

August 3, 2009

SUBJECT: Amendment and Restatement of Existing Bookstore Services Agreement to Accommodate the Round Rock Campus and New Construction at Rio Grande Campus.

RECOMMENDATION

That the Board approve an amendment and restatement of the existing contract with Barnes and Noble College Booksellers, Inc. for bookstore services.

RELATED BOARD POLICY OR PLANNING PRIORITY

The proposed action relates to E-2, Provision of College Facilities

RATIONALE

In approving the project, the Board discussed the many benefits of providing retail space in the new Rio Grande parking garage to preserve a pedestrian friendly atmosphere in the neighborhood. This has been accomplished in the design and construction of the garage. As part of those discussions the Board was made aware of certain Internal Revenue Service (IRS) regulations regarding private retail space in facilities constructed using tax exempt debt. As a result, ACC counsel has worked with staff in restructuring the existing contract with Barnes and Noble for the management of ACC bookstores to ensure that it complies with IRS regulations.

BUDGETARY CONSIDERATION

Estimated increase of \$100,000 in annual net proceeds from operations.

RESOURCE PERSONNEL

Mr. Ben Ferrell, Executive Vice President, Finance & Administration

Mr. Bill Mullane, Executive Director, Facilities & Construction

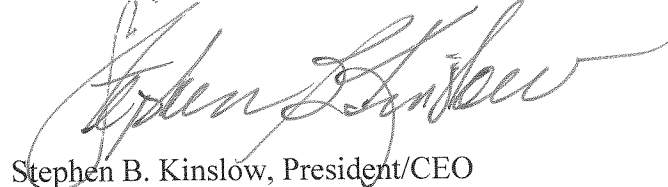
ATTACHMENTS

- A: Memo from Ben Ferrell - Amendment and Restatement of Existing Bookstore Services Agreement (provided separately)
- B: Agreement for Bookstore Services (provided separately)

Respectfully Submitted By:



Ben Ferrell, Executive Vice President, Finance & Administration



Stephen B. Kinslow, President/CEO