

**MEETING OF THE BOARD OF TRUSTEES  
DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
AND RICHLAND COLLEGIATE HIGH SCHOOL**

**District Office  
1601 South Lamar Street  
Lower Level, Room 007  
Dallas, TX 75215  
Tuesday, May 5, 2009  
4:00 PM**

**AGENDA**

- I. Certification of Posting of Notice of the Meeting Wright Lassiter
  
- II. Statement from the Presiding Officer Concerning Compliance with the Open Meetings Act:  
  

*Persons who address the board are reminded that the board may not take formal action on matters that are not part of the meeting agenda, and, may not discuss or deliberate on any topic that is not specifically named in the agenda that was posted 72 hours in advance of the meeting today.*

*For any non-agenda topic that is introduced during this meeting, there are only three permissible responses: 1) to provide a factual answer to a question, 2) to cite specific Board of Trustees policy relevant to the topic, or 3) to place the topic on the agenda of a subsequent meeting.*
  
- III. Citizens Desiring to Address the Board Regarding Agenda Items
  
- IV. Recognition of the 2009 NJCAA Championship Thunderduck Basketball Team from Richland College
  
- V. Special Presentation about Mountain View Early College High School by Mr. Felix Zamora, president
  
- VI. Special Presentation about M/WBE Participation in the Bond Program by Mr. Pedro Aguirre, Aguirre Roden + Parsons, bond program managers
  
- VII. RCHS Update on Student Enrollment, Student Success, Employee Success, Budget, and TEA Update on RCHS Expansion Proposals - Dr. Steve Mittelstet, RCHS superintendent
  
- VIII. Opportunity for Chancellor and Board Members to Declare Conflicts of

Interest Specific to this Agenda (pp. 6-7)

IX. Consideration of bids

1. Recommendation to extend award to Ad-Mail for mail distribution services from May 31, 2009 to August 31, 2009 - estimate is \$45,000
2. Recommendation for award to Mach B Technologies, Inc. which submitted the best proposal for M/WBE tracking software and related services - \$80,000
3. Recommendation to rescind award to low bidder Austin Turf & Tractor and re-award to the next low bidder, Six and Mango Equipment, for a diesel tractor for Richland College - \$29,469
4. Recommendations for awards to low bidders Stryker Medical and Hill-Rom Company, Inc. for transport and trauma stretchers for Brookhaven College - \$35,344 & \$34,502 respectively
5. Recommendation for award to low bidder Associated Time & Parking Controls for a wireless clock system for Brookhaven College - \$36,449
6. Recommendation for award to low bidder TI Training Corp. for a firearms training system for Eastfield College - \$35,110
7. Recommendation for award to low bidder John F. Clark Co., Inc. to replace gymnasium bleachers at Eastfield College - \$115,980

- X. Consent Agenda: If a trustee wishes to remove an item from the consent agenda, it will be considered at this time.

Minutes

8. Approval of Minutes of the April 7, 2009 Work Session Meeting
9. Approval of Minutes of the April 7, 2009 Regular Meeting
10. Approval of Minutes of the April 21, 2009 Audit Committee Meeting
11. Approval of Minutes of the April 21, 2009 Planning & Budget Committee Meeting

Policy Reports

12. Approval of Revision to Policy FBB (LOCAL) Regarding Distance Learning
13. Approval of Revision to Board Policy Regarding Liquidity and Diversification of Investments
14. Approval of Bond Order for Dallas County Community College District General Obligation Bonds, Series 2009

Building and Grounds Reports

15. Approval of Amendment to Agreement with E. Evans Associates,

Inc.

16. Approval of Change Order with Dove Seven Solutions, Inc.
17. Approval of Agreement with Booziotis & Company Architects
18. Approval of Agreement with CWK Construction Management
19. Approval of Agreement with Dedman Facility Group
20. Approval of Agreement with Leetex Construction, LLC
21. Approval of Agreement with 3SPM, LLC

#### Financial Reports

22. Approval of Expenditures for March 2009
23. Presentation of Budget Report for March 2009
24. Acceptance of Gifts
25. Notice of Grant Awards
26. Approval of Adjustments to the Budget for Fiscal Year 2008-09
27. Approval of District Corporate Resolution Relating to Check Signatures
28. Approval of Resolution to establish parameters to refund callable portions of Revenue Financing System Bonds, Series 1998
29. Approval of Tuition for Continuing Education Courses
30. Approval of Interlocal Agreements with City of Dallas, City of Garland, and City of Mesquite
31. Approval of Agreement with MexConex International, LLC dba Nurses Now International
32. Approval of Agreement with FANUC AMERICA Corporation

#### XI. Individual Items

33. Consideration of Resignations and Retirement
34. Approval of Warrants of Appointment for Security Personnel
35. Employment of Contractual Personnel
36. Reemployment of Faculty for One-Year and Three-Year Contracts
37. Reemployment of Visiting Scholar Faculty
38. Reemployment of Alternative Faculty
39. Reemployment of Temporary Faculty
40. Non-Renewal of Temporary Faculty and Visiting Scholar Faculty

#### XII. Informative Reports

41. Presentation of 2nd Quarter Financial Statements
42. Presentation of 2nd Quarter Investment Transactions
43. Receipt of Business and Corporate Contracts
44. Monthly Award and Change Order Summary
45. Payments for Goods and Services
46. Progress Report on Construction Projects
47. Bond Program Report on Projects

XIII. Questions/Comments from the Board and Chancellor

48. Recognition of employees from the Administrative Professional Career Institute who are in the audience to observe a Board meeting as part of their training program (Chancellor Lassiter)
49. Discussion about the Dream Act, its current status, how its passage (or failure to pass) may affect DCCCD constituents, and the role DCCCD's Board of Trustees may take with regard to it (Trustee Flores)
50. An update about the swine influenza outbreak as it pertains to DCCCD operations (Chancellor Lassiter)
51. An update about governmental affairs, especially in the state and federal legislative bodies, that pertain to DCCCD operations (Chancellor Lassiter)

XIV. Citizens Desiring to Appear Before the Board

- XV. Executive Session: The Board may conduct an executive session as authorized under §551.074 of the Texas Government Code to deliberate on personnel matters, including commencement of annual evaluation of the chancellor and any prospective employee who is noted in Employment of Contractual Personnel.

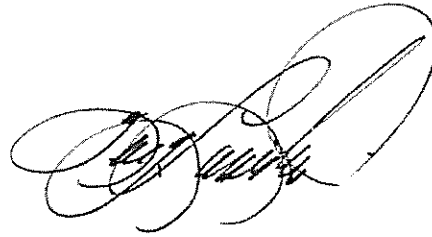
As provided by §551.072 of the Texas Government Code, the Board of Trustees may conduct an executive session to deliberate regarding real property since open deliberation would have a detrimental effect upon negotiations with a third person.

The Board may conduct an executive session under §551.071 of the Texas Government Code to seek the advice of its attorney on a matter in which the duty of the attorney under the Rules of Professional Conduct clearly conflict with the Open Meetings Act including a status report on the contractor for the industrial technology building at Cedar Valley College.

XVI. Adjournment of Regular Meeting

**CERTIFICATION OF POSTING OF NOTICE MAY 5, 2009  
REGULAR MEETING OF THE DALLAS COUNTY COMMUNITY  
COLLEGE DISTRICT AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 1<sup>st</sup> day of May, 2009, in a place convenient to the public in the District Office Administration Building, and a copy of this notice was provided on the 1<sup>st</sup> day of May, 2009, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the Frank Crowley Courts Building, all as required by the Texas Government Code, §551.054.

A handwritten signature in black ink, appearing to read 'Wright L. Lassiter, Jr.', written in a cursive style. The signature is positioned above a horizontal line.

Wright L. Lassiter, Jr., Secretary

## DECLARATION OF CONFLICT OF INTEREST

Chapter 176 of Texas Local Government Code provides that local government officers shall file disclosure statements about potential conflict of interest in certain defined circumstances.

The penalty for violating Chapter 176 accrues to the individual, not to DCCCD.

Listed below are the names of parties who were considered and/or recommended for awards in this agenda.

The chancellor and members of the board of trustees shall review this list and make disclosures of conflicts of interest, if indicated. If uncertain about whether a disclosure is indicated, the chancellor and members of the board of trustees shall consult with DCCCD Legal Counsel Robert Young.

3SPM, LLC	Ikon Office Solutions
A. Daigger & Company	Interior Design Group
ABC Doors of Dallas, Inc.	J Doyle Enterprises LLC, dba Shades of Paper
Ad-Mail	Jim's Trophy Shop
Advance Interactive Systems	John F. Clark Co., Inc.
AECsoft	Laerdal Medical Corporation
Alltex Capital Equipment Leasing Corp.	Leetex Construction LLC
Alpha Industrial Supply	Lone Star Communications, Inc.
American 3B Scientific	Luber Brothers, Inc.
Associated Time & Parking Controls	Mach B Technologies, Inc.
Atlas Medical & Lab Supply, Inc.	Marimon Business Systems, Inc.
AVS Contractors, Inc.	Master Sound Company, Inc.
B2Gnow/AskReply, Inc.	Matco Tools
Booziotis & Company Architects	Meggitt Training Systems, Inc.
Brandt Engineering Co., Inc.	MexConex International, LLC dba Nurses Now International
BRG Precision Products	Midway Auto Supply
CAD & Graphic Supply, Inc.	Moore Medical
Cardinal Health	National Source Solutions LLC./City Bots
Carolina Biological Supply Co.	Pasco Scientific
CDW Government, Inc.	Pedigo Products, Inc.
Cesco, Inc.	Practical Air Solutions dba Topline Home Healthcare
City of Dallas Electrical / Convention Services	Prism Sign Group
City of Garland	Products Unlimited, Inc.
City of Mesquite	
Compansol, Inc.	

Computer Tech  
ComputerLand of Texas  
C-TEC Communications, Inc.  
CWK Construction Management  
Dallas Door and Supply Co.  
David/Marsh Construction Corp.  
Dedman Facility Group  
Docu Tek, Inc.  
Door Controls  
Door Industry Inc.  
English Collision Equipment  
Facility Sales & Services, Inc.  
Fairway Supply, Inc.  
FANUC AMERICA Corporation  
Fox Scientific  
Franklin Bronze Plaques, Inc.  
Global Gov/Ed Solutions, Inc.  
Global Technologies  
Go Signs & Designs  
Hill-Rom Company, Inc.  
Holt Anatomical  
Howard Technology Systems

Sargent-Welch  
Sawyers Construction, Inc.  
Scan Technology Inc.  
SCM Construction, Inc.  
SHI-Government Solutions  
Six and Mango  
Snap-On Industrial  
Southern Computer Warehouse  
Specialty Supply & Installation, LLC.  
Stryker Medical  
T5 Distributors, Inc.  
Tech Depot  
Texas Electronic Information  
Computer Corp. (TEEICC)  
The Alternatives Group, Inc.  
Thermo Fisher Scientific  
TI Training Corp.  
TMC Service Company  
VWR International, LLC  
Ward's Natural Science  
Waxahachie Equipment Co.  
World Point

(Tab 1) RECOMMENDATION FOR EXTENSION OF AWARD – BID NO.  
11070  
MAIL DISTRIBUTION SERVICES  
PRICE AGREEMENT, DISTRICT-WIDE  
JUNE 6, 2006 THROUGH MAY 31, 2009

BACKGROUND:

On June 6, 2006, the Board approved award of a contract to Ad-Mail to provide mail distribution services district-wide.

RECOMMENDATION FOR AWARD:

AD-MAIL	(3-month estimate) \$45,000
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COMMENTS: This recommendation is to extend the contract for an additional three months through August, 2009, to establish a team to evaluate district requirements and solicit new bids. The contractor provides consulting services to assist campuses with mail preparation to maximize postal discounts in mailing brochures, class schedules, postcards, magazines, etc. The contractor also picks up printed materials from the printers and stores them as needed, processes the materials for mailing and delivers them to the appropriate postal center, and provides the campuses with appropriate tracking and status reports regarding the mailed items.

Administration further recommends the district director of purchasing be authorized to execute contracts for this project.



(Tab 2) RECOMMENDATION FOR AWARD – RFP NO. 11437  
TRACKING, CERTIFICATION AND REPORTING SYSTEM FOR  
BUSINESS DIVERSITY

RESPONSE: Requests for proposals were sent to 16 companies, and five proposals were received.

COMPARISON OF PROPOSALS:

The Alternatives Group, Inc.	\$33,000
B2Gnow/AskReply, Inc.	\$49,045
National Source Solutions LLC./City Bots	\$77,500
Mach B Technologies, Inc.	\$80,000
AECsoft	\$100,000

RECOMMENDATION FOR AWARD:

MACH B TECHNOLOGIES, INC.	\$80,000
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BEST PROPOSAL

COMMENTS: This award is for the purchase of the software license, installation, configuration, and two years of maintenance support with upgrades. The recommended system will be used to track and report minority and women owned business certification status and participation. The system will be integrated with Colleague Datatel, Prolog, NCTRCA and the State of Texas HUB databases.

The proposals received were rated and ranked based on features, functions, ease of operation, flexibility, ability to interface and integrate with external databases, technical support, training, system set up, district housing and control of software, and the vendor's references, experience, competency and capability.

Using the above rating criteria, the proposal from Mach B Technologies, Inc., was rated the highest and, in the opinion of the evaluators, is the most cost effective and will best serve the interests of the district and the communities it serves.

While other proposals appeared less costly, they are not recommended because they did not include needed features, functions, growth capacity, ability to integrate external databases, flexibility or required the software to be housed on the vendor's computer.

Administration further recommends the district director of purchasing be authorized to execute contracts for this project.

(TAB 3) RESCIND AND RE-AWARD – BID NO. 11487  
GROUNDS MAINTENANCE EQUIPMENT  
RICHLAND COLLEGE

RESPONSE: Requests for bids were sent to 17 companies, and three bids were received.

COMPARISON OF BIDS:

Six and Mango	\$29,469
Waxahachie Equipment Co.	\$30,500
Luber Brothers, Inc.	\$31,392

RECOMMENDATION FOR AWARD:

SIX AND MANGO EQUIPMENT	\$29,469
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LOW BID

COMMENTS: At its meeting on April 7, 2009, the board of trustees approved the recommendation to award to the low bidder, Austin Turf & Tractor, a diesel tractor to be used for routine landscape maintenance. The vendor has since withdrawn its bid due to a material mistake, and award is recommended to Six and Mango Equipment as the next low bidder.

Administration further recommends the district director of purchasing be authorized to execute contracts for this project.

(Tab 4) RECOMMENDATION FOR AWARD – BID NO. 11546  
 TRANSPORT AND TRAUMA STRETCHERS  
 BROOKHAVEN COLLEGE

RESPONSE: Requests for bids were sent to 73 companies, and six bids were received.

COMPARISON OF BIDS:

Tabulation of bids attached.

RECOMMENDATION FOR AWARD:

STRYKER MEDICAL line 1	\$35,344
HILL-ROM COMPANY, INC. lines 2 and 3	\$34,502
TOTAL	\$69,846

LOW BIDDERS

COMMENTS: This request is to purchase stretchers for use as training aids in the emergency medical services and nursing programs.

Administration further recommends the district director of purchasing be authorized to execute contracts for this project.

