

MEETING OF THE BOARD OF TRUSTEES  
OF THE EVERGREEN STATE COLLEGE

Thursday, April 17, 1975  
The Evergreen State College Campus  
Daniel J. Evans Library, Room 3112

The meeting was called to order by Chairman Dixon at 10:45 AM.

Trustees Present: Thomas Dixon  
Herbert D. Hadley  
Halvor M. Halvorson  
Trueman L. Schmidt  
Janet P. Tourtellotte

Staff Present: Judy Annis, Information Specialist  
Dean Clabaugh, Administrative Vice President  
Cruz Esquivel, Member of the Faculty  
Rita Grace, Recording Secretary  
Ed Kormondy, Vice President and Provost  
Charles McCann, President  
John Moss, Director of Personnel and Auxiliary Services  
Dick Nichols, Director of Public Information  
Jerry Schillinger, Director of Facilities  
Charles Teske, Academic Dean  
Ken Winkley, Business Manager  
See permanent roster for others attending

Others Present: Allan Kimbel, City of Olympia  
Richard Montecucco, Assistant Attorney General  
Robert Randall, Arvid Grant and Associates, Inc.

PROPOSAL BY CITY OF OLYMPIA TO DRILL TEST WELL - Action

Olympia's City Engineer, Mr. Kimbel, requested that the Board approve the City's drilling of a second, shallower well on the eastern edge of Evergreen's property adjacent to a first well approved by the Board on April 13, 1972. Mr. Kimbel mentioned that the City hoped to start drilling the well immediately and to start construction of a reservoir in September with completion in about a year. Mr. Randall was present representing Arvid Grant and Associates, Inc., engineers for the project.

Motion  
75-18

Mr. Halvorson moved approval of the City of Olympia's request to drill a second test water well adjacent to the first, subject to the following conditions:

- 1) The City of Olympia agrees to hold the College harmless from any and all claims of any persons, firms or corporations, in any matter arising out of or connected with the drilling of the well.

- 2) All movement of equipment, removal of ground cover, or any other disturbance of the natural environment must receive approval from the College's Director of Facilities.
- 3) The actual location of the test well must similarly have prior approval from the Director of Facilities.
- 4) That the City of Olympia understands that, prior to the College's granting approval for production from the well or wells, the City of Olympia would be required to provide:
  - a) A negotiated utility rate proposal reduction and/or additional compensation from normal rate schedules, satisfactory to the College.
  - b) A site and structure plan and design satisfactory to the College.
  - c) A landscape plan satisfactory to the College.

Seconded by Mr. Schmidt and passed.

#### APPROVAL OF MINUTES - Action

Motion            Mrs. Tourtellotte moved approval of the minutes of the March 17,  
75-19            1975 meeting as distributed. Seconded by Mr. Halvorson and passed.

#### GENERAL TUITION FEE REVENUE BONDS - Action

Mr. Clabaugh reminded the Trustees that the College in the past had twice issued tuition and fee revenue bonds. The current general tuition fee revenue bonds--\$1,032,000--for the construction of the Communications Arts Building supplement state general obligation bonds. Mr. Clabaugh reported a negotiated bond sale, at an effective interest rate of 7.95 percent, and asked the Trustees to formalize that action.

Motion            Mr. Schmidt moved approval of the attached Resolution No. 75-2  
75-20            entitled "A Resolution of the Board of Trustees of The Evergreen State College authorizing the issuance of General Tuition Fee Revenue Bonds, Series C, of the College in the principal sum of \$1,032,000.00 to provide a part of the funds required to carry out a certain Capital Project authorized by the State Legislature; providing the date, form, terms and maturities of such bonds; providing and adopting certain covenants and protective features safeguarding the payment of the principal of and interest on such bonds; reserving to the College the right to issue additional bonds on a parity therewith upon compliance with certain conditions; and providing for the sale of the bonds to Seattle-Northwest Securities Corporation of Seattle, Washington" (for construction of the Communications Arts Building); and authorization for the Chairman and Secretary of the Board to sign the resolution. Seconded by Mr. Hadley and passed.

Motion  
75-21

Mr. Hadley moved approval of the attached Resolution No. 75-3 entitled "Resolution of the Board of Trustees of The Evergreen State College accepting a bid for the purchase of The Evergreen State College General Tuition Fee Revenue Bonds, Series C, in the principal sum of \$1,032,000.00 and fixing the interest rates thereon." Seconded by Mr. Schmidt and passed.

Motion  
75-22

Mr. Schmidt moved approval of the "Certificate of Compliance with parity provisions of the resolutions authorizing the sale of General Tuition Fee Revenue Bonds, Series A, B, and C"; and authorization for the Chairman and the Secretary of the Board to sign. Seconded by Mrs. Tourtellotte and passed.

#### SPECIAL SUMMER SESSION FEES - Action

Mr. Teske proposed that a special \$60 fee be established for out-of-state persons wishing to participate in the "Wagner's Ring Cycle" program without earning academic credit during summer 1975.

Motion  
75-23

Mr. Halvorson moved approval of an exception to the 1975 summer session tuition and fee schedule, adopted February 13, 1975, of a special fee of \$60 for those out-of-state persons who participate in a non-credit generating "Wagner's Ring Cycle" program. Seconded by Mrs. Tourtellotte and passed.

#### BID AWARD, MOTORCYCLE SHELTER - Action

Mr. Clabaugh recommended approval of the low bidder for the construction of a motorcycle shelter, which was budgeted at \$8,600.

Motion  
75-24

Mr. Halvorson moved approval of award of a \$4,270 contract for construction of a motorcycle shelter in the Residence Hall area to C. E. Skinner, Inc., of Orting, Washington. Seconded by Mr. Schmidt and passed.

#### AGREEMENT BETWEEN ST. MARTIN'S AND THE EVERGREEN STATE COLLEGE - Action

Mr. Parson explained the use of 7 acres of land at St. Martin's by the Native American studies program at Evergreen for growing crops which are to be distributed to Native Americans and poor in Thurston County; the lease to cost \$1 for the summer.

Motion  
75-25

Mr. Hadley moved approval of the attached agreement between The Evergreen State College and St. Martin's College for the use of seven (7) acres of St. Martin's land. Seconded by Mr. Halvorson and passed.

#### OTHER BUSINESS

##### Gay Resource Center - Discussion

Four students from the Gay Resource Center made presentations to the Trustees regarding inclusion of the phrase "sexual orientation and political ideology" into the human rights document. Mr. McCann did not endorse inclusion of the phrase at this time.

Motion  
75-26

Mrs. Tourtellotte moved to postpone further discussion regarding inclusion of the phrase "sexual orientation and political ideology" into the equal opportunity policy. Seconded by Mr. Hadley and passed.

The Board requested that President McCann reschedule this item on the agenda at a future meeting.

Resolution Providing for the College's Organizational Table - Action

This item was deferred from the last meeting.

Motion  
75-27

Seconded 5-20-75  
Motion  
# 75-31

Mrs. Tourtellotte moved adoption of the proposed resolution No. 75-4, attached, entitled "Resolution of the Board of Trustees of The Evergreen State College providing for the College's organizational table and the method for its change." Mr. Halvorson moved to amend the resolution to add "only after" in the last sentence, which would then read: "The organizational table may be changed only after approval of the Board of Trustees." The amendment was seconded by Mr. Hadley and passed with Mr. Dixon voting negatively. The motion was seconded by Mr. Hadley and passed.

Resolution Designating Certain Persons as "Appointing Authorities" - Action

This item was also deferred from the previous meeting.

Motion  
75-28

Mr. Halvorson moved adoption of the attached Resolution No. 75-5 entitled "A resolution of the Board of Trustees of The Evergreen State College designating certain persons as 'Appointing Authorities' for employment purposes and delegating the Board of Trustees' powers and duties of employment under RCW 28B.40.120(2) to certain designated persons." Seconded by Mr. Schmidt and passed.

