establishes that every tax is either a “general tax” (imposed for general governmental purposes) or a “special tax” (imposed for specific purposes), prohibits special purpose government agencies such as K-14 school districts from levying general taxes, and prohibits any local agency from imposing, extending or increasing any special tax beyond its maximum authorized rate without a two-thirds vote; and also provides that the initiative power will not be limited in matters of reducing
or repealing local taxes, assessments, fees and charges. Article XIIIC further provides that no tax may be assessed on property other than \textit{ad valorem} property taxes imposed in accordance with Articles XIII and XIIIa of the State Constitution and special taxes approved by a two-thirds vote under Article XIIIa, Section 4. Article XIIIIC further provides that no tax may be assessed on property other than \textit{ad valorem} property taxes imposed in accordance with Articles XIII and XIIIa of the State Constitution and special taxes approved by a two-thirds vote under Article XIIIa, Section 4. Article XIIIID deals with assessments and property-related fees and charges, and explicitly provides that nothing in Article XIIIIC or XIIIID will be construed to affect existing laws relating to the imposition of fees or charges as a condition of property development.

The District does not impose any taxes, assessments, or property-related fees or charges which are subject to the provisions of Proposition 218. It does, however, receive a portion of the basic 1\% \textit{ad valorem} property tax levied and collected by the County pursuant to Article XIIIa of the State Constitution. The provisions of Proposition 218 may have an indirect effect on the District, such as by limiting or reducing the revenues otherwise available to other local governments whose boundaries encompass property located within the District thereby causing such local governments to reduce service levels and possibly adversely affecting the value of property within the District.

\textbf{Proposition 26}

On November 2, 2010, State voters approved Proposition 26. Proposition 26 amends Article XIIIIC of the State Constitution to expand the definition of “tax” to include “any levy, charge, or exaction of any kind imposed by a local government” except the following: (1) a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege; (2) a charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product; (3) a charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof; (4) a charge imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property; (5) a fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government, as a result of a violation of law; (6) a charge imposed as a condition of property development; and (7) assessments and property-related fees imposed in accordance with the provisions of Article XIIIID. Proposition 26 provides that the local government bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the governmental activity.

\textbf{Propositions 98 and 111}

On November 8, 1988, State voters approved Proposition 98, a combined initiative constitutional amendment and statute called the “Classroom Instructional Improvement and Accountability Act” (the “Accountability Act”). Certain provisions of the Accountability Act, have, however, been modified by Proposition 111, discussed below, the provisions of which became effective on July 1, 1990. The Accountability Act changed State funding of public education below the university level and the operation of the State’s appropriations limit. The Accountability Act guarantees State funding for K-14 school districts at a level equal to the greater of (a) the same percentage of the State general fund revenues as the percentage appropriated to such districts in the 1986-87 fiscal year, or (b) the amount actually appropriated to such districts from the State general fund in the previous fiscal year, adjusted for increases in enrollment and changes in the cost of living. The Accountability Act permits the State Legislature to suspend this formula for a one-year period.

The Accountability Act also changed how tax revenues in excess of the State appropriations limit are distributed. Any excess State tax revenues up to a specified amount are, instead of being returned to
taxpayers, transferred to K-14 school districts. Any such transfer to K-14 school districts is excluded from the appropriations limit for K-14 school districts and the K-14 school district appropriations limit for the next year is automatically increased by the amount of such transfer. These additional moneys enter the base funding calculation for K-14 school districts for subsequent years, creating further pressure on other portions of the State budget, particularly if revenues decline in a year following an Article XIIIB surplus. The maximum amount of excess tax revenues which can be transferred to K-14 school districts is 4% of the minimum State spending for education mandated by the Accountability Act.

Since the Accountability Act is unclear in some details, there can be no assurances that the State Legislature or a court might not interpret the Accountability Act to require a different percentage of State general fund revenues to be allocated to K-14 school districts, or to apply the relevant percentage to the State’s budgets in a different way than is proposed in the State budget for each fiscal year.

On June 5, 1990, State voters approved Proposition 111 (Senate Constitutional Amendment No. 1) called the “Traffic Congestion Relief and Spending Limitation Act of 1990” (“Proposition 111”) which further modified Article XIIIB and Sections 8 and 8.5 of Article XVI of the State Constitution with respect to appropriations limitations and education funding priority and allocation. Proposition 111 took effect on July 1, 1990.

The most significant provisions of Proposition 111 are summarized as follows:

a. **Annual Adjustments to Spending Limit.** The annual adjustments to the Article XIIIB spending limit were liberalized to be more closely linked to the rate of economic growth. Instead of being tied to the Consumer Price Index, the “change in the cost of living” is now measured by the change in State per capita personal income. The definition of “change in population” specifies that a portion of the State’s spending limit is to be adjusted to reflect changes in pupil attendance.

b. **Treatment of Excess Tax Revenues.** “Excess” tax revenues with respect to Article XIIIB are now determined based on a two-year cycle, so that the State can avoid having to return to taxpayers excess tax revenues in one year if its appropriations in the next fiscal year are under its limit. In addition, the Proposition 98 provision regarding excess tax revenues was modified. After any two-year period, if there are excess State tax revenues, 50% of the excess are to be transferred to K-14 school districts with the balance returned to taxpayers; under prior law, 100% of excess State tax revenues went to K-14 school districts, but only up to a maximum of 4% of such districts’ minimum funding level. Also, reversing prior law, any excess State tax revenues transferred to K-14 school districts are not built into such districts’ base expenditures for calculating their entitlement for State aid in the next year, and the State’s appropriations limit is not to be increased by this amount.

c. **Exclusions from Spending Limit.** Two exceptions were added to the calculation of appropriations which are subject to the Article XIIIB spending limit. First, all appropriations for “qualified capital outlay projects,” as defined by the Legislature, are excluded. Also, any increases in gasoline taxes above the 1990 level (then nine cents per gallon), sales and use taxes on such increment in gasoline taxes, and increases in receipts from vehicle weight fees above the levels in effect on January 1, 1990 are all excluded. These latter provisions were necessary to make effective the transportation funding package approved by the State Legislature and the Governor, which was expected to raise over $15 billion in additional taxes from 1990 through 2000 to fund transportation programs.

d. **Recalculation of Appropriations Limit.** The Article XIIIB appropriations limit for each unit of government, including the State, is to be recalculated beginning in fiscal year 1990-91. It
is based on the actual limit for fiscal year 1986-87, adjusted forward to 1990-91 as if Proposition 111 had been in effect.

e. **School Funding Guarantee.** There is a complex adjustment in the formula enacted in Proposition 98 which guarantees K-14 school districts a certain amount of State general fund revenues. Under prior law, K-14 school districts were guaranteed the greater of (1) a certain percentage of State general fund revenues (Test 1) or (2) the amount appropriated in the prior year adjusted for changes in the cost of living (measured as in Article XIIIB by reference to per capita personal income) and enrollment (Test 2). Under Proposition 111, K-14 school districts will receive the greater of (1) Test 1, (2) Test 2, or (3) Test 3, which will replace Test 2 in any year when growth in per capita State general fund revenues from the prior year is less than the annual growth in State per capita personal income. Under Test 3, K-14 school districts will receive the amount appropriated in the prior year adjusted for change in enrollment and per capita State general fund revenues, plus an additional small adjustment factor. If Test 3 is used in any year, the difference between Test 3 and Test 2 will become a “credit” to K-14 school districts (also referred to as a “maintenance factor”) which will be paid in future years when State general fund revenue growth exceeds personal income growth.

**Proposition 39**

On November 7, 2000, State voters approved an amendment (commonly known as “Proposition 39”) to the State Constitution. Proposition 39 is an initiated Constitutional amendment that (1) allows school facilities bond measures to be approved by 55% (rather than two-thirds) of the voters in local elections and permits property taxes to exceed the current 1% limit in order to repay the bonds and (2) changes existing statutory law regarding charter school facilities. As adopted, the constitutional amendments may be changed only with another Statewide vote of the people. The statutory provisions could be changed by a majority vote of both houses of the State Legislature and approval by the Governor, but only to further the purposes of the proposition. The local school jurisdictions affected by this proposition are K-14 school districts, including the District, and county offices of education. As noted above, the State Constitution previously limited property taxes to 1% of the value of property. Prior to the approval of Proposition 39, property taxes could only exceed this limit to pay for (1) any local government debts approved by the voters prior to July 1, 1978 or (2) bonds to acquire or improve real property that receive two-thirds voter approval after July 1, 1978.

The 55% vote requirement authorized by Proposition 39 applies only if the local bond measure presented to the voters includes: (1) a requirement that the bond funds can be used only for construction, rehabilitation, equipping of school facilities, or the acquisition or lease of real property for school facilities; (2) a specific list of school projects to be funded and certification that the governing board has evaluated safety, class size reduction, and information technology needs in developing the list; and (3) a requirement that the governing board conduct annual, independent financial and performance audits until all bond funds have been spent to ensure that the bond funds have been used only for the projects listed in the measure. Legislation approved in June 2000 places certain limitations on local school bonds to be approved by 55% of the voters. These provisions require that such bonds may be issued only if the tax rate per $100,000 of taxable property value projected to be levied as the result of any single election would not exceed $60 (for a unified school district), $30 (for an elementary school district or high school district), or $25 (for a community college district, such as the District), when assessed valuation is projected to increase in accordance with Article XIIIA of the Constitution. These requirements are not part of Proposition 39 and can be changed with a majority vote of both houses of the State Legislature and approval by the Governor. See “- Article XIIIA of the California Constitution” herein.
Jarvis vs. Connell

On May 29, 2002, the State Court of Appeal for the Second District decided the case of Howard Jarvis Taxpayers Association, et al. v. Kathleen Connell (as Controller of the State). The Court of Appeal held that either a final budget bill, an emergency appropriation, a self-executing authorization pursuant to State statutes (such as continuing appropriations) or the State Constitution or a federal mandate is necessary for the State Controller to disburse funds. The foregoing requirement could apply to amounts budgeted by the District as being received from the State. To the extent the holding in such case would apply to State payments reflected in the District’s budget, the requirement that there be either a final budget bill or an emergency appropriation may result in the delay of such payments to the District if such required legislative action is delayed, unless the payments are self-executing authorizations or are subject to a federal mandate. On May 1, 2003, the State Supreme Court upheld the holding of the Court of Appeal, stating that the Controller is not authorized under State law to disburse funds prior to the enactment of a budget or other proper appropriation, but under federal law, the Controller is required, notwithstanding a budget impasse and the limitations imposed by State law, to timely pay those State employees who are subject to the minimum wage and overtime compensation provisions of the federal Fair Labor Standards Act.

Proposition 1A and Proposition 22

On November 2, 2004, State voters approved Proposition 1A, which amends the State Constitution to significantly reduce the State’s authority over major local government revenue sources. Under Proposition 1A, the State cannot (i) reduce local sales tax rates or alter the method of allocating the revenue generated by such taxes, (ii) shift property taxes from local governments to K-14 school districts, (iii) change how property tax revenues are shared among local governments without two-thirds approval of both houses of the State Legislature or (iv) decrease Vehicle License Fee revenues without providing local governments with equal replacement funding. Proposition 1A allows the State to approve voluntary exchanges of local sales tax and property tax revenues among local governments within a county. Proposition 1A also amends the State Constitution to require the State to suspend certain State laws creating mandates in any year that the State does not fully reimburse local governments for their costs to comply with the mandates. This provision does not apply to mandates relating to schools or community colleges or to those mandates relating to employee rights.

Proposition 22, The Local Taxpayer, Public Safety, and Transportation Protection Act, approved by State voters on November 2, 2010, prohibits the State from enacting new laws that require redevelopment agencies to shift funds to K-14 school districts or other agencies and eliminates the State’s authority to shift property taxes temporarily during a severe financial hardship of the State. In addition, Proposition 22 restricts the State’s authority to use State fuel tax revenues to pay debt service on State transportation bonds, to borrow or change the distribution of State fuel tax revenues, and to use vehicle license fee revenues to reimburse local governments for State mandated costs. Proposition 22 impacts resources in the State’s general fund and transportation funds, the State’s main funding source for K-14 school districts, as well as universities, prisons and health and social services programs. According to an analysis of Proposition 22 submitted by the Legislative Analyst’s Office (the “LAO”) on July 15, 2010, the expected reduction in resources available for the State to spend on these other programs as a consequence of the passage of Proposition 22 was expected to be approximately $1 billion in fiscal year 2010-11, with an estimated immediate fiscal effect equal to approximately 1% of the State’s total general fund spending. The longer-term effect of Proposition 22, according to the LAO analysis, was expected to be an increase in the State’s general fund costs by approximately $1 billion annually for several decades.

Proposition 55

The California Children’s Education and Health Care Protection Act of 2016 (also known as “Proposition 55”) is a constitutional amendment approved by the voters of the State on November 8, 2016.
Proposition 55 extends, through 2030, the increases to personal income tax rates for high-income taxpayers that were approved as part of Temporary Taxes to Fund Education, Guaranteed Local Public Safety Funding, Initiative Constitutional Amendment (also known as “Proposition 30”). Proposition 30 increased the marginal personal income tax rate by: (i) 1% for taxable income over $250,000 but less than $300,001 for single filers (over $500,000 but less than $600,001 for joint filers and over $340,000 but less than $408,001 for head-of-household filers), (ii) 2% for taxable income over $300,000 but less than $500,001 for single filers (over $600,000 but less than $1,000,001 for joint filers and over $408,000 but less than $680,001 for head-of-household filers), and (iii) 3% for taxable income over $500,000 for single filers (over $1,000,000 for joint filers and over $680,000 for head-of-household filers).

The revenues generated from the personal income tax increases will be included in the calculation of the Proposition 98 Minimum Funding Guarantee (defined herein) for school districts and community college districts. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS— Propositions 98 and 111” herein. From an accounting perspective, the revenues generated from the personal income tax increases are being deposited into the State account created pursuant to Proposition 30 called the Education Protection Account (the “EPA”). Pursuant to Proposition 30, funds in the EPA will be allocated quarterly, with 89% of such funds provided to school districts and 11% provided to community college districts. The funds will be distributed to school districts and community college districts in the same manner as existing unrestricted per-student funding, except that no school district will receive less than $200 per unit of ADA and no community college district will receive less than $100 per FTES. The governing board of each school district and community college district is granted sole authority to determine how the moneys received from the EPA are spent, provided that the appropriate governing board is required to make these spending determinations in open session at a public meeting and such local governing board is prohibited from using any funds from the EPA for salaries or benefits of administrators or any other administrative costs.

Proposition 2

On November 4, 2014, State voters approved the Rainy Day Budget Stabilization Fund Act (also known as “Proposition 2”). Proposition 2 is a legislatively-referred constitutional amendment which makes certain changes to State budgeting practices, including substantially revising the conditions under which transfers are made to and from the State’s Budget Stabilization Account (the “BSA”) established by the California Balanced Budget Act of 2004 (also known as Proposition 58).

Under Proposition 2, and beginning in fiscal year 2015-16 and each fiscal year thereafter, the State will generally be required to annually transfer to the BSA an amount equal to 1.5% of estimated State general fund revenues (the “Annual BSA Transfer”). Supplemental transfers to the BSA (a “Supplemental BSA Transfer”) are also required in any fiscal year in which the estimated State general fund revenues that are allocable to capital gains taxes exceed 8% of the total estimated general fund tax revenues. Such excess capital gains taxes—net of any portion thereof owed to K-14 school districts pursuant to Proposition 98—will be transferred to the BSA. Proposition 2 also increases the maximum size of the BSA to an amount equal to 10% of estimated State general fund revenues for any given fiscal year. In any fiscal year in which a required transfer to the BSA would result in an amount in excess of the 10% threshold, Proposition 2 requires such excess to be expended on State infrastructure, including deferred maintenance.

For the first 15-year period ending with the 2029-30 fiscal year, Proposition 2 provides that half of any required transfer to the BSA, either annual or supplemental, must be appropriated to reduce certain State liabilities, including making certain payments owed to K-14 school districts, repaying State interfund borrowing, reimbursing local governments for State mandated services, and reducing or prefunding accrued liabilities associated with State-level pension and retirement benefits. Following the initial 15-year period, the Governor and the State Legislature are given discretion to apply up to half of any required transfer to the
BSA to the reduction of such State liabilities. Any amount not applied towards such reduction must be transferred to the BSA or applied to infrastructure, as described above.

Proposition 2 changes the conditions under which the Governor and the State Legislature may draw upon or reduce transfers to the BSA. The Governor does not retain unilateral discretion to suspend transfers to the BSA, nor does the State Legislature retain discretion to transfer funds from the BSA for any reason, as previously provided by law. Rather, the Governor must declare a “budget emergency,” defined as an emergency within the meaning of Article XIIIB of the State Constitution or a determination that estimated resources are inadequate to fund State general fund expenditures, for the current or ensuing fiscal year, at a level equal to the highest level of State spending within the three immediately preceding fiscal years. Any such declaration must be followed by a legislative bill providing for a reduction or transfer. Draws on the BSA are limited to the amount necessary to address the budget emergency, and no draw in any fiscal year may exceed 50% of funds on deposit in the BSA unless a budget emergency was declared in the preceding fiscal year.

Proposition 2 also requires the creation of the Public School System Stabilization Account (the “PSSSA”) into which transfers will be made in any fiscal year in which a Supplemental BSA Transfer is required (as described above). Such transfer will be equal to the portion of capital gains taxes above the 8% threshold that would be otherwise paid to K-14 school districts as part of the minimum funding guarantee. A transfer to the PSSSA will only be made if certain additional conditions are met, as follows: (i) the minimum funding guarantee was not suspended in the immediately preceding fiscal year, (ii) the operative Proposition 98 formula for the fiscal year in which a PSSSA transfer might be made is “Test 1,” (iii) no maintenance factor obligation is being created in the budgetary legislation for the fiscal year in which a PSSSA transfer might be made, (iv) all prior maintenance factor obligations have been fully repaid, and (v) the minimum funding guarantee for the fiscal year in which a PSSSA transfer might be made is higher than the immediately preceding fiscal year, as adjusted for ADA growth and cost of living. Proposition 2 caps the size of the PSSSA at 10% of the estimated minimum funding guarantee in any fiscal year, and any excess funds must be paid to K-14 school districts. Reductions to any required transfer to the PSSSA, or draws on the PSSSA, are subject to the same budget emergency requirements described above. However, Proposition 2 also mandates draws on the PSSSA in any fiscal year in which the estimated minimum funding guarantee is less than the prior year’s funding level, as adjusted for ADA growth and cost of living.

Proposition 51

The Kindergarten Through Community College Public Education Facilities Bond Act of 2016 (also known as Proposition 51) is a voter initiative that was approved by State voters on November 8, 2016. Proposition 51 authorizes the sale and issuance of $9 billion in State general obligation bonds for the new construction and modernization of K-14 facilities.

**K-12 School Facilities.** Proposition 51 includes $3 billion for the new construction of K-12 facilities and an additional $3 billion for the modernization of existing K-12 facilities. K-12 school districts will be required to pay for 50% of the new construction costs and 40% of the modernization costs with local revenues. If a school district lacks sufficient local funding, it may apply for additional State grant funding, up to 100% of the project costs. In addition, a total of $1 billion will be available for the modernization and new construction of charter school facilities ($500 million) and technical education facilities ($500 million). Generally, 50% of modernization and new construction project costs for charter school and technical education facilities must come from local revenues. However, schools that cannot cover their local share for these two types of projects may apply for State loans. State loans must be repaid over a maximum of 30 years for charter school facilities and 15 years for career technical education facilities. For career technical education facilities, State grants are capped at $3 million for a new facility and $1.5 million for a modernized facility. Charter schools must be deemed financially sound before project approval.
**Community College Facilities.** Proposition 51 includes $2 billion for community college district facility projects, including buying land, constructing new buildings, modernizing existing buildings, and purchasing equipment. In order to receive funding, community college districts must submit project proposals to the Chancellor of the community college system, who then decides which projects to submit to the Legislature and Governor based on a scoring system that factors in the amount of local funds contributed to the project. The Governor and Legislature will select among eligible projects as part of the annual State budget process.

The District makes no guarantees that it will either pursue or qualify for Proposition 51 State facilities funding.

**Future Initiatives**

Article XIIIA, Article XIIIB, Article XIIIC and Article XIIID of the State Constitution and Propositions 22, 26, 30, 39, 51, 55, and 98 were each adopted as measures that qualified for the ballot pursuant to the State’s initiative process. From time to time other initiative measures could be adopted further affecting District revenues or the District’s ability to expend revenues. The nature and impact of these measures cannot be anticipated by the District.

**FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA**

The information in this section concerning State funding of community college districts is provided as supplementary information only, and it should not be inferred from the inclusion of the information under this heading that the principal of and interest on the Bonds is payable from the general fund of the District. The Bonds are payable solely from the proceeds of an ad valorem property tax required to be levied by the County on taxable property within the District in an amount sufficient for the payment thereof. See “THE BONDS—Security and Sources of Payment” herein.

**Major Revenues**

**General.** California community college districts (other than “community supported” Basic Aid districts, as described below) receive a majority of their funding from the State, and the balance from local and federal sources. State funds include general apportionment, categorical funds, capital construction, lottery funds, and other minor sources. Every community college district receives the same amount of State lottery funds on a per-student basis (which is generally less than 3%), although lottery funds are not categorical funds as they are not for particular programs or students. The initiative authorizing the lottery requires the funds to be used for instructional purposes, and prohibits their use for capital purposes.

The major local revenue source is local property taxes that are collected from within district boundaries, with student enrollment fees accounting for most of the remainder. A small part of a community college district’s budget is from local sources other than property taxes and student enrollment fees, such as interest income, donations, educational foundation contributions and sales or leases of property.

The sum of property taxes, student enrollment fees, EPA funds, and State aid comprise a district’s revenue limit. State funding is generally subject to the appropriation of funds in the State’s annual budget. Thus, decreases in State revenues may affect appropriations made by the State Legislature to community college districts.

“Basic Aid” community college districts (also referred to “community supported” districts) are those districts whose local property taxes, student enrollment fee collections, and Education Protection Account funds exceed the revenue allocation determined by the current State funding model. See also “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND
APPROPRIATIONS – Proposition 55 herein. Thus, Basic Aid districts do not receive any general apportionment funding from the State. The current law in the State allows these districts to keep the excess funds without penalty. The implication for Basic Aid districts is that the legislatively determined annual COLAs and other politically determined factors are less significant in determining such districts primary funding sources. Rather, property tax growth and the local economy become the determining factors. The District is not a Basic Aid district.

Enrollment Based Funding. California community college districts apportionments were previously funded pursuant to a system established by Senate Bill 361 (“SB 361”). SB 361 provided for a basic allocation (a “Basic Allocation”) based on the number of colleges, state-approved education centers and total enrollment, together with funding based on per-student rates for credit FTES, non-credit FTES and career development and college preparation (“CDCP”) non-credit FTES.

SB 361 specified that, commencing with the 2006-07 fiscal year the minimum funding per FTES would be: (a) not less than $4,367 per credit FTES; (b) at a uniform rate of $2,626 per non-credit FTES; and (c) $3,092 per CDCP FTES. Although CDCP FTES were initially funded at a lower rate than credit FTES, subsequent legislation effective as of the 2015-16 fiscal year set the minimum funding for CDCP FTES at the same level as credit FTES. Each such minimum funding rate was subject to cost of living adjustments (each, a “COLA”), if any, funded through the State budgeting legislation in each fiscal year.

One unit of FTES is equivalent to 525 student contact hours, which is determined based on a State formula of one student multiplied by 15 weekly contact hours multiplied by 35 weeks. Accordingly, the number of FTES in the District may not equal the number of students enrolled in the District.

In each fiscal year, the State budget established an enrollment cap on the maximum number of resident FTES, known as the “funded” FTES, for which a community college district would receive a revenue allocation. A district’s enrollment cap was based on the previous fiscal year’s reported FTES, plus the growth allowance provided for by the State budget, if any. All student hours in excess of the enrollment cap were considered “unfunded” FTES. Nonresident and international students are excluded from the State funding formula and pay full tuition.

Student Centered Funding Formula. Assembly Bill 1809 (“AB 1809”), the higher education trailer bill passed as part of the State budget for fiscal year 2018-19, implemented a new funding mechanism for community college districts referred to as the “Student Centered Funding Formula,” (the “SCFF”). The SCFF includes three components: (1) a base allocation (the “Base Allocation”) driven primarily by enrollment, (2) a supplemental allocation (the “Supplemental Allocation”) based on the number of certain types of low-income students, and (3) a student success allocation (the “Student Success Allocation”) calculated using various performance-based metrics.

The SCFF includes several provisions to provide districts greater financial stability in transitioning to the new formula: (i) for fiscal years 2018-19 through 2021-22, community college districts will receive no less in total apportionment funding than they received in 2017-18, adjusted for COLAs; (ii) for fiscal year 2022-23 and onward, districts will receive no less in apportionment funding per-student than they received in fiscal year 2017-18; and (iii) beginning in fiscal year 2018-19, districts will receive the greater of the amount calculated by the SCFF for the current or prior year (excluding amounts districts receive pursuant to the provision summarized in (i) above). In addition, State budgetary legislation has extended the hold harmless provision of the SCFF through fiscal year 2023-24. See also “—State Assistance” herein.