Item/Description	Qty.	Atlas Medical & Lab Supply, Inc.	Hill-Rom Company, Inc.	Moore Medical	Pedigo Products, Inc.	Practical Air Solutions, dba Topline Home Healthcare	Stryker Medical
1. Stretcher, Ambulance Cot, Stryker #MX-PRO R-3	8 ea.	5,166.72	No bid	4,798.00	No bid	5,375.00	4,418.00
2. Transport Stretcher, Hill-Rom #P8005	10 ea.	2,864.65	2,702.50	No bid	4,340.00 alternate	4,500.00 alternate	No bid
3. Trauma Stretcher, Hill-Rom #P8040	2 ea.	3,962.81	3,738.50	No bid	4,915.00 alternate	5,000.00 alternate	No bid

(Tab 5) RECOMMENDATION FOR AWARD – BID NO. 11551  
WIRELESS CLOCK SYSTEM  
BROOKHAVEN COLLEGE

RESPONSE: Requests for bids were sent to 40 companies, and six bids were received.

COMPARISON OF BIDS:

Associated Time & Parking Controls	\$36,449.00
C-TEC Communications, Inc.	\$42,632.54
BRG Precision Products	\$47,258.54
Lone Star Communications, Inc.	\$53,603.00
TMC Service Company	\$54,856.00
Master Sound Company, Inc.	\$64,868.00

RECOMMENDATION FOR AWARD:

ASSOCIATED TIME & PARKING CONTROLS	\$36,449
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LOW BID

COMMENTS: This award is for the replacement of existing clocks with a wireless clock system; the system will continually synchronize all 200 clocks located throughout the campus, as well as automatically adjust for daylight savings time to eliminate manual resetting by staff twice each year.

Administration further recommends the district director of purchasing be authorized to execute contracts for this project.

(Tab 6) RECOMMENDATION FOR AWARD – BID NO. 11555  
FIREARM INTERACTIVE TRAINING SIMULATOR  
EASTFIELD COLLEGE

RESPONSE: Requests for bids were sent to 30 companies, and three bids were received.

COMPARISON OF BIDS:

TI Training Corp.	\$35,110
Advanced Interactive Systems	\$53,489
Meggitt Training Systems, Inc.	\$60,142

RECOMMENDATION FOR AWARD:

TI TRAINING CORP.	\$35,110
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LOW BID

COMMENTS: This award is for the purchase of a firearms interactive training simulator system to be installed in the new Workforce/Criminal Justice Building. The system is for use in the police academy and criminal justice continuing education programs for training individuals in law enforcement; it includes various components such as a laser-coded flashlight, video and audio capture software, and laser-configured taser.

Administration further recommends the district director of purchasing be authorized to execute contracts for this project.

(Tab 7) RECOMMENDATION FOR AWARD – BID NO. 11558  
GYMNASIUM BLEACHER REPLACEMENT  
EASTFIELD COLLEGE

RESPONSE: Of three companies that satisfied the mandatory site visit requirement, three bids were received.

COMPARISON OF BIDS:

John F. Clark Co., Inc.	\$115,980
David/Marsh Construction Corp.	\$117,894
Specialty Supply & Installation, LLC.	\$118,471

RECOMMENDATION FOR AWARD:

JOHN F. CLARK CO., INC.	\$115,980
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LOW BID

COMMENTS: This project is for the removal/replacement of both banks of existing bleachers which were installed as part of the original construction of the gymnasium; in addition to being worn from usage, the current bleachers must be opened and closed manually while the new replacements will be power operated.

Administration further recommends the district director of purchasing be authorized to execute contracts for this project.

CONSENT AGENDA NO. 8

Approval of Minutes of the April 7, 2009 Work Session Meeting

It is recommended that the Board approve the minutes of the April 7, 2009 Board of Trustees Work Session.

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES  
WORK SESSION MINUTES  
APRIL 7, 2009**

**Board Members and Officers Present:**

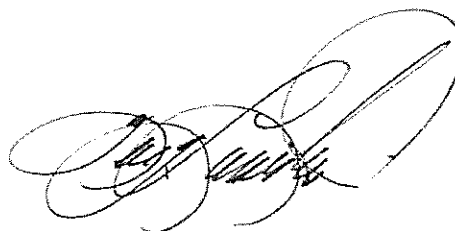
Mrs. Kitty Boyle (arrived at 3:34 PM)  
Ms. Charletta Compton (arrived at 3:53 PM)  
Ms. Diana Flores (Vice Chair)  
Mr. Bob Ferguson (arrived at 3:34 PM)  
Dr. Wright Lassiter (Secretary and Chancellor)  
Mrs. Martha Sanchez Metzger  
Mr. Jerry Prater (Chair)  
Mr. JL Sonny Williams

**Board Members and Officers Absent:** None

Board Chair Jerry Prater convened the meeting at 3:20 PM. Dr. Wright Lassiter certified to the posting of the meeting notice.

**CERTIFICATION OF POSTING OF NOTICE APRIL 7, 2009  
WORK SESSION OF DCCCD BOARD OF TRUSTEES  
AND RICHLAND COLLEGIATE HIGH SCHOOL**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 3<sup>rd</sup> day of April, 2009, in a place convenient to the public in the District Office Administration Building, and a copy of this notice was provided on the 3<sup>rd</sup> day of April, 2009, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the Frank Crowley Courts Building, all as required by the Texas Government Code, §551.054.



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Wright L. Lassiter Jr., Secretary



**Statement from the presiding officer concerning compliance with the Open Meetings Act**

Board Chair Jerry Prater read the Attorney General Opinion No. GA-0668 concerning specificity of agendas and compliance with the Open Meetings Act.

**Follow-up to the December 16, 2008, work session on the subject of DCCCD's \$1.65 million student retention initiative focused on students enrolled in developmental courses and particularly in developmental math (presented by Dr. Andrew Jones, executive vice chancellor for educational affairs, and Dr. Sharon Blackman, senior associate vice chancellor for educational affairs)**

Dr. Andrew Jones, executive vice chancellor for educational affairs, and Dr. Sharon Blackman, senior associate vice chancellor for educational affairs, presented a PowerPoint titled "Rationale for Retention Efforts, Why We Should Act".

**Other Notes from the Meeting**

Dr. Lassiter shall provide trustees with the number of college students in the metroplex currently, how Texas' participation rate compares to all states, a profile of community college students, suggestions for how to discern "a good target" for DCCCD, a schedule for reporting progress toward improving student retention, examples of practices that have proven successful and unsuccessful for improving student retention, more college-specific information related to the \$1.65 million retention initiative, and more details about performance of full-time and part-time first-time-in-college (FTIC) students.

**Executive Session**

There was no Executive Session.

**Adjournment**

Board Chair Prater adjourned the meeting at 4:17 PM.

Approved:



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Wright L. Lassiter, Jr., Secretary

CONSENT AGENDA NO. 9

Approval of Minutes of the April 7, 2009 Regular Meeting

It is recommended that the Board approve the minutes of the April 7, 2009 Board of Trustees Regular Meeting.

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
APRIL 7, 2009**

**Board Members and Officers Present:**

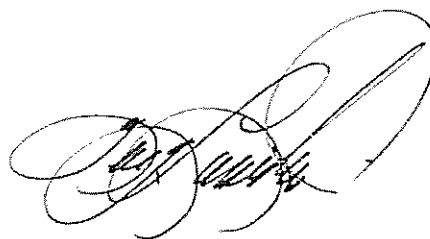
Mrs. Kitty Boyle  
Ms. Charletta Compton  
Mr. Bob Ferguson  
Ms. Diana Flores (Vice Chair)  
Dr. Wright Lassiter (Secretary and Chancellor)  
Mrs. Martha Sanchez Metzger  
Mr. Jerry Prater (Chair)  
Mr. JL Sonny Williams

**Board Members and Officers Absent:** None

Board Chair Jerry Prater convened the meeting at 4:30 PM. Dr. Wright Lassiter certified to the posting of the meeting notice.

**CERTIFICATION OF POSTING OF NOTICE APRIL 7, 2009  
REGULAR MEETING OF THE DALLAS COUNTY COMMUNITY  
COLLEGE DISTRICT AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 3<sup>rd</sup> day of April, 2009, in a place convenient to the public in the District Office Administration Building, and a copy of this notice was provided on the 3<sup>rd</sup> day of April, 2009, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the Frank Crowley Courts Building, all as required by the Texas Government Code, §551.054.



\_\_\_\_\_  
Wright L. Lassiter, Jr., Secretary

**Statement from the presiding officer concerning compliance with the Open Meetings Act**

Board Chair Jerry Prater read the Attorney General Opinion No. GA-0668 concerning specificity of agendas and compliance with the Open Meetings Act.

**Citizens Desiring to Address the Board Regarding Agenda Items**

There were no citizens desiring to address the board regarding agenda items.

**Special presentation featuring student delegates to ACCT's 2009 National Legislative Seminar – Mr. Justin Lonon, associate vice chancellor for public and government affairs**

Associate Vice Chancellor Justin Lonon introduced 3 of the student delegates that attended the ACCT's 2009 National Legislative Seminar in Washington, DC. Mr. Carlos Manuel, Ms. Jennifer Channell and Ms. Jieun Pyun shared their experiences with the board.

**Richland Collegiate High School monthly status report featuring student trip to Senegal, Africa – Dr. Steve Mittelstet, RCHS superintendent**

Dr. Steve Mittelstet, RCHS superintendent, presented a video detailing the Richland College High School 2008 Senegal (Africa) Experience.

**Declaration of Conflict of Interest**

There were no declarations of conflict of interest.

**Consideration of Bids**

Mrs. Kitty Boyle moved and Vice Chair Diana Flores seconded a motion to approve all bids, except bid #6, in the Consideration of Bids section of the agenda. Motion passed. (See April 7, 2009, Board Meeting, Consideration of Bids, Agenda Items #1-17, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Vice Chair Flores moved and Mrs. Martha Sanchez Metzger seconded a motion to approve bid #6, in the Consideration of Bids section of the agenda. Mr. Bob Ferguson abstained. Motion passed. (See April 7, 2009, Board Meeting, Consideration of Bids, Agenda Item #6, which is made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

**Consent Agenda**

Mr. Bob Ferguson moved and Mrs. Sanchez Metzger seconded a motion to approve all recommendations in the Consent Agenda, except recommendation #20, to be considered at a later meeting. Motion passed. (See April 7, 2009, Board Meeting, Agenda Items #18-45, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Individual Items**

Ms. Charletta Compton moved and Mr. Ferguson seconded a motion to approve all recommendations in the Individual Items section of the agenda. Motion passed. (See April 7, 2009, Board Meeting, Agenda Items #46-48, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Informative Reports**

Agenda Items #50 & 51, in the Informative Reports were tabled. (See April 7, 2009, Board Meeting, Agenda Items #49-56, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

### **Questions/Comments from the Board and Chancellor**

(See April 7, 2009, Board Meeting, Agenda Items #57-63, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Dr. Lassiter will respond to Trustee Flores' request for a timeline of when she will receive responses to requests for information as they are listed in the minutes of the regular business meeting on March 3, 2009. He will also have staff re-examine the proposal to designate a portion of remaining bond program funds to expansion of the District Service Center for discussion at the Planning & Budget Committee meeting on April 21.

Dr. Lassiter will schedule a presentation about DCCCD's potential participation in the Census Bureau's "complete count" committee and process.

### **Citizens Desiring to Appear Before the Board**

There were no citizens desiring to appear before the board.

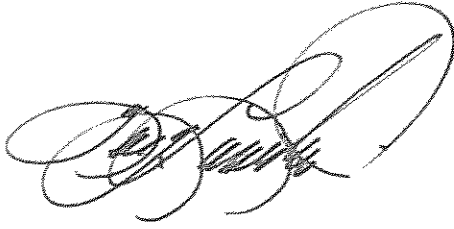
### **Executive Session**

There was no Executive Session.

### **Adjournment**

Ms. Compton moved and Vice Chair Flores seconded a motion to adjourn the meeting. Motion passed. Board Chair Prater adjourned the meeting at 6:52 PM.

Approved:

A handwritten signature in black ink, appearing to read "Wright L. Lassiter, Jr.", written in a cursive style.

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Wright L. Lassiter, Jr., Secretary

CONSENT AGENDA NO. 10

Approval of Minutes of the April 21, 2009 Audit Committee Meeting

It is recommended that the Board approve the minutes of the April 21, 2009 Board of Trustees Audit Committee Meeting.

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES  
AUDIT COMMITTEE MEETING MINUTES  
APRIL 21, 2009**

**Board Members and Officers Present:**

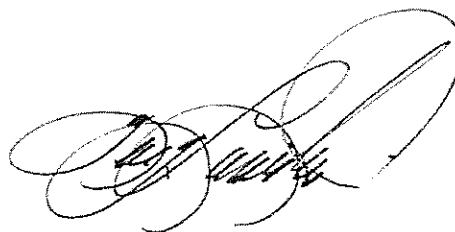
Mrs. Kitty Boyle  
Ms. Charletta Compton  
Mr. Bob Ferguson  
Ms. Diana Flores (Vice Chair)  
Dr. Wright Lassiter (Secretary and Chancellor)  
Mr. Jerry Prater (Chair)  
Mr. JL Sonny Williams

**Board Members and Officers Absent:** Mrs. Martha Sanchez Metzger

Audit Committee Chair Charletta Compton convened the meeting at 2:15 PM. Dr. Wright Lassiter certified to the posting of the meeting notice.

**CERTIFICATION OF POSTING OF NOTICE APRIL 21, 2009  
AUDIT COMMITTEE MEETING OF THE  
DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 17<sup>th</sup> day of April, 2009, in a place convenient to the public in the District Office Administration Building, and a copy of this notice was provided on the 17<sup>th</sup> day of April, 2009, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the Frank Crowley Courts Building, all as required by the Texas Government Code, §551.054.



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Wright L. Lassiter, Jr., Secretary



**Statement from the presiding officer concerning compliance with the Open Meetings Act**

Board Chair Jerry Prater read the Attorney General Opinion No. GA-0668 concerning specificity of agendas and compliance with the Open Meetings Act.

**Approval of Changes to Policy CAK (LOCAL) Regarding Liquidity and Diversification**

Mr. Ferguson moved and Mrs. Boyle seconded a motion to submit this recommendation to the Board of Trustees for action. Motion passed.

**2<sup>nd</sup> Quarter Financial Report**

Mrs. Boyle moved and Mr. Ferguson seconded a motion to submit this report to the Board of Trustees for information. Motion passed.

**2nd Quarter Report from Internal**

Mr. Rafael Godinez reviewed the *1<sup>st</sup> Quarter Report from Internal Audit*. Regarding the audit of the Upward Bound grant at Richland College, Mr. Godinez commended Richland administration for the quality of record-keeping that has been achieved with this grant.

**Review of Chancellor's Travel**

The committee received the chancellor's travel report.

**Other Notes from the Meeting**

None.

**Adjournment**

Mr. Ferguson moved and Mrs. Boyle seconded a motion to adjourn the meeting. Motion passed. Committee Chair Compton adjourned the meeting at 2:38 PM.

Approved:

A handwritten signature in black ink, appearing to read "Wright L. Lassiter, Jr.", written in a cursive style.

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Wright L. Lassiter, Jr., Secretary

CONSENT AGENDA NO. 11

Approval of Minutes of the April 21, 2009 Planning & Budget Committee Meeting

It is recommended that the Board approve the minutes of the April 21, 2009 Board of Trustees Planning & Budget Committee Meeting.