Trustee Hadley Report

Mr. Hadley asked for reports on several matters, and recommended accelerating efforts towards serving the Southwestern Washington area; Mr. McCann mentioned Council on Higher Education and Evergreen studies of service areas and reported that 48 percent of incoming students and 67 percent of community college transfers are from Southwestern Washington. Mr. McCann also reported that Evergreen has had 21 major programs of service to Southwestern Washington communities and will be looking for ways to further those efforts.

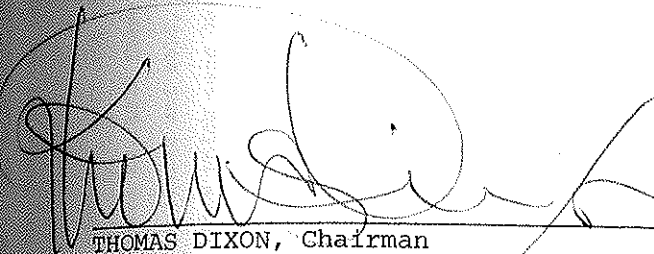
Mr. Hadley also requested another session with the president, vice presidents, and academic deans; to be set for the night before the next Board meeting.

EXECUTIVE SESSION, DATE OF NEXT MEETING AND ADJOURNMENT

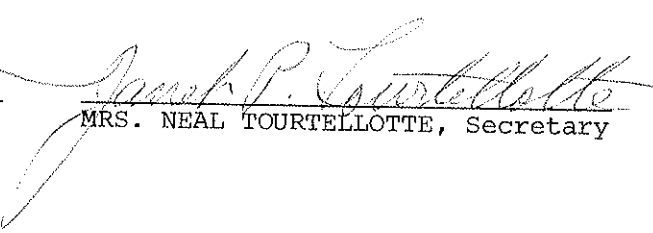
The date of the next Board meeting was set for Tuesday, May 13, but was subsequently changed to May 20.

Mr. Halvorson requested an executive session for the purpose of discussing faculty hiring.

The Board went into executive session at 1:05 PM and returned at approximately 2:00 PM to adjourn.



THOMAS DIXON, Chairman



MRS. NEAL TOURTELLOTTE, Secretary

Attachments

RESOLUTION NO. 75-2

A RESOLUTION of the Board of Trustees of The Evergreen State College authorizing the issuance of General Tuition Fee Revenue Bonds, Series C, of the College in the principal sum of \$1,032,000.00 to provide a part of the funds required to carry out a certain Capital Project authorized by the State Legislature; providing the date, form, terms and maturities of such bonds; providing and adopting certain covenants and protective features safeguarding the payment of the principal of and interest on such bonds; reserving to the College the right to issue additional bonds on a parity therewith upon compliance with certain conditions; and providing for the sale of the bonds to Seattle-Northwest Securities Corporation of Seattle, Washington.

WHEREAS, this Board is empowered by the Bond Statutes, hereinafter identified, to provide for the acquisition of land for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the Legislature for the use of the College and to finance the payment thereof by bonds payable solely out of a special fund as therein provided; and

WHEREAS, this Board is authorized by the Bond Statutes to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of such bonds, or any part thereof, at such time or times as it shall deem necessary and advisable; and

WHEREAS, the Legislature by Section 6 of Chapter 197, Laws, First Extraordinary Session, 1974 (43rd Legislature, 3rd Extraordinary Session), authorized the construction and equipping of a Communications Arts Building for the College, and appropriated and authorized to be disbursed for such project out of the Capital Projects Account the aggregate sum of \$1,032,000.00; and

WHEREAS, this Board deems it necessary and advisable that bonds of the College in the principal amount of \$1,032,000.00 as provided in the Bond Statutes, payable solely from a special fund

as provided in the Bond Statutes, be now issued and sold to provide a part of the funds for the payment of the cost of said Capital Project and

WHEREAS, pursuant to Resolution No. 72-6 adopted by this Board on April 13, 1972 (hereinafter called the "Basic Bond Resolution"), the College issued and sold, under date of May 1, 1972, \$544,125.00 par value of bonds which were designated "General Tuition Fee Revenue Bonds, Series A" (hereinafter called the "Series A Bonds"), which resolution in Section 9 thereof provided that additional general tuition fee revenue bonds of the College could be issued on a parity with such Series A Bonds if certain conditions were met; and

WHEREAS, pursuant to Resolution No. 73-6 adopted by this Board on October 25, 1973 (hereinafter called the "Series B Bonds Resolution"), the College issued and sold, under date of October 1, 1973, \$615,000.00 par value of bonds which were designated "General Tuition Fee Revenue Bonds, Series B" (hereinafter called the "Series B Bonds"), and which were issued pari passu with the Series A Bonds pursuant to Section 9 of the Basic Bond Resolution, and in Section 10 of the Series B Bonds Resolution the College further reserved the right to issue additional general tuition fee revenue bonds on a parity with such Series A Bonds and Series B Bonds if certain conditions were met; and

WHEREAS, it appears to this Board, and this Board does hereby find, that the conditions required in Section 9 of the Basic Bond Resolution and in Section 10 of the Series B Bonds Resolution have been met and at the time of the issuance of the bonds authorized herein will be met, and that such bonds may be issued on a parity with such outstanding Series A Bonds and Series B Bonds; NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE EVERGREEN STATE COLLEGE, as follows:

Section 1. Unless the context otherwise requires, the terms defined in this section shall, for all purposes of this resolution, and of any resolution supplemental hereto, have the meaning herein specified, and the following definitions shall be equally applicable both to the singular and plural forms of any of the terms herein defined, to-wit:

- a. "State" shall mean the State of Washington.
- b. "State Treasurer" or "State Treasury" means the Treasurer or the Treasury of the State.
- c. "Legislature" means the Legislature of the State.
- d. "Laws" means Laws of the State as adopted by the Legislature.
- e. "Bond Statutes" means Chapter 14, Laws, Extraordinary Session, 1961, as amended by Sections 12, 13 and 14 of Chapter 47, Laws, Regular Session, 1967, as further amended by Sections 69 and 70 of Chapter 232, Laws, First Extraordinary Session, 1969, as further amended by Section 19 of Chapter 56, Laws, Extraordinary Session, 1970, as added to by Section 1 of Chapter 76, Laws, Regular Session, 1965, as amended by Section 15 of Chapter 47, Laws, Regular Session, 1967, together with Section 4 of Chapter 13, Laws, Extraordinary Session, 1961, as amended by Section 2 of Chapter 76, Laws, Regular Session, 1965, as further amended by Section 11 of Chapter 47, Laws, Regular Session, 1967, and any other laws of the State relating to the issuance of general tuition fee and normal school fund revenue bonds of the College and the security for the payment of the principal thereof and interest thereon.
- f. "Capital Projects Account" means The Evergreen State College Capital Projects Account heretofore created in the General Fund of the State Treasury by Section 4 of Chapter 13, Laws, Extraordinary Session, 1961, as amended.
- g. "Bond Retirement Fund" means The Evergreen State College Bond Retirement Fund heretofore created in the State Treasury by said Section 4, as amended.

h. "Reserve Account" means the account of that name created in the Bond Retirement Fund by the Basic Bond Resolution.

i. "Normal School Fund Revenues" means the share of such revenues, if any, paid into the State Treasury and credited to the College (as provided in Section 1 of Chapter 76, Laws, 1965, as amended) as hereinafter provided, of all moneys received from the lease or rental of lands set apart by the Enabling Act for state normal school purposes, all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel, or other valuable material thereon, and all moneys received as interest on deferred payments or contracts for the sale of such lands.

j. "Series A Bonds" means the outstanding "General Tuition Fee Revenue Bonds, Series A," of the College, issued under date of May 1, 1972, pursuant to the Basic Bond Resolution.

