

5055 Santa Teresa Blvd., Gilroy, CA 95020

www.gavilan.edu

(408) 848-4800

Steven M. Kinsella, DBA, CPA, Superintendent/President

GAVILAN JOINT COMMUNITY COLLEGE DISTRICT

Citizens' Oversight Committee Meeting

June 23, 2014 – 6:00 p.m.

Gavilan College

5055 Santa Teresa Boulevard, Gilroy, CA 95020

Student Center, North/South Lounges

AGENDA

I. CALL TO ORDER

1. Roll Call

II. APPROVAL OF AGENDA

III. CONSENT AGENDA

1. Minutes – February 24, 2014

IV. COMMENTS FROM THE PUBLIC

This is a time for the public to address the Citizens' Oversight Committee
(a maximum of five minutes will be allotted to each speaker)

V. INFORMATION ITEM(S)

1. Item(s) presented at board meetings for information or approval by the Board of Trustees:

March 11, 2014

- Hearing to Consider Approval of Necessity Authorizing Acquisition by Eminent Domain to Certain Easement Interests for the Gilroy Campus Modernization Project and Authorizing and Directing Legal Counsel to Institute Condemnation Proceedings (APN-808-23-004).
- Consider and Approve the Addendum to the Mitigated Negative Declaration Adopted by the Board in November 13, 2012, for the Gilroy Campus Modernization Project
- Consider and Approve Resolution #968 Determining that the Public Interest and Necessity Require Acquisition of Real Property for Public Purposes and Authorizing Proceedings in Eminent Domain for the Gilroy Modernization Project (APN 808-23-004)
- Consider and Approve Resolution #969 to Accept Bid for Replacement of Water Supply System Project

April 8, 2014

- Consider and Accept Bid for the Parking lot C Expansion Project



Board of Trustees: Tom Breen
Laura A. Perry, Esq.

Kent Child
Tony Ruiz

Mark Dover
Walt Glines

Jonathan Brusco

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May 13, 2014

- Measure E Bond Quarterly Financial Status Report at March 31, 2014
- Rodriguez Real Estate Services, LLC 3rd Amendment for Consulting Services Related to Campus and Off-Site Land Development Projects
- BFGC-IBI Group Architecture and Planning Project Assignment Amendments (PAAs)
- Project Inspector Service Agreements with DFH Inspections, Inc.
- Geotechnical Service Agreements with Cleary Consultants, inc.
- Laboratory of Record Service Agreements with HP Inspections, Inc.

June 10, 2014

- Five Year Capital Construction Plan and Initial Project Proposals, Resolution No. 974
- Subordination Request Relating to Refunding Bonds Issued by the Successor Agency to the Redevelopment Agency of the City of Hollister for the Hollister Community Development Project
- BFGC-IBI Group Architecture and Planning Project Assignments Amendments (PAAs) Additional Services No. 1

VI. DISCUSSION ITEM(S)

1. Update Measure E Activities

VII. ACTION ITEM(s)

1. Set Next Meeting Date(s)

VIII. CLOSING ITEMS

1. Adjournment

GAVILAN COLLEGE MISSION

Gavilan College cultivates learning and personal growth in students of all backgrounds and abilities through innovative practices in both traditional and emerging learning environments; transfer pathways, career and technical education, developmental education, and support services prepare students for success in a dynamic and multicultural world.

PUBLIC COMMENTS – Individuals wishing to address the Citizens' Oversight Committee (COC) on a non-agenda item may do so during the Comments from the Public.

However, no action may be taken on an item, which is not on the agenda.

The public is welcomed to address the COC on particular agenda items and may do so at the time it is presented. Guidelines for Comments from the Public will be as follows:

- A maximum of 5 minutes will be allotted to each speaker with a maximum of 20 minutes to a subject area.
- No disruptive conduct will be permitted at any Gavilan College Citizens' Oversight Committee meeting.

AGENDA ITEMS – Individuals wishing to have an item appear on the agenda must submit the request in writing to the Superintendent/President two weeks prior to the meeting. The COC Chair and Superintendent/President will determine what items will be included in the agendas.