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES  
PLANNING AND BUDGET COMMITTEE MEETING MINUTES  
APRIL 21, 2009**

**Board Members and Officers Present:**

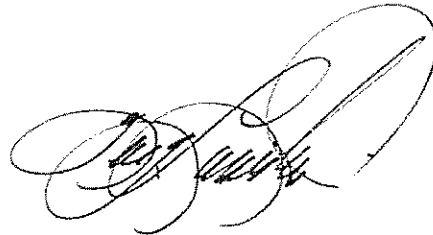
Mrs. Kitty Boyle  
Ms. Charletta Compton  
Mr. Bob Ferguson  
Ms. Diana Flores (Vice Chair)  
Dr. Wright Lassiter (Secretary and Chancellor)  
Mr. Jerry Prater (Chair)  
Mr. JL Sonny Williams

**Board Members and Officers Absent:** Mrs. Martha Sanchez Metzger

Board Chair Jerry Prater convened the meeting at 3:05 PM. Dr. Wright Lassiter certified to the posting of the meeting notice.

**CERTIFICATION OF POSTING OF NOTICE APRIL 21, 2009  
PLANNING AND BUDGET COMMITTEE MEETING OF THE  
DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
AND RICHLAND COLLEGIATE HIGH SCHOOL  
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 17<sup>th</sup> day of April, 2009, in a place convenient to the public in the District Office Administration Building, and a copy of this notice was provided on the 17<sup>th</sup> day of April, 2009, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the Frank Crowley Courts Building, all as required by the Texas Government Code, §551.054.



\_\_\_\_\_  
Wright L. Lassiter, Jr., Secretary

**Statement from the presiding officer concerning compliance with the Open Meetings Act**

Board Chair Jerry Prater read the Attorney General Opinion No. GA-0668 concerning specificity of agendas and compliance with the Open Meetings Act.

**Presentation of recommendations for revising FY 2008-09 budgets to reflect current estimates of revenues and expenditures**

Board Vice Chair Diana Flores asked for a memorandum from each college president speaking to whether the 2008-09 budget is adequate for their needs. Trustee Boyle asked if it is possible to know what portion of the enrollment increases are attributable to addition of space from bond program projects, and, specifically what have been the enrollments at the new campuses that have opened. Trustee Compton asked if enrollments at the new campuses will be reported separately or as part of the college to which the campus is attached. Mr. Prater suggested a work session about the budget process along the lines of that presented by former VCBA Bob Brown. Trustees Boyle and Flores inquired about rental income from the Paramount Building and asked that the amount be footnoted in future reports.

**Presentation of recommendations for allocating remaining \$15 million of the \$450 million general obligation bond program for an eight-month extension of bond program management firms and employees, and, for additional projects at the colleges and possibly at the District Service Center**

Mr. Williams asked for delineation of what is included in the \$500,000 line item for bond program management team operating expenses for an 8-month extension. Trustees Flores, Boyle and Compton asked for consideration of Board members' feedback and suggestions for the meeting room. With the understanding that the \$1.5 million "if unused, could be considered for District Service Center expansion and remodeling" would remain undesignated pending further discussion, Mrs. Boyle moved and Ms. Flores seconded a motion to present the proposed projects to the Board of Trustees. Motion passed.

**Validation of assumptions for planning revenues and expenditures in FY 2009-10 budgets**

The committee discussed the assumptions.

**Discussion about components of the three-year financial plan including an update on governmental and private initiatives relevant to community colleges and DCCCD**

Dr. Lassiter suggested this item be deferred. Trustee Flores asked to be reminded of when the Board examines its strategic plan.

**Executive Session**

There was no Executive Session.

**Adjournment**

Ms. Charletta Compton moved and Mr. Bob Ferguson seconded a motion to adjourn the meeting. Motion passed. Board Chair Jerry Prater adjourned the meeting at 4:41 PM.

Approved:

A handwritten signature in black ink, appearing to read "Wright L. Lassiter, Jr.", written in a cursive style. The signature is positioned above a horizontal line.

Wright L. Lassiter, Jr., Secretary

## POLICY REPORT NO. 12

### Approval of Revision to Policy FBB (LOCAL) Regarding Distance Learning

It is recommended that the Board of Trustees amend Board Policy FBB (LOCAL) as follows:

#### “Distance Learning ~~Fee~~ Tuition”

A distance learning ~~fee~~ tuition of \$55 per credit hour, a minimum of \$165 for a three-credit hour course shall be charged only to out-of-state students who receive all services remotely through the College District’s “Virtual College.” This ~~fee~~ tuition may be adjusted ~~depending on contracted services with distance learning partners~~ if an entity establishes a distance learning partnership with the District and provides contracted services to the District in lieu of payment of all or a portion of the distance learning tuition.

Effective date: May 5, 2009

#### Background

Per Rule §4.107 of Title 19 of the Texas Administrative Code institutions of higher education cannot submit for formula funding distance education courses taken by non-resident students who are located out of state or out of country. The Rule further requires that institutions charge an amount in total “equal to or greater than Texas resident tuition and applicable fees, and that are sufficient to cover the total cost of instruction and overhead, including administrative costs, benefits, computers and equipment, and other related costs.” Because of these requirements, the Board approved charging a distance learning fee of \$55 per credit hour (with a minimum of \$165) to roughly equal the amount of state formula funding foregone for each credit hour.

When established, this charge was called a distance learning “fee”. However, it equates more in function to the additional tuition charged to students repeating classes for the third time which also equates to revenue from lost formula funding. In addition some third party sponsors of students will pay for tuition but not for fees. For both of these reasons, this recommendation is being brought to the board for official approval of a change in terminology from distance learning fee to distance learning tuition.

The new wording in the last sentence of the policy is being changed for clarification purposes only.

There are no financial implications for making this change other than that some sponsors will be willing to pay this charge if it is considered tuition than otherwise might.



## POLICY REPORT NO. 13

### Approval of Revision to Board Policy Regarding Liquidity and Diversification of Investments

It is recommended that the Board amend CAK (LOCAL) only as follows:

#### APPROPRIATIONS AND REVENUE SOURCES

##### LIQUIDITY AND DIVERSIFICATION.

The college district shall make investments as defined in this policy in the section AUTHORIZED INVESTMENTS and no single type of investment may comprise more than 75 percent of the portfolio at any time. If, however, market conditions so warrant, the chancellor or vice chancellor of business affairs, by written authorization, may invest up to 85% in a single-type investment for no more than one calendar quarter. The chancellor or vice chancellor of business affairs may extend this investment another quarter through another written authorization. To maintain a sufficient level of liquidity, at least ten percent of the portfolio will be maintained in investment pools.

Effective: May 5, 2009

#### Background

The District's Investment Policy currently limits consolidation within an individual investment type to a maximum of 75% of the District's entire portfolio of investments. Recent market conditions have caused interest rates for U.S. Treasury securities to plummet to almost zero and investment pools to 1% or less. This recommendation does not broaden the scope of the allowable securities, but allows the flexibility for more concentration in one type of security when market conditions create a possibility for earning greater interest for the District in that investment type without jeopardizing the principal. This would be done only rarely and under careful review and approval by the executive vice chancellor of business affairs or the chancellor.

## POLICY REPORT NO. 14

### Approval of Bond Order for Dallas County Community College District General Obligation Bonds, Series 2009

It is recommended that authorization be given to approve the attached bond order, which authorizes the sale and issuance of Dallas County Community College District General Obligation Bonds, Series 2009, in an amount not to exceed \$110,000,000, and other matters related thereto.

#### Background

At the February 3, 2004 Board Meeting, the Board of Trustees approved the Order for a General Obligation Bond Election on May 15, 2004. The outcome of that election was that the voters authorized the Board of Trustees of the Dallas County Community College District to issue bonds, in one or more series, with an aggregate principal amount not to exceed \$450,000,000, for the construction and equipment of school buildings and the purchase of necessary sites therefor. The attached bond order authorizes the issuance of the third series and approval of all necessary documents and procedures related thereto.

The full documentation for the bond order for the \$110,000,000 Series 2009 General Obligation Bonds is attached.

The bond order for issuance and sale of \$110,000,000 General Obligation Bonds is the third in a series of issues not to exceed an aggregate total of \$450,000,000 authorized by the voters of the Dallas County Community College District's taxing district.

Payment of the principal and interest on said bonds will be paid by a levy, pledge, assessment and collection of the interest and sinking portion of ad valorem taxes in an amount sufficient to meet the annual debt requirement, taking into account tax delinquencies and the cost of tax collection.

**ORDER AUTHORIZING THE ISSUANCE OF  
GENERAL OBLIGATION BONDS, SERIES 2009,  
AND APPROVING AN OFFICIAL STATEMENT; AND APPROVING AND  
AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO**

THE STATE OF TEXAS :  
COUNTY OF DALLAS :  
DALLAS COUNTY COMMUNITY COLLEGE DISTRICT :

WHEREAS, all of the bonds hereinafter authorized were lawfully and favorably voted at an election held by the Dallas County Community College District (referred to herein as the "District" or the "Issuer") on May 15, 2004; and

WHEREAS, at said election, the District was authorized to issue \$450,000,000 in bonds; and

WHEREAS, on April 3, 2007, the Board of Trustees of the District authorized the issuance of Dallas County Community College District General Obligation Commercial Paper Notes, Series A (the "Commercial Paper Notes"), and authorized the District to issue from time to time commercial paper notes in a principal amount, at any one time outstanding, not to exceed \$150,000,000 in principal amount, for the purpose of providing interim financing of projects approved at the May 15, 2004 election; and

WHEREAS, the District previously has issued its General Obligation Bonds, Series 2004, in the aggregate principal amount of \$67,375,000 (the "Series 2004 Bonds") and its General Obligation and Refunding Bonds, Series 2008, in the aggregate principal amount of \$211,975,000 (the "Series 2008 Bonds"); and

WHEREAS, the District utilized \$70,000,000 in proceeds from the Series 2004 Bonds to fund projects approved at said election; and

WHEREAS, the District utilized \$95,000,000 in proceeds from the Series 2008 Bonds to fund projects approved at said election and \$125,000,000 in proceeds from the Series 2008 Bonds to refund Commercial Paper Notes issued to fund projects approved at said election; and

WHEREAS, the District has not issued Commercial Paper Notes since the issuance of the Series 2008 Bonds, and there are no Commercial Paper Notes currently outstanding; and

WHEREAS, as a result of the issuance of the Series 2004 Bonds and the Series 2008 Bonds, the District has remaining authorized but unissued bonds approved at said election in the amount of \$160,000,000; and

WHEREAS, the bonds hereinafter authorized and designated were voted and are to be issued and delivered pursuant to the laws of the State of Texas, including specifically Section 130.122, Texas Education Code.

THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF DALLAS COUNTY COMMUNITY COLLEGE DISTRICT:

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE BONDS. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The bonds of the District are hereby authorized to be issued and delivered in the aggregate principal amount of \$110,000,000, for the purpose of constructing and equipping school buildings in the District, and the purchase of the necessary sites therefor, and paying costs of issuance associated with the sale of the Bonds.

Section 2. DEFINITIONS. As used in this Order, unless the context shall otherwise require, the following terms shall have the respective meanings, to-wit:

"Board" shall mean the Board of Trustees of the District.

"Bonds" shall mean and include the bonds initially issued and delivered pursuant to this Order and all substitute bonds exchanged therefor, as well as all other substitute bonds and replacement bonds issued pursuant hereto, and the term "Bond" shall mean any of the Bonds.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Defeasance Securities" shall mean (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date of the purchase thereof are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the Issuer adopts or approves the proceedings authorizing the financial arrangements are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

"Designated Financial Officer" shall mean the Executive Vice Chancellor of Business Affairs of the District.

"MSRB" shall mean the Municipal Securities Rulemaking Board.

"NRMSIR" shall mean each person whom the SEC or its staff has determined to be a nationally recognized municipal securities information repository within the meaning of the Rule from time to time.

"Purchase Agreement" shall mean the Bond Purchase Agreement dated May \_\_, 2009, between the Issuer and Southwest Securities, Inc., as representative for the Underwriters.

"Rule" shall mean SEC Rule 15c2-12, as amended from time to time.

"SEC" shall mean the United States Securities and Exchange Commission.

"SID" shall mean any person designated by the State of Texas or an authorized department, officer, or agency thereof as, and determined by the SEC or its staff to be, a state information depository within the meaning of the Rule from time to time.

"Underwriters" shall mean the investment banking firm or firms named in the Purchase Agreement.

Section 3. DESIGNATION, DATE, DENOMINATIONS, NUMBERS, AND MATURITIES OF BONDS. Each bond issued pursuant to this Order shall be designated: "DALLAS COUNTY COMMUNITY COLLEGE DISTRICT GENERAL OBLIGATION BONDS, SERIES 2009". The Bonds shall be dated May 1, 2009, shall bear interest payable currently until maturity or redemption prior to their scheduled maturity, shall be issued in the denomination of \$5,000 or any integral multiple thereof, shall be numbered consecutively from R-1 upward, and shall mature on the maturity date, in each of the years, and in the amounts, respectively, as set forth in the following schedule:

MATURITY DATE: FEBRUARY 15

<u>YEAR</u>	<u>PRINCIPAL AMOUNT (\$)</u>	<u>YEAR</u>	<u>PRINCIPAL AMOUNT (\$)</u>
2010		2020	
2011		2021	
2012		2022	
2013		2023	
2014		2024	
2015		2025	
2016		2026	
2017		2027	
2018		2028	
2019		2029	

Section 4. INTEREST. The Bonds scheduled to mature during the years, respectively, set forth below shall bear interest from the dates specified in the FORM OF BOND set forth in this Order, calculated on the basis of a 360-day year composed of twelve 30-day months, to their respective dates of maturity at the following rates per annum:

maturity 2010, _____%	maturity 2020, _____%
maturity 2011, _____%	maturity 2021, _____%
maturity 2012, _____%	maturity 2022, _____%
maturity 2013, _____%	maturity 2023, _____%
maturity 2014, _____%	maturity 2024, _____%
maturity 2015, _____%	maturity 2025, _____%
maturity 2016, _____%	maturity 2026, _____%
maturity 2017, _____%	maturity 2027, _____%
maturity 2018, _____%	maturity 2028, _____%
maturity 2019, _____%	maturity 2029, _____%

Said interest shall be payable in the manner provided and on the dates stated in the FORM OF BOND set forth in this Order.

Section 5. CHARACTERISTICS OF THE BONDS. (a) Registration, Transfer, Conversion and Exchange; Authentication. The Issuer shall keep or cause to be kept at the designated corporate trust office in Dallas, Texas (the "Designated Trust Office") of U.S. Bank National Association (the "Paying Agent/Registrar") books or records for the registration of the transfer, conversion and exchange of the Bonds (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Order. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

Except as provided in Section 5(c) hereof, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for conversion and exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds in the manner prescribed

herein. Pursuant to Chapter 1206, Texas Government Code, the duty of conversion and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution thereof, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which initially were issued and delivered pursuant to this Order, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(b) Payment of Bonds and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Order. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds, and of all conversions and exchanges of Bonds, and all replacements of Bonds, as provided in this Order. However, in the event of a nonpayment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(c) In General. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the registered owners thereof, (ii) may be redeemed prior to their scheduled maturities (notice of which shall be given to the Paying Agent/Registrar by the Issuer at least 50 days prior to any such redemption date), (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Bonds, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bonds shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Order. The Bonds initially issued and delivered pursuant to this Order are not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Order the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF BOND.

(d) Substitute Paying Agent/Registrar. The Issuer covenants with the registered owners of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution, or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Order, and that the Paying Agent/Registrar will be one entity. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by

merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Order. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Order, and a certified copy of this Order shall be delivered to each Paying Agent/Registrar.