k. "Series B Bonds" means the outstanding "General Tuition Fee Revenue Bonds, Series B," of the College, issued under date of October 1, 1973, pursuant to the Series B Bonds Resolution.

l. "Series C Bonds" means the \$1,032,000.00 principal amount of "General Tuition Fee Revenue Bonds, Series C," of the College, whose issuance and sale is authorized by this Resolution.

m. "Parity Bonds" means any general tuition fee or general tuition fee and normal school fund revenue bonds of the College hereafter issued the principal of and interest on which shall be paid and secured by payments required to be made out of the Bond Retirement Fund, the Reserve Account and the Capital Projects Account on a parity with the payments required in the Basic Bond Resolution, the Series B Bonds Resolution and in this Resolution to be made out of such fund and accounts to pay and secure the payment of the principal of and interest on the Series A Bonds, the Series B Bonds and the Series C Bonds.

n. "Government Obligations" means direct general obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

o. "General Tuition Fees" means the general tuition fees charged students registering at the College, but shall not mean the special tuition or other fees charged such students or fees, charges, rentals and other income derived from any or all revenue-producing lands, buildings and facilities of the College, heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land or the appurtenances thereon.

p. "Enabling Act" means the Act of the Congress of the United States approved February 22, 1889, enabling the people of Washington Territory to form a constitution and state government and be admitted into the Union as a State, which Act, among other things, granted to the State of Washington 100,000 acres of public lands of the United States for State normal schools.

q. "Maximum Debt Service" means the largest amount required in any calendar year from date of bonds then outstanding to final maturity thereof to pay the principal thereof and interest thereon.

r. The following abbreviations have the following meanings:

"RCW" means Revised Code of Washington;

"Ex. Ses." means extraordinary session of the Legislature;

"R. Ses." means regular session of the Legislature;

"CH." means Chapter.

Section 2. The Board hereby finds and determines as required by Section 9 of the Basic Bond Resolution and by Section 10 of the Series B Bonds Resolution:

First, that the Series C Bonds are to be issued for the purpose of financing the construction, completion, remodeling and improvement of facilities authorized by the Legislature for the use of the College.

Second, that at the time of the adoption of this Resolution and at the time of the issuance and delivery of the Series C Bonds there is not, nor will there be, any deficiency in the Bond Retirement Fund or the Reserve Account and that the amounts required in the Basic Bond Resolution and Series B Bonds Resolution to be set aside and held in such fund and account to pay and secure the payment of the principal of and interest on the outstanding Series A Bonds and Series B Bonds are actually so set aside and held in such fund and account;

Third, that it is covenanted and provided in this Resolution that the required amount to be paid into the Reserve Account for the Series C Bonds will be accumulated therein within the required time and maintained in such Reserve Account; and

Fourth, that at or before the issuance of the Series C Bonds the College shall have on file a certificate from its Vice President for Business showing that subparagraph (1) of Section 9 of the Basic Bond Resolution and subparagraph (1) of Section 10 of the Series B Bonds Resolution have been complied with and shall also have on file an estimate prepared by its Vice President for Business that future General Tuition Fees plus Normal School Fund Revenues, if any, will equal at least 1.30 times the Maximum Debt Service on the Series A Bonds and Series B Bonds then outstanding and the Series C Bonds proposed to be issued, which estimate will be approved by the President of the College and by the Board.

The Board hereby covenants that the Series C Bonds will not be issued and delivered to the purchaser thereof until the certificate described in subparagraph Fourth of this section has been filed with the Board.

The limitations contained in Section 9 of the Basic Bond Resolution and Section 10 of the Series B Bonds Resolution, having been complied with or assured in the issuance of the Series C Bonds, the payments required to be made out of the Bond Retirement Fund

and Reserve Account to pay and secure the payment of the principal of and interest on the Series C Bonds, shall constitute a lien and charge upon the money in such fund and account equal in rank to the lien and charge of the payments required to be made out of such fund and account to pay and secure the payment of the principal of and interest on the Series A Bonds and Series B Bonds.

Section 3. For the purpose of providing a part of the funds necessary to pay the cost of constructing and equipping a Communication Arts Building for the College, a Capital Project, the College shall now issue and sell the Series C Bonds.

The Series C Bonds shall be dated May 1, 1975, shall be in the denomination of \$5,000.00 each, except for Bond No. 1 which shall be in the denomination of \$2,000.00, shall be numbered consecutively from 1 to 207, inclusive, and shall bear interest and mature serially in numerical order on May 1 of each year as follows:

<u>Bond Numbers (Inclusive)</u>	<u>Amounts</u>	<u>Interest Rates</u>	<u>Maturities</u>
1 to 22	\$107,000	7.70%	May 1, 1990
23 to 45	115,000	7.70%	May 1, 1991
46 to 70	125,000	7.80%	May 1, 1992
71 to 96	130,000	7.80%	May 1, 1993
97 to 124	140,000	7.90%	May 1, 1994
125 to 154	150,000	7.90%	May 1, 1995
155 to 187	165,000	7.90%	May 1, 1996
188 to 207	100,000	7.90%	May 1, 1997

The Series C Bonds shall be payable in lawful money of the United States of America at the office of the State Treasurer in Olympia, Washington, or, at the option of the holder, at either fiscal agency of the State in the Cities of Seattle, Washington, or New York, New York. Interest shall be payable on the first day of November, 1975, and semiannually on the first days of May and November thereafter. The Series C Bonds shall be in coupon form, registrable as to principal only or as to both principal and interest at either of such places of payment.

The Series C Bonds shall be limited obligation bonds, payable both principal and interest solely out of the Bond Retirement Fund. They shall not constitute an obligation, either general or special, of the State or a general obligation of the College or of

the Board. The Series C Bonds and the interest coupons attached thereto shall be fully negotiable instruments under the laws of the State.

The Series C Bonds shall be signed on behalf of the College by the facsimile signature of the Chairman of the Board pursuant to RCW 39.44.100, shall be attested by the Secretary of the Board, and shall have the seal of the College impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof. The coupons attached thereto shall be signed with the facsimile signatures of such Chairman and Secretary.

In case any of the officers who shall have signed, attested or sealed any of said bonds or interest coupons shall cease to be such officer before the bonds and interest coupons so signed, attested or sealed shall have been actually issued and delivered, such bonds and interest coupons shall be valid nevertheless, and may be issued by the College with the same effect as though the persons who had signed, attested or sealed such bonds and interest coupons had not ceased to be such officers.

Section 4. The College reserves the right to retire any or all of the Series C Bonds in whole or in part in inverse numerical order on the first day of any month and at the following prices expressed as a percentage of the principal amount plus accrued interest to date of redemption if called during the following periods:

On May 1, 1988, through April 1, 1989	102%
On May 1, 1989, through April 1, 1990	101%
On May 1, 1990, and thereafter	100% (Par)

Notice of any such intended redemption shall be given by registered mail sent to the registered owners of the Series C Bonds to be redeemed at their addresses appearing on either of the registry books at least thirty days prior to the redemption date and, unless all of the bonds to be redeemed are registered bonds, by publication once in business or financial journals printed in the English language and of general circulation in the Cities of Seattle, Washington, and New York, New York, with each such publication to be not more than

Treasury and, after the payment and retirement of all outstanding general tuition fee and normal school fund revenue bonds issued by Central Washington State College, Eastern Washington State College and Western Washington State College which are payable in whole or in part out of the moneys, interest or income described in Section 15, Ch. 47, Laws of 1967 (RCW 28.81.551) one-fourth of the total amount thereof shall be credited to The Evergreen State College account as provided in said Section 15, Ch. 47, Laws of 1967 (RCW 28.81.551), to be expended for Capital Projects and bond retirement purposes as set forth in Section 6, Ch. 14, Laws 1st Ex. Ses. 1961 (RCW 28.81.550) as now or hereafter amended.

