

Trustees of the California State University

Resolutions

**September 22-23, 2009 in the Dumke Auditorium located at the California State University
Office of the Chancellor, 401 Golden Shore, Long Beach, CA 90802**

BOARD OF TRUSTEES

Conferral of the Title Executive Vice Chancellor Emeritus (RBOT 09-09-07)

WHEREAS, Gary W. Reichard, Executive Vice Chancellor and Chief Academic Officer of the California State University, has a well deserved reputation as an inclusive, collaborative and thoughtful higher education administrator and faculty member; and

WHEREAS, Dr. Reichard made an exceptional contribution to the California State University by championing and stewarding the CSU's new strategic plan, *Access to Excellence*, which will have a significant impact on the entire university system for years to come; and

WHEREAS, He has worked tirelessly throughout his academic career to develop programs and plans that provide a high quality education for students and professional development and support for faculty; and

WHEREAS, He has also, through his service to the California State University and its 23 campuses, made a personal and valuable contribution to the advancement of higher education in California; and

WHEREAS, It is fitting that the California State University recognize those members who have made demonstrable contributions to this public system of higher education and the people of California; now, therefore, be it

RESOLVED, By the Board of Trustees of the California State University, that this board confers the title of Executive Vice Chancellor Emeritus on Gary W. Reichard, with all the rights and privileges thereto.

COMMITTEE ON GOVERNMENTAL RELATIONS

2009-2011 Legislative Report No. 4 (RGR 09-09-07)

RESOLVED, By the Board of Trustees of the California State University, that the 2009-2011 Legislative Report No. 4 is adopted.

COMMITTEE ON FINANCE

Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds and Related Debt Instruments for Various Projects (RFIN 09-09-06)

Orrick, Herrington & Sutcliffe LLP, as bond counsel, prepared resolutions for projects described Agenda Item 6 of the Committee on Finance at the September 22-23, 2009 meeting of the Board of Trustees that authorize interim and permanent financing for California State University East Bay (East Bay Recreation and Wellness Center); California State University, Los Angeles (Los Angeles Dobbs Street Apartments Acquisition Project); San Diego State University (San Diego Aztec Shops Limited — Albert's College Apartment Acquisition Project). The proposed resolutions will achieve the following:

1. Authorize the sale and issuance of Systemwide Revenue Bond Anticipation Notes and the related sale and issuance of the Trustees of the California State University Systemwide Revenue Bonds in an amount not-to-exceed \$60,985,000 and certain actions relating thereto.
2. Provide a delegation to the Chancellor; the Executive Vice Chancellor and Chief Financial Officer; the Assistant Vice Chancellor, Financial Services; and the Director, Financing and Treasury; and their designees to take any and all necessary actions to execute documents for the sale and issuance of the bond anticipation notes and the revenue bonds.

The resolutions will be implemented subject to receipt of good bids consistent with the projects' financing plans.

COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS

Categories and Criteria for the State Funded Five-Year Capital Improvement Program, 2011-2012 through 2015-2016 (RCPBG 09-09-12)

RESOLVED, By the Board of Trustees of the California State University, that:

1. The Categories and Criteria for the State Funded Five-Year Capital Improvement Program, 2011-2012 through 2015-2016 in Attachment A of Agenda Item 2 of the September 22, 2009 meeting of the Trustees' Committee on Campus Planning, Buildings and Grounds be approved; and
2. The Chancellor is directed to use these categories and criteria to prepare the CSU State Funded Five-Year Capital Improvement Program.

Approve the Campus Master Plan Revision and Amendment of the 2009-2010 Non-State Funded Capital Outlay Program for the Dobbs Street Apartment Building Real Property Acquisition and Renovation for California State University, Los Angeles (RCPBG 09-09-13)

RESOLVED, By the Board of Trustees of California State University, that:

1. The Board finds that a Categorical Exemption for the California State University, Los Angeles, Dobbs Street Apartment Building Real Property Master Plan Revision will be prepared pursuant to the requirements of the California Environmental Quality Act.
2. The proposed project will not have the potential for significant adverse impacts on the environment, and it will benefit the California State University.
3. The California State University, Los Angeles campus master plan revision dated September 2009 is approved.
4. The 2009-2010 non-state funded capital outlay program is amended to include \$6,124,000 for the acquisition and renovation of the Dobbs Street Apartment Building Real Property project and for the roofing replacement costs associated with the existing Student Housing Phase II project for California State University, Los Angeles.