(e) Book-Entry Only System. The Bonds issued in exchange for the Bonds initially issued to the purchaser specified herein shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), and except as provided in subsection (f) hereof, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest on the Bonds. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Bondholder, as shown on the Registration Books, of any notice with respect to the Bonds, or (iii) the payment to any DTC Participant or any other person, other than a Bondholder, as shown in the Registration Books of any amount with respect to principal of, premium, if any, or interest on, as the case may be, the Bonds. Notwithstanding any other provision of this Order to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal, premium, if any, and interest, as the case may be, with respect to such Bond, for the purpose of giving notices and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective owners, as shown in the Registration Books as provided in this Order, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of, premium, if any, and interest on, or as the case may be, the Bonds to the extent of the sum or sums so paid. No person other than an owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Issuer to make payments of principal, premium, if any, and interest, as the case may be, pursuant to this Order. Upon



delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Order with respect to interest checks being mailed to the registered owner at the close of business on the Record Date, the word "Cede & Co." in this Order shall refer to such new nominee of DTC.

(f) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer or the Paying Agent/Registrar determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC and that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Issuer or the Paying Agent/Registrar shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Bondholders transferring or exchanging Bonds shall designate, in accordance with the provisions of this Order.

(g) Payments to Cede & Co. Notwithstanding any other provision of this Order to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on, or as the case may be, such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(h) DTC Letter of Representations. The District heretofore has executed a Blanket Letter of Representations with DTC with respect to establishing a book-entry-only system of registration of ownership of the Bonds.

Section 6. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bonds initially issued and delivered pursuant to this Order, shall be, respectively, substantially as provided in Exhibit A to this Order, with such appropriate variations, omissions, or insertions as are permitted or required by this Order.

Section 7. TAX LEVY. A special Interest and Sinking Fund (the "Interest and Sinking Fund") is hereby created solely for the benefit of the Bonds, and the Interest and Sinking Fund shall be established and maintained by the Issuer at an official depository bank of the Issuer. The Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the Issuer, and shall be used only for paying the interest on and principal of the Bonds. All ad valorem taxes levied and collected for and on account of the Bonds shall be deposited, as collected, to the credit of the

Interest and Sinking Fund. During each year while any Bond or the interest thereon is outstanding and unpaid, the governing body of the Issuer shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on the Bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of its Bonds as such principal matures or comes due; and said tax shall be based on the latest approved tax rolls of the Issuer, with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in the Issuer for each year while any of the Bonds or interest thereon are outstanding and unpaid; and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes will be sufficient to provide for the payment of the interest on and principal of the Bonds, as such interest comes due and such principal matures, provided that the aggregate annual bond taxes in the Issuer shall never exceed the rate of fifty cents on the one hundred dollar valuation of taxable property in the Issuer.

Section 8. CONSTRUCTION FUND. (a) Construction Fund Created. That there is hereby created and there shall be established and maintained on the books of the District, a separate fund designated as the Construction Fund.

(b) Deposit of Proceeds. In accordance with Section 18(c) of this Order, proceeds of the Bonds shall be deposited into the Construction Fund and used by the District for payment of the costs incurred in connection with the purposes described in Section 1(b) of this Order, including any costs for engineering, financing, financial consultation, administrative, auditing and legal expenses.

(c) Surplus Proceeds. Any surplus proceeds, including the investment earnings derived from the investment of monies on deposit in the Construction Fund, remaining on deposit in the Construction Fund after completing the expenditure of funds for the purposes described in Section 1 of this Order, shall be transferred to the Interest and Sinking Fund; provided, however, that any interest earnings on monies on deposit in the Construction Fund which are required to be rebated to the United States of America pursuant to Section 12 hereof in order to prevent the Bonds from being arbitrage bonds shall be transferred to the "Rebate Fund" hereinafter established and shall not be considered as interest earnings for purposes of this subsection.

(d) Disbursement of Moneys. The moneys held in the Construction Fund shall be disbursed from time to time to the District upon the request of the Designated Financial Officer. A written copy of all such disbursements from the Construction Fund shall be maintained by the Designated Financial Officer.

Section 9. DEFEASANCE OF BONDS. (a) Defeased Bonds. That any Bond and the interest thereon shall be deemed to be paid, retired and no longer Outstanding (a "Defeased Bond"), except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof,

or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other similar instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the pledge of ad valorem taxes in favor of the Bonds, and such principal and interest shall be payable solely from such money or Defeasance Securities.

(b) Investment in Defeasance Securities. Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsections (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) Paying Agent/Registrar Services. Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Order.

(d) Selection of Bonds for Defeasance. In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

#### Section 10. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS.

(a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new bond of the same principal amount, maturity, and interest rate, as the damaged, mutilated, lost, stolen, or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen, or destroyed Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Bond, the registered owner applying for a replacement bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Bond, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement bond, the Paying Agent/Registrar shall charge the registered owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen, or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen, or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Order equally and proportionately with any and all other Bonds duly issued under this Order.

(e) Authority for Issuing Replacement Bonds. In accordance with Chapter 1206, Texas Government Code, this Section 10 of this Order shall constitute authority for the issuance of any such replacement bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 5(a) of this Order, for Bonds issued in conversion and exchange for other Bonds.

Section 11. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED. The Designated Financial Officer is hereby authorized to have control of the Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas (the "Comptroller"). Upon registration of the Bonds the Comptroller (or a deputy designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bonds, and the seal of the Comptroller shall be impressed, or placed in

facsimile, on such Certificate. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Bonds issued and delivered under this Order, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

Section 12. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BONDS. The Issuer covenants to take any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the Bonds as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(a) to take any action to assure that no more than 10 percent of the proceeds of the Bonds (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds are so used, that amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Order or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bonds, in contravention of section 141(b)(2) of the Code;

(b) to take any action to assure that in the event that the "private business use" described in subsection (a) hereof exceeds 5 percent of the proceeds of the Bonds (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(c) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(d) to refrain from taking any action which would otherwise result in the Bonds being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(e) to refrain from taking any action that would result in the Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(f) to refrain from using any portion of the proceeds of the Bonds, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Bonds, other than investment property acquired with --

(1) proceeds of the Bonds invested for a reasonable temporary period of three years or less until such proceeds are needed for the purpose for which the Bonds are issued,

(2) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(3) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bonds;

(g) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, so that the Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings);

(h) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(i) to assure that the proceeds of the Bonds will be used solely for new money projects or to refund bonds or other obligations that were issued after December 31, 2003 and prior to January 1, 2009.

In order to facilitate compliance with clause (h) above, a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

For purposes of the foregoing (a) and (b), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Bonds. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Bonds, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bonds, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption

from federal income taxation of interest on the Bonds under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Chancellor, the Designated Financial Officer or any other Vice Chancellor to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, which may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

Section 13. ALLOCATION OF, AND LIMITATION ON, EXPENDITURES FOR THE PROJECT. The Issuer covenants to account for the expenditure of proceeds from the sale of the Bonds and any investment earnings thereon to be used for the purposes described in Section 1 of this Order (each such purpose referred to herein and Section 14 hereof as a "Project") on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (a) the expenditure on a Project is made or (b) each such Project is completed, but in no event later than three years after the date of which the original expenditure is paid. The foregoing notwithstanding, the Issuer shall not expend such proceeds or investment earnings more than 60 days after the earlier of (a) the fifth anniversary of the date of delivery of the Bonds or (b) the date the Bonds are retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel substantially to the effect that such expenditure will not adversely affect the tax-exempt status of the Bonds.

Section 14. DISPOSITION OF PROJECT. The Issuer covenants that the property constituting a Project will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless the Issuer obtains an opinion of nationally-recognized bond counsel substantially to the effect that such sale or other disposition will not adversely affect the tax-exempt status of the Bonds. For purposes of this Section, the portion of the property comprising personal property and disposed of in the ordinary course of business shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes of this Section, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion of nationally-recognized bond counsel to the effect that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 15. CONTINUING DISCLOSURE UNDERTAKING. (a) Annual Reports. (i) The Issuer shall provide annually to each NRMSIR and any SID, within six months after the end of each Fiscal Year ending in or after 2009, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by Section 17 of this Order, being the information described in Exhibit B hereto. Any financial statements so to be provided shall be (1) prepared in accordance with the accounting principles described in Exhibit B hereto, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation, and (2) audited, if the Issuer commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within such period, then the Issuer shall provide unaudited financial statements and, when and if the audit report on such statements becomes available, audited financial statements for the applicable fiscal year to each NRMSIR and any SID.

(ii) If the Issuer changes its Fiscal Year, it will notify each NRMSIR and any SID of the change (and of the date of the new Fiscal Year end) prior to the next date by which the Issuer

otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to each NRMSIR and any SID or filed with the SEC.

(b) Material Event Notices. The Issuer shall notify any SID and either each NRMSIR or the MSRB, in a timely manner, of any of the following events with respect to the Bonds, if such event is material within the meaning of the federal securities laws:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions or events affecting the tax-exempt status of the Bonds;
7. Modifications to rights of holders of the Bonds;
8. Bond calls;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds;  
and
11. Rating changes.

The Issuer shall notify any SID and either each NRMSIR or the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (a) of this Section by the time required by such subsection.

(c) Limitations, Disclaimers, and Amendments. (i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Order or applicable law that causes Bonds no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the holders and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN



CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under the Order for purposes of any other provision of this Order. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Order that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interest of the holders and beneficial owners of the Bonds. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (a) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds.

(d) Filings with MSRB. Anything in this Section to the contrary, effective July 1, 2009, all filings described in this Section to be made to any SID or a NRMSIR shall be made solely to the MSRB. All filings shall be made electronically, in the format specified by the MSRB.

Section 16. DEFAULT AND REMEDIES. (a) Events of Default. Each of the following occurrences or events for the purpose of this Order is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Bonds, including, but not limited to, their prospect or ability

to be repaid in accordance with this Order, and the continuation thereof for a period of 60 days after notice of such default is given by any registered owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any registered owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer, or any official, officer or employee of the Issuer in their official capacity, for the purpose of protecting and enforcing the rights of the registered owners under this Order, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the registered owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all registered owners of Bonds then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Order, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Order.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Order, such registered owner agrees that the certifications required to effectuate any covenants or representations contained in this Order do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or members of the Issuer or the Board of Trustees.

(iv) None of the members of the Board of Trustees, nor any other official or officer, agent, or employee of the Issuer, shall be charged personally by the registered owners with any liability, or be held personally liable to the registered owners under any term or provision of this Order, or because of any Event of Default or alleged Event of Default under this Order.

Section 17. SALE OF BONDS. (a) Sale of Bonds. The sale of the Bonds to Southwest Securities, Inc., as representative (the "Representative") for the Underwriters named in the Purchase Agreement, at the purchase price set forth in the Purchase Agreement, is hereby authorized, ratified

and confirmed. One Bond in the principal amount maturing on each maturity date as set forth in Section 3 hereof shall be delivered to the Representative, on behalf of itself and the other Underwriters, and the Underwriters shall have the right to exchange such bonds upon their initial delivery as provided in Section 5 hereof without cost.

(b) Purchase Agreement Authorized. The Purchase Agreement setting forth the terms of the sale of the Bonds to the Underwriters, in substantially the form attached to this Order, is hereby accepted, approved and authorized to be delivered in executed form to the Underwriters.

(c) Official Statement. The official statement prepared in connection with the sale of the Bonds, in substantially the form attached to this Order, are hereby accepted, approved and authorized to be delivered in executed form to the Underwriters. The use of the "Preliminary Official Statement" prepared in connection with the sale of the Bonds is hereby ratified.

Section 18. FURTHER PROCEDURES. (a) Actions Authorized. The Chair and the Vice Chair of the Board, the Chancellor of the District, the Designated Financial Officer, and all other officers, employees, and agents of the District, and each of them, shall be and they are hereby expressly authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge, and deliver in the name and under the corporate seal and on behalf of the Issuer all such instruments, whether herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Order, the Bonds, the sale and delivery of the Bonds and fixing all details in connection with the Bonds. The Board of Trustees hereby authorizes the payment of the fee of the Office of the Attorney General of the State of Texas for the examination of the proceedings relating to the issuance of the Bonds, in the amount determined in accordance with the provisions of Section 1202.004, Texas Government Code.

(b) Use of Proceeds. The proceeds representing accrued interest on the Bonds shall be deposited to the credit of the Interest and Sinking Fund. Proceeds representing premium, if any, paid by the Underwriters in connection with the sale of the Bonds may be used for any purpose authorized by Section 1201.042(d), Texas Government Code. The remaining proceeds from the sale of the Bonds shall be deposited to the credit of the Construction Fund and be used for the purposes described in Section 1 of this Order.

Section 19. RULES OF CONSTRUCTION. For all purposes of this Order, unless the context requires otherwise, all references to designated Sections and other subdivisions are to the Sections and other subdivisions of this Order. The words "herein", "hereof" and "hereunder" and other words of similar import refer to this Order as a whole and not to any particular Section or other subdivision. Except where the context otherwise requires, terms defined in this Order to impart the singular number shall be considered to include the plural number and vice versa. References to any named person means that party and its successors and assigns. References to any constitutional, statutory or regulatory provision means such provision as it exists on the date this Order is adopted by the Board and any future amendments thereto or successor provisions thereof. Any reference to "FORM OF BOND" shall refer to the form of the Bonds set forth in Exhibit A to this Order.

Section 20. CONTINUED PERFECTION OF SECURITY INTEREST. Chapter 1208, Texas Government Code, applies to the issuance of the Bonds and the pledge of the ad valorem taxes granted by the Issuer under Section 7 of this Order, and such pledge is therefore valid, effective, and perfected. If Texas law is amended at any time while the Bonds are outstanding and unpaid such that the pledge of the ad valorem taxes granted by the Issuer under Section 7 of this Order is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, then in order to preserve to the registered owners of the Bonds the perfection of the security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

Section 21. REPEAL OF CONFLICTING ORDERS. All orders or resolutions and all parts of any orders or resolutions which are in conflict or inconsistent with this Order are hereby repealed and shall be of no further force or effect to the extent of such conflict or inconsistency.

Section 22. PUBLIC NOTICE. It is hereby found and determined that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the meeting at which this Order was adopted; that this Order would be introduced and considered for adoption at said meeting; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.



payment date, to the registered owner hereof at its address as it appears on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described, on the Record Date. The Issuer covenants with the registered owner of this Bond that no later than each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due, all as provided in the order authorizing the issuance of the Bonds (the "Bond Order"). In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from or on behalf of the District. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date", which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the books of the Paying Agent/Registrar at the close of business on the last business day next preceding the date of mailing such notice. The foregoing notwithstanding, a registered owner of one million dollars or more of principal amount of the Bonds may receive, at its expense, all payments of principal and interest by wire transfer on each payment date. All Bonds of this series are issuable solely as fully registered bonds, without interest coupons, in the denomination of any integral multiple of \$5,000 in principal amount (an "Authorized Denomination").

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the Designated Trust Office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a Series of Bonds dated the Original Issue Date specified above, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$110,000,000, for the purpose of constructing and equipping school buildings in the District, and the purchase of the necessary sites therefor, and paying costs of issuance associated with the sale of the Bonds.

ON FEBRUARY 15, 2019, or on any date thereafter, the Bonds of this Series maturing on and after February 15, 2020 may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an Authorized Denomination), at par and accrued interest to the date fixed for redemption; provided, that during any period in which ownership of the Bonds is determined only by a book entry at a securities depository for the Bonds, if fewer than all of the Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Bonds of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the Issuer and the securities depository.