Base Allocation. The Base Allocation is composed of (1) the Basic Allocation, determined consistent with the prior funding formula (see “—Enrollment Based Funding” herein), and (2) funding for credit, non-credit and CDCP FTES. The Base Allocation was expected to constitute approximately 70% of Statewide funding for community college districts in fiscal year 2018-19 and in fiscal year 2019-20.
The SCFF provides minimum funding levels for credit FTES for the first fiscal year at $3,727 for fiscal year 2018-19. For fiscal year 2019-20 the State Budget recalculated funding rates in the base, supplemental and student success allocations so that 70% of SCFF funds would be allocated to the base allocation. Funding rates are required to be adjusted by COLA. Notwithstanding the foregoing, the SCFF provides higher credit FTES funding rates for certain districts that were entitled to higher funding rates under the prior funding formula. Future provision of COLAs and other adjustments will be subject to appropriation therefor in the annual State budget. Total funding for credit FTES will be based on a rolling three-year average of the funded credit FTES from the current fiscal year and the two immediately preceding fiscal years. Credit FTES associated with enrollment growth proposed in the annual budget act shall be excluded from the three-year average and shall instead be added to the computed three-year rolling average. In computing the three-year average, credit FTES generated by incarcerated and special admit students shall be excluded and funded consistent with the prior funding formula.

Funding levels for non-credit and CDCP FTES are determined consistent with the prior funding formula. See “—Enrollment Based Funding” herein. Total funding for these categories will be based on actual non-credit and CDCP FTES for the most recent fiscal year.

The table below shows a breakdown of the District’s historical resident FTES figures for the last 10 fiscal years, and a projection for the current fiscal year.

**RESIDENT FULL TIME EQUIVALENT STUDENTS**

**Fiscal Years 2010-11 through 2020-21**

**Ohlone Community College District**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Actual FTES</th>
<th>Funded FTES</th>
<th>Unfunded FTES</th>
<th>Stability Funding($1)</th>
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<tbody>
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<td>2011-12</td>
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<td><strong>8,240</strong></td>
<td><strong>8,240</strong></td>
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<td><strong>--</strong></td>
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</table>

(1) Represents FTES above the District’s actual FTES, which is funded through the State’s stability funding mechanism. Under California Code Regulations Section 58776, during the initial year of a decline in FTES, community college districts are eligible to receive “stability” funding, in an amount equal to the revenue loss associated with a decline in FTES for that year. Stability funding is available for a one year period. If FTES are not restored to the pre-decline level within a period of two years following the initial decline, a community college district that has received stability funding is subject to a permanent reduction of its funded FTES and an attendant decline in operating revenue.

(2) For fiscal years 2016-17, the District shifted 650 FTES from the summer of the prior fiscal year into the current fiscal year.

(3) Budgeted.

**Supplemental Allocation.** The Supplemental Allocation, accounting for approximately 20% of Statewide funding, will be distributed to districts based on their headcounts of students that receive Federal Pell Grants, a student who is granted an exemption from nonresident tuition pursuant to Section 68130.5 (AB540), and student fee waivers under Education Code Section 76300 (California College Promise Grant). The SCFF provides $919 per qualifying student for fiscal year 2018-19. Beginning in fiscal year 2019-20, the State budget recalculated funding rates for supplemental allocation so that in 2019-20, 20% of the SCFF funds would be allocated for the supplemental allocation. Beginning in 2020-21 those rates were
required to be adjusted by COLA. Headcounts are not unduplicated, such that districts will receive twice or three times as much supplemental funding for a student that falls into more than one of the aforementioned categories.

Student Success Allocation. The Student Success Allocation will be distributed to districts based on their performance in various student outcome metrics, including obtaining various degrees and certificates, completing transfer-level math and English courses within a student’s first year, and having students obtain a regional living wage within a year of completing community college. The Student Success Allocation accounted for 10% of statewide funding for community college districts in fiscal years 2018-19 and 2019-20, and is expected to account for 10% of statewide funding in fiscal years 2020-21 and beyond. Each metric is assigned a point value, with some metrics weighted more than others. A single student outcome with more points will generate more funding. Outcome metrics for students that qualify for Federal Pell Grants and California College Promise Grants are eligible for additional funding. The student success allocation counts only the highest of all awards a student earned in the same year and will only count the award if the student was enrolled in the district in the year the award was granted. The student success allocation will also calculate based on the three-year rolling average of each metric. Outcome metrics for students that qualify for Federal Pell Grants, AB 540 and California College Promise Grants are eligible for additional funding.

The District received $7,969,846 of Hold-Harmless Funding for 2018-19, $8,120,905 for fiscal year 2019-20, and for fiscal year 2020-21, the District currently projects $6,495,908 of Hold-Harmless Funding.

Budget Procedures

On or before September 15, the board of trustees of a community college district is required under Section 58305 of the California Code of Regulations, Title V, to adopt a balanced budget. Each September, every State agency, including the Chancellor, submits to the Department of Finance (“DOF”) proposals for changes in the State budget. These proposals are submitted in the form of Budget Change Proposals (“BCPs”), involving analyses of needs, proposed solutions and expected outcomes. Thereafter, the DOF makes recommendations to the governor, and by January 10 a proposed State budget is presented by the governor to the legislature. The Governor’s State budget is then analyzed and discussed in committees and hearings begin in the State Assembly and Senate. In May, based on the debate, analysis and changes in the economic forecasts, the governor issues a revised budget with changes he or she can support. The law requires the legislature to submit its approved budget by June 15, and by June 30 the governor should announce his or her line item reductions and sign the State budget. In response to growing concern for accountability and with enabling legislation (AB 2910, Chapter 1486, Statutes of 1986), the Board of Governors and the Chancellor’s Office have established expectations for sound district fiscal management and a process for monitoring and evaluating the financial condition to ensure the financial health of California’s community college districts. In accordance with statutory and regulatory provisions, the Chancellor has been given the responsibility to identify districts at risk and, when necessary, the authority to intervene to bring about improvement in their financial condition. To stabilize a district’s financial condition, the Chancellor may, as a last resort, seek an appropriation for an emergency apportionment.

The monitoring and evaluation process is designed to provide early detection and amelioration that will stabilize the financial condition of a district before an emergency apportionment is necessary. This is accomplished by (1) assessing the financial condition of districts through the use of various information sources and (2) taking appropriate and timely follow-up action to bring about improvement in a district’s financial condition, as needed. A variety of instruments and sources of information are used to provide a composite of each district’s financial condition, including quarterly financial status reports, annual financial and budget reports, attendance reports, annual district audit reports, district input and other financial records. In assessing each district’s financial condition, the Chancellor will pay special attention to each district’s
general fund balance, spending pattern, and full-time equivalent student patterns. Those districts with greater financial difficulty will receive follow-up visits from the Chancellor’s Office where financial solutions to the district’s problems will be addressed and implemented.

See “OHLONE COMMUNITY COLLEGE DISTRICT – General Fund Budgeting” herein for more information regarding the District’s recent budgeting trends.

Minimum Funding Guarantees for California Community College Districts Under Propositions 98 and 111

General. In 1988, California voters approved Proposition 98, an initiative that amended Article XVI of the State Constitution and provided specific procedures to determine a minimum guarantee for annual K-14 funding. The constitutional provision links the K-14 funding formulas to growth factors that are also used to compute the State appropriations limit. Proposition 111 (Senate Constitutional Amendment 1), adopted in June 1990, among other things, changed some earlier school funding provisions of Proposition 98 relating to the treatment of revenues in excess of the State spending limit and added a third funding test (“Test 3”) to calculate the annual funding guarantee. This third calculation is operative in years in which general fund tax revenue growth is weak. The amendment also specified that under Test 2 (see below), the annual COLA for the minimum guarantee for annual K-14 funding would be the change in California’s per-capita personal income, which is the same COLA used to make annual adjustments to the State appropriations limit (Article XIIIIB).

Calculating Minimum Funding Guarantee. There are currently three tests which determine the minimum level of K-14 funding. Under implementing legislation for Proposition 98 (AB 198 and SB 98 of 1989), each segment of public education (K-12 districts, community college districts, and direct elementary and secondary level instructional services provided by the State) has separately calculated amounts under the Proposition 98 tests. The base year for the separate calculations is the 1989-90 fiscal year. Each year, each segment is entitled to the greater of the amounts separately computed for each under Test 1 or 2. Should the calculated amount Proposition 98 guarantee (K-14 aggregated) be less than the sum of the separate calculations, then the Proposition 98 guarantee amount shall be prorated to the three segments in proportion to the amount calculated for each. This statutory split has been suspended in every year beginning with 1992-93. In those years, community colleges received less than was required from the statutory split.

Test 1 guarantees that K-14 education will receive at least the same funding share of the State general fund budget it received in 1986-87. Initially, that share was just over 40 percent. Because of the major shifts of property tax from local government to school districts and community college districts which began in 1992-93 and increased in 1993-94, the percentage dropped to 33.0%.

Test 2 provides that K-14 education will receive as a minimum, its prior-year total funding (including State general fund and local revenues) adjusted for enrollment growth and per-capita personal income COLA.

Test 3 established pursuant to Proposition 111, provides an alternative calculation of the funding base in years in which State per-capita General Fund revenues grow more slowly than per-capita personal income. When this condition exists, K-14 minimum funding is determined based on the prior-year funding level, adjusted for changes in enrollment and COLA where the COLA is measured by the annual increase in per-capita general fund revenues, instead of the higher per-capita personal income factor. The total allocation, however, is increased by an amount equal to one-half of one percent of the prior-year funding level as a funding supplement.

In order to make up for the lower funding level under Test 3, in subsequent years K-14 education receives a maintenance allowance (also referred to as a “maintenance factor”) equal to the difference between what should have been provided if the revenue conditions had not been weak and what was actually received.
under the Test 3 formula. This maintenance allowance is paid in subsequent years when the growth in per-capita State tax revenue outpaces the growth in per-capita personal income.

The enabling legislation to Proposition 111, Chapter 60, Statutes of 1990 (SB 98, Garamendi), further provides that K-14 education shall receive a supplemental appropriation in a Test 3 year if the annual growth rate in non-Proposition 98 per-capita appropriations exceeds the annual growth rate in per-pupil total spending.

Redevelopment Revenues

Pursuant to agreements with the Cities of Fremont, Newark and Union City, the District received a portion of their respective redevelopment agencies’ tax increment revenues (“Redevelopment Revenue”). The Redevelopment Revenues the District received from the Fremont Industrial Redevelopment Agency were not subject to AB 1290, and therefore did not offset the District’s state apportionment. The following table summarizes the pass through Redevelopment Revenues received by the District since fiscal year 2011-12:

### DISTRICT REDEVELOPMENT REVENUES
Fiscal Years 2011-12 through 2020-21
Ohlone Community College District

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Revenues Received by the District</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>$888,494</td>
</tr>
<tr>
<td>2012-13</td>
<td>436,467</td>
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<tr>
<td>2013-14</td>
<td>456,452</td>
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<tr>
<td>2014-15</td>
<td>366,561</td>
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<tr>
<td>2015-16</td>
<td>177,161</td>
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<tr>
<td>2016-17</td>
<td>10,180</td>
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<tr>
<td>2017-18</td>
<td>29,366</td>
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<tr>
<td>2018-19</td>
<td><strong>43,512</strong></td>
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<tr>
<td>2019-20</td>
<td><strong>56,235</strong></td>
</tr>
<tr>
<td>2020-21(1)</td>
<td><strong>50,000</strong></td>
</tr>
</tbody>
</table>

(1) Projected.

Source: Ohlone Community College District.

State Dissolution of Redevelopment Agencies

On December 30, 2011, the California Supreme Court issued its decision in the case of California Redevelopment Association v. Matosantos (“Matosantos”), finding ABx1 26, a trailer bill to the 2011-12 State budget, to be constitutional. As a result, all Redevelopment Agencies in California ceased to exist as a matter of law on February 1, 2012. The Court in Matosantos also found that ABx1 27, a companion bill to ABx1 26, violated the California Constitution, as amended by Proposition 22. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS – Proposition 1A and Proposition 22.” ABx1 27 would have permitted redevelopment agencies to continue operations provided their establishing cities or counties agreed to make specified payments to K-14 school districts and county offices of education, totaling $1.7 billion statewide.

ABx1 26 was modified by Assembly Bill No. 1484 (Chapter 26, Statutes of 2011-12) (“AB 1484”), which, together with ABx1 26, is referred to herein as the “Dissolution Act.” The Dissolution Act provides that all rights, powers, duties and obligations of a redevelopment agency under the California Community Redevelopment Law that have not been repealed, restricted or revised pursuant to ABx1 26 will be vested in
a successor agency, generally the county or city that authorized the creation of the redevelopment agency (each, a “Successor Agency”). All property tax revenues that would have been allocated to a redevelopment agency, less the corresponding county auditor-controller’s cost to administer the allocation of property tax revenues, are now allocated to a corresponding Redevelopment Property Tax Trust Fund (“Trust Fund”), to be used for the payment of pass-through payments to local taxing entities, and thereafter to bonds of the former redevelopment agency and any “enforceable obligations” of the Successor Agency, as well as to pay certain administrative costs. The Dissolution Act defines “enforceable obligations” to include bonds, loans, legally required payments, judgments or settlements, legal binding and enforceable obligations, and certain other obligations.

Among the various types of enforceable obligations, the first priority for payment is tax allocation bonds issued by the former redevelopment agency; second is revenue bonds, which may have been issued by the host city, but only where the tax increment revenues were pledged for repayment and only where other pledged revenues are insufficient to make scheduled debt service payments; third is administrative costs of the Successor Agency, equal to at least $250,000 in any year, unless the oversight board reduces such amount for any fiscal year or a lesser amount is agreed to by the Successor Agency; then, fourth tax revenues in the Trust Fund in excess of such amounts, if any, will be allocated as residual distributions to local taxing entities in the same proportions as other tax revenues. Moreover, all unencumbered cash and other assets of former redevelopment agencies will also be allocated to local taxing entities in the same proportions as tax revenues. Notwithstanding the foregoing portion of this paragraph, the order of payment is subject to modification in the event a Successor Agency timely reports to the Controller and the Department of Finance that application of the foregoing will leave the Successor Agency with amounts insufficient to make scheduled payments on enforceable obligations. If the county auditor-controller verifies that the Successor Agency will have insufficient amounts to make scheduled payments on enforceable obligations, it shall report its findings to the Controller. If the Controller agrees there are insufficient funds to pay scheduled payments on enforceable obligations, the amount of such deficiency shall be deducted from the amount remaining to be distributed to taxing agencies, as described as the fourth distribution above, then from amounts available to the Successor Agency to defray administrative costs. In addition, if a taxing agency entered into an agreement pursuant to Health and Safety Code Section 33401 for payments from a redevelopment agency under which the payments were to be subordinated to certain obligations of the redevelopment agency, such subordination provisions shall continue to be given effect.

As noted above, the Dissolution Act expressly provides for continuation of pass-through payments to local taxing entities. Per statute, 100% of contractual and statutory two percent pass-throughs, and 56.7% of statutory pass-throughs authorized under the Community Redevelopment Law Reform Act of 1993 (AB 1290, Chapter 942, Statutes of 1993) (“AB 1290”), are restricted to educational facilities without offset against revenue limit apportionments by the State. Only 43.3% of AB 1290 pass-throughs are offset against State aid so long as the affected local taxing entity uses the moneys received for land acquisition, facility construction, reconstruction, or remodeling, or deferred maintenance as provided under Education Code Section 42238(h).

ABX1 26 states that in the future, pass-throughs shall be made in the amount “which would have been received . . . had the redevelopment agency existed at that time,” and that the county auditor-controller shall “determine the amount of property taxes that would have been allocated to each redevelopment agency had the redevelopment agency not been dissolved pursuant to the operation of [ABX1 26] using current assessed values . . . and pursuant to statutory formulas and contractual agreements with other taxing agencies.”

Successor Agencies continue to operate until all enforceable obligations have been satisfied and all remaining assets of the Successor Agency have been disposed of. AB 1484 provides that once the debt of the Successor Agency is paid off and remaining assets have been disposed of, the Successor Agency shall terminate its existence and all pass-through payment obligations shall cease.
The District can make no representations as to the extent to which its base apportionments from the State may be offset by the future receipt of residual distributions or from unencumbered cash and assets of former redevelopment agencies or any other surplus property tax revenues pursuant to the Dissolution Act.

Considerations Regarding COVID-19

An outbreak of disease or similar public health threat, such as the novel strain of coronavirus ("COVID-19") outbreak, or fear of such an event, could have an adverse impact on the District’s financial condition and operating results. The spread of COVID-19 is having significant negative impacts throughout the world, including in the District. The World Health Organization has declared the COVID-19 outbreak to be a pandemic, and states of emergency have been declared by the State and the United States. The purpose behind these declarations are to coordinate and formalize emergency actions across federal, State and local governmental agencies, and to proactively prepare for a wider spread of the virus.

On March 17, 2020, the Governor signed Senate Bill 89 ("SB 89"), which amends the Budget Act of 2019 by appropriating $500,000,000 from the State General Fund for any purpose related to executing the emergency proclamation issued by the Governor on March 4, 2020. On March 19, 2020, the Governor ordered all State residents to stay home or at their place of residence to protect the general health and well-being, except as needed to maintain continuity of 16 critical infrastructure sectors described therein (the "Stay Home Order").

On March 27, 2020 the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”) was signed by the President of the United States. The CARES Act appropriates over $2 trillion to, among other things, (i) provide cash payments to individuals, (ii) expand unemployment assistance and eligibility, (iii) provide emergency grants and loans for small businesses, (iv) provide loans and other assistance to corporations, (v) provide funding for hospitals and community health centers, (vi) expand funding for safety net programs, including child nutrition programs, and (vii) provide aid to state and local governments. The CARES Act includes approximately $14.25 billion in funding for higher education, including California community college districts, principally in the form of direct emergency aid to students and institutional grants. The CARES Act also waived a number of federal regulatory requirements to provide institutions greater flexibility in addressing the effects of the COVID-19 outbreak. On December 27, 2020, the President signed the Consolidated Appropriations Act, 2021, which includes approximately $900 billion worth of provisions for additional COVID-related relief, including extension of or additional funding for various relief programs implemented by the CARES Act. The Consolidated Appropriations Act, 2021 provides approximately $82 billion of COVID-19 related relief for education, including $54.3 billion for K-12 schools (largely through Title I funding), $22.7 billion for higher education and $4 billion for state governors to spend at their discretion. See also “—State Assistance – Proposed 2021-22 State Budget” herein. On March 12, 2021, the President signed the American Rescue Plan Act of 2021 (the “American Rescue Plan”), which will provide approximately $1.9 trillion in federal economic stimulus intended to accelerate the recovery from the COVID-19 pandemic. The American Rescue Plan provides direct payments to individuals, extends unemployment benefits, provides funding to distribute COVID-19 vaccines and provides funding for schools, higher education institutions, state, tribal governments and businesses.

The District has received $8,208,446 pursuant to the CARES Act, 31% of which is allocated for emergency student grants and 69% for the District, which is being used for tuition refunds, faculty distance learning training, student and employee computer equipment, hotspots, software, and campus safety. As part of the State’s 2020-21 Budget, the District received $359,098 from the Coronavirus Relief Fund (the federal portion) and $440,797 from Proposition 98 funds (the state portion) for a total of $799,895. These funds were largely used and will be used to facilitate distance learning, improve telework capabilities of public employees, student emergency grants, and for public health expenses. The District was notified that we will receive $10,003,336.14 pursuant to the American Rescue Plan Federal stimulus, 50% of which is allocated for emergency student grants and 50% for the District.
On August 28, 2020, the Governor released a revised system of guidelines for reopening entitled Blueprint for a Safer Economy ("Blueprint"). Blueprint assigns each of the State’s 58 counties into four color-coded tiers - purple, red, orange and yellow - in descending order of severity, based on the number of new daily cases of COVID-19 and the percentage of positive tests. Counties must remain in a tier for at least three weeks before advancing to the next one. To move forward, a county must meet the next tier’s criteria for two consecutive weeks. If a county’s case rate and positivity rate fall into different tiers, the county remains in the stricter tier. Community college districts can reopen for limited in-person instruction once their county has been in the red tier (daily new cases of 4-7 per 100,000 people and 5-8% positive tests) for at least two weeks. When they reopen, community college districts must follow the guidance for institutions of higher education (the “Guidelines”), released by the Governor on September 30, 2020. Implementation of the Guidelines as part of a phased reopening will depend on local conditions, including the level of COVID-19 infections and hospitalization rates consistently decreasing over at least 14 days, testing resources of the District and County, and preparedness of the County’s healthcare system. If there are positive cases of COVID-19 within a community college district, a campus could be partially or fully closed for in-person instruction. While indoor lectures and student gatherings are prohibited at community college districts in counties that are in the purple (widespread) tier, some non-lecture based courses may be permitted on campuses. For classes that are held in person, the guidelines encourage use of outdoor and other non-classroom spaces for instruction. Indoor lectures are permitted in the red tier (limited to 25% capacity or 100 people, whichever is fewer), the orange tier (limited to 50% capacity or 200 people, whichever is fewer) and the yellow tier (limited to 50% capacity). As of April __, 2021, the County is currently assigned to the orange tier.

On November 19, 2020, the California Department of Public Health issued a limited Stay at Home order, effective November 21, 2020 for those counties under the purple tier of the Blueprint for a Safer Economy, requiring that all gatherings with members of other households and all activities conducted outside the residence, lodging, or temporary accommodation with members of other households cease between 10:00 p.m. PST and 5:00 a.m. PST, except for those activities associated with the operation, maintenance, or usage of critical infrastructure or required by law.

On December 3, 2020, the California Department of Public Health announced a Regional Stay at Home Order (the “Regional Stay at Home Order”), and a supplemental order, signed December 6, 2020, which divides the State into five regions (Northern California, Bay Area, Greater Sacramento, San Joaquin Valley, and Southern California), which went into effect at 11:59 PM the day after a region had been announced to have less than 15% intensive care unit availability. The supplemental order clarified retail operations and went into effect immediately. The orders prohibit private gatherings of any size, close sector operations except for critical infrastructure and retail, and required 100% masking and physical distancing in all others. Guidance related to community colleges remains in effect and unchanged. The Regional Stay at Home Order went into effect in the County on December 7, 2020 and was lifted on January 25, 2021, with all counties returning to restrictions according to their respective tiers under the Blueprint.

During certain emergency conditions, state regulations provide that a community college district may be provided an “emergency conditions allowance,” calculated to approximate the same general purpose apportionment that such district would have received in absence of the emergency. Emergency conditions are defined to include epidemics, an order from a city or county board of health or the State Board of Health, or another emergency declared by the State or federal government. Districts are required to demonstrate that the occurrence of the emergency condition prevented the district from maintaining its schools during a fiscal year for a period of 175 days, or caused the district’s general purpose apportionment to be materially decreased in that year or in subsequent years. To receive the emergency conditions allowance, a district must demonstrate to the satisfaction of the Chancellor that the district made good faith efforts to avoid material decreases in general purposes apportionments. Community college districts may also seek a waiver of the 175-day requirement. Finally, the Board of Governors of the California Community Colleges (the “Board of Governors”), on March 16, 2020, granted the Chancellor temporary emergency powers to suspend or waive
State regulatory requirements and local rules and regulations that present barriers to the continuity of educational services. This temporary grant is in addition to standing emergency powers of the Chancellor to hold community college districts financially harmless in the wake of campus closures.

As a result of the COVID-19 pandemic, effective March 30, 2020, classes and student services transitioned to being delivered remotely and will continue remotely at least through the spring term of the 2020-21 academic year, except for select classes to train first responders (nurses, firefighters, law enforcement, and emergency medical technicians) and other critical workforce needs identified by the State. These limited course offerings, representing approximately 4% of all courses offered, have been delivered in person with safety protocols in place. The other 96% of course offerings have been converted to online delivery or were already structured as online courses prior to COVID-19. The District will continue to evaluate the State’s guidance for institutions of higher education and will consult with local health officials and the State’s guidance for institutions of higher education in implementing the District’s plans for the 2020-21 and 2021-22 academic years.

Other potential impacts to the District associated with the COVID-19 outbreak include, but are not limited to, increasing costs and challenges relating to establishing distance learning programs or other measures to permit instruction while District facilities remain closed, disruption of the regional and local economy with corresponding decreases in tax revenues (including property tax revenue, sales tax revenue and other revenues), potential declines in property values, potential increases in property tax delinquencies, and decreases in new home sales and real estate development. The economic consequences and the potential for volatility in the U.S. and global stock markets resulting from the spread of COVID-19, and responses thereto by local, State, and the federal governments, could have a material impact on the investments in the State pension trusts, which could materially increase the unfunded actuarial accrued liability of the STRS Defined Benefit Program and PERS Schools Pool, which, in turn, could result in material changes to the District’s required contribution rates in future fiscal years. See “OHLONE COMMUNITY COLLEGE DISTRICT – Retirement Programs” herein.

The COVID-19 outbreak is ongoing, and the ultimate geographic spread of the virus, the duration and severity of the outbreak, and the economic and other of actions that may be taken by governmental authorities to contain the outbreak or to treat its impact are uncertain. The ultimate impact of COVID-19 on the District’s operations and finances is unknown. Additional information with respect to events surrounding the outbreak of COVID-19 and responses thereto can be found on State and local government websites, including but not limited to the Governor’s office (http://www.gov.ca.gov), the California Department of Public Health (http://covid19.ca.gov), the County (https://acphd.org/), and the Chancellor’s Office (https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/Communications-and-Marketing/Novel-Coronavirus). The District has not incorporated by reference the information on such websites, and the District does not assume any responsibility for the accuracy of the information on such websites.

The ultimate impact of COVID-19 on the District’s operations and finances is unknown. There can be no assurances that the spread of COVID-19, or the responses thereto by local, State, or the federal government, will not materially adversely impact the local, state and national economies or the assessed valuation of property within the District, or adversely impact enrollment or FTES within the District and, notwithstanding the Stay Home Order or the Blueprint, materially adversely impact the financial condition or operations of the District. See also “TAX BASE FOR REPAYMENT OF THE BONDS – Assessed Valuations” herein.