Certify the Final Environmental Impact Report and Approve the Campus Master Plan Revision for California State University, East Bay (RCPBG 09-09-14)

RESOLVED, by the Board of Trustees of the California State University, that:

1. The Final EIR for the California State University, East Bay Campus Master Plan dated September 2009 has been prepared to address potential significant environmental impacts, mitigation measures, project alternatives, comments and responses to comments associated with the master plan revision, pursuant to the requirements of the California Environmental Quality Act, the CEQA Guidelines, and CSU CEQA procedures.
2. The Final EIR addresses the proposed campus master plan revision, and all discretionary actions relating to the project, as identified in the Project Description, Section 2 of the Final EIR.
3. This resolution is adopted pursuant to the requirements of Section 21081 of the Public Resources Code and Section 15091 of Title 14 of the California Code of Regulations (CEQA Guidelines), which require that the Board of Trustees make findings prior to the approval of a project along with a statement of facts supporting each finding.
4. This Board hereby adopts the Findings of Fact and related mitigation measures identified in the Mitigation Monitoring Program for Agenda Item 4 of the September 22-23, 2009 meeting of the Board of Trustees' Committee on Campus Planning, Buildings and Grounds, that identifies specific impacts of the proposed project and related mitigation measures, which are hereby incorporated by reference.
5. The Board has adopted the Findings of Fact that include specific Overriding Considerations that outweigh certain remaining unavoidable significant impacts to aesthetics, cultural resources, air quality, and traffic.
6. The Final EIR has identified potentially significant and unavoidable impacts that may result from project implementation if the identified off-site traffic mitigation measures are not implemented by the City of Hayward, as noted below. However, the Board of Trustees, by adopting the Findings of Fact, finds that the inclusion of certain mitigation measures as part of the project approval will reduce some of those effects to less than significant levels. Those impacts, which are not reduced to less than significant levels, are identified and overridden due to specific project benefits.
7. A portion of the mitigation measures to reduce traffic impacts from implementation of the campus master plan are the responsibility of and under the authority of the City of Hayward. As the City and the University have not

agreed in all respects regarding off-site mitigation measures, the Board cannot guarantee that certain mitigation measures that are under the authority and sole responsibility of the City will be implemented timely. The Board therefore finds that certain impacts upon traffic may remain if mitigation measures are not implemented. Therefore, the Board adopts Findings of Fact that include specific Overriding Considerations that outweigh the remaining, potential, and unavoidable significant impacts as well as other impacts with respect to vehicular and pedestrian traffic conditions on streets and intersections that are not under the authority and responsibility of the Board.

8. Prior to the certification of the Final EIR, the Board of Trustees has reviewed and considered the above-mentioned Final EIR, and finds that the Final EIR reflects the independent judgment of the Board of Trustees. The Board hereby certifies the Final EIR for the proposed project as complete and adequate in that the Final EIR addresses all significant environmental impacts of the proposed project and fully complies with the requirements of CEQA and the CEQA Guidelines. For the purpose of CEQA and the CEQA Guidelines, the administrative record of proceedings for the project is comprised of the following:
 - a. The Draft EIR for California State University, East Bay Campus Master Plan, November 2008;
 - b. The Final EIR, including comments received on the Draft EIR, and responses to comments;
 - c. The proceedings before the Board of Trustees relating to the subject project, including testimony and documentary evidence introduced at such proceedings; and
 - d. All attachments, documents incorporated, and references made in the documents as specified in items (a) through (c) above.
9. It is necessary, consistent with the California Supreme Court decision in *City of Marina*, for CSU to pursue mitigation funding from the Legislature to meet its CEQA fair share mitigation obligations. The Chancellor is therefore directed to request from the Governor and the Legislature, through the annual state capital budget process, future funds in the amount of \$2,331,618 necessary to support fair share mitigation costs as projected in the FEIR and determined by the Trustees necessary to fulfill the off-site mitigation requirements of CEQA.
10. In the event the request for mitigation funds is approved in full by the Governor and the Legislature, the Chancellor is directed to proceed with implementation of the California State University, East Bay Campus Master Plan dated September 2009. Should the request for funds only be partially approved, the Chancellor is directed to proceed with implementation of the project, funding identified mitigation measures to the extent of the available legislatively appropriated funds. In the event the request for State Capital

Outlay funds is not approved, the Chancellor is directed to proceed with implementation of the project consistent with resolution number 11 below.