Section 6. The College hereby further covenants and agrees with the owner and holder of each of the Series C Bonds for as long as any of the same remain outstanding as follows:

A. That no obligations, liabilities, bonds (other than the outstanding Series A Bonds and Series B Bonds) or other evidences of indebtedness have heretofore been incurred or issued by the College which are payable out of its General Tuition Fees and Normal School Fund Revenues or either thereof.

B. That the Series A Bonds, the Series B Bonds and the Series C Bonds and the interest thereon shall constitute and have a first and prior lien and charge upon the Bond Retirement Fund and the Reserve Account hereinafter created therein and all moneys in the State Treasury pledged thereto superior to all other charges whatsoever, except for any charges which may later be made thereon to pay and secure the payment of the principal of and interest on any Parity Bonds.

C. The Bond Statutes provide and the College hereby covenants that in addition to the amounts derived from General Tuition Fees and Normal School Fund Revenues to be paid into the Bond Retirement Fund as above provided, there shall also be paid into the State Treasury and credited to the Bond Retirement Fund any grants which may be made, or may become available for the purpose of

furthering the construction of any authorized projects of the College or for the repayment of the costs thereof.

The Bond Statutes provide that the Legislature may provide additional funds to pay and secure the payment of the principal of and interest on bonds issued pursuant thereto; that such power is permissive and shall not in any way be construed as a pledge of the general credit of the State; and that the Bond Statutes shall not be deemed to provide an exclusive method for such payment.

Section 7. A Reserve Account was heretofore created by the Basic Bond Resolution in the Bond Retirement Fund for the purpose of securing the payment of the principal of and interest on all bonds payable out of such fund.

The College hereby covenants and agrees that on or before the first day of May of each succeeding year, commencing with the month of May, 1976, it will set aside and pay into the Reserve Account, in addition to the amounts covenanted to be paid into such Reserve Account for the Series A Bonds and Series B Bonds, a sum of not less than \$37,747.00 until the total amount so set aside and paid into such Account by no later than May 1, 1980, shall be not less than the Maximum Debt Service on the Series A Bonds, the Series B Bonds and the Series C Bonds. Such total amount shall be maintained in the Reserve Account for as long as any of the Series A Bonds, Series B Bonds or Series C Bonds are outstanding; provided, however, that such sum or any part thereof may be used to redeem and retire the last principal amount and interest thereon of the Series A Bonds, Series B Bonds or Series C Bonds outstanding so long as the moneys remaining in the Reserve Account shall be at least equal to the Maximum Debt Service on all bonds payable out of the Bond Retirement Fund and then outstanding. In the event the outstanding Series C Bonds are refunded, such sum or any part thereof may either be used to redeem and retire part of such Series C Bonds or may be retained as reserves to secure the payment of the principal of and interest on such refunding bonds.

In the event the moneys in the Bond Retirement Fund, exclusive of the moneys credited to the Reserve Account, shall at any

Treasury and, after the payment and retirement of all outstanding general tuition fee and normal school fund revenue bonds issued by Central Washington State College, Eastern Washington State College and Western Washington State College which are payable in whole or in part out of the moneys, interest or income described in Section 15, Ch. 47, Laws of 1967 (RCW 28.81.551) one-fourth of the total amount thereof shall be credited to The Evergreen State College account as provided in said Section 15, Ch. 47, Laws of 1967 (RCW 28.81.551), to be expended for Capital Projects and bond retirement purposes as set forth in Section 6, Ch. 14, Laws 1st Ex. Ses. 1961 (RCW 28.81.550) as now or hereafter amended.

Section 6. The College hereby further covenants and agrees with the owner and holder of each of the Series C Bonds for as long as any of the same remain outstanding as follows:

A. That no obligations, liabilities, bonds (other than the outstanding Series A Bonds and Series B Bonds) or other evidences of indebtedness have heretofore been incurred or issued by the College which are payable out of its General Tuition Fees and Normal School Fund Revenues or either thereof.

B. That the Series A Bonds, the Series B Bonds and the Series C Bonds and the interest thereon shall constitute and have a first and prior lien and charge upon the Bond Retirement Fund and the Reserve Account hereinafter created therein and all moneys in the State Treasury pledged thereto superior to all other charges whatsoever, except for any charges which may later be made thereon to pay and secure the payment of the principal of and interest on any Parity Bonds.

C. The Bond Statutes provide and the College hereby covenants that in addition to the amounts derived from General Tuition Fees and Normal School Fund Revenues to be paid into the Bond Retirement Fund as above provided, there shall also be paid into the State Treasury and credited to the Bond Retirement Fund any grants which may be made, or may become available for the purpose of

furthering the construction of any authorized projects of the College or for the repayment of the costs thereof.

The Bond Statutes provide that the Legislature may provide additional funds to pay and secure the payment of the principal of and interest on bonds issued pursuant thereto; that such power is permissive and shall not in any way be construed as a pledge of the general credit of the State; and that the Bond Statutes shall not be deemed to provide an exclusive method for such payment.

Section 7. A Reserve Account was heretofore created by the Basic Bond Resolution in the Bond Retirement Fund for the purpose of securing the payment of the principal of and interest on all bonds payable out of such fund.

The College hereby covenants and agrees that on or before the first day of May of each succeeding year, commencing with the month of May, 1976, it will set aside and pay into the Reserve Account, in addition to the amounts covenanted to be paid into such Reserve Account for the Series A Bonds and Series B Bonds, a sum of not less than \$37,747.00 until the total amount so set aside and paid into such Account by no later than May 1, 1980, shall be not less than the Maximum Debt Service on the Series A Bonds, the Series B Bonds and the Series C Bonds. Such total amount shall be maintained in the Reserve Account for as long as any of the Series A Bonds, Series B Bonds or Series C Bonds are outstanding; provided, however, that such sum or any part thereof may be used to redeem and retire the last principal amount and interest thereon of the Series A Bonds, Series B Bonds or Series C Bonds outstanding so long as the moneys remaining in the Reserve Account shall be at least equal to the Maximum Debt Service on all bonds payable out of the Bond Retirement Fund and then outstanding. In the event the outstanding Series C Bonds are refunded, such sum or any part thereof may either be used to redeem and retire part of such Series C Bonds or may be retained as reserves to secure the payment of the principal of and interest on such refunding bonds.

In the event the moneys in the Bond Retirement Fund, exclusive of the moneys credited to the Reserve Account, shall at any

time be insufficient to meet maturing installments of principal of or principal of and interest on the Series C Bonds, such deficiency shall be made up from the moneys in the Reserve Account by the withdrawal of cash therefrom and, if necessary, by the sale or redemption of Government Obligations held in the Reserve Account in such amounts as will provide cash sufficient to make up any such deficiency.

Any deficiency created in the Reserve Account by reason of such withdrawal shall be made up as promptly as possible from moneys in the Capital Projects Account or from General Tuition Fees and Normal School Fund Revenues available after making provision for payment of maturing installments of interest on or principal of and interest on the Series A Bonds, the Series B Bonds and the Series C Bonds or from any combination of those sources.

Section 8. Money in the Reserve Account may be invested in Government Obligations maturing not later than ten years from date of purchase, and in no event later than the last maturity of the then outstanding bonds payable out of the Bond Retirement Fund.

Money in the Bond Retirement Fund not required within thirty days for the payment of the interest on or principal of and interest on any outstanding bonds payable out of the Bond Retirement Fund may be invested in such Government Obligations as shall be determined by the Board to be in the best interest of the College, with due regard to the demands on such fund for the payment of the principal of and interest on all outstanding bonds payable from the Bond Retirement Fund.