State Assistance

California community college districts’ principal funding formulas and revenue sources are derived from the budget of the State of California. The following information concerning the State of California’s budgets has been obtained from publicly available information which the District believes to be reliable;
however, neither the District, the Municipal Advisor nor the Underwriter take any responsibility as to the accuracy or completeness thereof and has not independently verified such information.

2020-21 State Budget. On June 29, 2020, the Governor signed into law the State budget for fiscal year 2020-21 (the “2020-21 Budget”). The following information is drawn from the DOF’s and LAO’s summaries of the 2020-21 Budget.

As with the Governor’s May revision (the “May Revision”) to the proposed State budget, the 2020-21 Budget acknowledged that the rapid onset of COVID-19 had an immediate and severe impact on the State’s economy. The ensuing recession caused significant job losses, precipitous drops in family and business income, and exacerbated inequality. The 2020-21 Budget included a number of measures intended to address a projected deficit of $54.3 billion identified by the May Revision, and occasioned principally by declines in the State’s three main tax revenues (personal income, sales and use, and corporate). The measures included in the 2020-21 Budget, and described below, were intended to close this deficit and set aside $2.6 billion in the State’s traditional general fund reserve, including $716 million for the State to respond to the changing conditions of the COVID-19 pandemic:

- **Draw Down of Reserves** – The 2020-21 Budget drew down $8.8 billion in total State reserves, including $7.8 billion from the BSA, $450 million from the Safety Net Reserve and all funds in the PSSSA.

- **Triggers** – The 2020-21 Budget included $11.1 billion in reductions and deferrals that would have been restored if at least $14 billion in federal funds were received by October 15, 2020. If the State had received less than this amount, reductions and deferrals were to be partially restored. The triggers included $6.6 billion in deferred spending on education, $970 million in funding for the California State University and University of California systems, $2.8 billion in State employee compensation and $150 million for courts, as well as funding for various other State programs. The triggers would also have funded an additional $250 million for county programs to backfill revenue losses. Such federal funds, however, were not received by the October 15 date identified in the 2020-21 Budget. The District can make no representation as to whether such federal funds will be received or in what amount. See “—Future Actions and Events” herein.

- **Federal Funds** – The 2020-21 Budget relied on $10.1 billion in federal funds allocated to the State, including $8.1 billion of which had already been received as of the passage of the 2020-21 Budget. This relief included a temporary increase in the federal government’s share of Medicaid costs, a portion of the State’s Coronavirus Relief Fund allocation pursuant to the CARES Act and federal funds provided for childcare programs.

- **Borrowing/Transfers/Deferrals** – The 2020-21 Budget relied on $9.3 billion in special fund borrowing and transfers, as well as deferrals to K-14 education discussed further herein. Approximately $900 million of special fund borrowing was associated with reductions to State employee compensation and was to be subject to the triggers discussed above.

- **Increased Revenues** – The 2020-21 Budget temporarily suspended for three years net operating loss tax deductions for medium and large businesses and limited business tax credits, with an estimated increase in tax revenues of $4.3 billion in fiscal year 2020-21.

- **Cancelled Expansions, Updated Assumptions and Other Measures** – The 2020-21 Budget included an additional $10.6 billion of measures, including cancelling multiple programmatic expansions, anticipated governmental efficiencies, higher ongoing revenues above the forecast
included in the May Revision, and lower health and human services caseload costs than assumed by the May Revision.

For fiscal year 2019-20, the 2020-21 Budget projected total general fund revenues and transfers of $137.6 billion and authorized expenditures of $146.9 billion. The State was projected to end the 2019-20 fiscal year with total available general fund reserves of $17 billion, including $16.1 billion in the BSA and $900 million in the Safety Net Reserve Fund. For fiscal year 2020-21, the 2020-21 Budget projected total general fund revenues and transfers of $137.7 billion and authorized expenditures of $133.9 billion. The State was projected to end the 2020-21 fiscal year with total available general fund reserves of $11.4 billion, including $2.6 billion in the traditional general fund reserve (of which $716 million is earmarked for COVID-related responses), $8.3 billion in the BSA and $450 million in the Safety Net Reserve Fund.

As a result of the projected reduction of State revenues occasioned by the COVID-19 pandemic, the 2020-21 Budget estimated that the Proposition 98 minimum funding guarantee for fiscal year 2020-21 would be $70.1 billion, approximately $10 billion below the revised prior-year funding level.

The 2020-21 Budget proposed several measures intended to ameliorate the immediate impact of State revenue declines, and avoid a permanent decline in education funding:

- **Apportionment Deferrals** – The 2020-21 Budget provided for $330.1 million in SCFF apportionment deferrals for fiscal year 2019-20. The deferrals increased to $662.1 million in fiscal year 2020-21. A portion of these deferrals to be triggered off in fiscal year 2020-21 if sufficient federal funding for this purpose was received. Such federal funds, however, were not received by the October 15 date identified in the 2020-21 Budget. The District can make no representation as to whether such federal funds will be received or in what amount. See “—Future Actions and Events” herein. The 2020-21 Budget also provided a hardship exemption from the deferrals for districts that would be unable to meet their financial obligations.

- **Supplemental Appropriations** – The 2020-21 Budget provided for a new, multi-year payment obligation to supplement K-14 education funding. The total obligation would equal approximately $12.4 billion, and reflected the administration’s estimate of the additional funding K-14 school districts would have received in the absence of COVID-19-related reductions. Under this proposal the State will make annual payments toward this obligation beginning in fiscal year 2021-22. These payments would equal 1.5% of State general fund revenue. The 2020-21 Budget also increased the share of State general fund revenue required to be spent on K-14 school districts from 38% to 40% by fiscal year 2023-24.

- **CalSTRS/CalPERS** – The 2020-21 Budget redirected $2.3 billion in funds previously appropriated for prefunding CalSTRS and CalPERS liabilities, and instead applied them to further reduce local educational agency contribution rates for such programs in fiscal years 2020-21 and 2021-22. This reduced CalSTRS employer rates to 16.15% in fiscal year 2020-21 and 16.02% in fiscal year 2021-22. CalPERS employer rates would be reduced to 20.7% in fiscal year 2020-21 and 22.84% in fiscal year 2021-22. See also “OHLONE COMMUNITY COLLEGE DISTRICT – Retirement Programs” herein.

- **Temporary Revenue Increases** – As discussed above, as part of closing the State’s projected deficit, the 2020-21 Budget provided for a temporary revenue increase of approximately $4.3 billion in fiscal year 2020-21, of which approximately $1.6 billion counted towards the Proposition 98 funding guarantee.

Other significant features of community college funding in the 2020-21 Budget include the following:
• **Student Centered Funding Formula** – The 2020-21 Budget suspended the COLA for community college apportionments under the SCFF, and did not provide any funding for enrollment growth. The 2020-21 Budget extended the hold-harmless provisions of the SCFF for an additional two years, and authorized the use of past-year data sources that have not been impacted by the COVID-19 pandemic for purposes of calculating SCFF apportionments in 2020-21.

• **COVID-19 Response Block Grant** – A one-time increase of approximately $120 million (comprised of $54 million in CARES Act funds and $66 million in Proposition 98 funding) for a block grant to support student learning and mitigate learning loss related to the COVID-19 pandemic.

• **Immigrant Resources** – An increase of $5.8 million in Proposition 98 funding for resource liaisons and student support services for immigrant students, including undocumented students. The 2020-21 Budget also provided $10 million in ongoing Proposition 98 funding for legal services to immigrant students, faculty and staff.

• **Proposition 51** – The Kindergarten Through Community College Public Education Facilities Bond Act of 2016 (also known as Proposition 51) is a voter initiative approved at the November 8, 2016 election that authorizes the sale and issuance of $9 billion in State general obligation bonds for the new construction and modernization of K-14 facilities. The Proposed 2020-21 Budget allocated $223.1 million of such bond funds for community college facility projects.

For additional information regarding the 2020-21 Budget, see the DOF website at [www.dof.ca.gov](http://www.dof.ca.gov) and the LAO website at [www.lao.ca.gov](http://www.lao.ca.gov). However, the information presented on such websites is not incorporated herein by reference.

**Proposed Fiscal Year 2021-22 Budget.** On January 8, 2021, the Governor released his proposed State budget for fiscal year 2021-22 (the “Proposed 2021-22 Budget”). The information below is drawn from the DOF summary of the Proposed 2021-22 Budget.

The Proposed 2021-22 Budget indicates that, since the adoption of the 2020-21 Budget, the administration’s economic forecast and revenue projections have significantly improved, driven in large part by a rebound in the stock market and an attendant growth in capital gains tax revenues. However, the Proposed 2021-22 Budget acknowledges that the risks to the revenue forecast remain higher than usual, and economic inequality has intensified since the beginning of the COVID-19 pandemic. The Proposed 2021-22 Budget acknowledges that the State is currently in the midst of a second and more serious wave of COVID-19 infections, but that federally-approved COVID-19 vaccines are arriving to assist the recovery from the pandemic.

The Proposed 2021-22 Budget indicates that the revenue forecast was finalized prior to the passage of the most recent federal stimulus bill. See “See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein. Of the almost $900 billion in federal funding that was approved, the Proposed 2021-22 Budget identifies approximately $106 billion allocable to the State, including $42.4 billion in direct assistance to individuals and families (including $38.3 billion in unemployment benefits and direct payments), $2.2 billion for COVID-19 testing, tracing and vaccine distribution, $700 million for health and mental health services, $50.1 billion in business and transportation support, and $10.1 billion for education. The Governor’s May revision to the Proposed 2021-22 Budget will include a revised revenue forecast that will reflect this federal assistance. The Proposed 2021-22 Budget also acknowledges that further federal relief will be critical to assisting individuals and businesses survive and recover from the pandemic.
For fiscal year 2020-21, the Proposed 2021-22 Budget projects total general fund revenues and transfers of $168.1 billion and expenditures of $156 billion. The State is projected to end the 2020-21 fiscal year with total available general fund reserves of approximately $22.7 billion, including $9 billion in the traditional State reserve, $12.5 billion in the BSA, $747 million in the PSSSA and $450 million in the Safety Net Reserve Fund. For fiscal year 2021-22, the Proposed 2021-22 Budget projects total general fund revenues and transfers of $170.6 billion and authorizes expenditures of $164.5 billion. The State is projected to end the 2021-22 fiscal year with total available general fund reserves of approximately $22 billion, including $2.9 billion in the traditional general fund reserve, $15.6 billion in the BSA, $3 billion in the PSSSA and $450 million in the Safety Net Reserve Fund.

In recognition of the need to address the various impacts of the COVID-19 pandemic, the Proposed 2021-22 Budget includes a package of measures intended to be implemented through legislative action earlier than the traditional State budget timeline. For immediate action in January, this package includes $3 billion in direct support for small businesses and low income earners (the latter principally through a income tax refund) and $2 billion to support the re-opening of K-12 schools (as further described herein). For early action in the spring, the package includes $4.6 billion in instructional support for K-14 school districts, $973 million in jobs and workforce training, $561 million in environmental sustainability measures and $262 million in housing and homelessness-related measures.

As a result of the expected increases in State general fund revenues, the Proposed 2021-22 Budget sets the Proposition 98 minimum funding guarantee for fiscal year 2021-22 at $85.8 billion, including $60.8 billion from the State general fund. This represents a year-to-year increase of $14.9 billion (or 21%) over the level included in the 2020-21 Budget. The Proposed 2021-22 Budget also makes retroactive increases to the minimum funding guarantee in fiscal years 2019-20 and 2020-21 of $1.9 billion and $11.9 billion, respectively, due almost exclusively to increases in allocable general fund revenues in those years. With respect to community college districts, the Proposed 2021-22 Budget sets the minimum guarantee at $10 billion, and provides total funding from all sources in fiscal year 2021-22 of $16.2 billion, representing an increase of $8.6 million (or 0.1%) from the prior year’s level.

Other significant features of community college funding include the following:

- **General Apportionments** – $111.1 million in ongoing Proposition 98 funding to provide a 1.5% COLA for general apportionments, as well as $23.1 million in ongoing Proposition 98 funding for a 0.5% growth in enrollment. The Proposed 2021-22 Budget also provides an increase of $52.7 million in one-time Proposition 98 funding to increase current fiscal year funding apportionments.

- **Deferrals** – The 2020-21 Budget deferred approximately $12.5 billion in payments to K-14 school districts. The Proposed 2021-22 Budget would pay down $8.4 billion of this amount, with districts receiving the associated cash in fiscal year 2021-22. Approximately $4 billion would remain deferred from fiscal year 2021-22 to fiscal year 2022-23.

- **Supplemental Payment** – The 2020-21 Budget provided for a new, multi-year payment obligation to avoid a permanent decline in K-14 education funding as a result of then-projected reductions in available revenues. The Proposed 2021-22 Budget would eliminate this supplemental payment obligation in its entirety, but would fund a one-time payment of $2.3 billion in fiscal year 2021-22.

- **Student Support** – The Proposed 2021-22 Budget provides a series of measures to alleviate student financial hardship and improve access to online education, including (i) $150 million in one-time Proposition 98 funding for emergency financial assistance, (ii) $100 million in one-time Proposition 98 funding to address food and housing insecurity, (iii) $30 million in ongoing
Proposition 98 funding to support the acquisition of electronic devices and high-speed internet connectivity, (iv) $20 million in one-time Proposition 98 funding for culturally competent online professional development, and (v) $10.6 million in ongoing Proposition 98 funding to support continuity of education and quality distance learning.

- **Adult Education** – An increase of $8.1 million in ongoing Proposition 98 funding to reflect a 1.5% COLA for adult education programs. The Proposed 2021-22 Budget also provides an increase of $1 million in ongoing Proposition 98 funding to support technical assistance for adult education programs.

- **Proposition 51** – The Kindergarten Through Community College Public Education Facilities Bond Act of 2016 (also known as Proposition 51) is a voter initiative approved at the November 8, 2016 election that authorizes the sale and issuance of $9 billion in State general obligation bonds for the new construction and modernization of K-14 facilities. The Proposed 2020-21 Budget allocates $709 million of such bond funds for community college facility projects.

For additional information regarding the Proposed 2021-22 Budget, see the DOF website at [www.dof.ca.gov](http://www.dof.ca.gov) and the LAO website at [www.lao.ca.gov](http://www.lao.ca.gov). However, the information presented on such websites is not incorporated herein by reference.

**Future Actions and Events.** The District cannot predict what additional actions will be taken in the future by the State legislature and the Governor to address changing State revenues and expenditures. The District also cannot predict the impact such actions will have on State revenues available in the current or future years for education. The State budget will be affected by national and State economic conditions and other factors over which the District will have no control. Certain actions or results could produce a significant shortfall of revenue and cash, and could consequently impair the State’s ability to fund schools. The COVID-19 pandemic has already resulted in significant negative economic effects at State and federal levels, and additional negative economic effects are possible, each of which could negatively impact anticipated State revenue levels. In addition, the pandemic could also result in higher State expenditures, of both a direct nature (such as those related to managing the outbreak) and an indirect nature (such as higher public usage of need-based programs resulting from unemployment or disability). See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein. The District also cannot predict whether the federal government will provide additional funding in amounts sufficient to offset any of the fiscal impacts of the COVID-19 pandemic described above. State budget shortfalls in future fiscal years may also have an adverse financial impact on the financial condition of the District. However, the obligation to levy *ad valorem* property taxes upon all taxable property within the District for the payment of principal of and interest on the Bonds would not be impaired.
The information in this section concerning the operations of the District and the District’s finances is provided as supplementary information only, and it should not be inferred from the inclusion of this information in this Official Statement that the principal of or interest on the Bonds is payable from the general fund of the District. The Bonds are payable only from the proceeds of an ad valorem property tax levied by the County for the payment thereof. See “THE BONDS – Security and Sources of Payment” herein.

Introduction

The District is a community college district of the State of California. The District, formerly known as Fremont-Newark Community College District, was established in 1965 and encompasses over 100 square miles in the southern portion of the County. The District serves local communities in the cities of Fremont, Newark and Union City. The District currently operates Ohlone College, in Fremont, and Ohlone College Newark Center, in Newark. Ohlone College’s Fremont Campus is composed of approximately 534 acres, 350 acres of which are leased to a park district within the County. Ohlone College Newark Center is located on an 81-acre campus, which opened for classes in January 2008. The District provides collegiate level instruction across a wide spectrum of subjects for grades 13 and 14. Ohlone College is fully accredited by the ACCJC. The District has budgeted 8,240 funded Full-Time Equivalent Students (“FTES”) for fiscal year 2020-21. The 2020-21 assessed valuation of the area served by the District is $70,370,466,216.

As a result of the current outbreak of COVID-19 (as defined herein), the College campus is currently closed, and the District has largely transitioned to distance learning through at least the spring term of the 2020-21 academic year. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein.
Administration

The District is governed by a seven-member Board of Trustees. The Trustees serve four year terms. Elections for Trustee positions to the Board are held every two years, alternating between three and four available positions. Current Trustees, together with their office and the date their term expires, are listed below:

<table>
<thead>
<tr>
<th>Board Member</th>
<th>Office</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard Watters</td>
<td>Chair</td>
<td>December 2022</td>
</tr>
<tr>
<td>Suzanne Lee Chan</td>
<td>Vice Chair</td>
<td>December 2022</td>
</tr>
<tr>
<td>Greg Bonaccorsi</td>
<td>Member</td>
<td>December 2024</td>
</tr>
<tr>
<td>Jan Giovannini-Hill</td>
<td>Member</td>
<td>December 2022</td>
</tr>
<tr>
<td>Lance Kwan</td>
<td>Member</td>
<td>December 2024</td>
</tr>
<tr>
<td>Vivien Larsen</td>
<td>Member</td>
<td>December 2022</td>
</tr>
<tr>
<td>Rakesh Sharma</td>
<td>Member</td>
<td>December 2024</td>
</tr>
</tbody>
</table>

The Superintendent/President of the District is appointed by the Board and reports to the Board. The Superintendent/President is responsible for management of the District’s day-to-day operations and supervises the work of other key administrators.

A Brief biography of the Superintendent/President follows:

Dr. Eric Bishop, Superintendent/President. Dr. Eric Bishop has served as the District’s Superintendent/President since July 2020, after having served more than 30 years in various roles in higher education. Prior to his tenure with the District, Dr. Bishop served as Associate Superintendent of Student Services and Legislative Engagement for Chaffey College, in Rancho Cucamonga, California. During his tenure at Chaffey College from 2007 to 2020, Dr. Bishop also held the positions of Dean of the Fontana Campus, Dean of Physical Education and Athletics, Director of Student Discipline and Grievance, and Vice President of Student Services, as well as a Title IX Compliance Officer, as a tri-chair on the President’s Equity Council for the Chaffey College and serving on the executive board of the California Chief Student Services Officers Association. Prior to joining the Chaffey College, Dr. Bishop served as Associate Dean of Academic Support and Retention at the University of La Verne and taught journalism and mass media studies full time for seven years. He continues to serve as adjunct faculty member for the University of La Verne, as well as in the doctoral program at San Diego State University. He also sits as the Chair on the Bethany Theological Seminary Board of Trustees in Richmond, Indiana. Dr. Bishop received his Ed.D. in organizational leadership, M.A in communications and B.A in journalism all from the University of La Verne.

Dr. Chris Dela Rosa, Vice President, Administrative and Technology Services. Dr. Chris Dela Rosa, joined the District in May 2015 and has served as the Interim Vice President, Administrative Services since June 2018. Before coming to the District, he served as Chief Information Officer at Santa Fe Community College in Santa Fe, New Mexico, and as Chief Information Officer at Harford Community College in Bel Air, Maryland. Prior to moving to the United States, he was the dean of the College of Information Technology at Malayan Colleges Laguna, and a full-time faculty member and director of the IT Department at Mapua University in the Philippines. With more than 25 years’ experience in higher education, Dr. Dela Rosa has extensive experience in instruction, operations, and administration. Dr. Dela Rosa received his B.S. in Computer Engineering and in Electronics and Communications Engineering and Master of Engineering in Computer Engineering from Mapua University and his Doctor of Management from University of Phoenix. He also completed an Executive Certificate in Business Administration program from the University of Notre Dame. In 2014, he was elected as a senior member of the Institute of Electrical and Electronics Engineers. Dr. Dela Rosa currently sits as a
board member of the Association of Chief Business Officials, the Ohlone College Foundation, the South Bay Regional Safety Training consortium, and the Alameda County Redevelopment Board.

**Labor Relations**

The District currently employs 129 full-time certificated professionals (including administrators), 121 full-time classified employees and 42 managers. In addition, the District employs approximately 296 part-time faculty and 260 part-time staff. These employees, except management, confidential employees and some part-time employees, are represented by three bargaining units as noted below:

<table>
<thead>
<tr>
<th>Labor Organization</th>
<th>Number of Employees In Organization</th>
<th>Contract Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Employees International Union</td>
<td>24</td>
<td>June 30, 2020</td>
</tr>
<tr>
<td>United Faculty of Ohlone College</td>
<td>411</td>
<td>June 30, 2020</td>
</tr>
<tr>
<td>California State Employees Association</td>
<td>105</td>
<td>June 30, 2020</td>
</tr>
</tbody>
</table>

(1) **Employees continue to work under the terms of the expired contracts while a new contracts are negotiated.** The contracts are subject to reopener for salaries and benefits.  
*Source: Ohlone Community College District.*

**Retirement Programs**

The information set forth below regarding the STRS and PERS programs, other than the information provided by the District regarding its annual contributions thereto, has been obtained from publicly available sources which are believed to be reliable but are not guaranteed as to accuracy or completeness, and should not to be construed as a representation by either the District, the Municipal Advisor, or the Underwriter.

**STRS.** All full-time certificated employees, as well as certain classified employees, are members of the State Teachers’ Retirement System (“STRS”). STRS provides retirement, disability and survivor benefits to plan members and beneficiaries under a defined benefit program (the “STRS Defined Benefit Program”). The STRS Defined Benefit Program is funded through a combination of investment earnings and statutorily set contributions from three sources: employees, employers, and the State. Benefit provisions and contribution amounts are established by State statutes, as legislatively amended from time to time.

Prior to fiscal year 2014-15, and unlike typical defined benefit programs, none of the employee, employer nor State contribution rates to the STRS Defined Benefit Program varied annually to make up funding shortfalls or assess credits for actuarial surpluses. In recent years, the combined employer, employee and State contributions to the STRS Defined Benefit Program have not been sufficient to pay actuarially required amounts. As a result, and due to significant investment losses, the unfunded actuarial liability of the STRS Defined Benefit Program has increased significantly in recent fiscal years. In September 2013, STRS projected that the STRS Defined Benefit Program would be depleted in 31 years assuming existing contribution rates continued, and other significant actuarial assumptions were realized. In an effort to reduce the unfunded actuarial liability of the STRS Defined Benefit Program, the State passed the legislation described below to increase contribution rates.

Prior to July 1, 2014, K-14 school districts were required by such statutes to contribute 8.25% of eligible salary expenditures, while participants contributed 8% of their respective salaries. On June 24, 2014, the Governor signed AB 1469 (“AB 1469”) into law as a part of the State’s fiscal year 2014-15 budget. AB 1469 seeks to fully fund the unfunded actuarial obligation with respect to service credited to members of the
STRS Defined Benefit Program before July 1, 2014 (the “2014 Liability”), within 32 years, by increasing member, K-14 school district and State contributions to STRS. Commencing July 1, 2014, the employee contribution rate increased over a three-year phase-in period in accordance with the following schedule:

### MEMBER CONTRIBUTION RATES
STRS (Defined Benefit Program)

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>STRS Members Hired Prior to January 1, 2013</th>
<th>STRS Members Hired After January 1, 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2014</td>
<td>8.150%</td>
<td>8.150%</td>
</tr>
<tr>
<td>July 1, 2015</td>
<td>9.200</td>
<td>8.560</td>
</tr>
<tr>
<td>July 1, 2016</td>
<td>10.250</td>
<td>9.205</td>
</tr>
</tbody>
</table>

*Source: AB 1469.*

Pursuant to the Reform Act (defined below), the contribution rates for members hired after the Implementation Date (defined below) will be adjusted if the normal cost increases by more than 1% since the last time the member contribution was set. The contribution rate for employees hired after the Implementation Date (defined below) increased from 9.205% of creditable compensation for fiscal year commencing July 1, 2017 to 10.205% of creditable compensation effective July 1, 2018. For fiscal year commencing July 1, 2019, the contribution rate was 10.250% for employees hired before the Implementation Date and 10.205% for employees hired after the Implementation Date. For fiscal year commencing July 1, 2020, the contribution rate will be 10.250% for employees hired before the Implementation Date and 10.205% employees hired after the Implementation Date.

Pursuant to AB 1469, K-14 school districts’ contribution rate increased over a seven-year phase-in period in accordance with the following schedule:

### K-14 SCHOOL DISTRICT CONTRIBUTION RATES
STRS (Defined Benefit Program)

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>K-14 school districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2014</td>
<td>8.88%</td>
</tr>
<tr>
<td>July 1, 2015</td>
<td>10.73</td>
</tr>
<tr>
<td>July 1, 2016</td>
<td>12.58</td>
</tr>
<tr>
<td>July 1, 2017</td>
<td>14.43</td>
</tr>
<tr>
<td>July 1, 2018</td>
<td>16.28</td>
</tr>
<tr>
<td>July 1, 2019</td>
<td>18.13</td>
</tr>
<tr>
<td>July 1, 2020</td>
<td>19.10</td>
</tr>
</tbody>
</table>

*Source: AB 1469.*

Based upon the recommendation from its actuary, for fiscal year 2021-22 and each fiscal year thereafter the STRS Teachers’ Retirement Board (the “STRS Board”), is required to increase or decrease the K-14 school districts’ contribution rate to reflect the contribution required to eliminate the remaining 2014 Liability by June 30, 2046; provided that the rate cannot change in any fiscal year by more than 1% of creditable compensation upon which members’ contributions to the STRS Defined Benefit Program are based; and provided further that such contribution rate cannot exceed a maximum of 20.25%. In addition to the increased contribution rates discussed above, AB 1469 also requires the STRS Board to report to the State Legislature every five years (commencing with a report due on or before July 1, 2019) on the fiscal health of the STRS Defined Benefit Program and the unfunded actuarial obligation with respect to service credited to
members of that program before July 1, 2014. The reports are also required to identify adjustments required in contribution rates for K-14 school districts and the State in order to eliminate the 2014 Liability.