11. Because this Board cannot guarantee that the request to the Governor and Legislature for the necessary mitigation funding will be approved, or that the local agencies will fund the measures that are their responsibility, this Board finds that the impacts whose funding is uncertain remain significant and unavoidable, and that they are necessarily outweighed by the Statement of Overriding Considerations adopted by this Board.
12. The City of Hayward has requested fees be paid by California State University, East Bay for mitigation of public services impacts with regard to public safety (police and fire emergency response). These impacts have been found to be *less than significant*, based on the analysis in the Final EIR. Since these potential impacts have been found to be less than significant, there is no mitigation required, and therefore no fair share mitigation cost need be determined by the Trustees as Lead Agency under the *Marina* decision.
13. The Board hereby certifies the Final EIR for the California State University, East Bay Campus Master Plan dated September 2009 as complete and in compliance with the CEQA.
14. The mitigation measures identified in the Mitigation Monitoring and Reporting Program are hereby adopted and incorporate mitigation measures for off-site improvements as determined appropriate by this Board. These mitigation measures shall be monitored and reported in accordance with the Mitigation Monitoring and Reporting Program for Agenda Item 4 of the September 22-23, 2009 meeting of the Board of Trustees' Committee on Campus Planning, Buildings and Grounds, which meets the requirements of CEQA (Public Resources Code, Section 21081.6).
15. The project will benefit the California State University.
16. The two designated near term projects identified and described in the FEIR are:
 - (1) Pioneer Student Housing, Phase IV (600 beds) and (2) Parking Structure 1 (1,100 spaces). The Board has determined the near term projects are fully analyzed at the project level in the Final EIR for purposes of compliance with CEQA and hereby approves such projects for implementation and construction as being in compliance with CEQA requirements.
17. The above information is on file with The California State University, Office of the Chancellor, Capital Planning, Design and Construction, 401 Golden Shore, Long Beach, California 90802-4210 and at California State University, East Bay, Facilities Management and Planning, 25800 Carlos Bee Boulevard, Hayward, California 94542-3004.

18. The Chancellor or his designee is requested under the Delegation of Authority by the Board of Trustees to file the Notice of Determination for the project.
19. The California State University, East Bay Campus Master Plan dated September 2009 is hereby approved.

COMMITTEE OF THE WHOLE

Approve the California State University Identity Theft Prevention Implementation Plan (RCOW 09-09-01)

RESOLVED, by the Board of Trustees of the California State University, that in compliance with Part 681 of the Code of Federal Regulations implementing Section 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003 and pursuant to the Federal Trade Commission's Red Flags Rule, the Board of Trustees has adopted the Identity Theft Prevention Implementation Plan as set forth fully in Attachment A of Agenda Item 1 for the Committee of the Whole at its September 22-23, 2009 meeting, and be it further

RESOLVED, that authority to oversee and administer the CSU Identity Theft Prevention Implementation Plan, including authority to modify or amend the Implementation Plan, is hereby delegated to the Executive Vice Chancellor and Chief Financial Officer, or the Executive Vice Chancellor's designee.

COMMITTEE ON INSTITUTIONAL ADVANCEMENT

**Naming of a Campus Facility– California State University, San Bernardino
(RIA 09-09-06)**

RESOLVED, by the Board of Trustees of the California State University, that the new astronomical observatory at California State University, San Bernardino, be named the Murillo Family Observatory.

Naming of a Campus Facility – California Maritime Academy (RIA 09-09-07)

RESOLVED, by the Board of Trustees of the California State University, that the California Maritime Academy’s newly built residence hall be named McAllister Hall.

Naming of an Academic Entity – San José State University (RIA 09-09-08)

RESOLVED, by the Board of Trustees of the California State University, that the STEM-Ed program, at San José State University, be named the Jay Pinson Program for STEM-Education.

COMMITTEE ON EDUCATIONAL POLICY

Special Honorary Degrees for Students Displaced by Executive Order 9066 (REP 09-09-04)

RESOLVED, by the Board of Trustees of the California State University, that:

1. An exception is made to the Trustees' "Guidelines for the Awarding of Honorary Degrees" to authorize the awarding of honorary baccalaureate degrees to individuals whose study at what have become California State University campuses was disrupted by the institution of Executive Order 9066 in 1942.
2. These honorary degrees shall be conferred by the Board of Trustees and the California State University in the name of the California State University.
3. These honorary degrees shall be awarded to each person, living or deceased, who was forced to abandon his or her studies at a CSU campus as the result of Executive Order 9066. Representatives of any qualifying deceased person may accept the diploma on the deceased person's behalf.
4. There shall be no time limit on the awarding of these degrees to individuals who meet the qualifying criteria.
5. There shall be no limit on the number of such degrees that may be awarded annually.
6. The Chancellor is delegated the authority to establish policies to ensure the timely execution of this resolution.

Academic Plan Update for Fast-Track Program Development (REP 09-09-05)

RESOLVED, by the Board of Trustees of the California State University, that the academic plan degree projections for San Francisco State University (as contained in Attachment A to Agenda Item 2 of the March 24-25, 2009 meeting of the Committee on Educational Policy) be amended to include a projected Master of Science degree with a major in Geographic Information Science. Implementation is planned for fall 2010.