All income or interest earned on investments of money in the Reserve Account and the Bond Retirement Fund shall accrue to and be deposited in the fund or account of which the money so invested is a part; provided, however, that when the money credited to and on deposit in the Reserve Account is equal to the total amount required to be paid into and maintained therein as above required, the interest earned on the investment of such money shall be credited to the Bond Retirement Fund.

Section 9. The College hereby further covenants and agrees with the owner and holder of each of the Series C Bonds for as long as any of the same remain outstanding as follows:

A. That so long as any of the Series C Bonds remain outstanding, the General Tuition Fees will be established, maintained and collected in such amounts that the total of such General Tuition Fees, together with the Normal School Fund Revenues available for deposit in the Bond Retirement Fund, if any, shall be equal to at least 1.30 times the maximum amount required in any calendar year after 1975 to pay the principal of and interest on all then outstanding bonds payable from the Bond Retirement Fund, and to set aside and maintain in the Reserve Account the amounts required by this Resolution to be set aside and maintained therein.

B. That for the school year beginning with the fall quarter of 1973, quarterly General Tuition Fees were heretofore established at \$25.00 for students resident of the State and \$96.00 for students not residents of the State and such fees shall continue to be charged; provided, however, that such fees shall be increased if necessary to comply with the covenants hereinbefore set forth.

C. That accurate records will be maintained showing all General Tuition Fees, all Normal School Fund Revenues, if any, all grants which may be made or may become available for capital construction, and all additional funds as the Legislature may provide that are paid into the Bond Retirement Fund, all amounts set aside and credited to the Reserve Account, all amounts paid out of such fund and account, the purposes for which such payments were made, and the current balance in each such fund and account. Such records shall be made available to inspection at any reasonable time by any holder of the Series C Bonds.

D. That it will duly and promptly cause the principal of and interest on the Series C Bonds to be paid as the same shall become due and payable.

E. That in the event it ever becomes necessary in order to prevent a default in any of the payments required to be made out of the Bond Retirement Fund, the Board will authorize and direct the State Treasurer to forthwith transfer money from the Capital Projects Account to the Bond Retirement Fund sufficient in amount to prevent such default.

Section 10. The College hereby further covenants and agrees with the owner and holder of each of the Series C Bonds for as long as any of the same remain outstanding as follows:

A. That it will not issue any Parity Bonds, except that it reserves the right to issue such bonds for the purposes and subject to the conditions hereinafter set forth in this section and to pledge that the principal thereof and interest thereon will be paid and secured by payments to be made out of the Bond Retirement Fund and the Reserve Account on a parity with the payments required in the Basic Bond Resolution, the Series B Bonds Resolution and in this Resolution to be made out of such fund and account to pay and secure the payment of the principal of and interest on the Series A Bonds, Series B Bonds and Series C Bonds. Such Parity Bonds may be issued for the following purposes only:

(a) Financing the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the Legislature for the use of the College;

(b) To refund any outstanding bonds payable from the Bond Retirement Fund including payment of any redemption premium payable thereon.

Parity Bonds shall be issued only subject to and upon full compliance with the following conditions:

(1) That at the time of the issuance of such Parity Bonds there is no deficiency in the Bond Retirement Fund or the Reserve Account and that the amounts required by law, the Basic Bond Resolution, the Series B Bonds Resolution, this Resolution, and any other

resolution of the Board under which any Parity Bonds have theretofore been issued to be set aside and held in the Bond Retirement Fund and the Reserve Account to pay and secure the payment of the principal of and interest on such Series A Bonds, Series B Bonds, Series C Bonds, and any such Parity Bonds then outstanding have been actually so set aside and are actually held in said fund and account.

(2) That it shall be covenanted and provided in the resolution under which such Parity Bonds are issued that within a period not exceeding five years from the date of such Parity Bonds there shall be paid into the Reserve Account for the purpose of securing the payment of such Parity Bonds a sum equal to the Maximum Debt Service for such Parity Bonds to the final maturity thereof to pay the principal thereof and interest thereon, and that commencing five years from and after the date of such Parity Bonds the amount required to be maintained at any time in the Reserve Account need not exceed the Maximum Debt Service thereafter for such Parity Bonds; provided, that such payments shall be in addition to all sums required by this Resolution to be deposited and maintained in the Reserve Account.

(3) That at the time of the issuance of such Parity Bonds the College shall have on file a certificate from its Vice President for Business showing that subparagraph (1) of this section has been complied with and shall also have on file an estimate prepared by its Vice President for Business that future General Tuition Fees plus Normal School Fund Revenues, if any, will equal at least 1.30 times the Maximum Debt Service on the Series A Bonds, the Series B Bonds, the Series C Bonds, any Parity Bonds then outstanding, and such Parity Bonds to be issued. Such estimate must be approved by the President of the College and by the Board.

In computing the coverage as provided in subparagraph (3) immediately above, consideration may be given to any increase in General Tuition Fees which has been approved by the President of the College and by the Board prior to the sale of such additional Parity Bonds.

B. Nothing herein contained shall prevent the issuance of bonds by the College the payment of the principal of and interest on which is a charge upon the money in the Bond Retirement Fund junior or inferior to the payments required to be made out of such fund for the payment of the principal of and interest on the Series A Bonds, Series B Bonds, Series C Bonds, and any Parity Bonds.

Section 11. The Series C Bonds shall be in substantially the following form:

No. \_\_\_\_\_ \$5,000.00  
(\$2,000.00 on Bond No. 1)

UNITED STATES OF AMERICA

STATE OF WASHINGTON

THE EVERGREEN STATE COLLEGE

GENERAL TUITION FEE REVENUE BOND, SERIES C

The Evergreen State College, a public educational institution of the State of Washington located near Olympia, Washington (hereinafter called the "College"), for value received promises to pay to bearer or, if this bond be registered, to the registered owner hereof, on the FIRST DAY OF MAY, 19\_\_, the principal sum of

FIVE THOUSAND DOLLARS  
(Two Thousand Dollars on Bond No. 1)

together with interest thereon at the rate of \_\_\_\_\_% per annum, payable on the first day of November, 1975, and semiannually on the first days of May and November thereafter and, unless fully registered, as evidenced by and upon presentation and surrender of the attached interest coupons as they severally become due or until such principal sum shall have been paid or duly provided for.

Both principal of and interest on this bond are payable in lawful money of the United States of America at the office of the Treasurer of the State of Washington in Olympia, Washington, or at the option of the holder, at either fiscal agency of the State of Washington in the Cities of Seattle, Washington, or New York, New York, solely out of The Evergreen State College Bond Retirement Fund (hereinafter called the "Bond Retirement Fund") created by Section 4, Chapter 13, Laws, Extraordinary Session, 1961, as amended.

The College reserves the right to retire any or all of the bonds in whole or in part in inverse numerical order on the first day of any month and at the following prices expressed as a percentage of the principal amount plus accrued interest to date of redemption if called during the following periods:

On May 1, 1988, through April 1, 1989 102 1/2  
On May 1, 1989, through April 1, 1990 101 1/2  
On May 1, 1990, and thereafter 100 1/2 (Par)

Notice of any such intended redemption shall be given by registered mail sent to the registered owners of the bonds to be redeemed at their addresses appearing on either of the registry books at least thirty days prior to the redemption date and, unless all of the bonds to be redeemed are registered bonds, by publication once in business or financial journals printed in the English language and of general circulation in the Cities of Seattle, Washington, and New York, New York, with each such publication to be not more than forty nor less than thirty days prior to the date fixed for redemption. Interest on any bond or bonds so called for redemption shall cease to accrue on such redemption date unless the same are not redeemed upon presentation made pursuant to such call.