On June 27, 2019, the Governor signed SB 90 (“SB 90”) into law as a part of the 2019-20 Budget. Pursuant to SB 90, the State Legislature appropriated $2.246 billion to be transferred to the Teacher’s Retirement Fund for the STRS Defined Benefit Program to pay in advance, on behalf of employers, part of the contributions required for fiscal years 2019-20 and 2020-21, resulting in K-14 school districts having to contribute 1.03% less in fiscal year 2019-20 and 0.70% less in fiscal year 2020-21, resulting in employer contribution rates of 17.1% in fiscal year 2019-20 and 18.4% in fiscal year 2020-21. In addition, the State made a contribution of $1.117 billion to be allocated to reduce the employer’s share of the unfunded actuarial obligation determined by the STRS Board upon recommendation from its actuary. This additional payment will be reflected in the June 30, 2020 actuarial valuation. Subsequently, the State’s 2020-21 Budget redirected $2.3 billion previously appropriated to STRS and PERS pursuant to SB 90 for long-term unfunded liabilities to further reduce the employer contribution rates in fiscal year 2020-21 and 2021-22. As a result, the effective employer contribution rate is 16.15% in fiscal year 2020-21 and is projected to be 15.92% in fiscal year 2021-22. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – State Assistance” herein.

The District’s contribution to STRS was $1,260,005 for fiscal year 2013-14, $1,296,522 for fiscal year 2014-15, $1,783,950 in fiscal year 2015-16, $2,304,620 in fiscal year 2016-17, $2,795,301 in fiscal year 2017-18, $3,211,992 in fiscal year 2018-19, and $3,325,327 in fiscal year 2019-20. The District currently projects $3,051,166 for its contribution to STRS for fiscal year 2020-21.

The State also contributes to STRS, currently in an amount equal to 8.328% for fiscal year 2020-21. The State’s contribution reflects a base contribution rate of 2.017%, and a supplemental contribution rate that will vary from year to year based on statutory criteria. Based upon the recommendation from its actuary, for fiscal year 2017-18 and each fiscal year thereafter, the STRS Board is required, with certain limitations, to increase or decrease the State’s contribution rates to reflect the contribution required to eliminate the unfunded actuarial accrued liability attributed to benefits in effect before July 1, 1990. The STRS Board approved State supplemental contribution rate for fiscal year 2020-21 reflects an increase of 0.5% of payroll, the maximum allowed under current law.

In addition, the State is currently required to make an annual general fund contribution up to 2.5% of the fiscal year covered STRS member payroll to the Supplemental Benefit Protection Account (the “SBPA”), which was established by statute to provide supplemental payments to beneficiaries whose purchasing power has fallen below 85% of the purchasing power of their initial allowance.

PERS. Classified employees working four or more hours per day are members of the Public Employees’ Retirement System (“PERS”). PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefit provisions are established by the State statutes, as legislatively amended from time to time. PERS operates a number of retirement plans including the Public Employees Retirement Fund (“PERF”). PERF is a multiple-employer defined benefit retirement plan. In addition to the State, employer participants at June 30, 2019 included 1,612 public agencies and 1,319 K-14 school districts and charter schools. PERS acts as the common investment and administrative agent for the member agencies. The State and K-14 school districts (for “classified employees,” which generally consist of school employees other than teachers) are required by law to participate in PERF. Employees participating in PERF generally become fully vested in their retirement benefits earned to date after five years of credited service. One of the plans operated by PERS is for K-14 school districts throughout the State (the “Schools Pool”).

Pursuant to SB 90, the State Legislature appropriated $144 million for fiscal year 2019-20 and $100 million for fiscal year 2020-21 to be transferred to the Public Employees’ Retirement Fund, to pay in advance,
on behalf of K-14 school district employers, part of the contributions required for K-14 school district employers for such fiscal years. In addition, the State Legislature appropriated $660 million to be applied toward certain unfunded liabilities for K-14 school district employers. As a result of the payments made by the State pursuant to SB 90, the employer contribution rate for fiscal year 2019-20 was 19.721%. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – State Assistance” herein.

Contributions by employers to the Schools Pool are based upon an actuarial rate determined annually and contributions by plan members vary based upon their date of hire. The actuarial determined employer contribution rate for fiscal year 2020-21 is 20.7%, which reflects the redirection of funds by the State’s 2020-21 Budget by AB 84 (defined below), that were previously appropriated pursuant to SB 90 for long-term unfunded liabilities (discussed above). “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – State Assistance” herein. Participants enrolled in PERS prior to January 1, 2013 contribute at a rate established by statute, which is 7% of their respective salaries in fiscal year 2020-21, while participants enrolled after January 1, 2013 contribute at an actuarially determined rate, which is 7% in fiscal year 2020-21. See “—California Public Employees’ Pension Reform Act of 2013” herein.


State Pension Trusts. Each of STRS and PERS issues a separate comprehensive financial report that includes financial statements and required supplemental information. Copies of such financial reports may be obtained from each of STRS and PERS as follows: (i) STRS, P.O. Box 15275, Sacramento, California 95851-0275; (ii) PERS, P.O. Box 942703, Sacramento, California 94229-2703. Moreover, each of STRS and PERS maintains a website, as follows: (i) STRS: www.calstrs.com; (ii) PERS: www.calpers.ca.gov. However, the information presented in such financial reports or on such websites is not incorporated into this Official Statement by any reference.

Both STRS and PERS have substantial statewide unfunded liabilities. The amount of these unfunded liabilities will vary depending on actuarial assumptions, returns on investments, salary scales and participant contributions. The following table summarizes information regarding the actuarially-determined accrued liability for both STRS and PERS. Actuarial assessments are “forward-looking” information that reflect the judgment of the fiduciaries of the pension plans, and are based upon a variety of assumptions, one or more of which may not materialize or be changed in the future. Actuarial assessments will change with the future experience of the pension plans.

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# FUNDED STATUS

**STRS (Defined Benefit Program) and PERS (Schools Pool)**

(Dollar Amounts in Millions) \(^{1}\)

Fiscal Years 2010-11 through 2018-19

## STRS

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Accrued Liability</th>
<th>Value of Trust Assets (MVA) (^{2})</th>
<th>Unfunded Liability (MVA) (^{2})</th>
<th>Value of Trust Assets (AVA) (^{3})</th>
<th>Unfunded Liability (AVA) (^{3})</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-11</td>
<td>$208,405</td>
<td>$147,140</td>
<td>$68,365</td>
<td>$143,930</td>
<td>$64,475</td>
</tr>
<tr>
<td>2011-12</td>
<td>215,189</td>
<td>143,118</td>
<td>80,354</td>
<td>144,232</td>
<td>70,957</td>
</tr>
<tr>
<td>2012-13</td>
<td>222,281</td>
<td>157,176</td>
<td>74,374</td>
<td>148,614</td>
<td>73,667</td>
</tr>
<tr>
<td>2013-14</td>
<td>231,213</td>
<td>179,749</td>
<td>61,807</td>
<td>158,495</td>
<td>72,718</td>
</tr>
<tr>
<td>2014-15</td>
<td>241,753</td>
<td>180,633</td>
<td>72,626</td>
<td>165,553</td>
<td>76,200</td>
</tr>
<tr>
<td>2015-16</td>
<td>266,704</td>
<td>177,914</td>
<td>101,586</td>
<td>169,976</td>
<td>96,728</td>
</tr>
<tr>
<td>2016-17</td>
<td>286,950</td>
<td>197,718</td>
<td>103,468</td>
<td>179,689</td>
<td>107,261</td>
</tr>
<tr>
<td>2017-18</td>
<td>297,603</td>
<td>211,367</td>
<td>101,992</td>
<td>190,451</td>
<td>107,152</td>
</tr>
<tr>
<td>2018-19</td>
<td>310,719</td>
<td>225,466</td>
<td>102,636</td>
<td>205,016</td>
<td>105,703</td>
</tr>
</tbody>
</table>

## PERS

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Accrued Liability</th>
<th>Value of Trust Assets (MVA) (^{2})</th>
<th>Unfunded Liability (MVA) (^{2})</th>
<th>Value of Trust Assets (AVA) (^{3})</th>
<th>Unfunded Liability (AVA) (^{3})</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-11</td>
<td>$58,358</td>
<td>$45,901</td>
<td>$12,457</td>
<td>$51,547</td>
<td>$6,811</td>
</tr>
<tr>
<td>2011-12</td>
<td>59,439</td>
<td>44,854</td>
<td>14,585</td>
<td>53,791</td>
<td>5,648</td>
</tr>
<tr>
<td>2012-13</td>
<td>61,487</td>
<td>49,482</td>
<td>12,005</td>
<td>56,250</td>
<td>5,237</td>
</tr>
<tr>
<td>2013-14</td>
<td>65,600</td>
<td>56,838</td>
<td>8,761</td>
<td>--(4)</td>
<td>--(4)</td>
</tr>
<tr>
<td>2014-15</td>
<td>73,325</td>
<td>56,814</td>
<td>16,511</td>
<td>--(4)</td>
<td>--(4)</td>
</tr>
<tr>
<td>2015-16</td>
<td>77,544</td>
<td>55,785</td>
<td>21,759</td>
<td>--(4)</td>
<td>--(4)</td>
</tr>
<tr>
<td>2016-17</td>
<td>84,416</td>
<td>60,865</td>
<td>23,551</td>
<td>--(4)</td>
<td>--(4)</td>
</tr>
<tr>
<td>2017-18</td>
<td>92,071</td>
<td>64,846</td>
<td>27,225</td>
<td>--(4)</td>
<td>--(4)</td>
</tr>
<tr>
<td>2018-19</td>
<td>99,528</td>
<td>68,177</td>
<td>31,351</td>
<td>--(4)</td>
<td>--(4)</td>
</tr>
</tbody>
</table>

\(^{1}\) Amounts may not add due to rounding.

\(^{2}\) Reflects market value of assets, including the assets allocated to the SBPA reserve. Since the benefits provided through the SBPA are not a part of the projected benefits included in the actuarial valuations summarized above, the SBPA reserve is subtracted from the STRS Defined Benefit Program assets to arrive at the value of assets available to support benefits included in the respective actuarial valuations.

\(^{3}\) Reflects actuarial value of assets.

\(^{4}\) Effective for the June 30, 2014 actuarial valuation, PERS no longer uses an actuarial value of assets.

*Source: PERS Schools Pool Actuarial Valuation; STRS Defined Benefit Program Actuarial Valuation.*

The STRS Board has sole authority to determine the actuarial assumptions and methods used for the valuation of the STRS Defined Benefit Program. Based on the multi-year CalSTRS Experience Analysis (spanning from July 1, 2010, through June 30, 2015) (the “2017 Experience Analysis”), on February 1, 2017, the STRS Board adopted a new set of actuarial assumptions that reflect member’s increasing life expectancies and current economic trends. These new assumptions were first reflected in the STRS Defined Benefit Program Actuarial Valuation, as of June 30, 2016 (the “2016 STRS Actuarial Valuation”). The new actuarial assumptions include, but are not limited to: (i) adopting a generational mortality methodology to reflect past improvements in life expectancies and provide a more dynamic assessment of future life spans, (ii) decreasing the investment rate of return (net of investment and administrative expenses) to 7.25% for the 2016 STRS Actuarial Valuation and 7.00% for the June 30, 2017 actuarial evaluation (the “2017 STRS Actuarial Valuation”), and (iii) decreasing the projected wage growth to 3.50% and the projected inflation rate to 2.75%.
Based on the multi-year CalSTRS Experience Analysis (spanning from July 1, 2015, through June 30, 2018) (the “2020 Experience Analysis”), on January 31, 2020, the STRS Board adopted a new set of actuarial assumptions that were first reflected in the STRS Defined Benefit Program Actuarial Valuation, as of June 30, 2019 (the “2019 STRS Actuarial Valuation”). While no changes were made to the actuarial assumptions discussed above, which were established as a result of the 2017 Experience Analysis, certain demographic changes were made, including: (i) lowering the termination rates to reflect a continued trend of lower than expected teachers leaving their employment prior to retirement, and (ii) adopting changes to the retirement rates for both employees hire before the Implementation Date and after the Implementation Date to better reflect the anticipated impact of years of service on retirements. The 2019 STRS Actuarial Valuation continues using the Entry Age Normal Actuarial Cost Method.

Based on salary increases less than assumed, additional State contributions, and actuarial asset gains recognized from the current and prior years, the 2019 STRS Actuarial Valuation reports that the unfunded actuarial obligation decreased by $1.5 billion since the 2018 STRS Actuarial Valuation and the funded ratio increased by 2.0% to 66.0% over such time period.

According to the 2019 STRS Actuarial Valuation, the future revenues from contributions and appropriations for the STRS Defined Benefit Program are projected to be approximately sufficient to finance its obligations with a projected ending funded ratio in fiscal year ending June 30, 2046 of 99.9%, except for a small portion of the unfunded actuarial obligation related to service accrued on or after July 1, 2014 for member benefits adopted after 1990, for which AB 1469 provides no authority to the STRS Board to adjust rates to pay down that portion of the unfunded actuarial obligation. This finding reflects the scheduled contribution rate increases directed by statute, assumes additional increases in the scheduled contribution rates allowed under the current law will be made, and is based on the valuation assumptions and valuation policy adopted by the STRS Board, including a 7.00% investment rate of return assumption and includes the $1.117 billion State contribution made in July 2019 pursuant to SB 90.

The actuary for the STRS Defined Benefit Program notes in the 2019 STRS Actuarial Report that, since such report is dated as of June 30, 2019, the significant declines in the investment markets that have occurred in the first half the 2020 calendar year are not directly reflected in the 2019 STRS Actuarial Report. The actuary notes that such declines will almost certainly impact the future of the STRS Defined Benefit Program funding, and that, all things being equal, it is expected that the actuarial valuation for the fiscal year ending June 30, 2020 will show a greater increase in the projected State contribution rate (and possibly the employer rate) and a possible decline in the funded ratio. See ‘FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – Considerations Regarding COVID-19” herein.

In recent years, the PERS Board of Administration (the “PERS Board”) has taken several steps, as described below, intended to reduce the amount of the unfunded accrued actuarial liability of its plans, including the Schools Pool.

On March 14, 2012, the PERS Board voted to lower the PERS’ rate of expected price inflation and its investment rate of return (net of administrative expenses) (the “PERS Discount Rate”) from 7.75% to 7.5%. On February 18, 2014, the PERS Board voted to keep the PERS Discount Rate unchanged at 7.5%. On November 17, 2015, the PERS Board approved a new funding risk mitigation policy to incrementally lower the PERS Discount Rate by establishing a mechanism whereby such rate is reduced by a minimum of 0.05% to a maximum of 0.25% in years when investment returns outperform the existing PERS Discount Rate by at least four percentage points. On December 21, 2016, the PERS Board voted to lower the PERS Discount Rate to 7.0% over a three year phase-in period in accordance with the following schedule: 7.375% for the June 30, 2017 actuarial valuation, 7.25% for the June 30, 2018 actuarial valuation and 7.00% for the June 30, 2019 actuarial valuation. The new discount rate went into effect July 1, 2017 for the State and July 1, 2018 for K-14 school districts and other public agencies. Lowering the PERS Discount Rate means employers that contract with PERS to administer their pension plans will see increases in their normal costs and unfunded
actuarial liabilities. Active members hired after January 1, 2013, under the Reform Act (defined below) will also see their contribution rates rise.

On April 17, 2013, the PERS Board approved new actuarial policies aimed at returning PERS to fully-funded status within 30 years. The policies include a rate smoothing method with a 30-year fixed amortization period for gains and losses, a five-year increase of public agency contribution rates, including the contribution rate at the onset of such amortization period, and a five year reduction of public agency contribution rates at the end of such amortization period. The new actuarial policies were first included in the June 30, 2014 actuarial valuation and were implemented with respect the State, K-14 school districts and all other public agencies in fiscal year 2015-16.

Also, on February 20, 2014, the PERS Board approved new demographic assumptions reflecting (i) expected longer life spans of public agency employees and related increases in costs for the PERS system and (ii) trends of higher rates of retirement for certain public agency employee classes, including police officers and firefighters. The new actuarial assumptions were first reflected in the Schools Pool in the June 30, 2015 actuarial valuation. The increase in liability due to the new assumptions will be amortized over 20 years with increases phased in over five years, beginning with the contribution requirement for fiscal year 2016-17. The new demographic assumptions affect the State, K-14 school districts and all other public agencies.

The PERS Board is required to undertake an experience study every four years under its Actuarial Assumptions Policy and State law. As a result of the most recent experience study, on December 20, 2017, the PERS Board approved new actuarial assumptions, including (i) lowering the inflation rate to 2.625% for the June 30, 2018 actuarial valuation and to 2.50% for the June 30, 2019 actuarial valuation, (ii) lowering the payroll growth rate to 2.875% for the June 30, 2018 actuarial valuation and 2.75% for the June 30, 2019 actuarial valuation, and (iii) certain changes to demographic assumptions relating to the salary scale for most constituent groups, and modifications to the mortality, retirement, and disability retirement rates.

On February 14, 2018, the PERS Board approved a new actuarial amortization policy with an effective date for actuarial valuations beginning on or after June 30, 2019, which includes (i) shortening the period over which actuarial gains and losses are amortized from 30 years to 20 years, (ii) requiring that amortization payments for all unfunded accrued liability bases established after the effective date be computed to remain a level dollar amount throughout the amortization period, (iii) removing the 5-year ramp-up and ramp-down on unfunded accrued liability bases attributable to assumptions changes and non-investment gains/losses established on or after the effective date and (iv) removing the 5-year ramp-down on investment gains/losses established after the effective date. While PERS expects that reducing the amortization period for certain sources of unfunded liability will increase future average funding ratios, provide faster recovery of funded status following market downturns, decrease expected cumulative contributions, and mitigate concerns over intergenerational equity, such changes may result in increases in future employer contribution rates.

The Schools Pool Actuarial Valuation as of June 30, 2019 (the “2019 PERS Actuarial Valuation”), reported that the contribution rate for 2021-22 is projected to be 23.0%, with annual increases thereafter, resulting in a projected 27.6% employer contribution rate for fiscal year 2026-27. The projected contribution rates reflect a 4.7% investment return reduced by estimated administrative expenses for fiscal year 2019-20 and the anticipated decrease in normal cost due to new hires entering lower benefit formulas under the Reform Act, as well as the additional $904 million contributed by the State in July 2019 pursuant to SB 90, which was subsequently amended by Assembly Bill 84/Senate Bill 111 (“AB 84”). Under AB 84, $144 million of the State contribution under SB 90 is deemed to satisfy a portion of the State’s required contribution in fiscal year 2019-20, $430 million will satisfy a portion of the employer contribution rate in fiscal year 2020-21, and $330 million will satisfy a portion of the employer contribution rate in fiscal year 2021-22. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA – State Assistance” herein. The projected contribution rate also assumes that all other actuarial assumptions will be
realized and that no further changes to assumptions, contributions, benefits, or funding will occur during the projection period. As reported in the 2019 PERS Actuarial Valuation, the funded status for the Schools Pool decreased by 1.9% (from 70.4% to 68.5%) from June 30, 2018 to June 30, 2019, primarily due to increases in liability resulting from the decrease in the discount rate, discussed above, and by the investment return in 2018-19 being less than expected.

The District can make no representations regarding the future program liabilities of STRS, or whether the District will be required to make additional contributions to STRS in the future above those amounts required under AB 1469. The District can also provide no assurances that the District’s required contributions to PERS will not increase in the future.

**California Public Employees’ Pension Reform Act of 2013.** On September 12, 2012, the Governor signed into law the California Public Employees’ Pension Reform Act of 2013 (the “Reform Act”), which makes changes to both STRS and PERS, most substantially affecting new employees hired after January 1, 2013 (the “Implementation Date”). For STRS participants hired after the Implementation Date, the Reform Act changes the normal retirement age by increasing the eligibility for the 2% age factor (the age factor is the percent of final compensation to which an employee is entitled for each year of service) from age 60 to 62 and increasing the eligibility of the maximum age factor of 2.4% from age 63 to 65. Similarly, for non-safety PERS participants hired after the Implementation Date, the Reform Act changes the normal retirement age by increasing the eligibility for the 2% age factor from age 55 to 62 and increases the eligibility requirement for the maximum age factor of 2.5% to age 67. Among the other changes to PERS and STRS, the Reform Act also: (i) requires all new participants enrolled in PERS and STRS after the Implementation Date to contribute at least 50% of the total annual normal cost of their pension benefit each year as determined by an actuary, (ii) requires STRS and PERS to determine the final compensation amount for employees based upon the highest annual compensation earnable averaged over a consecutive 36-month period as the basis for calculating retirement benefits for new participants enrolled after the Implementation Date (previously 12 months for STRS members who retire with 25 years of service), and (iii) caps “pensionable compensation” for new participants enrolled after the Implementation Date at 100% of the federal Social Security contribution (to be adjusted annually based on changes to the Consumer Price Index for all Urban Consumers) and benefit base for members participating in Social Security or 120% for members not participating in social security (to be adjusted annually based on changes to the Consumer Price Index for all Urban Consumers), while excluding previously allowed forms of compensation under the formula such as payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off.

**GASB Statement Nos. 67 and 68.** On June 25, 2012, GASB approved Statements Nos. 67 and 68 ("Statements") with respect to pension accounting and financial reporting standards for state and local governments and pension plans. The new Statements, No. 67 and No. 68, replace GASB Statement No. 27 and most of Statements No. 25 and No. 50. The changes impact the accounting treatment of pension plans in which state and local governments participate. Major changes include: (1) the inclusion of unfunded pension liabilities on the government’s balance sheet (currently, such unfunded liabilities are typically included as notes to the government’s financial statements); (2) more components of full pension costs being shown as expenses regardless of actual contribution levels; (3) lower actuarial discount rates being required to be used for underfunded plans in certain cases for purposes of the financial statements; (4) closed amortization periods for unfunded liabilities being required to be used for certain purposes of the financial statements; and (5) the difference between expected and actual investment returns being recognized over a closed five-year smoothing period. In addition, according to GASB, Statement No. 68 means that, for pensions within the scope of the Statement, a cost-sharing employer that does not have a special funding situation is required to recognize a net pension liability, deferred outflows of resources, deferred inflows of resources related to pensions and pension expense based on its proportionate share of the net pension liability for benefits provided through the pension plan. Because the accounting standards do not require changes in funding policies, the full extent of the effect of the new standards on the District is not known at this time. The reporting requirements for pension plans took effect for the fiscal year beginning July 1, 2013 and the
reporting requirements for government employers, including the District, took effect for the fiscal year beginning July 1, 2014.

For fiscal year ending June 30, 2020, the District’s proportionate share of the net STRS pension liability was $33,416,920. As of such date, the District’s proportionate share of the net PERS pension liability was $36,805,401. See “APPENDIX A – THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT — Note 7” herein.

**STRS/PERS Fund.** The District has established a special reserve fund (“STRS/PERS Fund”) to fund its outstanding liability with respect to its STRS and PERS liabilities. As of June 30, 2020, the STRS/PERS Fund had a balance of $4,510,504. The District has budgeted a withdrawal of $200,000 from the STRS/PERS Fund Benefit Fund for fiscal year 2020-21. This fund has not been irrevocably pledged towards the District’s liability, however, and may be accessed by the District upon Board action.

Other Post-Employment Benefits

**Plan Description.** The District provides post-employment health care benefits (“Post-Employment Benefits”) for eligible retired employees through a single-employer defined healthcare plan (the “Plan”). The District, through its authorized Retirement Board of Authority (the “RBOA”), established the Futuris Public Entity Investment Trust (the “OBEB Trust”). The RBOA was established to direct and control the OBEB Trust. The RBOA appointed the Benefit Trust Company to serve as the Discretionary Trustee and OBEB Trust Custodian. As of the date of the last actuarial report, 22 retirees and beneficiaries met these eligibility requirements and were Post-Employment Benefit recipients, and the plan had 307 active members. For more information regarding the District’s Post-Employment Benefit plan, see “APPENDIX A – THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 8” attached hereto.

Effective January 1, 2017 for the United Faculty of Ohlone College and management and January 1, 2019 for the California State Employees Association, and Service Employees International Union, the District has transitioned out of the PERS Medical Plan and now participates in the SISC and MCSIG medical plans. This transition has resulted in the savings of at least $106 per month per employee of administrative fee that the District used to pay PERS.

The District’s benefits provided to retirees are based on Government Code sections collectively known as the Public Employees’ Medical & Hospital Care Act, which vary among different collective bargaining agreements. The following is a description of the current Plan.