AT LEAST 30 days prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be published once in a financial publication, journal or reporter of general circulation among securities dealers in The City of New York, New York or in the State of Texas. Such notice also shall be sent by the Paying Agent/Registrar by United States mail, first class postage prepaid, at least 30 days prior to the date fixed for any such redemption, to the registered owner of each Bond to be redeemed at its address as it appeared on the Registration Books on the 45th day prior to such redemption date; provided, however, that the failure to send, mail or receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond, and it is hereby specifically provided that the publication of such notice as required above shall be the only notice actually required in connection with or as a prerequisite to the redemption of any Bonds or portions thereof. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof which are to be so redeemed. If such written notice of redemption is published and if due provision for such payment is made, all as provided above, the Bonds or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any Authorized Denomination, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Order.

AS PROVIDED IN THE BOND ORDER, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred and exchanged for a like aggregate principal amount of fully registered Bonds, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any Authorized Denomination as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Order. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar at its Designated Trust Office, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any Authorized Denomination to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar or its agent may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the registered owner. Such assignments, transfers, exchanges and registrations shall be without expense or service charge to the owner or owners, provided in any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, exchange or registration as a condition

precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make transfers of registration or exchange of this Bond or any portion hereof (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date. The registered owner of this Bond shall be deemed and treated by the Issuer and the Paying Agent/Registrar as the absolute owner hereof for all purposes, including payment and discharge of liability upon this Bond to the extent of such payment, and, to the extent permitted by law, the Issuer and the Paying Agent/Registrar shall not be affected by any notice to the contrary.

WHENEVER the beneficial ownership of this Bond is determined by a book entry at a securities depository for the Bonds, the foregoing requirements of holding, delivering or transferring this Bond shall be modified to require the appropriate person or entity to meet the requirements of the securities depository as to registering or transferring the book entry to produce the same effect.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Order that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Bonds.

IT IS HEREBY certified, recited, and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; that this Bond is a general obligation of the Issuer, issued on the full faith and credit thereof; and that ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due, and as such principal matures, have been levied and ordered to be levied against all taxable property in the Issuer, and have been pledged for such payment, within the limit prescribed by law.

BY BECOMING the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Order, agrees to be bound by such terms and provisions, acknowledges that the Bond Order is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Order constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Chair of the Board of Trustees of the Issuer and countersigned with the manual or facsimile signature of the Secretary of the Board of Trustees of the Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

                    (signature)                      
Secretary, Board of Trustees

                    (signature)                      
Chair, Board of Trustees

(SEAL)



FORM OF REGISTRATION CERTIFICATE OF THE  
COMPTROLLER OF PUBLIC ACCOUNTS (INITIAL BONDS ONLY):

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this Bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

\_\_\_\_\_  
Comptroller of Public Accounts  
of the State of Texas

(COMPTROLLER'S SEAL)

FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

(To be executed if this Bond is not accompanied by an  
executed Registration Certificate of the Comptroller  
of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Order described in the text of this Bond; and that this Bond has been issued in conversion or replacement of, or in exchange for, a bond, bonds, or a portion of a bond or bonds of a Series which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated

U.S. BANK NATIONAL ASSOCIATION,  
Paying Agent/Registrar

By \_\_\_\_\_  
Authorized Representative

FORM OF ASSIGNMENT:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner of this Bond, or duly authorized representative or attorney thereof, hereby assigns this Bond to

\_\_\_\_\_  
/ \_\_\_\_\_ /  
(Assignee's Social Security  
or Taxpayer Identification number)

\_\_\_\_\_  
(print or type Assignee's name  
and address, including zip code)

\_\_\_\_\_  
and hereby irrevocably constitutes and appoints

\_\_\_\_\_  
attorney to transfer the registration of this Bond on the Paying Agent/Registrar's  
Registration Books with full power of substitution in the premises.

Dated \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: This signature must be guaranteed  
by a member of the New York Stock  
Exchange or a commercial bank or trust  
company.

\_\_\_\_\_  
NOTICE: This signature must correspond  
with the name of the Registered Owner  
appearing on the face of this Bond in every  
particular without alteration or enlargement or  
any change whatsoever.

**Exhibit B  
to  
Bond Order**

**DESCRIPTION OF ANNUAL FINANCIAL INFORMATION**

The following information is referred to in Section 15 of this Order.

**Annual Financial Statements and Operating Data**

The financial information and operating data with respect to the District to be provided annually in accordance with such Section are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

1. The information of the general type included in tables 1 through 6, inclusive, tables 8 through 14, inclusive.
2. Appendix B to the Official Statement, "**Excerpts from the Dallas County Community College District Annual Financial Report**".

**Accounting Principles**

The accounting principles referred to in such Section are the accounting principles described in the notes to the financial statements referred to in paragraph 2 above.

BUILDING & GROUNDS REPORT NO. 15

Approval of Amendment to Agreement with E. Evans Associates, Inc.

It is recommended that authorization be given to approve an amendment to the agreement with E. Evans Associates, Inc. in an amount not to exceed \$ 3,750 for additional services for Mountain View College.

Original Agreement	\$ 525,407
Previous Amendment (s)	\$0
Amendment	\$3,750
Revised Agreement	\$529,157

Background

The Board approved the original contract with E. Evans Associates, Inc. on March 6, 2007 in the amount of \$ 525,407 for professional architectural and design services for the economic and workforce development building of Mountain View College. The following table contains information about amendments to the contract.

Board Approved	VCBA Approved	Change Order No.	Amount	Revised Contract
Pending		1	\$ 0	\$ 525,407
Pending		2	\$ 3,750	\$ 529,157

Amendment 1 was clarification of wording regarding the architect's final invoice and did not change the scope of work or include any change in fee.

This amendment of \$ 3,750 is for additional scope, as requested by Mountain View College to redesign offices 107 and 108 for the economic and workforce development building.

This amendment has undergone the following administrative review:

- Approval of the form of the agreement from DCCCD's legal counsel.

This recommendation increases the contract to \$529,157, which is \$3,750 (0.7%) over the original amount. This project is financed by General Obligation Bond Series 2004.

BUILDING AND GROUNDS REPORT NO. 16

Approval of Change Order with Dove Seven Solutions, Inc.

It is recommended that authorization be given to approve change order No. 3 with Dove Seven Solutions, Inc. in an amount not to exceed 8,438.65 to provide additional construction services for Richland College.

Original agreement	\$119,000.00
Previous change order(s)	24,378.00
Change order No. 3	8,438.65
Revised agreement	\$151,816.65

Background

This is RLC project #8, *Progress Report on Construction Projects*, (Informative Reports section of this agenda). The project is for the installation of concrete ramps and steps at five entrances to the Uvalde and Verde Buildings to replace existing ones made of wood, which are deteriorated and have become a safety hazard. This change order includes the associated handrails and canopies. Construction was 90% complete as of 04/16/09.

The Board approved the recommendation for award for Bid No.11475 for the ramp and canopy replacements at Uvalde and Verde at Richland College on November 04, 2008. The original contract amount was \$119,000.

As provided by Board Policy CF (LOCAL),

<u>Board Approved</u>	<u>VCBA Approved</u>	<u>Change Order No.</u>	<u>Amount</u>	<u>Revised Contract</u>
	03/16/09	1	400.00	119,400.00
	03/16/09	2	23,978.00	143,978.00
Pending		3	8,438.65	151,816.65

Change order No.1 provided for the repair of rotted wood below three doors at Uvalde Hall.

Change order No.2 provided for revised layout for ramps and stairs required by survey for TAS requirements.

Change order No. 3 provides for the revision of Uvalde west ramp and pier location to avoid unforeseen electrical conduits.

This recommendation increases the project cost to \$151,816.65, which is \$32,816.65 (27%) over the original amount.

## BUILDING AND GROUNDS REPORT NO. 17

### Approval of Agreement with Booziotis & Company Architects

It is recommended that authorization be given to approve an agreement with Booziotis & Company Architects in an amount not to exceed \$58,208 to provide professional architectural and design services for a Feasibility Study for proposed upgrades to IT Environments District Wide.

### Background

This is D-W project #1, *Progress Report on Construction Projects* (Informative Reports section of this agenda). The project is to provide professional architectural design services for a Feasibility Study for proposed upgrades to IT Environments District Wide. (Richland College will be the baseline study)

The facilities management staff pre-qualifies architectural and engineering firms and selected Booziotis & Company Architects from its pool of pre-qualified firms. The agreement will be made on May 6, 2009. Compensation is to be a fee not to exceed \$54,400 plus reimbursable expenses not to exceed \$3,808.

## BUILDING AND GROUNDS REPORT NO. 18

### Approval of Agreement with CWK Construction Management

It is recommended that authorization be given to approve an agreement with CWK Construction Management in an amount not to exceed \$43,106 to provide professional construction management services for Brookhaven and Cedar Valley Colleges.

### Background

This is BHC project #8 and CVC project #4, *Progress Report on Construction Projects* (Informative Reports section of this agenda). The project is to provide professional construction management services for the Brookhaven and Cedar Valley Colleges. The Brookhaven scope includes interior maintenance upgrades for 50 restrooms. The Cedar Valley scope includes the replacement of exterior windows and storefronts for buildings C and E.

The facilities management staff pre-qualifies architectural and engineering firms and selected CWK Construction Management from its pool of pre-qualified firms. The agreement will be made May 6, 2009. Compensation is to be a fee not to exceed \$41,850 plus reimbursable expenses not to exceed \$1,256.



## BUILDING AND GROUNDS REPORT NO. 19

### Approval of Agreement with Dedman Facility Group.

It is recommended that authorization be given to approve an agreement with Dedman Facility Group in an amount not to exceed \$53,148 to provide professional construction management services for Eastfield, El Centro, Mountain View, and Cedar Valley Colleges.

### Background

This is EFC project #1, ECC project #2, MVC project #4, and CVC project #3, *Progress Report on Construction Projects* (Informative Reports section of this agenda). The project is to provide professional construction management services for five mechanical, electrical and plumbing projects located at Eastfield College, El Centro College, Mountain View College, and Cedar Valley Colleges.

The facilities management staff pre-qualifies architectural and engineering firms and selected Dedman Facility Group from its pool of pre-qualified firms. The agreement will be made on May 6, 2009. Compensation is to be a fee not to exceed \$51,600 plus reimbursable expenses not to exceed \$1,548.

BUILDING AND GROUNDS REPORT NO. 20

Approval of Agreement with Leetex Construction LLC.

It is recommended that authorization be given to approve an agreement with Leetex Construction LLC in an amount not to exceed \$72,253 to provide professional construction management services for El Centro College.

Background

This is ECC project # 8, *Progress Report on Construction Projects* (Informative Reports section of this agenda). The project is to provide professional construction management services for Phase 1 of the backfill for El Centro College of approximately 60,000 square feet of renovation.

The facilities management staff pre-qualifies architectural and engineering firms and selected Leetex Construction LLC from its pool of pre-qualified firms. The agreement will be made on May 6, 2009. Compensation is to be a fee not to exceed \$70,149 plus reimbursable expenses not to exceed \$2,104.

## BUILDING AND GROUNDS REPORT NO. 21

### Approval of Agreement with 3SPM, LLC

It is recommended that authorization be given to approve an agreement with 3SPM, LLC, in an amount not to exceed \$77,942 to provide Construction Management Services for maintenance projects located at District Service Center, Cedar Valley College, Eastfield College, Mountain View College, and Richland College.

### Background

This is DSC project #5, CVC project #2, EFC project #7, MVC project #3, RLC project #14, *Progress Report on Construction Projects* (Informative Reports section of this agenda). The project is for roof drainage on buildings and for sealing existing cracks on parking lot at District Service Center. The project will correct sub surface drainage in tunnels at buildings B, C and D at Cedar Valley College; replace roofs for building N and P at Eastfield; replace gymnasium roof at Mountain View College; and, provide restoration and repairs to roofs on buildings C, G, H, L, M and P at Richland College.

The facilities management staff pre-qualifies architectural and engineering firms and selected 3SPM, LLG from its pool of pre-qualified firms. The agreement will be made on May 06, 2009. Compensation is to be a fee not to exceed \$75,672 plus reimbursable expenses not to exceed \$2,270.

FINANCIAL REPORT NO. 22

Approval of Expenditures for March 2009

It is recommended that expenditures of \$19,062,610 for March 2009 be approved. A year to date summary of expenditures is included in the budget report. Detailed expenditure information is available in the business affairs office at the District Service Center.

FINANCIAL REPORT NO. 23

Presentation of Budget Report for March 2009

The budget report for March 2009 is presented as a matter of record (see attached).

Board of Trustees Policy CDA (LOCAL) requires that *“Periodic financial reports shall be submitted to the Board outlining the progress of the budget to that date....”*

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
2008-09 CURRENT FUNDS OPERATING BUDGET

**REVENUES & ADDITIONS**

Year-to-Date March 31, 2009  
58.3.0% of Fiscal Year Elapsed

	Approved Budget	Year-to-Date Actuals	Remaining Balance	Percent Budget	Control Limits	Notes
<b>UNRESTRICTED FUND</b>						
State Appropriations	\$ 89,498,204	\$ 53,691,955	\$ 35,806,249	60.0%	50.3-56.1%	(1)
Tuition	68,343,154	60,209,192	8,133,962	88.1%	76.2-83.9%	(2)
Taxes for Current Operations	126,851,795	123,773,918	3,077,877	97.6%	96.0-99.4%	
Federal Grants & Contracts	887,169	534,746	352,423	60.3%	38.9-102.0%	
State Grants & Contracts	148,520	147,400	1,120	99.2%	n/a	
General Sources:						
Investment Income	6,225,000	2,988,022	3,236,978	48.0%	57.5-76.7%	(3)
General Revenue	2,773,524	1,767,070	1,006,454	63.7%	n/a	
Subtotal General Sources	8,998,524	4,755,092	4,243,432	52.8%	59.5-76.6%	(4)
<b>SUBTOTAL UNRESTRICTED</b>	<b>294,727,366</b>	<b>243,112,303</b>	<b>51,615,063</b>	<b>82.5%</b>	<b>n/a</b>	
Use of Fund Balance & Transfers-in	40,172,444	-	40,172,444	0.0%	n/a	
<b>TOTAL UNRESTRICTED</b>	<b>334,899,810</b>	<b>243,112,303</b>	<b>91,787,507</b>	<b>72.6%</b>	<b>70.9-76.0%</b>	
<b>AUXILIARY FUND</b>						
Sales & Services	5,942,910	3,175,641	2,767,269	53.4%	45.3-59.6%	
Investment Income	275,153	157,864	117,289	57.4%	46.4-77.9%	
Transfers-in	5,248,797	5,248,797	-	100.0%	n/a	
Use of Fund Balance	524,546	-	524,546	0.0%	n/a	
<b>TOTAL AUXILIARY</b>	<b>11,991,406</b>	<b>8,582,302</b>	<b>3,409,104</b>	<b>71.6%</b>	<b>30.2-79.5%</b>	
<b>RESTRICTED FUND</b>						
State Appropriations:						
Insurance & Retirement Match	23,758,341	6,918,581	16,839,760	29.1%	n/a	
SBDC State Match	1,551,288	896,629	654,659	57.8%	n/a	
Subtotal State Appropriations	25,309,629	7,815,210	17,494,419	30.9%	n/a	
Grants, Contracts & Scholarships:						
Federal	52,219,278	33,868,788	18,350,490	64.9%	n/a	
State	4,425,594	4,112,925	312,669	92.9%	n/a	
Local	5,911,446	3,226,974	2,684,472	54.6%	n/a	
Transfers-in	661,301	91,681	569,620	13.9%	n/a	
Subtotal Grants, Contracts & Scholarships	63,217,619	41,300,368	21,917,251	65.3%	n/a	
Richland Collegiate High School	-	-	-	n/a	n/a	
<b>TOTAL RESTRICTED</b>	<b>88,527,248</b>	<b>49,115,578</b>	<b>39,411,670</b>	<b>55.5%</b>	<b>n/a</b>	
<b>RICHLAND COLLEGIATE HIGH SCHOOL</b>						
State Funding	2,152,019	1,106,052	1,045,967	51.4%	n/a	
Investment Income	17,000	11,349	5,651	66.8%	n/a	
<b>TOTAL COLLEGIATE HIGH SCHOOL</b>	<b>2,169,019</b>	<b>1,117,401</b>	<b>1,051,618</b>	<b>51.5%</b>	<b>n/a</b>	
<b>TOTAL REVENUES &amp; ADDITIONS</b>	<b>\$ 437,587,483</b>	<b>\$ 301,927,584</b>	<b>\$ 135,659,899</b>	<b>69.0%</b>	<b>n/a</b>	