This bond is one of a duly authorized issue of bonds of the College of like amount, date and tenor, except as to number, denomination, interest rate and date of maturity, aggregating \$1,032,000.00 in principal amount (hereinafter called the "Series C Bonds"), and is issued pursuant to and in full compliance with the Constitution and statutes of the State of Washington and particularly Chapter 14, Laws, Extraordinary Session, 1961, as last amended by Chapter 56, Laws of 1970, as added to by Section 1 of Chapter 76, Laws of 1965, as amended by Section 15, Chapter 47, Laws of 1967, together with Section 4 of Chapter 13, Laws, Extraordinary Session, 1961, as amended by Section 2 of said Chapter 76, Laws of 1965, and Section 11 of Chapter 47, Laws of 1967 (hereinafter called the "Bond Statutes"), and by virtue of proceedings duly and regularly adopted by the Board of Trustees of the College.

The Series C Bonds are issued for the purpose of providing a part of the funds necessary to pay the cost of constructing and equipping a Communications Arts Building for the College and are payable out of general tuition fees charged to and collected from certain students attending the College, out of certain income derived from lands held for the benefit of the College, if any, out of any grants which may be made or may become available for the purpose of furthering the construction of any authorized projects of the College or for the repayment of the cost thereof, and out of such additional funds as the Legislature may provide to make such payments, all as provided in the Bond Statutes.

The College hereby covenants and agrees with the owner and holder of this bond that it will keep and perform all the covenants of this bond, of said Bond Statutes, and of the resolution of the Board of Trustees of the College authorizing the issuance and sale of the Series C Bonds to be by it kept and performed.

The State of Washington by the Bond Statutes, and the College by said resolution, have provided that the owners and holders of the Series C Bonds shall have a first and prior lien and charge upon the money

In the Bond Retirement Fund and the Reserve Account created therein and all moneys in the Treasury of the State pledged thereto superior to all other charges whatsoever, except for charges equal in rank made thereon to pay and secure the payment of the principal of and interest on the outstanding General Tuition Fee Revenue Bonds, Series A, issued May 1, 1972, the outstanding General Tuition Fee Revenue Bonds, Series B, issued October 1, 1973, and any other similar revenue bonds which may be issued later by the College on a parity with the bonds of this issue and said outstanding Series A Bonds and Series B Bonds.

Reference is hereby made to said resolution and the Bond Statutes for the covenants and declarations of the College and other terms and conditions upon which the Series C Bonds have been issued and other bonds ranking on a parity therewith may be issued.

This bond and the interest coupons attached hereto are fully negotiable instruments under the laws of the State of Washington and do not constitute an obligation, either general or special, of the State of Washington or a general obligation of the College or of its Board of Trustees.

This bond is transferable by delivery unless registered at the office of the Treasurer of the State of Washington in Olympia, Washington, or at either fiscal agency of the State of Washington in the Cities of Seattle, Washington, or New York, New York, in accordance with the provisions endorsed hereon.

It is hereby certified and declared that this bond and the bonds of this issue are issued pursuant to and in strict compliance with the Constitution and statutes of the State of Washington and resolutions of the Board of Trustees of the College, and that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed.

IN WITNESS WHEREOF, The Evergreen State College has caused this bond to be signed by the facsimile signature of the Chairman of its Board of Trustees, attested by the manual signature of the Secretary of such Board and the official seal of the College to be impressed or reproduced hereon, and the coupons attached hereto to be executed with the facsimile signatures of such officials, this first day of May, 1975.

THE EVERGREEN STATE COLLEGE

By (facsimile signature)  
Chairman of its Board  
of Trustees

ATTEST:

*Joseph P. Lauriatello*  
Secretary of its Board  
of Trustees

The interest coupons attached to the Series C Bonds shall be in substantially the following form:

No. \_\_\_\_\_  
\$ \_\_\_\_\_  
(\$ \_\_\_\_\_ on Bond No. 1)

On the FIRST DAY OF (MAY) (NOVEMBER), 19\_\_\_\_, THE EVERGREEN STATE COLLEGE, Olympia, Washington, will pay to bearer at the office of the Treasurer of the State of Washington in Olympia, Washington, or at the option of the holder, at either fiscal agency of the State of Washington in the Cities of Seattle, Washington, or New York, New York, the amount shown hereon in lawful money of the United States of America out of The Evergreen State College Bond Retirement Fund created by Section 4, Chapter 13, Laws, Extraordinary Session, 1961, as amended, said amount being the semiannual interest due that date on its General Tuition Fee Revenue Bond, Series C, dated May 1, 1975, and numbered \_\_\_\_\_.

THE EVERGREEN STATE COLLEGE

By (facsimile signature)  
Chairman of its Board  
of Trustees

ATTEST:

(facsimile signature)  
Secretary of its Board  
of Trustees

The registration certificate on the Series C Bonds shall be in substantially the following form:

This bond may be registered in the name of the holder at the office of the Treasurer of the State of Washington in Olympia, Washington, or at either fiscal agency of the State of Washington in the Cities of Seattle, Washington, or New York, New York, as to principal only, such registration being noted hereon by the Registrar in the registration blank below, after which no transfer shall be valid unless made by the registered holder or his duly authorized agent and similarly noted in the registration blank below; but it may be discharged from registration by being transferred to bearer, after which it shall be transferable by delivery and may again be registered as before. The registration of this bond as to principal only shall not affect the negotiability of the coupons attached hereto, but the coupons may be surrendered and the interest made payable only to the registered holder, in which event the Registrar shall note in the registration blank below that this bond is registered as to interest as well as to principal.

With the consent of the holder and of the College, but always at the expense of the holder, this bond when converted into a bond registered as to both principal and interest may be reconverted into a

coupon bond and again converted into a bond registered as to principal or as to both principal and interest as hereinabove provided. Upon reconversion of this bond when registered as to principal and interest into a coupon bond, new coupons representing the interest to accrue hereon to date of maturity shall be attached hereto by the Registrar, who shall note in the registration blank below whether the bond is registered as to principal only or payable to bearer.

Date of Registration	In Whose Name Registered	Manner of Registration	Signature of Registrar
:	:	:	:
:	:	:	:
:	:	:	:
:	:	:	:
:	:	:	:

Section 12. Seattle-Northwest Securities Corporation of Seattle, Washington, heretofore offered to purchase the Series C Bonds at a price of \$98.00 per each \$100.00 par value, plus accrued interest, the College to furnish at its expense the printed bonds and the approving legal opinion of Roberts, Shefelman, Lawrence, Gay & Moch, municipal bond counsel of Seattle, Washington. The Board, deeming it to be in the best interest of the College that such offer should be accepted, duly accepted the same on March 25, 1975, and such acceptance is hereby ratified and confirmed. The Series C Bonds shall immediately upon their execution be delivered to such purchaser upon payment therefor in accordance with its duly accepted offer.

Section 13. The proceeds of the sale of the Series C Bonds (exclusive of accrued interest, if any, which shall be deposited in the Bond Retirement Fund) shall be deposited in the State Treasury to the credit of the Capital Projects Account, and shall be used solely for the purpose of providing a part of the money necessary to carry out the purposes authorized herein. The proceeds of the sale of the Series C Bonds may be invested in Government Obligations maturing in accordance with the anticipated demand requirements. Any interest realized from any such investment shall be credited to such account or fund as may be required by law at the time of the receipt thereof.

Section 14. The College covenants that it will make no use of the proceeds of the Series C Bonds or other funds of the College at any time during the terms of the Series C Bonds which, if such use had been reasonably expected at the date that the Series C Bonds are issued, would have caused such Series C Bonds to be arbitrage bonds within the meaning of Section 106(d) of the United States Internal Revenue Code of 1954, as amended, and for this purpose the College further covenants that none of the proceeds of the Series C Bonds or the investment of such proceeds will be used to acquire obligations the adjusted yield on which will exceed the adjusted yield produced by the Series C Bonds, both such adjusted yields being computed pursuant to and subject to the requirements and exceptions of Sections 1.103-13 and 1.103-14 of the regulations of the United States Treasury Department published in the Federal Register on May 3, 1973 (except for refunding bonds portion which is still covered by June 1, 1972, proposed regulations), as the same may be changed from time to time, or any other applicable regulations hereafter adopted.