<table>
<thead>
<tr>
<th>Benefit types provided</th>
<th>Certificated</th>
<th>CSEA</th>
<th>Management</th>
<th>SEIU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration of Benefits</td>
<td>To age 65</td>
<td>To age 65</td>
<td>To age 65</td>
<td>To age 65</td>
</tr>
<tr>
<td>Required Service</td>
<td>10 years</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Minimum Age</td>
<td>55</td>
<td>55</td>
<td>55</td>
<td>55</td>
</tr>
<tr>
<td>Dependent Coverage</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>District Contribution %</td>
<td>100% to a max of</td>
<td>100% to a max of</td>
<td>100%**</td>
<td></td>
</tr>
<tr>
<td>$450 per month</td>
<td>$650 per</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Funding Policy. The District has established an irrevocable trust (the “Trust”) to begin funding the Post-Employment Benefits. As of February 28, 2021, the District had contributed $150,628 to the Trust.
in fiscal year 2020-21 and the value of assets in the Trust was $6,153,287.07. For fiscal year 2020-21, the District has not budgeted a contribution to the Trust.

For fiscal year 2010-11, the District funded the ARC ($682,812) based upon an actuarial study completed in 2009. For fiscal year 2011-12, the District funded the ARC ($678,644) based on the January 31, 2011 Actuarial Study. For fiscal year 2012-13 and 2013-14, the District funded the ARC ($774,114 in each year) based on the April 9, 2013 Actuarial Study. For fiscal year 2014-15, the District funded the ARC ($755,739) based on the April 20, 2015 Actuarial Study. For fiscal year 2015-16, the District funded the ARC ($630,510) based on the April 20, 2015 Actuarial Study. For fiscal year 2016-17, the District funded the ARC ($427,461) based on the June 30, 2017 Actuarial Study. For fiscal year 2017-18, the District funded the ARC ($337,481) based on the June 30, 2017 Actuarial Study. For fiscal year 2018-19, the District funded the Actuarially Determined Contribution (“ADC”) ($403,057) based on an actuarial study. For fiscal year 2019-20, the District has funded the Actuarially Determined Contribution (“ADC”) ($403,057) based on an actuarial study. For fiscal year 2020-21, the District has budgeted a contribution of ($268,540), all of which was used to pay current premiums. The District has not budgeted a contribution to the Trust in fiscal year 2020-21.

Actuarial Study. The District has implemented Governmental Accounting Standards Board Statement #74, Financial Reporting for Postemployment Benefit Plans Other Than Pensions (“GASB 74”) and Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions (“GASB 75”), pursuant to which the District has commissioned and received an actuarial study of its liability with respect to the Benefits. The new GASB statements No. 74 and No. 75 (discussed below) require biennial actuarial valuations for all plans. The actuarial study, dated as of October 6, 2020 (the “Study”), concluded that, as of June 30, 2020, the Total OPEB Liability (the “TOL”) with respect to such benefits, was $6,063,892, the Fiduciary Net Position (the “FNP”) of the Trust was $5,239,845, and the Net OPEB Liability (the “NOL”) was $824,047. The TOL is the amount of the actuarial present value of projected benefits payments attributable to employees’ past service based on the actuarial cost method used. The FNP are the net assets (liability) of the qualifying irrevocable trust or equivalent arrangement. The NOL is TOL minus the FNP. For more information regarding the District’s other post-employment benefit liability, see “APPENDIX A – THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 8 – Other Postemployment Benefits Plan.”

GASB Statement Nos. 74 and 75. On June 2, 2015, GASB approved Statements Nos. 74 and 75 with respect to pension accounting and financial reporting standards for public sector post-retirement benefit programs and the employers that sponsor them. GASB No. 74 replaces GASB Statements Nos. 43 and 57 and Statement No. 75 replaces GASB Statement No. 45.

Most of GASB Statement No. 74 applies to plans administered through trusts, contributions in which contributions are irrevocable, trust assets are dedicated to providing other post-employment benefits to plan members and trust assets are legally protected from creditors. GASB Statements No. 74 and No. 75 will require a liability for OPEB obligations, known as the net OPEB Liability (NOL), to be recognized on the balance sheet of the plan and the participating employer’s financial statements. In addition, an OPEB expense (service cost plus interest on total OPEB liability plus current-period benefit changes minus member contributions minus assumed earning on plan investments plus administrative expenses plus recognition of deferred outflows minus recognition of deferred inflows) will be recognized in the income statement of the participating employers. In the notes to its financial statements, employers providing other post-employment benefits will also have to include information regarding the year-to-year change in the NOL and a sensitivity analysis of the NOL to changes in the discount rate and healthcare trend rate. The required supplementary information will also be required to show a 10-year schedule of the plan’s net OPEB liability reconciliation and related ratios, and any actuarially determined contributions and investment returns.
Under GASB Statement No. 74, the measurement date must be the same as the plan’s fiscal year end, but the actuarial valuation date may be any date up to 24 months prior to the measurement date. For the total OPEB liability (the TOL), if the valuation date is before the measurement date, the results must be projected forward from the valuation date to the measurement date using standard actuarial roll-forward techniques. For plans that are unfunded or have assets insufficient to cover the projected benefit payments, a discount rate reflecting a 20-year tax-exempt municipal bond yield or index rate must be used. For plans with assets that meet the GASB Statement No. 74 requirements, a projection of the benefit payments and future Fiduciary Net Position (FNP) is performed based on the funding policy and assumptions of the plan, along with the methodology specified in GASB.

GASB No. 74 has an effective date for plan fiscal years beginning after June 15, 2016 and GASB Statement No. 75 will be effective for employer fiscal years beginning after June 15, 2017. The District first recognized GASB No. 74 and GASB No. 75 in their financial statements for fiscal year 2017-18. The full extent of the effect of the new standards on the District is not known at this time. See also “APPENDIX A–THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 2 – “Summary of Significant Accounting Policies.”

Cash Balance Program

The District offers part-time employees a defined contribution retirement plan. The Cash Balance Benefit Program (the “Cash Balance Plan”) is for employees of California’s public schools and is sponsored by STRS. Eligibility is determined by STRS and retirement benefits are based on an amount equal to the balance of the participant’s account, including interest earned on contributions, payable as either a lump-sum distribution or an annuity for balances over $3,500. Participants have an immediate vested right to their benefits and no annual maintenance fees are allocated to the Cash Balance Plan.

The Cash Balance Plan requires contributions from the eligible members and from the District. Currently, the faculty members and the District have required contributions are 4% of gross salary. During the fiscal year ended June 30, 2020, employees and the District each contributed $201,357 to the Cash Balance Plan. The District currently projects that employees and the District will each contribute $196,960 to the Cash Balance Plan in fiscal year ending June 30, 2021.

Risk Management

The District is a participant in the Bay Area Community College Districts (“BACCD”) and Protected Insurance Program for Schools Joint Powers Authority (“PIPS”). The joint powers authorities (“JPA”) were created to provide services and other items necessary and appropriate for the establishment, operation, and maintenance of a self-insurance system for property, liability, and worker’s compensation claims for public educational agencies, which are parties thereto. The relationships between the District and the JPAs are such that the JPAs are not component units of the District for financial reporting purposes. BACCD arranges property and liability insurance coverage and PIPS arranges worker’s compensation insurance coverage for its members. The JPAs are governed by boards consisting of a representative from each member district. The board controls the operations of the JPAs including selection of management and approval of operating budgets, independent of any influence by the member districts beyond their representation on boards. Each member pays a premium commensurate with the level of coverage requested and shares surpluses and deficits proportionate to their participation in the JPAs. The District self insures for liabilities associated with crime, theft and cybersecurity up to $5,000,000 per occurrence.
Nature of participation:

**Property**

<table>
<thead>
<tr>
<th>District Deductible:</th>
<th>$10,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>JPA’s coverage:</td>
<td>$10,001 to $250,000 with BACCD</td>
</tr>
<tr>
<td>Excess Insurance:</td>
<td>$250,001 to $250,250,000 with SAFER</td>
</tr>
</tbody>
</table>

**Liability**

<table>
<thead>
<tr>
<th>District Deductible:</th>
<th>$10,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>JPA’s coverage:</td>
<td>$10,001 to $100,000 with BACCD</td>
</tr>
<tr>
<td>Excess Insurance:</td>
<td>$100,001 to $1,000,000 with SWACC</td>
</tr>
<tr>
<td></td>
<td>$1,000,001 to $50,000,000 with SAFER</td>
</tr>
</tbody>
</table>

The JPA is independently accountable for its fiscal matters and is not a component of the District for financial reporting purposes. Condensed financial information for the JPAs as of June 30, 2020 is as follows:

<table>
<thead>
<tr>
<th></th>
<th>BACCD</th>
<th>PIPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total assets</td>
<td>$7,507,099</td>
<td>$146,482,024</td>
</tr>
<tr>
<td>Total liabilities</td>
<td>(2,222,313)</td>
<td>(104,409,659)</td>
</tr>
<tr>
<td>Net position</td>
<td>$5,284,786</td>
<td>$42,072,365</td>
</tr>
<tr>
<td>Total revenues</td>
<td>$4,350,130</td>
<td>$330,953,357</td>
</tr>
<tr>
<td>Total expenses</td>
<td>(4,262,170)</td>
<td>(322,790,995)</td>
</tr>
<tr>
<td>Change in net asset</td>
<td>$87,960</td>
<td>$8,162,362</td>
</tr>
</tbody>
</table>

See also “APPENDIX A– THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 9” herein.

**Ohlone College Foundation**

The Ohlone College Foundation (the “Foundation”) is a not-for-profit public benefit corporation organized under Section 501(c)(3) of the Code. The Foundation was established to support the District and its students, specifically by providing scholarships to students and contributing directly to the District. Under GASB rules, the Foundation is a component unit of the District for financial reporting purposes. “APPENDIX A – THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 1 – Organizations and Nature of Activities - Definition of the Reporting Entity.” As of June 30, 2020, the Foundation had a net position of $7,454,789. Foundation contributions for student scholarships and for restricted programs are deposited into the Associated Student Body Fund and Restricted General Fund, respectively. The Foundation also contributes annually to the District’s Unrestricted General Fund. The following table lists the total annual contributions the Ohlone Foundation has raised to support various District programs:
OHLINE COLLEGE FOUNDATION CONTRIBUTIONS
Fiscal Years 2011-12 through 2020-21
Ohlone Community College District

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Foundation Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>$279,424</td>
</tr>
<tr>
<td>2012-13</td>
<td>374,238</td>
</tr>
<tr>
<td>2013-14</td>
<td>263,350</td>
</tr>
<tr>
<td>2014-15(1)</td>
<td>451,023</td>
</tr>
<tr>
<td>2015-16</td>
<td>217,161</td>
</tr>
<tr>
<td>2016-17</td>
<td>379,223</td>
</tr>
<tr>
<td>2017-18</td>
<td>223,236</td>
</tr>
<tr>
<td>2018-19(2)</td>
<td>△10,753,729</td>
</tr>
<tr>
<td>2019-20(2)</td>
<td>△490,970</td>
</tr>
<tr>
<td>2020-21(2)</td>
<td>△230,000</td>
</tr>
</tbody>
</table>

(1) $200,000 was deposited into the unrestricted general fund in fiscal year 2014-15.
(2) Includes $7.8 million for furniture, fixtures and equipment for the District’s Academic Core Building.
(3) Projected.

Source: Ohlone Community College District

Accounting Practices

The accounting policies of the District conform to generally accepted accounting principles in accordance with policies and procedures of the California Community College Budget and Accounting Manual. This manual, according to Section 84030 of the State Education Code, is to be followed by all State community college districts. GASB Statement No. 34 makes changes in the annual financial statements for all governmental agencies in the United States, especially in recording of fixed assets and their depreciation, and in the way the report itself is formatted. These requirements became effective on May 15, 2002 for the District, as well as for any other governmental agency with annual revenues of between $10 million and $100 million. Revenues are recognized in the period in which they become both measurable and available to finance expenditures of the current fiscal period. Expenditures are recognized in the period in which the liability is incurred.

General Funding Budgeting

The District’s general fund is its largest source of support for District operations. General fund income and appropriations are allocated between unrestricted and restricted programs.

The table on the following page shows the District’s general fund budgets for fiscal years 2016-17 through 2020-21 District’s ending results for fiscal years 2016-17 through 2019-20 and projected totals for fiscal year 2020-21. For further information, see also “APPENDIX A – THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT.”

[REMAINDER OF PAGE LEFT BLANK]
# General Fund Budgeting

**Ohlone Community College District**

## Fiscal Years 2016-17 through 2020-21

### Revenues:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Budgeted&lt;sup&gt;(1)&lt;/sup&gt;</th>
<th>Ending&lt;sup&gt;(1)&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>$1,525,000</td>
<td>$1,190,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,525,000</strong></td>
<td><strong>$1,190,000</strong></td>
</tr>
</tbody>
</table>

### Expenditures:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Budgeted&lt;sup&gt;(1)&lt;/sup&gt;</th>
<th>Ending&lt;sup&gt;(1)&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>$1,190,000</td>
<td>$756,613</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,190,000</strong></td>
<td><strong>$756,613</strong></td>
</tr>
</tbody>
</table>

### Temporal Expenditure Reduction

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Budgeted&lt;sup&gt;(1)&lt;/sup&gt;</th>
<th>Ending&lt;sup&gt;(1)&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>$40,043.23</td>
<td>33,440.168</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$40,043.23</strong></td>
<td><strong>33,440.168</strong></td>
</tr>
</tbody>
</table>

### Ending Fund Balance, June 30

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Budgeted&lt;sup&gt;(1)&lt;/sup&gt;</th>
<th>Ending&lt;sup&gt;(1)&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>$19,377,187</td>
<td>$19,623,184</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$19,377,187</strong></td>
<td><strong>$19,623,184</strong></td>
</tr>
</tbody>
</table>

Source: Ohlone Community College District.
Comparative Financial Statements

Pursuant to applicable guidance from GASB, the District’s financial statements present a comprehensive, entity-wide perspective of the District’s assets, liabilities, and cash flows rather than the fund-group perspective previously required. The table on the following page displays the District’s revenues, expenses and changes in net position for its primary governmental funds for fiscal years 2015-16 through 2019-20. See also “APPENDIX A – THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT” attached hereto.

[REMAINDER OF PAGE LEFT BLANK]
<table>
<thead>
<tr>
<th>Fiscal Years 2015-16 through 2019-20</th>
<th>Ohlone Community College District</th>
</tr>
</thead>
<tbody>
<tr>
<td>OPERATING REVENUES</td>
<td></td>
</tr>
<tr>
<td>Tuition and Fees (gross)</td>
<td>$14,028,404</td>
</tr>
<tr>
<td>Less: Scholarship discount and allowances</td>
<td>(3,504,602)</td>
</tr>
<tr>
<td>Net tuition and fees</td>
<td>10,523,802</td>
</tr>
<tr>
<td>Grants and Contracts/Gifts, non-capital:</td>
<td></td>
</tr>
<tr>
<td>Federal</td>
<td>1,623,629</td>
</tr>
<tr>
<td>State</td>
<td>9,941,358</td>
</tr>
<tr>
<td>Local</td>
<td>323,536</td>
</tr>
<tr>
<td>TOTAL OPERATING REVENUES</td>
<td>22,411,315</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>OPERATING EXPENSES</td>
<td></td>
</tr>
<tr>
<td>Academic salaries</td>
<td>24,166,353</td>
</tr>
<tr>
<td>Classified salaries</td>
<td>17,234,601</td>
</tr>
<tr>
<td>Employee benefits</td>
<td>17,262,047</td>
</tr>
<tr>
<td>Supplies, materials and other operating expenses and services</td>
<td>1,046,731</td>
</tr>
<tr>
<td>Depreciation</td>
<td>7,983,864</td>
</tr>
<tr>
<td>Other operating expenses and services</td>
<td>8,867,064</td>
</tr>
<tr>
<td>Other payments to students</td>
<td>128,553</td>
</tr>
<tr>
<td>Financial aid expenses</td>
<td>--</td>
</tr>
<tr>
<td>TOTAL OPERATING EXPENSES</td>
<td>76,509,213</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>OPERATING LOSS (GAIN)</td>
<td>(54,097,898)</td>
</tr>
<tr>
<td>NON-OPERATING REVENUES (EXPENSES)</td>
<td></td>
</tr>
<tr>
<td>State apportionments, non-capital</td>
<td>12,967,364</td>
</tr>
<tr>
<td>Education protection account</td>
<td>6,770,516</td>
</tr>
<tr>
<td>Local property taxes</td>
<td>21,382,522</td>
</tr>
<tr>
<td>Federal grants and contracts, noncapital</td>
<td>--</td>
</tr>
<tr>
<td>Financial aid revenues</td>
<td>6,736,970</td>
</tr>
<tr>
<td>Financial aid expenses</td>
<td>(7,291,136)</td>
</tr>
<tr>
<td>State taxes and other revenues</td>
<td>6,694,663</td>
</tr>
<tr>
<td>Investment income – noncapital</td>
<td>77,590</td>
</tr>
<tr>
<td>Investment income – capital</td>
<td>--</td>
</tr>
<tr>
<td>Interest expense on capital asset-related debt, net</td>
<td>--</td>
</tr>
<tr>
<td>Pell grants</td>
<td>--</td>
</tr>
<tr>
<td>Net loss in disposal of building and equipment</td>
<td>--</td>
</tr>
<tr>
<td>Other non-operating revenues</td>
<td>1,426,405</td>
</tr>
<tr>
<td>TOTAL NON-OPERATING REVENUES (EXPENSES)</td>
<td>48,764,894</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>LOSS (GAIN) BEFORE CAPITAL REVENUES</td>
<td>(5,333,004)</td>
</tr>
<tr>
<td>State apportionment, capital</td>
<td>630,705</td>
</tr>
<tr>
<td>Investment income – capital</td>
<td>1,357,623</td>
</tr>
<tr>
<td>Interest expense on capital asset-related debt</td>
<td>(3,358,101)</td>
</tr>
<tr>
<td>Loss on disposal of capital assets</td>
<td>(6,501,584)</td>
</tr>
<tr>
<td>Loss on disposal of equipment</td>
<td>--</td>
</tr>
<tr>
<td>Local property taxes and revenues, grants and gifts – capital</td>
<td>21,240,213</td>
</tr>
<tr>
<td>TOTAL CAPITAL REVENUES</td>
<td>13,368,856(1)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>CHANGE IN NET POSITION</td>
<td></td>
</tr>
<tr>
<td>Prior Year Adjustment</td>
<td></td>
</tr>
<tr>
<td>Cumulative effect of change in accounting principles</td>
<td>--</td>
</tr>
<tr>
<td>NET POSITION, – BEGINNING OF YEAR</td>
<td>63,830,278</td>
</tr>
<tr>
<td>Prior Year Adjustment</td>
<td></td>
</tr>
<tr>
<td>NET POSITION - END OF YEAR</td>
<td>$72,186,130</td>
</tr>
</tbody>
</table>

(1) The capital revenues have been summed for comparison purposes.
(2) The beginning net position has been restated to the implementation of GASB 75, relating to the District’s Net OPEB liability. See “Other Post-Employment Benefits” and “APPENDIX A – THE 2019-20 AUDITED FINANCIAL STATEMENTS OF THE DISTRICT – Note 2 – Summary of Accounting Policies.” herein.

Source: Ohlone Community College District.
District Debt Structure

Short-Term Debt. The District currently has no short-term debt obligations.

Long-Term Debt. A schedule of changes in long-term debt for the fiscal year ended June 30, 2020 is shown below:

<table>
<thead>
<tr>
<th>SCHEDULE OF LONG TERM DEBT, AS OF JUNE 30, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ohlone Community College District</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Beginning Balance</th>
<th>Additions</th>
<th>Deductions</th>
<th>Ending Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>General obligation bonds</td>
<td>$416,948,400</td>
<td>$97,670,000</td>
<td>$421,165,430</td>
<td>$97,730,000</td>
</tr>
<tr>
<td>Premium on bonds</td>
<td>33,767,739</td>
<td>--</td>
<td>31,159,765</td>
<td>1,746,677</td>
</tr>
<tr>
<td>Compensated absences</td>
<td>1,595,579</td>
<td>299,047</td>
<td>1,894,626</td>
<td>446,100</td>
</tr>
<tr>
<td>Accreted interest</td>
<td>1,674,907</td>
<td>82,124</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Totals</td>
<td>$453,986,625</td>
<td>$98,051,171</td>
<td>$454,219,821</td>
<td>$11,922,777</td>
</tr>
</tbody>
</table>

Source: Ohlone Community College District.

General Obligation Bonds. The District received authorization at an election held on March 5, 2002 by at least fifty-five percent of the votes cast by eligible voters within the District to issue $150,000,000 maximum principal amount of general obligation bonds (the “2002 Authorization”). On June 19, 2002, the District issued its Election of 2002 General Obligation Bonds, Series A in the aggregate principal amount of $40,000,000 (the “2002 Series A Bonds”). On August 24, 2005, the District issued its Election of 2002 General Obligation Bonds, Series B Bonds (“2002 Series B Bonds”) in the aggregate principal amount of $110,000,000. On September 2, 2010, the District issued its 2010 General Obligation Refunding Bonds (the “2010 Refunding Bonds”) in the aggregate principal amount of $23,680,000, the proceeds of which were used to advance refund a portion of the outstanding 2002 Series A Bonds. The 2002 Series A Bonds that remained outstanding after the issuance of the 2010 Refunding Bonds were retired by regularly scheduled debt service payments on August 1, 2011. On September 25, 2012, the District issued its 2012 General Obligation Refunding Bonds (the “2012 Refunding Bonds”) in the aggregate principal amount of $94,070,000, the proceeds of which were used to advance refund a portion of the District’s outstanding 2002 Series B Bonds. On September 5, 2019, the District issued its 2019 General Obligation Refunding Bonds (the “2019 Refunding Bonds”) in the aggregate principal amount of $97,670,000, the proceeds of which were used to advance refund a portion of the outstanding 2010 Refunding Bonds and 2012 Refunding Bonds.

The 2010 Authorization was approved by voters at an election held on November 2, 2010, at which the requisite 55% or more of the persons voting on the proposition voted to authorize the issuance and sale of $349,000,000 principal amount of general obligation bonds of the District. On October 19, 2011, the District issued its Election of 2010 General Obligation Bonds, Series A in the aggregate principal amount of $70,000,000 (the “Series A Bonds”). The Series A Bonds were issued to finance the repair, upgrading, acquisition, construction and equipping of certain District property and facilities. Concurrently with the issuance of the Series A Bonds, the District issued its Election of 2010 General Obligation Bonds, Series A-1 in the aggregate principal amount of $10,000,000 (the “Series A-1 Bonds”). The Series A-1 Bonds were issued to fund a technology endowment. On September 4, 2014, the District issued its Election of 2010 General Obligation Bonds, Series B in the aggregate principal amount of $74,995,430.35 (the “Series B Bonds”). On May 18, 2016, the District issued its Election of 2010 General Obligation Bonds, Series C in an aggregate principal amount of $155,000,000 (the “Series C Bonds”). On August 3, 2016, the District issued its 2016 General Obligation Refunding Bonds in an aggregate principal amount of $68,495,000 (the “2016 Refunding Bonds”), the proceeds of which were used to advance refund all of the District’s outstanding Series A Bonds and a portion of the District’s outstanding Series A-1 Bonds. On April 11, 2019, the District issued its Election of 2010 General Obligation Bonds, Series D in an aggregate principal amount of $39,000,000 (the “Series D Bonds”). None of the Authorization remains unissued.
The following table shows the total debt service with respect to the District’s outstanding general obligation bonded debt, including the Bonds (and assuming no optional redemptions):

**GENERAL OBLIGATION BONDED DEBT SERVICE**

Ohlone Community College District

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>August 1</td>
<td>$4,859,700.00</td>
<td>$5,119,761.50</td>
<td>$483,000.00</td>
<td>$1,934,200.00</td>
<td>$5,563,850.00</td>
<td>$2,927,150.00</td>
<td>$3,264,593.76</td>
<td></td>
</tr>
<tr>
<td>2022</td>
<td>5,302,500.00</td>
<td>5,046,775.10</td>
<td>--</td>
<td>1,934,200.00</td>
<td>5,563,850.00</td>
<td>3,545,550.00</td>
<td>2,239,193.76</td>
<td></td>
</tr>
<tr>
<td>2023</td>
<td>--</td>
<td>10,774,653.86</td>
<td>--</td>
<td>1,934,200.00</td>
<td>5,563,850.00</td>
<td>3,686,050.00</td>
<td>2,631,993.76</td>
<td></td>
</tr>
<tr>
<td>2024</td>
<td>--</td>
<td>11,190,222.66</td>
<td>--</td>
<td>1,934,200.00</td>
<td>5,563,850.00</td>
<td>3,827,550.00</td>
<td>3,042,793.76</td>
<td></td>
</tr>
<tr>
<td>2025</td>
<td>--</td>
<td>11,609,253.16</td>
<td>1,934,200.00</td>
<td>5,563,850.00</td>
<td>3,974,550.00</td>
<td>3,470,193.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2026</td>
<td>--</td>
<td>12,046,456.90</td>
<td>1,934,200.00</td>
<td>5,563,850.00</td>
<td>4,131,300.00</td>
<td>3,910,943.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2027</td>
<td>--</td>
<td>12,638,339.40</td>
<td>1,934,200.00</td>
<td>8,278,850.00</td>
<td>4,341,800.00</td>
<td>1,609,193.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2028</td>
<td>--</td>
<td>13,111,867.36</td>
<td>1,934,200.00</td>
<td>8,708,100.00</td>
<td>4,511,600.00</td>
<td>1,655,693.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2029</td>
<td>--</td>
<td>13,592,967.70</td>
<td>3,319,200.00</td>
<td>7,774,100.00</td>
<td>4,681,600.00</td>
<td>1,703,443.76</td>
<td></td>
<td></td>
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<tr>
<td>2030</td>
<td>--</td>
<td>14,090,209.36</td>
<td>3,479,200.00</td>
<td>8,088,700.00</td>
<td>4,861,400.00</td>
<td>1,752,193.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2031</td>
<td>--</td>
<td>--</td>
<td>3,644,200.00</td>
<td>8,411,700.00</td>
<td>5,047,200.00</td>
<td>1,801,693.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2032</td>
<td>--</td>
<td>--</td>
<td>3,814,200.00</td>
<td>8,747,100.00</td>
<td>5,234,800.00</td>
<td>1,866,693.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2033</td>
<td>--</td>
<td>--</td>
<td>3,994,200.00</td>
<td>9,098,700.00</td>
<td>5,435,200.00</td>
<td>1,921,293.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2034</td>
<td>--</td>
<td>--</td>
<td>4,179,200.00</td>
<td>9,465,100.00</td>
<td>5,642,400.00</td>
<td>1,982,093.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2035</td>
<td>--</td>
<td>--</td>
<td>4,379,200.00</td>
<td>9,844,900.00</td>
<td>5,855,600.00</td>
<td>2,038,693.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2036</td>
<td>--</td>
<td>--</td>
<td>4,579,200.00</td>
<td>10,241,700.00</td>
<td>6,079,000.00</td>
<td>2,101,093.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2037</td>
<td>--</td>
<td>--</td>
<td>4,794,200.00</td>
<td>10,654,600.00</td>
<td>6,301,600.00</td>
<td>2,173,893.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2038</td>
<td>--</td>
<td>--</td>
<td>5,014,200.00</td>
<td>11,084,650.00</td>
<td>6,542,800.00</td>
<td>2,236,493.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2039</td>
<td>--</td>
<td>--</td>
<td>5,249,200.00</td>
<td>11,520,800.00</td>
<td>6,791,200.00</td>
<td>2,315,943.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2040</td>
<td>--</td>
<td>--</td>
<td>5,559,200.00</td>
<td>11,922,800.00</td>
<td>7,040,800.00</td>
<td>2,388,343.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2041</td>
<td>--</td>
<td>--</td>
<td>5,819,200.00</td>
<td>12,401,000.00</td>
<td>7,300,800.00</td>
<td>2,464,943.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2042</td>
<td>--</td>
<td>--</td>
<td>14,108,000.00</td>
<td>12,896,200.00</td>
<td>--</td>
<td>2,190,343.76</td>
<td></td>
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<tr>
<td>2043</td>
<td>--</td>
<td>--</td>
<td>14,673,800.00</td>
<td>13,406,400.00</td>
<td>--</td>
<td>2,188,000.00</td>
<td></td>
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<tr>
<td>2044</td>
<td>--</td>
<td>--</td>
<td>15,262,000.00</td>
<td>13,944,600.00</td>
<td>--</td>
<td>2,273,650.00</td>
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<tr>
<td>2045</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>30,373,200.00</td>
<td>--</td>
<td>2,364,425.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$10,162,200.00</strong></td>
<td><strong>$109,220,507.00</strong></td>
<td><strong>$483,000.00</strong></td>
<td><strong>$117,342,000.00</strong></td>
<td><strong>$250,246,300.00</strong></td>
<td><strong>$107,759,950.00</strong></td>
<td><strong>$57,497,837.72</strong></td>
<td></td>
</tr>
</tbody>
</table>

(1) Includes debt service on the Refunded Bonds expected to be refinanced with proceeds of the Bonds.