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
2008-09 CURRENT FUNDS OPERATING BUDGET

**EXPENDITURES & USES BY FUNCTION**

Year-to-Date March 31, 2009  
58.3.0% of Fiscal Year Elapsed

	Approved Budget	Year-to-Date Actuals	Remaining Balance	Percent Budget	Control Limits	Notes
<b>UNRESTRICTED FUND</b>						
Instruction	\$ 128,534,171	\$ 79,565,248	\$ 48,968,923	61.9%	59.2-64.4%	
Public Service	6,783,574	3,903,721	2,879,853	57.5%	44.6-58.7%	
Academic Support	17,781,602	10,267,180	7,514,422	57.7%	52.0-60.4%	
Student Services	27,047,286	15,192,493	11,854,793	56.2%	55.0-59.0%	
Institutional Support	58,332,310	35,693,465	22,638,845	61.2%	52.8-58.8%	(5)
Staff Benefits	10,271,957	13,412,449	(3,140,492)	130.6%	46.1-56.5%	(6)
Operations & Maintenance of Plant	30,551,098	18,685,842	11,865,256	61.2%	55.9-64.3%	
Repairs & Rehabilitation	33,905,964	3,659,787	30,246,177	10.8%	8.4-59.5%	
Special Items:						
Reserve - Campus	3,234,970	-	3,234,970	n/a	n/a	
Reserve - Compensation	-	-	-	n/a	n/a	
Reserve - State Funding Reduction	-	-	-	n/a	n/a	
Reserve - Operating	5,859,250	-	5,859,250	n/a	n/a	
Reserve - New Campuses	-	-	-	n/a	n/a	
Reserve - New Buildings	895,000	-	895,000	n/a	n/a	
Reserve - Non-operating	154,219	-	154,219	n/a	n/a	
<b>TOTAL UNRESTRICTED</b>	<b>523,351,401</b>	<b>180,380,185</b>	<b>142,971,216</b>	<b>55.8%</b>	<b>53.4-61.2%</b>	
<b>AUXILIARY FUND</b>						
Student Activities	7,098,421	3,912,803	3,185,618	55.1%	49.7-62.5%	
Sales & Services	3,555,630	1,930,911	1,624,719	54.3%	52.3-63.8%	
Reserve - Campus	1,049,922	-	1,049,922	n/a	n/a	
Reserve - District	195,027	-	195,027	n/a	n/a	
Transfers-out	92,406	279,033	(186,627)	302.0%	0.0-120.4%	(7)
<b>TOTAL AUXILIARY</b>	<b>11,991,406</b>	<b>6,122,747</b>	<b>5,868,659</b>	<b>51.1%</b>	<b>38.9-70.2%</b>	
<b>RESTRICTED FUND</b>						
State Appropriations	23,758,341	6,918,581	16,839,760	29.1%	9.6-95.1%	
Grants & Contracts	25,489,134	15,002,620	10,486,514	58.9%	n/a	
Scholarships	39,279,773	27,194,377	12,085,396	69.2%	n/a	
Subtotal Grants, Contracts & Scholarships	88,527,248	49,115,578	39,411,670	55.5%	n/a	
Richland Collegiate High School	-	-	-	n/a	n/a	
<b>TOTAL RESTRICTED</b>	<b>88,527,248</b>	<b>49,115,578</b>	<b>39,411,670</b>	<b>55.5%</b>	<b>n/a</b>	
<b>RICHLAND COLLEGIATE H.S.</b>						
Expenditures	2,169,019	1,106,930	1,062,089	51.0%	n/a	
<b>TOTAL COLLEGIATE HIGH SCHOOL</b>	<b>2,169,019</b>	<b>1,106,930</b>	<b>1,062,089</b>	<b>51.0%</b>	<b>n/a</b>	
<b>SUBTOTAL EXPENDITURES &amp; USES</b>	<b>426,039,074</b>	<b>236,725,440</b>	<b>189,313,634</b>	<b>55.6%</b>	<b>n/a</b>	
<b>TRANSFERS &amp; DEDUCTIONS:</b>						
Mandatory Transfers:						
Tuition to Debt Service Fund	2,141,649	1,955,580	186,069	91.3%	69.3-97.6%	
LoanStar Loan to Debt Service Fund	52,071	52,071	-	100.0%	n/a	
Institutional Matching-Contracts/Grants	28,000	108,708	(80,708)	388.2%	37.9-105.9%	
Non-Mandatory Transfers & Deductions:						
Auxiliary Fund	5,248,797	5,248,797	-	100.0%	n/a	
Unexpended Plant Fund	1,040,906	1,040,906	-	100.0%	n/a	
Debt Service Fund	3,036,986	1,524,650	1,512,336	50.2%	n/a	
<b>TOTAL TRANSFERS &amp; DEDUCTIONS</b>	<b>11,548,409</b>	<b>9,930,712</b>	<b>1,617,697</b>	<b>86.0%</b>	<b>n/a</b>	
<b>TOTAL EXPENDITURES &amp; USES</b>	<b>\$ 437,587,483</b>	<b>\$ 246,656,152</b>	<b>\$ 190,931,331</b>	<b>56.4%</b>	<b>n/a</b>	

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
2008-09 CURRENT FUNDS OPERATING BUDGET

**EXPENDITURES & USES BY ACCOUNT CLASSIFICATION**

Year-to-Date March 31, 2009  
58.3.0% of Fiscal Year Elapsed

	Approved Budget	Year-to-Date Actuals	Remaining Balance	Percent Budget
<b>UNRESTRICTED FUND</b>				
Salaries & Wages	\$ 201,704,227	\$ 121,221,216	\$ 80,483,011	60.1%
Staff Benefits	10,271,957	13,412,449	(3,140,492)	130.6%
Purchased Services	15,413,775	10,713,223	4,700,552	69.5%
Operating Expenses	81,232,242	31,485,641	49,746,601	38.8%
Supplies & Materials	8,706,060	6,937,725	1,768,335	79.7%
Minor Equipment	4,286,904	2,121,525	2,165,379	49.5%
Capital Outlay	9,701,262	3,460,963	6,240,299	35.7%
Charges	(18,108,465)	(8,972,557)	(9,135,908)	49.5%
<b>SUBTOTAL UNRESTRICTED</b>	<b>313,207,962</b>	<b>180,380,185</b>	<b>132,827,777</b>	<b>57.6%</b>
Reserve - Campus	3,234,970	-	3,234,970	n/a
Reserve - Compensation	-	-	-	n/a
Reserve - State Funding Reduction	-	-	-	n/a
Reserve - Operating	5,859,250	-	5,859,250	n/a
Reserve - New Campuses	-	-	-	n/a
Reserve - New Buildings	895,000	-	895,000	n/a
Reserve - Non-operating	154,219	-	154,219	n/a
Transfers & Deductions:				
Mandatory Transfers:				
Tuition to Debt Service Fund	2,141,649	1,955,580	186,069	91.3%
LoanStar Loan to Debt Service Fund	52,071	52,071	-	100.0%
Institutional Matching - Contracts/Grants	28,000	108,708	(80,708)	388.2%
Non-Mandatory Transfers & Deductions:				
Auxiliary Fund	5,248,797	5,248,797	-	100.0%
Unexpended Plant Fund	1,040,906	1,040,906	-	100.0%
Debt Service Fund	3,036,986	1,524,650	1,512,336	50.2%
<b>TOTAL UNRESTRICTED</b>	<b>334,899,810</b>	<b>190,310,897</b>	<b>144,588,913</b>	<b>56.8%</b>
<b>AUXILIARY FUND</b>	<b>11,991,406</b>	<b>6,122,747</b>	<b>5,868,659</b>	<b>51.1%</b>
<b>RESTRICTED FUND</b>	<b>88,527,248</b>	<b>49,115,578</b>	<b>39,411,670</b>	<b>55.5%</b>
<b>RICHLAND COLLEGIATE HIGH SCHOOL</b>	<b>2,169,019</b>	<b>1,106,930</b>	<b>1,062,089</b>	<b>51.0%</b>
<b>TOTAL EXPENDITURES &amp; USES</b>	<b>\$ 437,587,483</b>	<b>\$ 246,656,152</b>	<b>\$ 190,931,331</b>	<b>56.4%</b>



DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
2008-09 CURRENT FUNDS OPERATING BUDGET

**REVENUES & ADDITIONS**

Year-to-Date - 58.3% of Fiscal Year Elapsed

	March 31, 2009			March 31, 2008		
	Approved Budget	Year-to-Date Actuals	Percent Budget	Approved Budget	Year-to-Date Actuals	Percent Budget
<b>UNRESTRICTED FUND</b>						
State Appropriations	\$ 89,498,204	\$ 53,691,955	60.0%	\$ 89,473,204	\$ 47,027,490	52.6%
Tuition	68,343,154	60,209,192	88.1%	64,384,882	53,547,344	83.2%
Taxes for Current Operations	126,851,795	123,773,918	97.6%	119,889,500	117,526,884	98.0%
Federal Grants & Contracts	887,169	534,746	60.3%	981,855	765,722	78.0%
State Grants & Contracts	148,520	147,400	99.2%	151,832	146,185	96.3%
General Sources:						
Investment Income	6,225,000	2,988,022	48.0%	6,250,000	4,176,230	66.8%
General Revenue	2,773,524	1,767,070	63.7%	2,276,850	1,740,789	76.5%
Subtotal General Sources	8,998,524	4,755,092	52.8%	8,526,850	5,917,019	69.4%
<b>SUBTOTAL UNRESTRICTED</b>	<b>294,727,366</b>	<b>243,112,303</b>	<b>82.5%</b>	<b>283,408,123</b>	<b>224,930,644</b>	<b>79.4%</b>
Use of Fund Balance & Transfers-in	40,172,444	-	0.0%	21,775,981	-	0.0%
<b>TOTAL UNRESTRICTED</b>	<b>334,899,810</b>	<b>243,112,303</b>	<b>72.6%</b>	<b>305,184,104</b>	<b>224,930,644</b>	<b>73.7%</b>
<b>AUXILIARY FUND</b>						
Sales & Services	5,942,910	3,175,641	53.4%	6,545,897	3,276,774	50.1%
Investment Income	275,153	157,864	57.4%	373,426	202,458	54.2%
Transfers-in	5,248,797	5,248,797	100.0%	4,523,797	4,523,797	100.0%
Use of Fund Balance	524,546	-	0.0%	735,408	-	0.0%
<b>TOTAL AUXILIARY</b>	<b>11,991,406</b>	<b>8,582,302</b>	<b>71.6%</b>	<b>12,178,528</b>	<b>8,003,029</b>	<b>65.7%</b>
<b>RESTRICTED FUND</b>						
State Appropriations:						
Insurance & Retirement Match	23,758,341	6,918,581	29.1%	23,258,341	14,382,121	61.8%
SBDC State Match	1,551,288	896,629	57.8%	1,501,733	407,880	27.2%
Subtotal State Appropriations	25,309,629	7,815,210	30.9%	24,760,074	14,790,001	59.7%
Grants, Contracts & Scholarships:						
Federal	52,219,278	33,868,788	64.9%	63,601,103	27,875,842	43.8%
State	4,425,594	4,112,925	92.9%	7,032,507	4,542,301	64.6%
Local	5,911,446	3,226,974	54.6%	6,568,181	2,375,110	36.2%
Transfers-in	661,301	91,681	13.9%	942,019	98,932	10.5%
Subtotal Grants, Contracts & Scholarships	63,217,619	41,300,368	65.3%	78,143,810	34,892,185	44.7%
Richland Collegiate High School	-	-	n/a	68,372	68,372	100.0%
<b>TOTAL RESTRICTED</b>	<b>88,527,248</b>	<b>49,115,578</b>	<b>55.5%</b>	<b>102,972,256</b>	<b>49,750,558</b>	<b>48.3%</b>
<b>RICHLAND COLLEGIATE HIGH SCHOOL</b>						
State Funding	2,152,019	1,106,052	51.4%	2,089,322	1,060,299	50.7%
Investment Income	17,000	11,349	66.8%	-	-	0.0%
<b>TOTAL COLLEGIATE HIGH SCHOOL</b>	<b>2,169,019</b>	<b>1,117,401</b>	<b>51.5%</b>	<b>2,089,322</b>	<b>1,060,299</b>	<b>50.7%</b>
<b>TOTAL REVENUES &amp; ADDITIONS</b>	<b>\$ 437,587,483</b>	<b>\$ 301,927,584</b>	<b>69.0%</b>	<b>\$ 422,424,210</b>	<b>\$ 283,744,530</b>	<b>67.2%</b>

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
2008-09 CURRENT FUNDS OPERATING BUDGET