Section 15. In the event that moneys and/or direct obligations of the United States of America and/or Government Obligations as the same are defined in the Refunding Bond Act (RCW Chapter 39.53) maturing at such time or times and bearing interest to be earned thereon in amounts (together with such moneys, if necessary) sufficient to redeem and retire any or all series of bonds payable out of the Bond Retirement Fund in accordance with their terms are set aside in the Bond Retirement Fund to effect such redemption and retirement and such moneys and the principal of and interest on such obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Retirement Fund for the payment of the principal of and interest on any of such series of bonds and any such series and the coupons appurtenant thereto shall cease to be entitled to any lien, benefit

or security of the resolution or resolutions authorizing the issuance of the same except the right to receive the moneys so set aside and pledged, and any such series of bonds and such coupons appurtenant thereto shall be deemed not to be outstanding under the resolution or resolutions authorizing the issuance of the same.

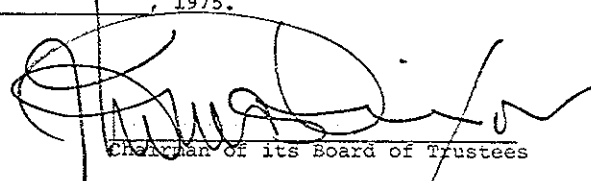
Section 16. In case any Series C Bonds or any coupons attached thereto shall at any time become mutilated or be lost, stolen or destroyed, the College at its discretion may execute and deliver a new bond or coupons of the same interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender and cancellation of such mutilated bond or coupons or in lieu of or in substitution for such destroyed or lost bond or coupons; or if such lost bond or coupons shall have matured, the College may at its option pay the same without the surrender thereof instead of issuing a substitute therefor. In any event the applicant for the issuance of a substitute bond or coupons shall furnish to the College evidence satisfactory to it of the destruction or loss of the original bond or coupons and of the ownership thereof, and shall also furnish such security and indemnity as may be required by the College, and no such substitute bond or coupons shall be issued unless the applicant for the issuance thereof shall reimburse the College for the expenses incurred by it in connection with the preparation, execution, issuance and delivery of the substitute bond or coupons. Any such substitute bond or coupons shall be equally and proportionately entitled to the security of this Resolution with all bonds and coupons issued hereunder. The College shall advise the State Treasurer and both fiscal agencies of the State in the Cities of Seattle, Washington, and New York, New York, of the issuance of any such substitute bond or coupons.

Section 17. This Resolution and the Series C Bonds and coupons attached thereto are and shall always be construed to be contracts made under and pursuant to the laws of the State in force at the time of sale of such bonds, and all the terms, covenants,

conditions and provisions hereof shall be construed according to such laws; provided, however, that any constitutional or statutory provision enacted after the date of such sale which validates or makes legal any provision of this Resolution and the Series C Bonds and/or coupons attached thereto which would otherwise be invalid or illegal shall be deemed to apply to this Resolution and to such bonds and coupons.

Section 18. If any one or more of the covenants or agreements provided in this Resolution to be performed on the part of the College shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements, and shall in no way affect the validity of the other provisions of this Resolution or of the bonds issued hereunder.

PASSED and APPROVED by the Board of Trustees of The Evergreen State College at an open public regular meeting thereof this 17th day of April, 1975.

  
Chairman of its Board of Trustees

ATTEST:

  
Secretary of its Board of Trustees

I, Janet P. Tourtellotte, Secretary of the Board  
of Trustees of The Evergreen State College, hereby certify that the  
attached copy of Resolution No. 1 is a true and correct copy of the  
original Resolution No. 1 adopted on the 17th day of April,  
1975, as that Resolution appears on the Minute Book of the Board of  
Trustees of the College.

DATED this 17th day of April, 1975.

Janet P. Tourtellotte  
Janet P. Tourtellotte, Secretary,  
Board of Trustees

RESOLUTION No. 75-3

Resolution of the Board of Trustees of The Evergreen State College accepting a bid for the purchase of The Evergreen State College General Tuition Fee Revenue Bonds, Series C, in the principal sum of \$1,032,000.00 and fixing the interest rates thereon.

WHEREAS, the Board of Trustees has received an offer for the purchase of \$1,032,000.00 par value General Tuition Fee Revenue Bonds, Series C, from Seattle-Northwest Securities Corporation; and

WHEREAS, the Board of Trustees determines that the offer is acceptable and intends to confirm the sale of the bonds:

THEREFORE, BE IT RESOLVED by the Board of Trustees of The Evergreen State College that the offer of Seattle-Northwest Securities Corporation for the purchase of \$1,032,000.00 General Tuition Fee Revenue Bonds, Series C, at an effective interest rate of 7.94 percent, including bond discount, is hereby accepted; and,

BE IT FURTHER RESOLVED, that the Board of Trustees authorizes the Administrative Vice President to complete the printing of the bonds and delivery to the purchasers on or about May 1, 1975.

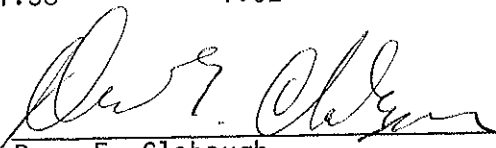
Adopted by the Board of Trustees  
4/17/75

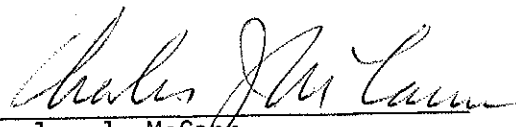
April 17, 1975

CERTIFICATE OF COMPLIANCE WITH PARITY PROVISIONS OF THE RESOLUTIONS  
AUTHORIZING THE SALE OF GENERAL TUITION FEE REVENUE BONDS, SERIES A,  
B, AND C.

- I. I hereby certify that there is no deficiency in the Bond Retirement Fund or the Reserve Account, and that the amounts required by law and by the basic bond resolution to be set aside and held in the Bond Retirement Fund and the Reserve Account to pay and secure the payment of the principal and interest on Series A and B bonds, are actually so set aside and held in said Fund and Account.
- II. I further certify that the average yearly amount of general tuition fees for the two immediately preceeding calendar years was \$261,374 and that this amount equals 1.36 times the maximum annual debt service of \$192,514.
- III. I further certify that the estimated future general tuition fees will equal at least 1.3 times the maximum debt service on the Series A, B, and C bonds, as shown on the following table of estimates:

	Fiscal Year		
	<u>1975-76</u>	<u>1976-77</u>	<u>1977-78</u>
Estimated Tuition Revenue	<u>268,452</u>	<u>292,192</u>	<u>310,845</u>
Estimated Total Revenue	268,452	292,192	310,845
Combined Maximum Annual Debt Service, Series A, B, C	<u>192,514</u>	<u>192,514</u>	<u>192,514</u>
Total Maximum Debt Service	192,514	192,514	192,514
Estimated Coverage	1.38	1.52	1.61

  
Dean E. Clabaugh  
Administrative Vice President

  
Charles J. McCann  
President

Approved:

Approved by the Board of Trustees at a special meeting held

  
Chairman

  
Secretary

00360

AGREEMENT

THIS AGREEMENT, made and entered into this 19<sup>th</sup> day of February 1975, by and between St. Martin's College, Inc: a Washington corporation, hereinafter called the "Owner", and the Native American Studies Program at Evergreen State College, hereinafter called the "User":

WITNESSETH: The parties hereto covenant and agree as follows:

1. The Owner hereby permits the User the use of the following described premises, viz: seven acres, more or less, located immediately north of St. Martin's cemetery, immediately south of the old bee house, and immediately west of the farm road, together with three acres, more or less, located north of the old chicken house, south of the repair garage, and immediately west of the farm road, the above being situated on the property of the Owner in Section 16, Township 18N, Range 1W, W.M. exclusively for the following purposes: To raise and harvest food crops only. The User agrees not to raise or keep livestock or poultry on the described premises. This agreement shall be in full force and effect from the date first above written and shall terminate one year from the date first above written.