* Preliminary, subject to change.
TAX MATTERS

In the opinion of Bond Counsel, under existing statutes, regulations, rulings and judicial decisions, interest (and original issue discount) on the Bonds is not excluded from gross income for federal income tax purposes under Section 103 of the Code but is exempt from State of California personal income tax.

Except for certain exceptions, the difference between the issue price of a Bond (the first price at which a substantial amount of the Bonds of the same maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Bond (to the extent the redemption price at maturity is greater than the issue price) constitutes original issue discount. Original issue discount accrues under a constant yield method. The amount of original issue discount deemed received by the Owner of a Bond will increase the Owner’s basis in the Bond. Owners of Bonds should consult their own tax advisor with respect to taking into account any original issue discount on the Bonds.

In the event of a legal defeasance of a Bond, such bond might be treated as retired and “reissued” for federal tax purposes as of the date of the defeasance, potentially resulting in recognition of taxable gain or loss to the applicable Bondholder generally equal to the difference between the amount deemed realized from the deemed redemption and reissuance and the Bondholder’s adjusted tax basis in such bond.

The amount by which a Bond Owner’s original basis for determining gain or loss on sale or exchange of the applicable Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable bond premium, which the Owner of a Bond may elect to amortize under Section 171 of the Code. Such amortizable bond premium reduces the Bond Owner’s basis in the applicable Bond (and the amount of taxable interest received) and is deductible for federal income tax purposes. The basis reduction as a result of the amortization of Bond premium may result in the Owner of a Bond realizing a taxable gain when a Bond is sold by the Owner for an amount equal to or less (under certain circumstances) than the original cost of the Bond to the Owner. The Owners of the Bonds that have a basis in the Bonds that is greater than the principal amount of the Bonds should consult their own tax advisors with respect to whether or not they should elect to amortize such premium under Section 171 of the Code.

The federal tax and State of California personal income tax discussion set forth above with respect to the Bonds is included for general information only and may not be applicable depending upon an Owner’s particular situation. The ownership and disposal of the Bonds and the accrual or receipt of interest with respect to the Bonds may otherwise affect the tax liability of certain persons. Bond Counsel expresses no opinion regarding any such tax consequences.

A copy of the proposed form of opinion of Bond Counsel for the Bonds is attached hereto as APPENDIX B.
LIMITATION ON REMEDIES; BANKRUPTCY

General

State law contains certain safeguards to protect the financial solvency of community college districts. See “FUNDING OF COMMUNITY COLLEGE DISTRICTS IN CALIFORNIA” herein. If the safeguards are not successful in preventing a community college district from becoming insolvent, the State Chancellor and the Board of Governors, operating through a special trustee appointed by the State Chancellor, may be authorized under State law to file a petition under Chapter 9 of the United States Bankruptcy Code (the “Bankruptcy Code”) on behalf of the community college district for the adjustment of its debts. In addition, an insolvent community college district may be able to file a petition under Chapter 9 before a special trustee is appointed. Prior to such petition, if any, the community college district is required to participate in a neutral evaluation process with interested parties as provided in the Government Code or declare a fiscal emergency and adopt a resolution by a majority vote of the governing board that includes findings that the financial state of the community college district jeopardizes the health, safety, or well-being of the residents of its jurisdiction or service area absent the protections of Chapter 9.

Bankruptcy courts are courts of equity and as such have broad discretionary powers. If the District were to become the debtor in a proceeding under Chapter 9 of the Bankruptcy Code, the automatic stay provisions of Bankruptcy Code Sections 362 and 922 generally would prohibit creditors from taking any action to collect amounts due from the District or to enforce any obligation of the District related to such amounts due, without consent of the District or authorization of the bankruptcy court (although such stays would not operate to block creditor application of pledged special revenues to payment of indebtedness secured by such revenues). In addition, as part of its plan of adjustment in a Chapter 9 bankruptcy case, the District may be able to alter the priority, interest rate, principal amount, payment terms, collateral, maturity dates, payment sources, covenants (including tax-related covenants), and other terms or provisions of the Bonds and other transaction documents related to the Bonds, as long as the bankruptcy court determines that the alterations are fair and equitable. There also may be other possible effects of a bankruptcy of the District that could result in delays or reductions in payments on the Bonds. Moreover, regardless of any specific adverse determinations in any District bankruptcy proceeding, the fact of a District bankruptcy proceeding could have an adverse effect on the liquidity and market price of the Bonds.

Statutory Lien

Pursuant to Government Code Section 53515, the Bonds are secured by a statutory lien on all revenues received pursuant to the levy and collection of the tax, and such lien automatically arises, without the need for any action or authorization by the District or the Board, and is valid and binding from the time the Bonds are executed and delivered. See “THE BONDS – Statutory Lien” herein. Although a statutory lien would not be automatically terminated by the filing of a Chapter 9 bankruptcy petition by the District, the automatic stay provisions of the Bankruptcy Code would apply and payments that become due and owing on the Bonds during the pendency of the Chapter 9 proceeding could be delayed, unless the Bonds are determined to be secured by a pledge of “special revenues” within the meaning of the Bankruptcy Code and the pledged ad valorem property taxes are applied to pay the Bonds in a manner consistent with the Bankruptcy Code.

Special Revenues

If the ad valorem property tax revenues that are pledged to the payment of the Bonds are determined to be “special revenues” within the meaning of the Bankruptcy Code, then the application in a manner consistent with the Bankruptcy Code of the pledged ad valorem property tax revenues should not be subject to the automatic stay. “Special revenues” are defined to include, among others, taxes specifically
levied to finance one or more projects or systems of the debtor, but excluding receipts from general property, sales, or income taxes levied to finance the general purposes of the debtor. State law prohibits the use of the tax proceeds for any purpose other than payment of the Bonds and the Bond proceeds can only be used to fund the acquisition or improvement of real property and other capital expenditures included in the proposition, so such tax revenues appear to fit the definition of special revenues. However, there is no binding judicial precedent dealing with the treatment in bankruptcy proceedings of ad valorem property tax revenues collected for the payments of bonds in California, so no assurance can be given that a bankruptcy court would not hold otherwise.

Possession of Tax Revenues; Remedies

The County on behalf of the District is expected to be in possession of the annual ad valorem property taxes and certain funds to repay the Bonds and may invest these funds in the County’s investment pool, as described in “THE BONDS – Application and Investment of Bond Proceeds” and “APPENDIX E – ALAMEDA COUNTY INVESTMENT POOL” herein. If the County goes into bankruptcy and has possession of tax revenues (whether collected before or after commencement of the bankruptcy), and if the County does not voluntarily pay such tax revenues to the owners of the Bonds, it is not entirely clear what procedures the owners of the Bonds would have to follow to attempt to obtain possession of such tax revenues, how much time it would take for such procedures to be completed, or whether such procedures would ultimately be successful. Further, should those investments suffer any losses, there may be delays or reductions in payments on the Bonds.

Opinion of Bond Counsel Qualified by Reference to Bankruptcy, Insolvency and Other Laws Relating to or Affecting Creditor’s Rights

The proposed form of the approving opinion of Bond Counsel attached hereto as Appendix B are qualified by reference to bankruptcy, insolvency and other laws relating to or affecting creditor’s rights. Bankruptcy proceedings, if initiated, could subject the owners of the Bonds to judicial discretion and interpretation of their rights in bankruptcy or otherwise, and consequently may entail risks of delay, limitation, or modification of their rights.

LEGAL MATTERS

Continuing Disclosure

The District has covenanted for the benefit of Owners and Beneficial Owners of the Bonds to provide certain financial information and operating data relating to the District (the “Annual Report”) by not later than nine months following the end of the District’s fiscal year (the District’s fiscal year ends on June 30), commencing with the report for the 2020-21 fiscal year, and to provide notices of the occurrence of certain enumerated events. The Annual Report and the notices of enumerated events will be filed in accordance with the requirements of S.E.C. Rule 15c2-12(b)(5) (the “Rule”). The specific nature of the information to be made available and to be contained in the notices of enumerated events is described in the form of Continuing Disclosure Certificate attached hereto as Appendix C. These covenants have been made in order to assist the Underwriter in complying with the Rule.

Prior Undertakings. Within the past five years, the District has not failed to comply in all material respects with the requirement to file annual reports and notices of enumerated events required pursuant to its then-existing continuing disclosure undertakings. The District has retained a dissemination agent to assist it in preparing and filing the annual reports and notices of enumerated events required under its existing continuing disclosure obligations with respect to the District’s outstanding general obligation bonds, including the Bonds.
Legality for Investment in California

Under provisions of the Financial Code, the Bonds are legal investments for commercial banks in the State to the extent that the Bonds, in the informed opinion of the bank, are prudent for the investment of funds of depositors, and under provisions of the Government Code, are eligible for security for deposits of public moneys in the State.

Absence of Material Litigation

No litigation is pending or threatened concerning the validity of the Bonds, and a certificate to that effect will be furnished to purchasers at the time of the original delivery of the Bonds. The District is not aware of any litigation pending or threatened questioning the political existence of the District or contesting the District’s ability to receive ad valorem property taxes to collect other revenues or contesting the District’s ability to issue and retire the Bonds.

Information Reporting Requirements

On May 17, 2006, the President signed the Tax Increase Prevention and Reconciliation Act of 2005 (“TIPRA”). Under Section 6049 of the Internal Revenue Code of 1986, as amended by TIPRA, interest paid on tax-exempt obligations is subject to information reporting in a manner similar to interest paid on taxable obligations. The purpose of this change was to assist in relevant information gathering for the IRS relating to other applicable tax provisions. TIPRA provides that backup withholding may apply to such interest payments to any bondholder who fails to file an accurate Form W-9 or who meets certain other criteria. The information reporting and backup withholding requirements of TIPRA do not affect the excludability of such interest from gross income for federal income tax purposes.

Legal Opinion

The validity of the Bonds and certain other legal matters are subject to the approving opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, as Bond Counsel. A copy of the proposed form of such legal opinion is attached to this Official Statement as Appendix B.

Escrow Verification

Upon delivery of the Bonds, the Verification Agent, will deliver a report on the mathematical accuracy of certain computations based upon certain information and assertions provided to them by the Underwriter (defined herein) relating to the adequacy of the moneys in the Escrow Fund, together with any moneys held therein as cash, to pay the redemption price of the Refunded Bonds.

Financial Statements

The financial statements with supplemental information for the year ended June 30, 2020, the independent auditor’s report of the District, and the related statements of activities and of cash flows for the year then ended, and the report dated January 22, 2021 of Gilbert Associates, Inc. (the “Auditor”), are included in this Official Statement as Appendix A. In connection with the inclusion of the financial statements and the report of the Auditor thereon in Appendix A to this Official Statement, the District did not request the Auditor to, and the Auditor has not undertaken to, update its report or to take any action intended or likely to elicit information concerning the accuracy, completeness or fairness of the statements made in this Official Statement, and no opinion is expressed by the Auditor with respect to any event subsequent to the date of its report.
Moody’s has assigned a rating of “_____” to the Bonds. Such rating reflects only the views of such organization and any desired explanation of the significance of such rating should be obtained from the rating agency furnishing the same. Generally, rating agencies base their ratings on information and materials furnished to them (which may include information and material from the District which is not included in this Official Statement) and on investigations, studies and assumptions by the rating agencies. There is no assurance such rating will continue for any given period of time or that such rating will not be revised downward or withdrawn entirely by the respective rating agency, if in the judgment of such rating agency, circumstances so warrant. Any such downward revision or withdrawal of such rating may have an adverse effect on the market price for the Bonds.

The District has covenanted in a Continuing Disclosure Certificate to file on The Electronic Municipal Market Access (“EMMA”) website operated by the Municipal Securities Rulemaking Board notices of any rating changes on the Bonds. See “LEGAL MATTERS – Continuing Disclosure” herein and “APPENDIX C – FORM OF CONTINUING DISCLOSURE CERTIFICATE” attached hereto. Notwithstanding such covenant, information relating to rating changes on the Bonds may be publicly available from the rating agency prior to such information being provided to the District and prior to the date the District is obligated to file a notice of rating change on EMMA. Purchasers of the Bonds are directed to the rating agency and its website and official media outlets for the most current rating changes with respect to the Bonds after the initial issuance of the Bonds.

UNDERWRITING

The Bonds are being purchased by Piper Sandler & Co. as underwriter (the “Underwriter”). The Underwriter has agreed to purchase the Bonds at a price of $__________, which is equal to the initial principal amount of the Bonds of $_____________, [plus/less] original issue [premium/discount] of $__________, less the Underwriter’s discount of $__________. The Purchase Contract for the Bonds provides that the Underwriter will purchase all of the Bonds if any are purchased, the obligation to make such purchase being subject to certain terms and conditions set forth in said agreement, the approval of certain legal matters by counsel and certain other conditions.

The Underwriter may offer and sell Bonds to certain dealers and others at prices lower than the offering prices stated on the inside cover. The offering prices may be changed from time to time by the Underwriter.

Underwriter Disclosure. The Underwriter has provided the following paragraph for inclusion in this Official Statement. The District does not guarantee the accuracy or completeness of the following information, and the inclusion thereof should not be construed as a representation of the District.

Piper Sandler & Co. has entered into a distribution agreement (the “Schwab Agreement”) with Charles Schwab & Co., Inc. (“CS&Co.”) for the retail distribution of certain securities offerings at the original issue prices. Pursuant to the Schwab Agreement, CS&Co. will purchase Bonds from Piper Sandler & Co. at the original issue price less a negotiated portion of the selling concession applicable to any Bonds that CS&Co. sells.
ADDITIONAL INFORMATION

Quotations from and summaries and explanations of the Bonds, the Resolution providing for issuance of the Bonds, and the constitutional provisions, statutes and other documents referenced herein, do not purport to be complete, and reference is made to said documents, constitutional provisions and statutes for full and complete statements of their provisions.

All of the data contained herein about the District has been taken or constructed from District records. Appropriate District officials, acting in their official capacities, have reviewed this Official Statement and have determined that, as of the date hereof, the information contained herein is, to the best of their knowledge and belief, true and correct in all material respects and does not contain an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made herein, in light of the circumstances under which they were made, not misleading. This Official Statement has been approved by the District’s Board of Trustees.

Any statements in this Official Statement involving matters of opinion, whether or not expressly so stated, are intended only as such and not as representations of fact. This Official Statement is not to be construed as a contract or agreement between the District and the purchasers or Owners, beneficial or otherwise, of any of the Bonds.

This Official Statement and the delivery thereof have been duly approved and authorized by the District.

OHLCONE COMMUNITY COLLEGE DISTRICT

By __________________________
Dr. Eric Bishop
Superintendent/President
APPENDIX B

FORM OF OPINION OF BOND COUNSEL

Upon issuance of the Bonds, Stradling Yocca Carlson & Rauth, a Professional Corporation, Bond Counsel, proposes to render its final approving opinion with respect to the Bonds in substantially the following form:

______________, 2021

Board of Trustees
Ohlone Community College District

Members of the Board of Trustees:

We have examined a certified copy of the record of the proceedings relative to the issuance and sale of $__________ Ohlone Community College District (Alameda County, California) 2021 General Obligation Refunding Bonds (Federally Taxable) (the “Bonds”). As to questions of fact material to our opinion, we have relied upon the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.

Based on our examination as bond counsel of existing law, certified copies of such legal proceedings and such other proofs as we deem necessary to render this opinion, we are of the opinion, as of the date hereof and under existing law, that:

1. Such proceedings and proofs show lawful authority for the issuance and sale of the Bonds pursuant to Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code, and a resolution adopted by the Board of Trustees of the Ohlone Community College District (the “District”) on April 14, 2021 (the “Resolution.”)

2. The Bonds constitute valid and binding general obligations of the District, payable as to both principal and interest from the proceeds of a levy of ad valorem property taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.

3. Under existing statutes, regulations, rulings and judicial decisions, interest (and original issue discount) on the Bonds is not excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”).

4. Interest on the Bonds is exempt from State of California personal income tax.

5. Except for certain exceptions, the difference between the issue price of a Bond (the first price at which a substantial amount of the Bonds of a maturity is to be sold to the public) and the stated payment price at maturity with respect to such Bond (to the extent the redemption price at maturity is greater than the issue price) constitutes original issue discount. Original issue discount accrues under a constant yield method. The amount of original issue discount deemed received by a Bond owner will increase the Bond owners' basis in the applicable Bond.

6. The amount by which a Bond owner’s original basis for determining gain or loss on sale or exchange of the applicable Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable bond premium, which the owner of the Bond may elect to amortize under Section 171 of the Code. Such amortizable bond

B-1
premium reduces the Bond owner’s basis in the applicable Bond (and the amount of taxable interest received) for federal income tax purposes. The basis reduction as a result of the amortization of Bond premium may result in the owner of a Bond realizing a taxable gain when a Bond is sold by the Bond owner for an amount equal to or less (under certain circumstances) than the original cost of the Bond to the Bond owner. The owners of the Bonds that have a basis in the Bonds that is greater than the principal amount of the Bonds should consult their own tax advisors with respect to whether or not they should elect to amortize such premium under Section 171 of the Code.

Except as expressly set forth in paragraphs (3), (4), (5) and (6), we express no opinion regarding any tax consequences with respect to the Bonds.

The opinions expressed herein are based upon our analysis and interpretation of existing statutes, regulations, rulings and judicial decisions and cover certain matters not directly addressed by such authorities. The opinions expressed herein may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. We have not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. Our engagement as bond counsel to the District terminates upon the issuance of the Bonds.

The rights of the owners of the Bonds and the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors’ rights heretofore or hereafter enacted to the extent constitutionally applicable and their enforcement may also be subject to the exercise of judicial discretion in appropriate cases and by the limitations on legal remedies against public agencies in the State of California.

Respectfully submitted,

Stradling Yocca Carlson & Rauth
APPENDIX C

FORM OF CONTINUING DISCLOSURE CERTIFICATE

The Ohlone Community College District will execute a Continuing Disclosure Certificate in substantially the following form in connection with the issuance of $________ Ohlone Community College District (Alameda County, California) 2021 General Obligation Refunding Bonds (Federally Taxable).

This Continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by the Ohlone Community College District (the “District”) in connection with the issuance of $_________ of the District’s 2021 General Obligation Refunding Bonds (Federally Taxable) (the “Bonds”). The Bonds are being issued pursuant to a Resolution of the Board of Trustees of the District adopted on April 14, 2021. The District covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the District for the benefit of the Holders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with S.E.C. Rule 15c2-12(b)(5).

SECTION 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“Annual Report” shall mean any Annual Report provided by the District pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“Beneficial Owner” shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“Dissemination Agent” shall mean initially Keygent LLC, or any successor Dissemination Agent designated in writing by the District (which may be the District) and which has filed with the District a written acceptance of such designation.

“Financial Obligation” shall mean (a) a debt obligation; (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of (a) or (b). The term “Financial Obligation” does not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

“Holders” shall mean the registered owners of the Bonds.

“Listed Events” shall mean any of the events listed in Section 5(a) or 5(b) of this Disclosure Certificate.

“Official Statement” shall mean the Official Statement dated as of ________, 2021, and relating to the Bonds.

“Participating Underwriter” shall mean Piper Sandler & Co. or any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.
“Repository” shall mean, the Municipal Securities Rulemaking Board, which can be found at http://emma.msrb.org/, or any other repository of disclosure information that may be designated by the Securities and Exchange Commission as such for purposes of the Rule in the future.

“Rule” shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“State” shall mean the State of California.

SECTION 3. Provision of Annual Reports.

(a) The District shall, or shall cause the Dissemination Agent to, not later than nine months after the end of the District’s fiscal year (presently ending June 30), commencing with the report for the 2020-21 Fiscal Year, provide to the Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the District may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the District’s fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5(b).

(b) Not later than thirty (30) days (nor more than sixty (60) days) prior to said date the Dissemination Agent shall give notice to the District that the Annual Report shall be required to be filed in accordance with the terms of this Disclosure Certificate. Not later than fifteen (15) Business Days prior to said date, the District shall provide the Annual Report in a format suitable for reporting to the Repository to the Dissemination Agent (if other than the District). If the District is unable to provide to the Repository an Annual Report by the date required in subsection (a), the District shall send a notice in a timely manner to the Repository in substantially the form attached as Exhibit A with a copy to the Dissemination Agent. The Dissemination Agent shall not be required to file a Notice to Repository of Failure to File an Annual Report.

(c) The Dissemination Agent shall file a report with the District stating it has filed the Annual Report in accordance with its obligations hereunder, stating the date it was provided to the Repository.

SECTION 4. Content and Form of Annual Reports. (a) The District’s Annual Report shall contain or include by reference the following:

1. The audited financial statements of the District for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the District’s audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

2. Material financial information and operating data with respect to the District of the type included in the Official Statement in the following categories (to the extent not included in the District’s audited financial statements):

   (i) State funding received by the District for the last completed fiscal year;
(ii) FTES of the District for the last completed fiscal year;

(iii) outstanding District indebtedness;

(iv) summary financial information on revenues, expenditures and fund balances for the District’s general fund reflecting adopted budget for the current fiscal year;

(v) assessed valuation for real property located in the District for the current fiscal year; and

(vi) tax delinquencies, to the extent the County does not maintain the Teeter Plan with respect to the collection of taxes to repay the Bonds.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the District or related public entities, which have been submitted to the Repository or the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The District shall clearly identify each such other document so included by reference.

(b) The Annual Report shall be filed in an electronic format, and accompanied by identifying information, as prescribed by the Municipal Securities Rulemaking Board.

SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5(a), the District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds in a timely manner not in excess of 10 business days after the occurrence of the event:

1. principal and interest payment delinquencies.

2. tender offers.

3. defeasances.

4. rating changes.

5. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, or Notices of Proposed Issue (IRS Form 5701-TEB).

6. unscheduled draws on the debt service reserves reflecting financial difficulties.

7. unscheduled draws on credit enhancement reflecting financial difficulties.

8. substitution of the credit or liquidity providers or their failure to perform.

9. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation, any of which reflect financial difficulties.

10. bankruptcy, insolvency, receivership or similar event (within the meaning of the Rule) of the District. For the purposes of the event identified in this Section 5(a)(10), the event is
considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the District in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the District, or if such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the District.

(b) Pursuant to the provisions of this Section 5(b), the District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds, if material:

1. non-payment related defaults.
2. modifications to rights of Bondholders.
3. **optional, contingent or unscheduled Bond calls.**
4. unless described under Section 5(a)(5) above, material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds.
5. release, substitution or sale of property securing repayment of the Bonds.
6. the consummation of a merger, consolidation, or acquisition involving the District or the sale of all or substantially all of the assets of the District, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms.
7. appointment of a successor or additional trustee or paying agent with respect to the Bonds or the change of name of such a trustee or paying agent.
8. incurrence of a Financial Obligation **of the District** or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation **of the District**, any of which affect Bondowners.