**EXPENDITURES & USES BY FUNCTION**

Year-to-Date - 58.3% of Fiscal Year Elapsed

	March 31, 2009			March 31, 2008		
	Approved Budget	Year-to-Date Actuals	Percent Budget	Approved Budget	Year-to-Date Actuals	Percent Budget
<b>UNRESTRICTED FUND</b>						
Instruction	\$ 128,534,171	\$ 79,565,248	61.9%	\$ 120,096,300	\$ 73,952,961	61.6%
Public Service	6,783,574	3,903,721	57.5%	5,349,959	3,229,883	60.4%
Academic Support	17,781,602	10,267,180	57.7%	17,981,184	10,281,223	57.2%
Student Services	27,047,286	15,192,493	56.2%	25,718,527	14,310,983	55.6%
Institutional Support	58,332,310	35,693,465	61.2%	52,501,960	30,823,805	58.7%
Staff Benefits	10,271,957	13,412,449	130.6%	10,255,978	4,886,563	47.6%
Operations & Maintenance of Plant	30,551,098	18,655,842	61.2%	27,781,934	17,600,791	63.4%
Repairs & Rehabilitation	33,905,964	3,659,787	10.8%	20,124,989	3,817,217	19.0%
Special Items:						
Reserve - Campus	3,234,970	n/a	n/a	2,973,784	n/a	n/a
Reserve - Compensation	-	n/a	n/a	2,223,245	n/a	n/a
Reserve - State Funding Reduction	-	n/a	n/a	-	n/a	n/a
Reserve - Operating	5,859,250	n/a	n/a	2,942,054	n/a	n/a
Reserve - New Campuses	-	n/a	n/a	500,000	n/a	n/a
Reserve - New Buildings	895,000	n/a	n/a	-	n/a	n/a
Reserve - Non-operating	154,219	n/a	n/a	329,194	n/a	n/a
<b>TOTAL UNRESTRICTED</b>	<b>323,351,401</b>	<b>180,380,185</b>	<b>55.8%</b>	<b>288,779,138</b>	<b>158,903,426</b>	<b>55.0%</b>
<b>AUXILIARY FUND</b>						
Student Activities	7,098,421	3,912,803	55.1%	6,409,059	3,873,256	60.4%
Sales & Services	3,555,630	1,930,911	54.3%	4,755,375	2,690,891	56.6%
Reserve - Campus	1,049,922	n/a	n/a	532,018	n/a	n/a
Reserve - District	195,027	n/a	n/a	364,163	n/a	n/a
Transfers-out	92,406	279,033	302.0%	117,913	104,580	88.7%
<b>TOTAL AUXILIARY</b>	<b>11,991,406</b>	<b>6,122,747</b>	<b>51.1%</b>	<b>12,178,528</b>	<b>6,668,727</b>	<b>54.8%</b>
<b>RESTRICTED FUND</b>						
State Appropriations	23,758,341	6,918,581	29.1%	23,258,341	14,382,121	61.8%
Grants & Contracts	25,489,134	15,002,620	58.9%	33,691,255	13,261,853	39.4%
Scholarships	39,279,773	27,194,377	69.2%	45,954,288	22,038,212	48.0%
Subtotal Grants, Contracts & Scholarships	88,527,248	49,115,578	55.5%	102,903,884	49,682,186	48.3%
Richland Collegiate High School	-	-	n/a	68,372	68,372	100.0%
<b>TOTAL RESTRICTED</b>	<b>88,527,248</b>	<b>49,115,578</b>	<b>55.5%</b>	<b>102,972,256</b>	<b>49,750,558</b>	<b>48.3%</b>
<b>RICHLAND COLLEGIATE H.S.</b>						
Expenditures	2,169,019	1,106,930	51.0%	2,089,322	802,785	38.4%
<b>TOTAL COLLEGIATE HIGH SCHOOL</b>	<b>2,169,019</b>	<b>1,106,930</b>	<b>51.0%</b>	<b>2,089,322</b>	<b>802,785</b>	<b>38.4%</b>
<b>SUBTOTAL EXPENDITURES &amp; USES</b>	<b>426,039,074</b>	<b>236,725,440</b>	<b>55.6%</b>	<b>406,019,244</b>	<b>216,125,496</b>	<b>53.2%</b>
<b>TRANSFERS &amp; DEDUCTIONS:</b>						
Mandatory Transfers:						
Tuition to Debt Service Fund	2,141,649	1,955,580	91.3%	2,134,765	1,807,170	84.7%
LoanStar Loan to Debt Service Fund	52,071	52,071	100.0%	208,281	208,281	100.0%
Institutional Matching-Contracts/Grants	28,000	108,708	388.2%	136,544	74,098	54.3%
Non-Mandatory Transfers & Deductions:						
Auxiliary Fund	5,248,797	5,248,797	100.0%	4,523,797	4,523,797	100.0%
Unexpended Plant Fund	1,040,906	1,040,906	100.0%	6,350,000	3,600,000	56.7%
Debt Service Fund	3,036,986	1,524,650	50.2%	3,051,579	1,525,790	50.0%
<b>TOTAL TRANSFERS &amp; DEDUCTIONS</b>	<b>11,548,409</b>	<b>9,930,712</b>	<b>86.0%</b>	<b>16,404,966</b>	<b>11,739,136</b>	<b>71.6%</b>
<b>TOTAL EXPENDITURES &amp; USES</b>	<b>\$ 437,587,483</b>	<b>\$ 246,656,152</b>	<b>56.4%</b>	<b>\$ 422,424,210</b>	<b>\$ 227,864,632</b>	<b>53.9%</b>

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT  
2008-09 CURRENT FUNDS OPERATING BUDGET

**EXPENDITURES & USES BY ACCOUNT CLASSIFICATION**

Year-to-Date - 58.3% of Fiscal Year Elapsed

	March 31, 2009			March 31, 2008		
	Approved Budget	Year-to-Date Actuals	Percent Budget	Approved Budget	Year-to-Date Actuals	Percent Budget
<b>UNRESTRICTED FUND</b>						
Salaries & Wages	\$ 201,704,227	\$ 121,221,216	60.1%	\$ 186,246,675	\$ 112,828,053	60.6%
Staff Benefits	10,271,957	13,412,449	130.6%	10,255,978	4,886,563	47.6%
Purchased Services	15,413,775	10,713,223	69.5%	12,602,686	8,767,965	69.6%
Operating Expenses	81,232,242	31,485,641	38.8%	64,209,478	29,615,105	46.1%
Supplies & Materials	8,706,060	6,937,725	79.7%	9,016,721	5,758,782	63.9%
Minor Equipment	4,286,904	2,121,525	49.5%	6,511,246	2,357,980	36.2%
Capital Outlay	9,701,262	3,460,963	35.7%	6,593,703	2,416,396	36.6%
Charges	(18,108,465)	(8,972,557)	49.5%	(15,625,655)	(7,727,418)	49.5%
<b>SUBTOTAL UNRESTRICTED</b>	<b>313,207,962</b>	<b>180,380,185</b>	<b>57.6%</b>	<b>279,810,832</b>	<b>158,903,426</b>	<b>56.8%</b>
Reserve - Campus	3,234,970	n/a	n/a	2,973,784	n/a	n/a
Reserve - Compensation	-	n/a	n/a	2,223,245	n/a	n/a
Reserve - State Funding Reduction	-	n/a	n/a	-	n/a	n/a
Reserve - Operating	5,859,250	n/a	n/a	2,942,083	n/a	n/a
Reserve - New Campuses	-	n/a	n/a	500,000	n/a	n/a
Reserve - New Buildings	895,000	n/a	n/a	-	n/a	n/a
Reserve - Non-operating	154,219	n/a	n/a	329,194	n/a	n/a
Transfers & Deductions:						
Mandatory Transfers:						
Tuition to Debt Service Fund	2,141,649	1,955,580	91.3%	2,134,765	1,807,170	84.7%
LoanStar Loan to Debt Service Fund	52,071	52,071	100.0%	208,281	208,281	100.0%
Institutional Matching - Contracts/Grants	28,000	108,708	388.2%	136,544	74,098	54.3%
Non-Mandatory Transfers & Deductions:						
Auxiliary Fund	5,248,797	5,248,797	100.0%	4,523,797	4,523,797	100.0%
Unexpended Plant Fund	1,040,906	1,040,906	100.0%	6,350,000	3,600,000	56.7%
Debt Service Fund	3,036,986	1,524,650	50.2%	3,051,579	1,525,790	50.0%
<b>TOTAL UNRESTRICTED</b>	<b>334,899,810</b>	<b>190,310,897</b>	<b>56.8%</b>	<b>305,184,104</b>	<b>170,642,562</b>	<b>55.9%</b>
<b>AUXILIARY FUND</b>	<b>11,991,406</b>	<b>6,122,747</b>	<b>51.1%</b>	<b>12,178,528</b>	<b>6,668,727</b>	<b>54.8%</b>
<b>RESTRICTED FUND</b>	<b>88,527,248</b>	<b>49,115,578</b>	<b>55.5%</b>	<b>102,972,256</b>	<b>49,750,558</b>	<b>48.3%</b>
<b>RICHLAND COLLEGIATE HIGH SCHOOL</b>	<b>2,169,019</b>	<b>1,106,930</b>	<b>51.0%</b>	<b>2,089,322</b>	<b>802,785</b>	<b>38.4%</b>
<b>TOTAL EXPENDITURES &amp; USES</b>	<b>\$ 437,587,483</b>	<b>\$ 246,656,152</b>	<b>56.4%</b>	<b>\$ 422,424,210</b>	<b>\$ 227,864,632</b>	<b>53.9%</b>

## NOTES

A column titled "Control Limits" appears in the two spreadsheets, *Revenues & Additions* and *Expenditures & Uses by Function*, to illustrate the method of analysis. This column contains plus and minus two standard deviations of the mean for each line item. If the entry is "n/a", this is a line item that aggregates differently in the new format for the budget report and/or there is no historical data yet available.

- (1) & (6) Actual *State Appropriations* and *Staff Benefits* reflect a higher than normal percent of budget due to a change in the State's funding method to provide cash flow for state insurance benefits until the Legislature can re-establish the vetoed funding. State health insurance is currently being paid in local staff benefits using advanced cash flow.
- (2) Actual *Tuition* reflects a higher than normal percent of budget due to a higher than expected growth in enrollment. Tuition is being re-evaluated as part of the Spring Budget Revision.
- (3) Actual *Interest Income* reflects a lower than normal percent of budget due to changes in current market conditions. Interest income is being re-evaluated as part of the Spring Budget Revision.
- (4) Actual *Subtotal General Sources* reflects a lower than normal percent of budget due primarily to changes mentioned in note (3).
- (5) Actual *Institutional Support* reflects a higher than normal percent of budget due primarily to early spending on district initiatives for disaster recovery infrastructure, expanded storage area network and other DCCCD operating expenditures.
- (7) Actual *Transfers-out* exceeded budget due to the disbursement of a scholarship allocation approved in December. Funding for this initiative was budgeted in reserves pending college distribution. A transfer from auxiliary fund reserves will be made in Spring Revision.

FINANCIAL REPORT NO. 24

Acceptance of Gifts

Administration recommends the Board accept the gifts, summarized in the following table, under the donors' conditions.

<u>Beneficiary</u>	<u>Gifts Reported in April 2009</u>			
	<u>Purpose</u>	<u>Quantity</u>	<u>Range</u>	<u>Total</u>
DCCCD	Equipment	1	\$100 – 5,000	750
	Chancellor's Council	4	\$100 - 5,000	9,000
	Programs and Services	9	\$100 - 5,000	13,000
	Rising Star	20	\$100 – 5,000	14,600
	Scholarships <sup>1</sup>	21	\$100 - 5,000	14,006
<b>Total</b>	n/a	55	n/a	51,356

<u>Month Reported</u>	<u>Gifts Reported in Fiscal Year 2008-09</u>			
	<u>Amount by Category</u>			
	<u>Equipment</u>	<u>Rising Star</u>	<u>Other Gifts</u>	<u>Total</u>
September 2008	\$669,921	\$175,000	\$89,000	\$933,921
October 2008	\$0	\$6,000	\$151,020	\$157,020
November 2008	\$10,878	\$2,297	\$262,268	\$275,443
December 2008	\$0	\$0	\$41,400	\$41,400
January 2009	\$0	\$41,500	\$35,450	\$76,950
February 2009	\$82,219	\$316,549	\$141,790	\$540,558
March 2009	\$11,520	\$247,600	\$30,994	\$290,114
April 2009	\$9,092	\$0	\$16,833	\$25,925
May 2009	\$750	\$14,600	\$36,006	\$51,356
June 2009				
July 2009				
August 2009				
<b>Total To Date</b>	<b>\$784,380</b>	<b>\$803,546</b>	<b>\$804,761</b>	<b>\$2,392,687</b>

<u>Type</u>	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>
Equipment	\$3,519,952	\$2,267,725	\$ 187,915	\$ 137,643	\$ 396,503	\$ 64,830	\$220,565
Rising Star	0	724,230	439,556	728,836	492,032	57,068	163,227
Other Gifts	221,703	734,917	1,135,653	939,058	1,432,358	972,010	879,876
<b>Total</b>	<b>\$3,741,655</b>	<b>\$3,726,872</b>	<b>\$1,763,124</b>	<b>\$1,805,537</b>	<b>\$2,320,893</b>	<b>\$1,093,908</b>	<b>\$1,263,668</b>

<sup>1</sup>The "Scholarships" category does not include gifts to the Rising Star program, which are reported as a separate line item.

In April 2009, DCCCD Foundation, Inc. made the following expenditures on behalf of DCCCD:

<u>Purpose</u>	<u>Quantity</u>	<u>Total</u>
Chancellor's Fund	5	\$1,333
Programs and Services	46	\$58,210
Total	51	\$59,543

## FINANCIAL REPORT NO. 25

### Notice of Grant Awards

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#### Grant Awards Reported in May 2009

*Source:* Michael Dell & the Bill & Melinda Gates Foundation through Communities Foundation of Texas

*Beneficiary:* Cedar Valley College via a subcontract with the University of North Texas

*Amount:* \$10,000

*Term:* October 1, 2007 – August 31, 2009

*Purpose:* Designed to help students earn both a high school diploma and an Associate's degree or up to two years of credit toward a Bachelor's degree.

*Source:* Texas Higher Education Coordinating Board

*Beneficiary:* DCCCD - North Central Texas Tech Prep Consortium

*Amount:* \$39,930 increase to previous award ( new total \$737,801)

<u>Campus</u>	<u>Increase</u>	<u>New Total</u>
Regional Office	\$18,930	\$152,513
Dallas Sector	\$ 7,000	\$244,001
Navarro College	\$ 7,000	\$148,072
Tarrant County	\$ 7,000	\$193,215

*Term:* September 1, 2008 – August 31, 2009

*Purpose:* Support, promote, and encourage quality educational programs and innovative delivery systems to maximize the effectiveness of linking secondary and postsecondary education, employers and communities to ensure a skilled and educated workforce.

*Source:* Texas Higher Education Coordinating Board

*Beneficiary:* DCCCD (all locations) – Perkins Basic

*Amount:* \$348,108 increase to previous award ( new total \$1,436,219)

<u>Campus</u>	<u>Increase</u>	<u>New Total</u>
Brookhaven	\$40,005	\$165,050
Cedar Valley	\$50,359	\$207,769
Eastfield	\$51,006	\$210,439
El Centro	\$62,948	\$259,711
Mountain View	\$40,533	\$167,234
North Lake	\$32,651	\$134,710
Richland	\$67,125	\$276,944
LeCroy	\$ 3,481	\$ 14,362

*Term:* September 1, 2008 – August 31, 2009

*Purpose:* Assist in the planning and implementation of improvements to career and technical education as prescribed in The Carl D. Perkins Career and Technical Education Improvement Act of 2006.

*Source:* Workforce Solutions Greater Dallas – Veterans Employment  
*Beneficiary:* Bill J. Priest campus of El Centro College  
*Amount:* \$19,040  
*Term:* February 18, 2009 – August 30, 2009  
*Purpose:* Provide targeted occupation training for Machine Shop Skills to Veterans

<u>Grant Awards Reported in Fiscal Year 2008-09</u>	
September 2008	\$ 915,899
October 2008	7,375,409
November 2008	4,876,915
December 2008	3,267,298
January 2009	150,068
February 2009	797,712
March 2009	445,390
April 2009	3,852,505
May 2009	717,078
June 2009	
July 2009	
August 2009 <sup>1</sup>	
<b>Total To Date</b>	<b><u>22,398,274</u></b>

<u>Grant Awards Reported in Fiscal Years 2001-02 through 2007-08</u>							
<u>Type</u>	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>
Competitive	\$11,917,647	\$20,264,070	\$18,750,094	\$22,137,173	\$17,679,698	\$17,168,910	\$21,334,592
Pell Grants <sup>1</sup>	19,658,023	26,199,861	29,899,662	31,449,815	31,467,783	29,413,886	30,189,339
<b>Total</b>	<b><u>\$31,575,670</u></b>	<b><u>\$46,463,931</u></b>	<b><u>\$48,649,756</u></b>	<b><u>\$53,586,988</u></b>	<b><u>\$49,147,481</u></b>	<b><u>\$46,582,796</u></b>	<b><u>\$51,523,931</u></b>

Most of the grants in the *Notice of Grant Awards* report are from government agencies. Very occasionally, a private donor may direct a gift to DCCCD rather than to DCCCD Foundation, Inc., in which case the gift from the private donor is included in *Notice of Grant Awards*.