2. The Owner shall allow a reasonable period of time after the termination of this agreement for the User to harvest any crops that have already been planted, but are not harvestable at the termination of this agreement.

3. The Owner understands that the project to raise and harvest food crops is under the sponsorship and direct supervision of the faculty of the Native American Studies Program at Evergreen State College.
4. The User shall insure that any activity conducted on the described premises is under the direct supervision of a member of the faculty from Evergreen State College.
5. The User will not knowingly permit any of the described premises to be used for the purpose of any illegal or immoral business or occupation, and will not allow the said premises to be used for any purpose prohibited by the laws of the State of Washington, United States of America, or the ordinances of the City of Lacey.
6. The User shall not permit the use of the premises by anyone other than the User and the agents, servants, students or guests of the User.
7. The User shall have the use of the small outbuilding or storage shed west of the old chicken house, and has the right to make necessary repairs and alterations to same.
8. The Owner reserves the right to enter and inspect the premises at reasonable times.
9. It is understood that no guarantees, express or implied, representations, promises or statements have been made by the Owner unless endorsed hereon in writing.

10. The Owner shall not be required to perform any maintenance, repairs or replacements on the premises described herein.

11. The User agrees it will save the Owner harmless from any and all liability of any nature by reason of the User's use of said premises.

12. The Owner agrees to allow the User to use water supplied by the Owner's water system. The User agrees to pay the Owner for the water used at whatever rate it costs the owner to supply the water.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first above written.

Jarvis L. Taylor  
Witness

Matthew Naumes  
St. Martin's College, Inc.

Susan G. Webster  
Witness

John P. Bellin  
Witness

Cruz E. Garcia  
Coordinator of Native American Coordinated Studios Program, Evergreen State College

Lynn Frazer Gible  
Witness

James P. Leurtelotte  
Secretary, The Evergreen State College Board of Trustees

[Signature]  
Chairman, The Evergreen State College Board of Trustees

Approved by TESC  
Board of Trustees  
4/17/75

THE EVERGREEN STATE COLLEGE

RESOLUTION No. 75-4

Resolution of the Board of Trustees of The Evergreen State College providing for the College's organizational table and the method for its change.

The organizational table of The Evergreen State College as of the date of this resolution provides for a President, a Vice President and Provost, and an Administrative Vice President, with the following exempt administrative positions reporting directly thereto: To the President (in addition to the Vice Presidents), an Administrative Assistant, an Assistant to the President, and an Affirmative Action Officer; to the Vice President and Provost, an Administrative Secretary, an Administrative Assistant, four Academic Deans, a Director of Cooperative Education, a Director of Computer Services, a Registrar, a Director of Admissions, and a Dean of Library Services; to the Administrative Vice President, an Administrative Secretary, a Director of Information Services and Publications, a Dean of Student Development Programs, a Director of Development, a Director of Facilities, a Director of Personnel and Auxiliary Services, a Director of Recreation and Campus Activities, and a Business Manager.

The organizational table may be changed only after approval of the Board of Trustees.

Adopted by the Board of Trustees  
4/17/75

THE EVERGREEN STATE COLLEGE

RESOLUTION NO. 75-5

A resolution of the Board of Trustees of The Evergreen State College designating certain persons as "Appointing Authority" for employment purposes and delegating the Board of Trustees' powers and duties of employment under RCW 28B.40.120(2) to certain designated persons.

WHEREAS, effective May 6, 1971, the Washington State Legislature, by the adoption of Chapter 57, Laws of 1971, 1st Extraordinary Session, Section 21, has added to Chapter 223, Laws of 1969, Extraordinary Session, and to Chapter 28B.10 RCW, a new section, to read as follows:

"The governing boards of institutions of higher education shall have the power, when exercised by resolution, to delegate to the President or his designee, of their respective university or college, any of the powers and duties vested in or imposed upon such governing board by law. Delegated powers and duties may be exercised in the name of the respective governing boards";

and

WHEREAS, Section 22 of Chapter 57, Laws of 1971, 1st Extraordinary Session, provides that

". . . Section 21 of this 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, and the support of the state government and its existing public institutions and shall take effect immediately."

BE IT THEREFORE RESOLVED, That under the provisions of Chapter 57, Laws of 1971, 1st Extraordinary Session, Sections 21 and 22, and under the provisions of the Higher Education Personnel Board Rules, the Board of Trustees of The Evergreen State College designates that person now holding or subsequently appointed to the position of President of The Evergreen State College as "Appointing Authority" for the purposes of employment, discipline or termination of any classified staff employee of The Evergreen State College, and delegates to that person now holding or subsequently appointed to the position of President of The Evergreen State College the powers and duties vested in and imposed upon the Board of Trustees of The Evergreen State College by the Legislature in RCW 28B.40.120(2), to employ individuals as members of the classified staff of the institution, who, except as otherwise provided by law, shall hold their positions until discharged therefrom by the President or his designee for good and lawful reasons, and

BE IT FURTHER RESOLVED, That under the provisions of Chapter 57, Laws of 1971, 1st Extraordinary Session, Sections 21 and 22, and under the provisions of the Higher Education Personnel Board Rules, the Board of Trustees of The Evergreen State College designates those persons now holding or subsequently appointed to any of the presidentially designated positions set out below as "Appointing Authority" for purposes of employment, discipline or termination of any classified staff employee under that person's immediate supervision; and delegates to those persons now holding or subsequently appointed to any of the presidentially designated positions

set out below the powers and duties vested in or imposed upon the Board of Trustees of The Evergreen State College by RCW 28B.40.120(2), to employ individuals as members of the classified staff of the institution in positions of employment under that person's immediate supervision, who, except as otherwise provided by law, shall hold their positions until discharged therefrom by any of the persons now holding or subsequently appointed to any of the presidentially designated positions, set out below, of Appointing Authority, for good and lawful reasons, and all actions taken pursuant to this resolution may be subject to the approval or disapproval of the President of The Evergreen State College.

BE IT FURTHER RESOLVED, That the following list shall constitute the presidentially designated positions to which the designation as "Appointing Authority" and the delegations of powers and duties set forth in this resolution are made:

President	Director of Development
Vice President and Provost	Director of Campus Activities & Recreation
Administrative Vice President	Director of Computer Services
Assistant to the President	Director of Counseling
Affirmative Action Officer	Director of Facilities
Academic Deans	Director of Financial Aid
Associate Dean, Library Services	Director of Housing
Bookstore Manager	Director of Information Services
Business Manager	& Publications
Director of Cooperative Education	Director of Personnel & Auxiliary Services
Dean, Student Development Programs	Registrar
Dean, Library Services	Security Supervisor
Director of Admissions	Health Services Coordinator
Director of General Services	Placement Coordinator

Provided, That the President may, at any time, withdraw the presidential designation from any one of the aforementioned presidentially designated positions and shall notify the Board at its next regular meeting of such action; Provided, further, that any additions to the aforementioned list of presidentially designated positions must be approved by resolution of the Board of Trustees of The Evergreen State College.

BE IT FURTHER RESOLVED, That all actions taken pursuant to this delegation of powers and duties may be exercised in the name of the Board of Trustees of The Evergreen State College.

ADOPTED THIS 17th DAY OF APRIL, 1975.

APPROVED:

By

Chairman, Board of Trustees  
The Evergreen State College

ATTEST:

Secretary, Board of Trustees  
The Evergreen State College

Amended 5/20/75 by motion #75-31  
by the inclusion of the position of

"Director of Third World Coalition"  
reporting directly to the  
Vice President and Provost.