(c) Whenever the District obtains knowledge of the occurrence of a Listed Event under Section 5(b) hereof, the District shall as soon as possible determine if such event would be material under applicable federal securities laws.

(d) If the District determines that knowledge of the occurrence of a Listed Event under Section 5(b) hereof would be material under applicable federal securities laws, the District shall (i) file a notice of such occurrence with the Repository in a timely manner not in excess of 10 business days after the occurrence of the event or (ii) provide notice of such reportable event to the Dissemination Agent in format suitable for filing with the Repository in a timely manner not in excess of 10 business days after the occurrence of the event. The Dissemination Agent shall have no duty to independently prepare or file any report of Listed Events. The Dissemination Agent may conclusively rely on the District’s determination of materiality pursuant to Section 5(c).
SECTION 6. Termination of Reporting Obligation. The District’s obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the District shall give notice of such termination in the same manner as for a Listed Event under Section 5(a) or Section 5(b), as applicable.

SECTION 7. Dissemination Agent. The District may, from time to time, appoint or engage a Dissemination Agent (or substitute Dissemination Agent) to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent may resign upon fifteen (15) days written notice to the District. Upon such resignation, the District shall act as its own Dissemination Agent until it appoints a successor. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the District pursuant to this Disclosure Certificate and shall not be responsible to verify the accuracy, completeness or materiality of any continuing disclosure information provided by the District. The District shall compensate the Dissemination Agent for its fees and expenses hereunder as agreed by the parties. Any entity succeeding to all or substantially all of the Dissemination Agent’s corporate trust business shall be the successor Dissemination Agent without the execution or filing of any paper or further act.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the District may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, 5(a) or 5(b), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances;

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Holders or Beneficial Owners of the Bonds; and

(d) No duties of the Dissemination Agent hereunder shall be amended without its written consent thereto.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the District shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the District. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(b), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.
SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the District from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the District chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the District shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the District to comply with any provision of this Disclosure Certificate any Holder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the District to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate. The Dissemination Agent acts hereunder solely for the benefit of the District; this Disclosure Certificate shall confer no duties on the Dissemination Agent to the Participating Underwriter, the Holders and the Beneficial Owners. The District agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent’s gross negligence or willful misconduct. The obligations of the District under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds. The Dissemination Agent shall have no liability for the failure to report any event or any financial information as to which the District has not provided an information report in format suitable for filing with the Repository. The Dissemination Agent shall not be required to monitor or enforce the District’s duty to comply with its continuing disclosure requirements hereunder.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the District, the Dissemination Agent, the Participating Underwriter and Holders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 13. Signature. This Disclosure Certificate has been executed by the undersigned on the date hereof, and such signature binds the District to the undertaking herein provided.

Dated: ________________, 2021

OHLINE COMMUNITY COLLEGE DISTRICT

By: ____________________________

\[Superintendent/President\]
EXHIBIT A

NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT

Name of District: OHLONE COMMUNITY COLLEGE DISTRICT

Name of Bond Issue: 2021 General Obligation Refunding Bonds (Federally Taxable)

Date of Issuance: _____________, 2021

NOTICE IS HEREBY GIVEN that the District has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Certificate relating to the Bonds. The District anticipates that the Annual Report will be filed by ____________.

Dated: ________________

OHLONE COMMUNITY COLLEGE DISTRICT

By ____ [form only; no signature required] ___________
APPENDIX D

ECONOMIC AND DEMOGRAPHIC INFORMATION FOR THE CITIES OF FREMONT, NEWARK AND ALAMEDA COUNTY

The following information regarding the City of Fremont, the City of Newark (together, the “Cities”) and Alameda County (the “County”) is included only for the purpose of supplying general information regarding the local community and economy. The Bonds are not a debt of the Cities or of the County. This material has been prepared by or excerpted from the sources as noted herein and has not been reviewed for accuracy by the District or Bond Counsel.

General

City of Fremont. Fremont is located at the southeast end of San Francisco Bay and was incorporated in 1956. It has an area of approximately 92 square miles and is the fourth largest city in the Bay Area. Fremont operates under the Council-Manager form of government. The City Council is comprised of six members elected from districts, with the Mayor elected separately to a four-year term by a citywide vote. Fremont is a center for advanced manufacturing and is home to a large cluster of high technology companies.

City of Newark. Incorporated in 1955, Newark is located on the eastern shore of San Francisco Bay, 15 miles north of the City of San Jose. A general law city, it has a Council-Manager form of government, with four elected Council members and an elected Mayor. Comprised of 13.9 square miles, Newark is a distribution hub and also has a strong housing market.

Alameda County. Established in 1853, Alameda is the seventh most populous county in the State of California (the “State”). With 813 square miles, the County is located on the east side of the San Francisco Bay and bordered by Albany in the north, Fremont in the South, and Livermore in the East. It is governed by a five-member Board of Supervisors elected by district to staggered four-year terms. A major port for international trade, the County has a diverse economic base that includes manufacturing, high technology and research.

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Population
The following table shows historical population figures for the Cities, the County and the State for the past 10 years.

### POPULATION ESTIMATES

^2011 through ^2020

<table>
<thead>
<tr>
<th>Year(1)</th>
<th>City of Fremont</th>
<th>City of Newark</th>
<th>Alameda County</th>
<th>State of California</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>216,569</td>
<td>42,924</td>
<td>1,526,110</td>
<td>37,561</td>
</tr>
<tr>
<td>2012</td>
<td>219,532</td>
<td>43,349</td>
<td>1,549,917</td>
<td>37,924</td>
</tr>
<tr>
<td>2013</td>
<td>222,285</td>
<td>43,568</td>
<td>1,569,989</td>
<td>38,269</td>
</tr>
<tr>
<td>2014</td>
<td>225,683</td>
<td>43,907</td>
<td>1,590,729</td>
<td>38,556</td>
</tr>
<tr>
<td>2015</td>
<td>228,474</td>
<td>44,371</td>
<td>1,613,528</td>
<td>38,870</td>
</tr>
<tr>
<td>2016</td>
<td>230,243</td>
<td>44,722</td>
<td>1,632,599</td>
<td>39,131</td>
</tr>
<tr>
<td>2017</td>
<td>232,010</td>
<td>45,260</td>
<td>1,646,711</td>
<td>39,398</td>
</tr>
<tr>
<td>2018</td>
<td>232,685</td>
<td>46,812</td>
<td>1,655,306</td>
<td>39,586</td>
</tr>
<tr>
<td>2019</td>
<td>233,404</td>
<td>48,164</td>
<td>1,664,783</td>
<td>39,698</td>
</tr>
<tr>
<td>2020</td>
<td>234,220</td>
<td>48,966</td>
<td>1,670,834</td>
<td>39,782.87</td>
</tr>
</tbody>
</table>

^ As of January 1.


[REMAINDER OF PAGE LEFT BLANK]
The following table summarizes per capita personal income for the County, the State and the United States for the past 10 years:

PER CAPITA PERSONAL INCOME
\(^\Delta 2010\) through \(^\Delta 2019\)
Alameda County, State of California and \(^\Delta\) United States

<table>
<thead>
<tr>
<th>Year</th>
<th>Alameda County</th>
<th>State of California</th>
<th>United States</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>$48,144</td>
<td>$43,636</td>
<td>$40,547</td>
</tr>
<tr>
<td>2011</td>
<td>$51,281</td>
<td>$46,175</td>
<td>$42,739</td>
</tr>
<tr>
<td>2012</td>
<td>$53,402</td>
<td>$48,813</td>
<td>$44,605</td>
</tr>
<tr>
<td>2013</td>
<td>$55,509</td>
<td>$49,303</td>
<td>$44,860</td>
</tr>
<tr>
<td>2014</td>
<td>$59,117</td>
<td>$52,363</td>
<td>$47,071</td>
</tr>
<tr>
<td>2015</td>
<td>$63,912</td>
<td>$55,833</td>
<td>$49,019</td>
</tr>
<tr>
<td>2016</td>
<td>$67,798</td>
<td>$58,048</td>
<td>$50,015</td>
</tr>
<tr>
<td>2017</td>
<td>$71,947</td>
<td>$60,549</td>
<td>$52,118</td>
</tr>
<tr>
<td>2018</td>
<td>77,233</td>
<td>63,720</td>
<td>54,606</td>
</tr>
<tr>
<td>2019</td>
<td>81,171</td>
<td>66,619</td>
<td>56,490</td>
</tr>
</tbody>
</table>


[REMAINDER OF PAGE LEFT BLANK]
Principal Employers

The following tables list the principal employers located in the Cities and the County.

## PRINCIPAL EMPLOYERS

### 2020
#### City of Fremont

<table>
<thead>
<tr>
<th>Employer Name</th>
<th>Industry</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tesla Motors <strong>Inc.</strong></td>
<td><strong>Manufacturing:</strong> Transportation</td>
<td>13,000</td>
</tr>
<tr>
<td>Fremont Unified School District</td>
<td><strong>Services:</strong> Educational</td>
<td>3,000</td>
</tr>
<tr>
<td>LAM Research</td>
<td><strong>Manufacturing:</strong> Industrial and Computer Equipment</td>
<td>2,500</td>
</tr>
<tr>
<td>Washington Hospital</td>
<td><strong>Services:</strong> Health Services</td>
<td>2,200</td>
</tr>
<tr>
<td>Kaiser Permanente Medical Group</td>
<td><strong>Services:</strong> Health Services</td>
<td>1,700</td>
</tr>
<tr>
<td>Synnex Corporation</td>
<td><strong>Services:</strong> Business Services</td>
<td>1,250</td>
</tr>
<tr>
<td>Western Digital</td>
<td><strong>Manufacturing:</strong> Industrial and Computer Equipment</td>
<td>1,000</td>
</tr>
<tr>
<td>City of Fremont</td>
<td><strong>Public Administration</strong></td>
<td>956</td>
</tr>
<tr>
<td>Boston Scientific</td>
<td><strong>Manufacturing:</strong> Medical and Optical Goods</td>
<td>800</td>
</tr>
<tr>
<td>Ohlone College</td>
<td><strong>Services:</strong> Educational</td>
<td>750</td>
</tr>
</tbody>
</table>

## 2020
City of Newark

<table>
<thead>
<tr>
<th>Employer Name</th>
<th>Industry</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newark Unified School District</td>
<td>Services: Educational</td>
<td>889</td>
</tr>
<tr>
<td>Logitech</td>
<td>Manufacturing: Industrial and Commercial Machinery and Computer Equipment</td>
<td>606</td>
</tr>
<tr>
<td>Risk Management Solutions</td>
<td>Services: Business Services</td>
<td>290</td>
</tr>
<tr>
<td>Worldpac, Inc.</td>
<td>Wholesale trade: Durable Goods</td>
<td>251</td>
</tr>
<tr>
<td>VM Services Inc.</td>
<td>Manufacturing: Industrial and Commercial Machinery and Computer Equipment</td>
<td>241</td>
</tr>
<tr>
<td>Nordstrom Distribution Center</td>
<td>Transportation: Motor Freight</td>
<td>220</td>
</tr>
<tr>
<td>Cargill Salt</td>
<td>Manufacturing: Food and Kindred Products</td>
<td>217</td>
</tr>
<tr>
<td>Smart Modular Technologies Inc.</td>
<td>Manufacturing: Industrial and Commercial Machinery and Computer Equipment</td>
<td>214</td>
</tr>
<tr>
<td>Amazon Fulfillment Center</td>
<td>Transportation: Motor Freight</td>
<td>200</td>
</tr>
<tr>
<td>Valassis Direct Mail Inc. (formerly ADVO)</td>
<td>Services: Business Services</td>
<td>148</td>
</tr>
</tbody>
</table>


## LARGEST EMPLOYERS
2020
Alameda County

<table>
<thead>
<tr>
<th>Employer Name</th>
<th>Industry</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kaiser Permanente Medical Group Inc.</td>
<td>Services: Health Services</td>
<td>△34,819</td>
</tr>
<tr>
<td>△Tesla</td>
<td>△Manufacturing: Transportation Equipment</td>
<td>10,000</td>
</tr>
<tr>
<td>Safeway Inc.</td>
<td>Retail Trade: Food Stores</td>
<td>9,796</td>
</tr>
<tr>
<td>County of Alameda</td>
<td>△Public △Administration</td>
<td>△9,588</td>
</tr>
<tr>
<td>△Sutter △Health</td>
<td>△Services: Health Services</td>
<td>△9,377</td>
</tr>
<tr>
<td>John Muir Health</td>
<td>Services: Health Services</td>
<td>△6,012</td>
</tr>
<tr>
<td>Chevron △Corp.</td>
<td>△Mining: Oil and Gas Extraction</td>
<td>△5,186</td>
</tr>
<tr>
<td>PG&amp;E △Corp.</td>
<td>△Electric, Gas, and Sanitary Services</td>
<td>5,100</td>
</tr>
<tr>
<td>Wells Fargo Bank</td>
<td>△Finance: Depository Institutions</td>
<td>△4,589</td>
</tr>
<tr>
<td>△Workday</td>
<td>△Services: Business Services</td>
<td>△4,565</td>
</tr>
</tbody>
</table>

△
Employment

The following table summarizes the labor force, employment and unemployment figures for the years 2016 through 2020 for the Cities, the County, the State and the United States.

<table>
<thead>
<tr>
<th>Year and Area</th>
<th>Labor Force</th>
<th>Employment</th>
<th>Unemployment</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2016</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Fremont</td>
<td>117,900</td>
<td>113,300</td>
<td>4,600</td>
<td>3.9</td>
</tr>
<tr>
<td>City of Newark</td>
<td>△23,900</td>
<td>△22,900</td>
<td>1,000</td>
<td>4.2</td>
</tr>
<tr>
<td>Alameda County</td>
<td>△831,700</td>
<td>△796,000</td>
<td>△35,700</td>
<td>4.3</td>
</tr>
<tr>
<td>State of California</td>
<td>△19,044,500</td>
<td>△18,002,800</td>
<td>△1,041,700</td>
<td>5.5</td>
</tr>
<tr>
<td>United States</td>
<td>159,187,000</td>
<td>151,436,000</td>
<td>7,751,000</td>
<td>4.9</td>
</tr>
<tr>
<td><strong>2017</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Fremont</td>
<td>118,800</td>
<td>114,900</td>
<td>3,900</td>
<td>3.3</td>
</tr>
<tr>
<td>City of Newark</td>
<td>△24,800</td>
<td>24,000</td>
<td>900</td>
<td>3.5</td>
</tr>
<tr>
<td>Alameda County</td>
<td>△839,200</td>
<td>△808,400</td>
<td>△30,800</td>
<td>3.7</td>
</tr>
<tr>
<td>State of California</td>
<td>△19,205,300</td>
<td>△18,285,500</td>
<td>△919,800</td>
<td>4.8</td>
</tr>
<tr>
<td>United States</td>
<td>160,320,000</td>
<td>153,337,000</td>
<td>6,982,000</td>
<td>4.4</td>
</tr>
<tr>
<td><strong>2018</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Fremont</td>
<td>120,500</td>
<td>117,700</td>
<td>3,200</td>
<td>2.7</td>
</tr>
<tr>
<td>City of Newark</td>
<td>△25,200</td>
<td>△24,500</td>
<td>700</td>
<td>2.8</td>
</tr>
<tr>
<td>Alameda County</td>
<td>△842,400</td>
<td>△816,600</td>
<td>△25,800</td>
<td>△3.1</td>
</tr>
<tr>
<td>State of California</td>
<td>△19,281,100</td>
<td>△18,460,400</td>
<td>△820,700</td>
<td>△4.3</td>
</tr>
<tr>
<td>United States</td>
<td>162,075,000</td>
<td>155,761,000</td>
<td>6,314,000</td>
<td>3.9</td>
</tr>
<tr>
<td><strong>2019</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Fremont</td>
<td>120,700</td>
<td>117,700</td>
<td>3,000</td>
<td>2.5</td>
</tr>
<tr>
<td>City of Newark</td>
<td>25,300</td>
<td>24,600</td>
<td>700</td>
<td>2.7</td>
</tr>
<tr>
<td>Alameda County</td>
<td>844,400</td>
<td>819,700</td>
<td>24,700</td>
<td>2.9</td>
</tr>
<tr>
<td>State of California</td>
<td>19,480,300</td>
<td>18,623,900</td>
<td>784,400</td>
<td>4.0</td>
</tr>
<tr>
<td>United States</td>
<td>163,539,000</td>
<td>157,538,000</td>
<td>6,001,000</td>
<td>3.7</td>
</tr>
<tr>
<td><strong>2020</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Fremont</td>
<td>115,500</td>
<td>107,800</td>
<td>7,800</td>
<td>6.7</td>
</tr>
<tr>
<td>City of Newark</td>
<td>24,700</td>
<td>22,600</td>
<td>2,000</td>
<td>8.2</td>
</tr>
<tr>
<td>Alameda County</td>
<td>813,800</td>
<td>742,400</td>
<td>71,400</td>
<td>8.8</td>
</tr>
<tr>
<td>State of California</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States</td>
<td>160,742,000</td>
<td>147,795,000</td>
<td>12,947,000</td>
<td>8.1</td>
</tr>
</tbody>
</table>

D-14
Note: Data is not seasonally adjusted.

(1) Annual averages, unless otherwise specified.

(2) Includes persons involved in labor-management trade disputes.

(3) The unemployment rate is computed from unrounded data; therefore, it may differ from rates computed from rounded figures in this table.

(4) Statistic currently unavailable.

Industry

The County is included in the Oakland-Hayward-Berkeley Metropolitan Division (the “Metropolitan Division”). The distribution of employment in the Metropolitan Division is presented in the following table for the last five years. These figures may be multi county-wide statistics and may not necessarily accurately reflect employment trends in the County.

**INDUSTRY EMPLOYMENT & LABOR FORCE ANNUAL AVERAGES**

**2016 through 2020**

Alameda County (Oakland-Hayward-Berkeley Metropolitan Division)

<table>
<thead>
<tr>
<th>Category</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Farm</td>
<td>1,300</td>
<td>1,400</td>
<td>1,300</td>
<td>1,400</td>
<td>1,500</td>
</tr>
<tr>
<td>Total Nonfarm</td>
<td>δ</td>
<td>δ</td>
<td>δ1,134,100</td>
<td>δ1,160,400</td>
<td>δ1,180,000</td>
</tr>
<tr>
<td>Total Private</td>
<td>δ</td>
<td>δ</td>
<td>δ960,700</td>
<td>δ985,800</td>
<td>δ1,005,300</td>
</tr>
<tr>
<td>Goods Producing</td>
<td>δ</td>
<td>δ</td>
<td>δ159,400</td>
<td>δ167,200</td>
<td>δ175,800</td>
</tr>
<tr>
<td>Mining and Logging</td>
<td>300</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>200</td>
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<tr>
<td>Construction</td>
<td>δ</td>
<td>δ</td>
<td>δ67,900</td>
<td>δ71,200</td>
<td>δ74,900</td>
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<tr>
<td>Manufacturing</td>
<td>δ</td>
<td>δ</td>
<td>δ91,300</td>
<td>δ95,700</td>
<td>δ100,600</td>
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<tr>
<td>Durable Goods</td>
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<td>δ</td>
<td>δ58,800</td>
<td>δ62,300</td>
<td>δ67,300</td>
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<tr>
<td>Nondurable Goods</td>
<td>δ</td>
<td>δ</td>
<td>32,500</td>
<td>33,500</td>
<td>33,400</td>
</tr>
<tr>
<td>Service Providing</td>
<td>δ</td>
<td>δ</td>
<td>δ974,700</td>
<td>δ993,300</td>
<td>δ1,004,200</td>
</tr>
<tr>
<td>Private Service</td>
<td>δ</td>
<td>δ</td>
<td>801,200</td>
<td>818,600</td>
<td>829,600</td>
</tr>
<tr>
<td>Providing</td>
<td>δ</td>
<td>δ</td>
<td>δ201,200</td>
<td>δ204,400</td>
<td>δ204,300</td>
</tr>
<tr>
<td>Trade, Transportation and Utilities</td>
<td>δ</td>
<td>δ</td>
<td>48,100</td>
<td>48,700</td>
<td>δ47,500</td>
</tr>
<tr>
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<td>δ</td>
<td>113,400</td>
<td>114,400</td>
<td>δ114,400</td>
</tr>
<tr>
<td>Retail Trade</td>
<td>δ</td>
<td>δ</td>
<td>δ39,700</td>
<td>δ41,300</td>
<td>δ42,300</td>
</tr>
<tr>
<td>Transportation, Warehousing and Utilities</td>
<td>δ</td>
<td>δ</td>
<td>δ26,500</td>
<td>δ26,900</td>
<td>δ27,600</td>
</tr>
<tr>
<td>Information</td>
<td>δ</td>
<td>δ</td>
<td>δ55,800</td>
<td>δ56,300</td>
<td>δ55,300</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>δ</td>
<td>δ</td>
<td>181,100</td>
<td>184,500</td>
<td>189,500</td>
</tr>
<tr>
<td>Professional and Business Services</td>
<td>δ</td>
<td>δ</td>
<td>185,900</td>
<td>191,500</td>
<td>δ194,300</td>
</tr>
<tr>
<td>Educational and Health Services</td>
<td>δ</td>
<td>δ</td>
<td>111,700</td>
<td>114,900</td>
<td>δ117,700</td>
</tr>
<tr>
<td>Leisure and Hospitality</td>
<td>δ</td>
<td>δ</td>
<td>39,100</td>
<td>40,200</td>
<td>δ41,000</td>
</tr>
<tr>
<td>Government</td>
<td>δ</td>
<td>δ</td>
<td>173,400</td>
<td>174,600</td>
<td>δ174,700</td>
</tr>
<tr>
<td>Total, All Industries</td>
<td>δ</td>
<td>δ</td>
<td>δ1,135,400</td>
<td>δ1,161,800</td>
<td>δ1,181,300</td>
</tr>
</tbody>
</table>

Note: The “Total, All Industries” data is not directly comparable to the employment data found herein.

Commercial Activity

Summaries of annual taxable sales for the Cities and the County for the last five years are shown in the following tables.

**ANNUAL TAXABLE SALES**

<table>
<thead>
<tr>
<th>Year</th>
<th>Retail and Food Services:</th>
<th>Total All Outlets:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Permits</td>
<td>Taxable Transactions</td>
</tr>
<tr>
<td></td>
<td>Retail Transactions</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>2,717</td>
<td>$2,522,517</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$5,102</td>
</tr>
<tr>
<td>2016</td>
<td>2,728</td>
<td>2,718,804</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$5,164</td>
</tr>
<tr>
<td>2017</td>
<td>2,708</td>
<td>3,189,032</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$5,136</td>
</tr>
<tr>
<td>2018</td>
<td>2,715</td>
<td>4,493,171</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5,293</td>
</tr>
<tr>
<td>2019</td>
<td>2,738</td>
<td>3,074,833</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5,445</td>
</tr>
</tbody>
</table>

Note: Beginning in 2015, the outlet counts in these reports show the number of outlets that were active during the reporting period. Retailers that operate part-time are now tabulated with store retailers. Industry-level data for 2015 are not comparable to that of prior years.

Source: “Taxable Sales in California,” California Department of Tax and Fee Administration.

**ANNUAL TAXABLE SALES**

D-17
## Retail and Food Services

<table>
<thead>
<tr>
<th>Year</th>
<th>Permits</th>
<th>Transactions</th>
<th>Permits</th>
<th>Transactions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>769</td>
<td>$797,231</td>
<td>1,238</td>
<td>$1,015,756</td>
</tr>
<tr>
<td>2016</td>
<td>793</td>
<td>811,672</td>
<td>1,268</td>
<td>1,036,278</td>
</tr>
<tr>
<td>2017</td>
<td>823</td>
<td>818,148</td>
<td>1,332</td>
<td>1,077,123</td>
</tr>
<tr>
<td>2018</td>
<td>809</td>
<td>799,847</td>
<td>1,328</td>
<td>1,141,704</td>
</tr>
<tr>
<td>2019</td>
<td>828</td>
<td>777,914</td>
<td>1,380</td>
<td>1,139,614</td>
</tr>
</tbody>
</table>

Note: Beginning in 2015, the outlet counts in these reports show the number of outlets that were active during the reporting period. Retailers that operate part-time are now tabulated with store retailers. Industry-level data for 2015 on are not comparable to that of prior years.

Source: “Taxable Sales in California,” California Department of Tax and Fee Administration.

### ANNUAL TAXABLE SALES

#### 2015 through 2019

Alameda County

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Retail and Food Services: Permits</th>
<th>Taxable Transactions</th>
<th>Total All Outlets: Permits</th>
<th>Taxable Transactions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>△27,339</td>
<td>△$18,904,961</td>
<td>△44,548</td>
<td>△$29,972,312</td>
</tr>
<tr>
<td>2016</td>
<td>△27,517</td>
<td>△19,591,528</td>
<td>△45,165</td>
<td>31,163,320</td>
</tr>
<tr>
<td>2017</td>
<td>△27,431</td>
<td>△20,786,502</td>
<td>△45,232</td>
<td>32,702,082</td>
</tr>
<tr>
<td>2018</td>
<td>27,816</td>
<td>22,857,349</td>
<td>47,402</td>
<td>35,073,302</td>
</tr>
<tr>
<td>2019</td>
<td>28,375</td>
<td>21,921,742</td>
<td>49,197</td>
<td>35,116,163</td>
</tr>
</tbody>
</table>

Note: Beginning in 2015, the outlet counts in these reports show the number of outlets that were active during the reporting period. Retailers that operate part-time are now tabulated with store retailers. Industry-level data for 2015 on are not comparable to that of prior years.