Funding agencies define fiscal years for each grant, which often do not align with DCCCD's fiscal year. DCCCD administers grants in accordance with requirements of the funding agency and its own policies and procedures.

<sup>1</sup>The annual notice of Pell grants almost always appears in the August report. Pell grants are not awarded based on competitive applications; they are a component of Title IV student financial aid.



## FINANCIAL REPORT NO. 26

### Approval of Adjustments to the Budget for Fiscal Year 2008-09

It is recommended that adjustments to the budget for fiscal year 2008-09 be approved and the budget be revised.

#### Background

Board Policy CC (Local) provides the following: *The Budget may be amended during the fiscal year upon approval of the Board according to the Business Office Procedures Manual.* Normally, the administration proposes adjustments to the budget in Fall and Spring semesters.

The Planning and Budget Committee reviewed the proposed adjustments on April 21, 2009. Following a presentation and question/answer period, the committee approved submitting the proposed adjustments to the Board for formal action. Members of the Board present were Trustees Boyle, Compton, Ferguson, Flores, Prater and Williams. Mr. Prater conducted the meeting.

Significant adjustments to revenue include the following:

- Tuition was adjusted upward by \$2,151,023 due to increased credit enrollment reduced slightly by a net reduction in continuing education enrollments.
- Investment Income is being decreased a net \$234,428 due to current market conditions reducing interest offset by a gain on sale of investments.
- Non-Mandatory Transfers-in of \$2,616,651 represents return to the unrestricted fund of monies no longer needed in the unexpended plant fund.
- Use of Fund Balance increased \$2,690,782 for additional campus projects and the purchase of a small piece of land for North Lake.
- Use of Fund Balance for the Auxiliary Fund increased by \$503,402 to remodel a studio at the LeCroy Center.
- Federal Grants & Contracts are increasing \$9,055,634 due to a new U.S. Department of Education grant and more dollars carried forward for use in this fiscal year than originally estimated during original budget.
- State Grants & Contracts are increasing \$3,055,147 mainly due to new Texas Workforce Commission and nursing grants.
- General Obligation Bonds in the Unexpended Plant Fund is increasing by \$205,000,000 to reflect that the \$95,000,000 from the Series 2008 bonds was not received until September instead of in August as originally planned plus \$110,000,000 of new bonds are being issued.
- Commercial Paper is being reduced by \$80,000,000 since the decision was made

to issue bonds instead.

- Use of Fund Balance is being reduced \$95,000,000 because the Series 2008 bond proceeds were received in September instead of August as originally planned.

Changes in expenditures reflect the use of the new or, in some cases, reduced revenues.

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT**  
**2009-10 PROPOSED CURRENT FUNDS OPERATING BUDGET**  
**Revenues & Additions**

	2009		
	Fall Revision	Proposed Change	Spring Revision
<b>Unrestricted Fund:</b>			
State Appropriations	\$ 89,498,204	\$ -	\$ 89,498,204
Tuition	\$ 68,343,154	2,151,023	70,494,177
Taxes for Current Operations	\$ 126,851,795	-	126,851,795
Federal Grants and Contracts	\$ 887,169	-	887,169
State Grants and Contracts	\$ 148,520	-	148,520
Investment Income	\$ 6,225,000	(234,428)	5,990,572
General Revenue	\$ 2,773,524	(14,145)	2,759,379
Non-Mandatory Transfers-in	\$ -	2,616,651	2,616,651
Use of Fund Balance	\$ 40,172,444	2,690,782	42,863,226
<b>Total</b>	<b>\$ 334,899,810</b>	<b>\$ 7,209,883</b>	<b>\$ 342,109,693</b>
<b>Auxiliary Fund:</b>			
Sales & Services	\$ 5,942,910	\$ (28,697)	\$ 5,914,213
Investment Income	\$ 275,153	31,642	306,795
Transfers-in	\$ 5,248,797	6,321	5,255,118
Use of Fund Balance	\$ 524,546	503,402	1,027,948
<b>Total</b>	<b>\$ 11,991,406</b>	<b>\$ 512,668</b>	<b>\$ 12,504,074</b>
<b>Restricted Fund:</b>			
Insurance/Retirement Match	\$ 23,758,341	\$ -	\$ 23,758,341
SBDC State Match	\$ 1,551,288	600,014	2,151,302
Subtotal State Appropriations	<u>25,309,629</u>	<u>600,014</u>	<u>25,909,643</u>
Grants & Contracts			
Federal	52,219,278	9,055,634	61,274,912
State	4,425,594	3,055,147	7,480,741
Local	5,911,446	547,755	6,459,201
Transfers-in	661,301	7,192	668,493
<b>Total</b>	<b>\$ 88,527,248</b>	<b>\$ 13,265,742</b>	<b>\$ 101,792,990</b>
Richland Collegiate High School	-	-	-
<b>Grand Total</b>	<b>\$ 88,527,248</b>	<b>\$ 13,265,742</b>	<b>\$ 101,792,990</b>
<b>Richland Collegiate High School</b>			
State Funding	\$ 2,152,019	\$ (23,930)	\$ 2,128,089
Investment Income	\$ 17,000	-	17,000
<b>Total</b>	<b>\$ 2,169,019</b>	<b>\$ (23,930)</b>	<b>\$ 2,145,089</b>
<b>TOTAL CURRENT FUNDS REVENUES &amp; ADDITIONS</b>	<b>\$ 437,587,483</b>	<b>\$ 20,964,363</b>	<b>\$ 458,551,846</b>

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT**  
**2009-10 PROPOSED CURRENT FUNDS OPERATING BUDGET**  
**Expenditures & Uses by Function**

	2009		
	Fall Revision	Proposed Change	Spring Revision
<b>Unrestricted Fund</b>			
Instruction	\$ 128,534,171	1,621,513	\$ 130,155,684
Public Service	\$ 6,783,574	179,870	6,963,444
Academic Support	\$ 17,781,602	483,882	18,265,484
Student Services	\$ 27,047,286	406,512	27,453,798
Institutional Support	\$ 58,332,310	2,529,672	60,861,982
Staff Benefits	\$ 10,271,957	(19,815)	10,252,142
Operations & Maintenance	\$ 30,551,098	1,056,040	31,607,138
Repairs & Rehabilitation	\$ 33,905,964	(6,091,195)	27,814,769
Reserve - Campus	\$ 3,234,970	2,094,200	5,329,170
Reserve - Operating	\$ 5,859,250	(2,446,751)	3,412,499
Reserve - New Building	\$ 895,000	(40,228)	854,772
Reserve - Non-operating	\$ 154,219	1,026,807	1,181,026
Mandatory Transfers	\$ 2,221,720	113,371	2,335,091
Non-mandatory Transfers	\$ 9,326,689	6,296,005	15,622,694
<b>Total</b>	<b>\$ 334,899,810</b>	<b>\$ 7,209,883</b>	<b>\$ 342,109,693</b>
<b>Auxiliary Fund</b>			
Student Activities	\$ 7,098,421	\$ 152,530	\$ 7,250,951
Sales & Services	\$ 3,555,630	294,316	3,849,946
Reserve - Campus	\$ 1,049,922	(326,285)	723,637
Reserve - District	\$ 195,027	43,370	238,397
Transfers-out	\$ 92,406	348,737	441,143
<b>Total</b>	<b>\$ 11,991,406</b>	<b>\$ 512,668</b>	<b>\$ 12,504,074</b>
<b>Restricted Fund</b>			
State Appropriations	\$ 23,758,341	\$ -	\$ 23,758,341
Grants & Contracts	\$ 25,489,134	13,258,550	38,747,684
Scholarships	\$ 39,279,773	7,192	39,286,965
<b>Total</b>	<b>\$ 88,527,248</b>	<b>\$ 13,265,742</b>	<b>\$ 101,792,990</b>
Richland Collegiate High School	-	-	-
<b>Grand Total</b>	<b>\$ 88,527,248</b>	<b>\$ 13,265,742</b>	<b>\$ 101,792,990</b>
<b>Richland Collegiate High School</b>			
Instruction	\$ 955,071	\$ (26,430)	\$ 928,641
Public Service	\$ 110,000	30,500	\$ 140,500
Academic Support	\$ 256,807	-	256,807
Student Services	\$ 313,048	(28,000)	285,048
Institutional Support	\$ 534,093	-	534,093
<b>Total</b>	<b>\$ 2,169,019</b>	<b>\$ (23,930)</b>	<b>\$ 2,145,089</b>
<b>TOTAL CURRENT FUNDS EXPENDITURES &amp; USES</b>	<b>\$ 437,587,483</b>	<b>\$ 20,964,363</b>	<b>\$ 458,551,846</b>

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT**  
**2009-10 PROPOSED NON-OPERATING BUDGET**  
**Revenues & Expenditures**

**Unexpended Plant Fund**

	2009		
	Fall Revision	Proposed Change	Spring Revision
<b>Revenues &amp; Additions:</b>			
Investment Revenue	\$ 1,739,000	\$ 375,000	\$ 2,114,000
General Obligation Bonds	\$ -	205,000,000	205,000,000
Commercial Paper	\$ 80,000,000	(80,000,000)	-
Contribution in Aid of Projects	\$ -	75,157	75,157
Transfers-in	\$ 1,040,906	6,391,684	7,432,590
Use of Fund Balance	\$ 151,733,158	(95,000,000)	56,733,158
<b>Total</b>	<b>\$ 234,513,064</b>	<b>\$ 36,841,841</b>	<b>\$ 271,354,905</b>
<b>Expenditures &amp; Uses:</b>			
Bldg & Physical Plant Repairs	\$ 7,179,522	\$ -	\$ 7,179,522
Construction & Land Purchases	\$ 214,875,372	26,916,359	241,791,731
Architects	\$ 8,896,839	1,834,262	10,731,101
Furniture & Equipment	\$ 3,522,155	5,213,745	8,735,900
Bond Cost of Issuance	\$ -	300,000	300,000
Commercial Paper Cost of Issuance	\$ 39,176	(39,176)	-
Non-mandatory Transfers	\$ -	2,616,651	2,616,651
<b>Total</b>	<b>\$ 234,513,064</b>	<b>\$ 36,841,841</b>	<b>\$ 271,354,905</b>

**Debt Service Fund**

	2009		
	Fall Revision	Proposed Change	Spring Revision
<b>Revenues &amp; Additions:</b>			
Investment Revenue	\$ 61,000	\$ -	\$ 61,000
Taxes (Maintenance Tax Notes)	\$ 6,252,716	-	6,252,716
Taxes (General Obligation Bonds)	\$ 22,621,585	-	22,621,585
Taxes (Commercial Paper)	\$ 980,627	-	980,627
Transfers-in (Tuition)	\$ 2,141,649	-	2,141,649
Transfers-in (Unrestricted)	\$ 3,089,057	-	3,089,057
<b>Total</b>	<b>\$ 35,146,634</b>	<b>\$ -</b>	<b>\$ 35,146,634</b>
<b>Expenditures &amp; Uses:</b>			
General Obligation Bonds (Principal & Interest)	\$ 22,016,185	\$ -	\$ 22,016,185
Revenue Bonds (Principal & Interest)	\$ 5,239,636	-	5,239,636
Maintenance Tax Notes (Principal & Interest)	\$ 6,085,381	-	6,085,381
CP Interest Expense	\$ 792,384	-	792,384
CP Fees	162,000	-	162,000
Lone Star Notes (State of TX)	\$ 52,071	-	52,071
Uncollectible Tax Expense	\$ 205,998	-	205,998
Tax Collection Fees	\$ 592,979	-	592,979
<b>Total</b>	<b>\$ 35,146,634</b>	<b>\$ -</b>	<b>\$ 35,146,634</b>

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT**  
**2009-10 PROPOSED NON-OPERATING BUDGET**  
**Revenues & Expenditures**

Quasi-endowment Fund

	2009		
	<u>Fall Revision</u>	<u>Proposed Change</u>	<u>Spring Revision</u>
Revenues:			
Investment Income	\$ 135,000	\$ 7,192	\$ 142,192
Lease Income	\$ 400,000	-	400,000
Total	<u>\$ 535,000</u>	<u>\$ 7,192</u>	<u>\$ 542,192</u>
Expenditures:			
Transfers-out			
Rising Star Program	\$ 535,000	\$ 7,192	\$ 542,192
Total	<u>\$ 535,000</u>	<u>\$ 7,192</u>	<u>\$ 542,192</u>

FINANCIAL REPORT NO. 27

Approval of District Corporate Resolution Relating to Check Signatures

It is recommended that the attached District corporate resolution be approved relating to the authorized signatures for checks drawn upon the depository of the District.

Background

The District Corporate Resolution currently authorizes the designated colleges to sign checks for the Imprest Account on behalf of the District:

The attached revised Corporate Resolution makes changes to the current authorized signatures. The Resolution reflects add or delete columns for the names to be corrected for a particular campus and may not include all campuses.

CORPORATE RESOLUTION  
OF THE BOARD OF TRUSTEES  
OF THE DALLAS COUNTY COMMUNITY COLLEGE DISTRICT

I, Wright Lassiter, Secretary of the Board of Trustees of the Dallas County Community College District, a political subdivision organized under the laws of the State of Texas, hereinafter called "District," do hereby certify that I am keeper of the records and the minutes of the proceedings of the Board of Trustees of the District, and I am authorized by law to execute and deliver this certificate, and that on May 5, 2009 there was held a meeting of the Board of Trustees of the District at which meeting a quorum of the Trustees was present and acting throughout, and that at such meeting the following resolutions were duly and legally adopted:

RESOLVED, that Depository is hereby authorized to change signatures on an account In the name of the District styled Imprest Fund (account 638476648)  
Changes should be implemented as follow:

**ADD**

Imprest Fund  
Brookhaven College  
Richard D. McCrary  
Rodger Bennett

**DELETE**

Brookhaven College  
Sharon L. Blackman  
Derek A. Mpinga

The above resolutions are in conformity with State Law which has not been modified or replaced and is now in full force and effect.

DATE: May 5, 2009

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Wright Lassiter  
Secretary, Board of Trustees

AFFIRMED AND CERTIFIED:

Jerry M. Prater  
Board Chair



## FINANCIAL REPORT NO. 28

### Approval of Resolution to establish parameters to refund callable portions of Revenue Financing System Bonds, Series 1998

It is recommended that a resolution to establish the parameters to refund callable portions of Revenue Financing System Bonds, Series 2009 be approved in an amount not to exceed \$7 million with a target savings minimum of 2.5% or a dollar present value savings of \$159,250.

#### Background

The Revenue Financing System Bonds, Series 1998 were issued to advance refund Series 1992 revenue bonds. These Series 1998 bonds had an original fourteen year maturity with a net interest cost of 4.757%.

Interest markets are now returning to a level that allows for present value savings on the refunding of revenue bonds outstanding. When issued, the refunding bonds would have a maturity of no greater than five years with an average interest coupon of approximately 4.50%, depending on the exact date of issuance.

The bonds will not be rated by the credit rating agencies because the financial advisors have recommended a private placement, which does not require a credit rating or issuance of an official statement.

The resolution calls for the following provisions to be present before the refunding bonds can be issued:

- A principal amount of not more than \$7,000,000.
- A net present value savings of \$159,250 or more.
- A maturity of the refunding bonds not to exceed past 2014.

Estimated gross debt service savings are approximately \$168,100 at present.