Source: “Taxable Sales in California,” California Department of Tax and Fee Administration.

### Construction Activity

The annual building permit valuations and number of permits for new dwelling units issued for the past five years for the Cities and the County are shown in the following tables.
<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valuation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>$180,296</td>
<td>$284,112</td>
<td>$506,996</td>
<td>$508,105</td>
<td>$342,996</td>
</tr>
<tr>
<td>Non-Residential</td>
<td>$304,090</td>
<td>$208,312</td>
<td>$258,063</td>
<td>$554,921</td>
<td>$518,292</td>
</tr>
<tr>
<td>Total</td>
<td>$484,386</td>
<td>$492,424</td>
<td>$765,059</td>
<td>$1,063,026</td>
<td>$861,288</td>
</tr>
</tbody>
</table>

| Units                |        |        |        |        |         |
| Single Family        | 199    | 411    | 322    | 156    | 173     |
| Multi Family         | 260    | 208    | 1,487  | 1,686  | 999     |
| Total                | 459    | 619    | 1,809  | 1,842  | 1,172   |

Note: Totals may not add to sum due to rounding.
Source: Construction Industry Research Board.

### BUILDING PERMITS AND VALUATIONS
#### 2015 through 2019
**City of Newark**
*(Dollars in Thousands)*

<table>
<thead>
<tr>
<th>Year</th>
<th>Residential</th>
<th>Non-Residential</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>$29,929</td>
<td>35,807</td>
<td>$65,736</td>
</tr>
<tr>
<td>2016</td>
<td>$168,734</td>
<td>51,054</td>
<td>$219,788</td>
</tr>
<tr>
<td>2017</td>
<td>$122,127</td>
<td>54,137</td>
<td>$176,264</td>
</tr>
<tr>
<td>2018</td>
<td>$127,140</td>
<td>84,989</td>
<td>$212,129</td>
</tr>
<tr>
<td>2019</td>
<td>$138,430</td>
<td>66,315</td>
<td>$204,745</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Single Family</th>
<th>Multi Family</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>56</td>
<td>28</td>
<td>84</td>
</tr>
<tr>
<td>2016</td>
<td>256</td>
<td>286</td>
<td>542</td>
</tr>
<tr>
<td>2017</td>
<td>234</td>
<td>141</td>
<td>375</td>
</tr>
<tr>
<td>2018</td>
<td>292</td>
<td>26</td>
<td>318</td>
</tr>
<tr>
<td>2019</td>
<td>279</td>
<td>30</td>
<td>309</td>
</tr>
</tbody>
</table>

Note: Totals may not add to sum due to rounding.

Source: Construction Industry Research Board.

### BUILDING PERMITS AND VALUATIONS
#### 2015 through 2019
**Alameda County**
*(Dollars in Thousands)*

<table>
<thead>
<tr>
<th>Year</th>
<th>Residential</th>
<th>Non-Residential</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>$101,415</td>
<td>39,354</td>
<td>$140,769</td>
</tr>
<tr>
<td>2016</td>
<td>$82,254</td>
<td>99,001</td>
<td>$181,255</td>
</tr>
<tr>
<td>2017</td>
<td>$59</td>
<td>78,184</td>
<td>$78,243</td>
</tr>
<tr>
<td>2018</td>
<td>$40,465</td>
<td>70,300</td>
<td>$110,765</td>
</tr>
<tr>
<td>2019</td>
<td>$179,507</td>
<td>65,111</td>
<td>$244,618</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Single Family</th>
<th>Multiple Family</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>141</td>
<td>136</td>
<td>277</td>
</tr>
<tr>
<td>2016</td>
<td>141</td>
<td>87</td>
<td>228</td>
</tr>
<tr>
<td>2017</td>
<td>59</td>
<td>63</td>
<td>122</td>
</tr>
<tr>
<td>2018</td>
<td>18</td>
<td>11</td>
<td>29</td>
</tr>
<tr>
<td>2019</td>
<td>50</td>
<td>622</td>
<td>672</td>
</tr>
</tbody>
</table>

Note: Totals may not add to sum because of rounding.

Source: Construction Industry Research Board.

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APPENDIX E

ALAMEDA COUNTY TREASURY POOL

The following information concerning the Alameda County Treasury Pool (the “Treasury Pool”) has been provided by the Treasurer, and has not been confirmed or verified by the District, the Municipal Advisor or the Underwriter. The District, the Municipal Advisor and the Underwriter have not made an independent investigation of the investments in the Treasury Pool and have made no assessment of the current County investment policy. The value of the various investments in the Treasury Pool will fluctuate on a daily basis as a result of a multitude of factors, including generally prevailing interest rates and other economic conditions. Additionally, the Treasurer, with the consent of the County Board of Supervisors may change the County investment policy at any time. Therefore, there can be no assurance that the values of the various investments in the Treasury Pool will not vary significantly from the values described herein. Finally, none of the District, the Municipal Advisor or the Underwriter make any representation as to the accuracy or adequacy of such information or as to the absence of material adverse changes in such information subsequent to the date hereof, or that the information contained or incorporated hereby by reference is correct as of any time subsequent to its date. Additional information regarding the Treasurer Pool may be obtained from the Treasurer at http://www.acgov.org/treasurer/treasury.htm; however, the information presented on such website is not incorporated herein by any reference.

[REMAINDER OF PAGE LEFT BLANK]
### Input:

<table>
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<th>Document 1 ID</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
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<td>POS - Ohlone CCD 2021 GO Refunding Bonds 4842-3804-2594_3</td>
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<tr>
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<td>Description</td>
</tr>
<tr>
<td>netdocuments://4842-3804-2594/3</td>
<td>POS - Ohlone CCD 2021 GO Refunding Bonds</td>
</tr>
</tbody>
</table>

| Rendering set | SYCR 2 |

### Legend:

- **Insertion**
- **Deletion**
- **Moved from**
- **Moved to**
- **Style change**
- **Format change**
- **Moved deletion**
- **Inserted cell**
- **Deleted cell**
- **Moved cell**
- **Split/Merged cell**
- **Padding cell**

### Statistics:

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<thead>
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<th></th>
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</thead>
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</tr>
<tr>
<td>Deletions</td>
<td>861</td>
</tr>
<tr>
<td>Moved from</td>
<td>0</td>
</tr>
<tr>
<td>Moved to</td>
<td>0</td>
</tr>
<tr>
<td>Style change</td>
<td>0</td>
</tr>
<tr>
<td>Format changed</td>
<td>0</td>
</tr>
<tr>
<td>Total changes</td>
<td>2103</td>
</tr>
</tbody>
</table>
Pursuant to Education Code 76360, community college Boards of Trustees determines district parking fees. Moreover, CA Education Code does not permit districts to expend general purpose or other restricted funds for the maintenance and/or upkeep of parking lots, parking structures, parking lighting, and other related expenditures.

The last student parking fee increase was approved by the Board of Trustees in March 2015. Over the last few years, the Parking Fund, Fund 25, has been in deficit spending.

The proposed rates are as follows:

<table>
<thead>
<tr>
<th>PARKING FEE</th>
<th>CURRENT</th>
<th>PROPOSED</th>
<th>INCREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automotive – All Students (Fall/Spring)</td>
<td>$40</td>
<td>$50</td>
<td>$10</td>
</tr>
<tr>
<td>Automotive – CA Promise Students (formerly BOG Fee Waiver Students) (Fall/Spring)</td>
<td>$20</td>
<td>$25</td>
<td>$5</td>
</tr>
<tr>
<td>Automotive – All Students (Summer)</td>
<td>$23</td>
<td>$25</td>
<td>$2</td>
</tr>
<tr>
<td>Automotive – BOG Fee Waiver Students (Summer)</td>
<td>$20</td>
<td>$20</td>
<td>$0</td>
</tr>
<tr>
<td>Motorcycle – All Students (Fall/Semester)</td>
<td>$18</td>
<td>$20</td>
<td>$2</td>
</tr>
<tr>
<td>Motorcycle – All Students (Summer)</td>
<td>$10</td>
<td>$10</td>
<td>$0</td>
</tr>
</tbody>
</table>

The proposed rates for parking take effect in fiscal year 2021-22.
This proposal has been endorsed by the Associated Students of Ohlone College.

**RECOMMENDATION**

The Superintendent/President recommends the Board of Trustees approves the student parking fee increases as noted above effective FY 2021-22.
# Analysis of the Proposed Parking Fee Increase

## Bay Area Colleges/Districts Comparison

<table>
<thead>
<tr>
<th>District**</th>
<th>Regular</th>
<th>Fee Waiver Students</th>
<th>Motorcycle</th>
<th>Daily</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Semester Fee</td>
<td>Summer Fee</td>
<td>Semester Fee</td>
<td>Summer Fee</td>
</tr>
<tr>
<td>Cabrillo CCD</td>
<td>$40.00</td>
<td>$20.00</td>
<td>$20.00</td>
<td>-</td>
</tr>
<tr>
<td>Chabot Las Positas CCD</td>
<td>$45.00</td>
<td>$20.00</td>
<td>Not available</td>
<td>Not available</td>
</tr>
<tr>
<td>Contra Costa CCD</td>
<td>$48.00</td>
<td>$25.00</td>
<td>$25.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>Marin CCD*</td>
<td>$41.00</td>
<td>$25.00</td>
<td>Not available</td>
<td>Not available</td>
</tr>
<tr>
<td>Ohlone CCD</td>
<td>$40.00</td>
<td>$20.00</td>
<td>$20.00</td>
<td>$18.00</td>
</tr>
<tr>
<td>Peralta CCD</td>
<td>$40.00</td>
<td>$20.00</td>
<td>$20.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>San Francisco CCD</td>
<td>$50.00</td>
<td>$25.00</td>
<td>$25.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>San Jose Evergreen CCD*</td>
<td>$45.00</td>
<td>$10.00</td>
<td>$10.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>San Mateo County CCD*</td>
<td>$58.00</td>
<td>$29.00</td>
<td>$30.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>West Valley Mission CCD*</td>
<td>$50.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$25.00</td>
</tr>
</tbody>
</table>

**Average W/ Ohlone**
- $45.70
- $24.20
- $24.38
- $20.00
- $18.25
- $7.50
- $3.00

**Average W/O Ohlone**
- $46.33
- $24.33
- $19.44
- $15.56
- $9.44
- $3.89
- $3.33

**High**
- $58.00
- $40.00
- $30.00
- $25.00
- $30.00
- $15.00
- $5.00

**Median**
- $45.00
- $25.00
- $25.00
- $20.00
- $5.00
- $2.50
- $3.00

**Low**
- $40.00
- $10.00
- $20.00
- $10.00

**Proposed Rate Effective 21-22**
- $50.00
- $25.00
- $25.00
- $20.00
- $10.00
- $4.00
* Refers to districts (colleges) that are community supported (funding comes locally) and no funding from the state.
** Foothill De Anza CCD is not included in the calculation due to their quarter system, which has a different way of charging fees.

**COST OF LIVING ADJUSTMENTS**

The table below shows a comparison between the annual cost-of-living adjustments and how it would adjust the parking fee based on COLA. Also included is the historical increases the Chancellor’s Office authorizes community college district per year.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>FUNDED COLA %</th>
<th>ADJUSTED BASED ON COLA</th>
<th>FEE CHARGED PER SEMESTER</th>
<th>CCCCO MAX ALLOWED PER SEMESTER</th>
<th>DIFF BETWEEN MAX AND OHLONE FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-2015</td>
<td>1.02%</td>
<td>$40.00</td>
<td>$35.00</td>
<td>$51.00</td>
<td>$16.00</td>
</tr>
<tr>
<td>2015-2016</td>
<td>0.00%</td>
<td>$40.00</td>
<td>$40.00</td>
<td>$52.00</td>
<td>$12.00</td>
</tr>
<tr>
<td>2016-2017</td>
<td>1.56%</td>
<td>$40.62</td>
<td>$40.00</td>
<td>$53.00</td>
<td>$13.00</td>
</tr>
<tr>
<td>2017-2018</td>
<td>2.71%</td>
<td>$41.72</td>
<td>$40.00</td>
<td>$54.00</td>
<td>$14.00</td>
</tr>
<tr>
<td>2018-2019</td>
<td>3.26%</td>
<td>$43.09</td>
<td>$40.00</td>
<td>$58.00</td>
<td>$18.00</td>
</tr>
<tr>
<td>2019-2020</td>
<td>0.00%</td>
<td>$43.09</td>
<td>$40.00</td>
<td>$58.00</td>
<td>$18.00</td>
</tr>
<tr>
<td>2020-2021</td>
<td>1.50%</td>
<td>$43.73</td>
<td>$50.00</td>
<td>$59.00</td>
<td>$9.00</td>
</tr>
<tr>
<td>2021-2022</td>
<td>1.60%</td>
<td>$44.43</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2022-2023</td>
<td>1.44%</td>
<td>$45.07</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2023-2024*</td>
<td>1.44%</td>
<td>$45.72</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2024-2025*</td>
<td>1.44%</td>
<td>$45.72</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2025-2026*</td>
<td>1.44%</td>
<td>$46.38</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2026-2027*</td>
<td>1.44%</td>
<td>$47.05</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2027-2028*</td>
<td>1.44%</td>
<td>$47.72</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* COLA % for 2023-2024 through 2026-2027 are estimates (average of 2015-2016 to 2021-2022 COLA %) since there is no available data on those years.

It is worth noting that the CCCCO provides guidance in adjusting the fees yearly to account for the cost living adjustments and escalating costs in operating and maintaining parking lots and systems. For 2021-2022, the maximum allowable fee is $59 per semester, according to Ed Code section 76360.
**CALCULATION OF PROPOSED FEE**

<table>
<thead>
<tr>
<th>Description</th>
<th>2017-18</th>
<th>2018-19</th>
<th>2019-20</th>
<th>2020-21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Allowable Parking Fee per Semester Per Chancellor’s Office</td>
<td>$ 59.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ohlone’s Parking Fee per Semester</td>
<td>$ 40.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Difference</td>
<td>$ 19.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Methodology** – split the difference by 50%, which is $10 ($9.50 – round off the nearest dollar). Thereby, we are within the median but at least 15% lower than the maximum allowable fee.

The cause of the disparity between Ohlone’s and the maximum allowable fee is that Ohlone does not increase the parking fee every year. Every year, the CCCCO adjusts/increases the maximum allowable fee. The last time Ohlone increased the parking fee was in March 2015 that took effect in 2015-2016.

**REVENUE AND EXPENDITURES**

The General Fund subsidizes the Parking Fund expenditures (Fund 25) over the last four years.

<table>
<thead>
<tr>
<th>Description</th>
<th>2017-18</th>
<th>2018-19</th>
<th>2019-20</th>
<th>2020-21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$ 652,649.85</td>
<td>$ 563,163.04</td>
<td>$ 407,949.69</td>
<td>$ 73,268.05</td>
</tr>
<tr>
<td>Interfund Transfer from Fund 10*</td>
<td>$ 208,787.00</td>
<td>$ 282,597.63</td>
<td>$ 354,725.33</td>
<td>$ 0</td>
</tr>
<tr>
<td>Expenditures</td>
<td>$(861,432.85)</td>
<td>$(845,760.67)</td>
<td>$(762,675.02)</td>
<td>$(520,476.39)</td>
</tr>
<tr>
<td>Net Activity</td>
<td>$ 4.00</td>
<td>$ 0</td>
<td>$ 0</td>
<td>$(447,208.34)</td>
</tr>
<tr>
<td>Beginning Fund Balance</td>
<td>$ 271,732.71</td>
<td>$ 271,736.71</td>
<td>$ 271,736.71</td>
<td>$ 271,736.71</td>
</tr>
<tr>
<td>Ending Fund Balance</td>
<td>$ 271,736.71</td>
<td>$ 271,736.71</td>
<td>$ 271,736.71</td>
<td>$ (175,471.63)</td>
</tr>
</tbody>
</table>

* Transfer from Fund 10 for 2020-2021 is to be determined based on the total revenue collected by the end of the fiscal year. Revenues for 2020-2021 are from daily parking fees paid by Mission Peak hikers using the Ohlone parking lots and parking citations/violations.
The ending fund balance in Fund 25 is not sufficient to maintain the expenditures. The decrease in revenue is due to a decline in enrollment. Dual enrollment and consortium students do not pay the parking fee since their classes are off-campus. In spring 2020 (part of 2019-2020), Ohlone refunded the parking fee to all students who paid the fee due to remote instruction. In 2020-2021, no fees were collected from students due to the continuation of remote instruction.

There is a need to maintain a fund balance for the upkeep of the parking facilities and other repairs due to wear and tear and vandalism.

The significant expenditure under the Parking Fund is on salaries and benefits of campus police services and custodians. 40% of all campus police services salaries are charged to the Parking Fund and 60% under General Fund. This is due to campus police's responsibilities in issuing parking citations, maintaining/patrolling parking lots, checking vehicles, providing safety in the parking lots, and managing the parking system. This is consistent with Ed Code and practice of all community college districts. 20% of the salary and benefits of two of our custodians are charged under the Parking Fund due to their responsibilities in maintaining the parking lots. The salary distribution of staff directly responsible for the parking system's management and operations helps the District comply with the 50% law.

Other expenditures under this fund include the maintenance fees and additional fees for the parking management system.

**PROJECTED REVENUES AND EXPENDITURES FOR 2021-2022**

The table below shows multiple scenarios for the 2021-2022 fiscal year for the Parking Fund (25) with the following assumptions:
(a) Scenario 1 - $40.00 per semester for regular students and $20.00 per semester for BOG Fee Waiver students.
(b) Scenario 2 - $45.00 per semester for regular students and $22.50 per semester for BLG Fee Waiver students.
(c) Scenario 3 - $50.00 per semester for regular students and $25.00 per semester for BLG Fee Waiver students.
(d) All employees are charged the same rate as students with full time faculty, DDAS (managers/confidentials/administrators), and full time classified staff paying the same rate as regular students and part time faculty and short term/temporary classified staff (except student workers) paying the same rate as BOG Fee Waiver students.
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>SCENARIO 1 (CURRENT) $40.00/$20.00</th>
<th>SCENARIO 2 $45.00/$22.50</th>
<th>SCENARIO 3 $50.00/$25.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUE FROM STUDENTS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>REGULAR STUDENTS – SEMESTER + SUMMER (AUTO)</td>
<td>$244,980.00</td>
<td>$217,760.00</td>
<td>$272,200.00</td>
</tr>
<tr>
<td>CA PROMISE STUDENTS – SEMESTER + SUMMER (AUTO)</td>
<td>$56,940.00</td>
<td>$64,057.50</td>
<td>$71,175.00</td>
</tr>
<tr>
<td>REGULAR STUDENTS – SEMESTER + SUMMER (MOTORCYCLE)</td>
<td>$432.00</td>
<td>$432.00</td>
<td>$432.00</td>
</tr>
<tr>
<td>REVENUE FROM EMPLOYEES*</td>
<td>$54,760.00</td>
<td>$61,605.00</td>
<td>$68,450.00</td>
</tr>
<tr>
<td>FULL TIME FACULTY – SEMESTER</td>
<td>$9,120.00</td>
<td>$10,260.00</td>
<td>$11,400.00</td>
</tr>
<tr>
<td>PART TIME FACULTY – SEMESTER + SUMMER</td>
<td>$16,740.00</td>
<td>$18,832.50</td>
<td>$20,925.00</td>
</tr>
<tr>
<td>FULL TIME CLASSIFIED STAFF – SEMESTER + SUMMER</td>
<td>$13,700.00</td>
<td>$15,412.50</td>
<td>$17,125.00</td>
</tr>
<tr>
<td>SHORT TERM/TEMP CLASSIFIED STAFF – SEMESTER + SUMMER</td>
<td>$9,000.00</td>
<td>$10,125.00</td>
<td>$11,250.00</td>
</tr>
<tr>
<td>DDAS – SEMESTER + SUMMER</td>
<td>$6,200.00</td>
<td>$6,975.00</td>
<td>$7,750.00</td>
</tr>
<tr>
<td>OTHER REVENUES</td>
<td>$254,817.21</td>
<td>$268,859.36</td>
<td>$282,901.51</td>
</tr>
<tr>
<td>DAILY PASSES (MOSTLY FROM HIKERS)</td>
<td>$138,308.00</td>
<td>$138,308.00</td>
<td>$138,308.00</td>
</tr>
<tr>
<td>CITATIONS AND PARKING VIOLATIONS</td>
<td>$112,337.21</td>
<td>$126,379.36</td>
<td>$140,421.51</td>
</tr>
<tr>
<td>CARPOOL PERMITS</td>
<td>$4,172.00</td>
<td>$4,172.00</td>
<td>$4,172.00</td>
</tr>
<tr>
<td>TOTAL PROJECTED REVENUE</td>
<td>$584,709.21</td>
<td>$639,933.86</td>
<td>$695,158.51</td>
</tr>
<tr>
<td>TOTAL PROJECTED EXPENDITURES</td>
<td>$922,240.00</td>
<td>$922,240.00</td>
<td>$922,240.00</td>
</tr>
<tr>
<td>SALARIES AND BENEFITS</td>
<td>$819,203.00</td>
<td>$819,203.00</td>
<td>$819,203.00</td>
</tr>
<tr>
<td>LICENSES AND SERVICE FEES</td>
<td>$103,037.00</td>
<td>$103,037.00</td>
<td>$103,037.00</td>
</tr>
<tr>
<td>PROJECTED NET ACTIVITY</td>
<td>($ 337,530.79)</td>
<td>($ 282,306.14)</td>
<td>($ 227,081.49)</td>
</tr>
<tr>
<td>BACKFILL FROM GENERAL FUND</td>
<td>$337,530.79</td>
<td>$282,306.14</td>
<td>$227,081.49</td>
</tr>
<tr>
<td>BACKFILL FROM GENERAL FUND (W/O REVENUE FROM EMPLOYEES)</td>
<td>$392,290.79</td>
<td>$343,911.14</td>
<td>$295,531.49</td>
</tr>
<tr>
<td>CHANGE IN END FUND BALANCE (FUND 25)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

* Please note that charging employees requires bargaining group negotiations.
The proposed increase in fees will not cover the deficit but will significantly reduce the transfer of funds from the unrestricted general fund. The proposed expansion will generate approximately $94,360 from regular students and $25,230 from CA Promise students for a total of $119,590. This will reduce by a third the transfer from the unrestricted general fund (using 2019-2020 figures). Please note that dual enrollment students and consortium students do not necessarily purchase parking permits because they are off-campus and therefore are not affected by the fee. As mentioned, CA Promise students (aka BOG Fee Waiver students) get a discounted price per Ed Code section 76360.
TO: Board of Trustees  
FROM: Eric Bishop, Superintendent/President  
DATE: April 14, 2021  
SUBJECT: Notification of Student Health Fee Increase

Dr. Milton Lang, Vice President of Student Services has been informed that the Chancellor’s Office has approved a $1.00 increase in the Student Health Center Fee, effective Fall Semester 2021. The proposed fees would be $22.00 for both fall and spring terms and no increase for the summer term. This is the legal fee limit per the Chancellor’s Office and as outlined in Education Code 76355.

This increase is based on the Implicit Price Deflator for State and Local government purchase of goods and services. It is calculated by the Financial, Economic and Demographic Unit in the State Department of Finance.

The Associated Students of Ohlone College has been informed of this increase.

According to BP 5030:

The District will charge the maximum allowable fees as approved by the State Chancellor’s Office in accordance with the Education Code. Changes in the maximum allowable fee will be reported to the Board of Trustees and the Associated Student Body Government prior to implementation.

RECOMMENDATION:

The Superintendent/President is notifying the Board of a $1.00 increase in the Student Health Fee to $22.00 for the fall and spring terms, effective Fall Semester 2021.
Clarification of the role and scope of the committee.

RECOMMENDATION:

Item for information only.
Board Issues

Advocacy Committee

April 14, 2021 Board Meeting
Board of Trustees Issues Advocacy Committee (IAC)

- Update for the Ohlone CCD Board of Trustees
- Committee Members:
  - Greg Bonaccorsi, Chair
  - Sue Chan
  - Vivien Larsen
  - Dr. Eric Bishop, Superintendent/President
Background and Purpose of the IAC

- Fulfilling Board Tasks 5.1, 5.2, and 5.5
- The IAC has met on February 23, March 11, and March 31.

- Developed a Statement of Purpose:
  - The Ohlone CCD Board of Trustees Issues Advocacy Committee exists to fulfill a key priority of the Board by engaging in the legislative and other activities that promote action that supports the students, faculty, and staff of the Ohlone Community College District.
Procedures for Conducting IAC Business

- Federal (using the ACCT)
- State (using the CCLC and the CCCCCO)
- Using Dr. Bishop to provide recommendations on impact on Ohlone CCD.
- Developing a Recommendation for the Board. (Support/Oppose/No Position)
- Meeting with appropriate legislators and communicating our position.
Advocating and Promoting Our Positions

- Bay 10 Community College Districts
- Boards of Education: Fremont, Newark, and New Haven
- Alameda County School Boards Association
- City Councils
- County Board of Supervisors
- Ohlone CCD Foundation Board
Questions for Discussion with the Board

- How may the IAC take positions that can’t wait for the full Board to meet?
- Are there suggestions for the how the IAC may prioritize its recommendations?
- What other ideas do Trustees have for the IAC to consider going forward?
To: Board of Trustees 

From: Dr. Eric Bishop 

Date: April 14, 2021 

Subject: Update on Graduation 2021 

Dr. Milton Lang, Vice President of Student Services will provide an update to the Board of Trustees on the plan for a Drive-thru Graduation Celebration on May 21, 2021. 

Recommendation: 

Item for information only.