Items listed under the Consent Agenda are considered to be routine and are acted on by the COC as one motion. There is no discussion of these items prior to COC vote unless a member of the COC, staff, or public requests those specific items are discussed and/or removed from the Consent Agenda. It is understood that the Administration recommends approval on all consent items. Each item on the Consent Agenda approved by the COC shall be deemed to have been considered in full and adopted as recommended.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Angie Oropeza at 408-848-4711. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the COC meeting.

Members of the public may inspect agenda documents distributed to the committee at the President's Office, SC130, during regular working hours, or at <http://www.gavilan.edu/board/agenda.php>

Please help keep Gavilan College a litter-free campus and preserve its park-like setting. Thank you.

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GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
Citizens' Oversight Committee Meeting
February 24, 2014 – 6:00 p.m.
Gavilan College
5055 Santa Teresa Boulevard, Gilroy, CA 95020
Student Center, North/South Lounges

MINUTES

I. CALL TO ORDER

1. Roll Call and Introductions
Tim Day called the meeting to order at 6:02 p.m.

Committee Members Present: Suzanne Bulle, Cindy Dalla, Tim Day, Sandy Habr,
Gene Sakahara, Ryan Shook
Committee Member Absent: Jack Bachofer

Dr. Steven M. Kinsella, Superintendent/President
Terry Newman, Interim Senior Director of Administrative Services
Angie Oropeza, Recorder

Others in attendance: Tina Trice, Crowe Horwath

II. APPROVAL OF AGENDA

MSC (S.Habr/R.Shook) 6 aye, 0 nays, to approve

III. CONSENT AGENDA

1. Minutes – November 25, 2013
MSC (R.Shook/S.Bulle) 6 aye, 0 nays, to approve

IV. COMMENTS FROM THE PUBLIC

Tom Breen, Gavilan College Board of Trustees – acknowledged that in six days it will be ten years since the Measure E Bond was passed. On behalf of the Board, he thanked everyone for this important public service work they do on the committee.

V. INFORMATION ITEM(S)

1. Item(s) presented at board meetings for information or approval by the Board of Trustees:

December 10, 2013

- Lease-Purchase Agreement Between Gilroy Unified School District and Gavilan Joint Community College District

January 14, 2014

- Citizens' Oversight Committee Resignation
- Measure E Bond Program Budget Alignment

February 11, 2014

- Measure E Bond Quarterly Financial Status Report at December 31, 2013
- FY 2012 – 2013 Measure E General Obligation Bond Audit Reports
- Gilbane Building Company Project Assignment Amendments (PAAs)
- BFGC-IBI Group Architecture and Planning Project Assignment Amendments (PAA)

Dr. Steve Kinsella reviewed the Measure E items presented to the Board of Trustees and he, Terry Newman, and Tina Trice from Crowe Horwath gave the following information:

- The college is selling the modular units purchased with Measure E funds that were used for the early college high school and for swing space during the various renovation projects. Some will be kept in anticipation of their use when the PE building is renovated. The proceeds will be deposited back into Measure E funds.
- A Citizens' Oversight Committee member resigned.
- There is nothing new in the program budget alignment; everything is as it should be.
- The FY 2012-2013 Measure E General Obligation Bond Audit reports a clean, unmodified opinion. There were no management comments or findings representing reportable conditions, material weaknesses, or instances of noncompliance to the audit. All reports are posted on the Gavilan webpage.
- Gilbane is a construction maintenance company. They are assisting the college with Lot C, the water tank, and the water replacement system projects. They are the liaison between all construction projects and the early college high school project. BFGC-IBI is an architectural firm that assists the college with designs and getting them approved. The two firms provide the technical services we don't staff. Two bathrooms will be installed in the multi-purposes building for students and staff.

VI. DISCUSSION ITEM(S)

1. Update Measure E Activities

Dr. Steve Kinsella reported that we have approximately \$27 million unexpended Measure E funds. The reason they have not been expended is because we are waiting for habitat mitigation from CEQA (California Environmental Quality Act) for both San Benito County and Coyote Valley. The last major amount of money is match money the state requires to get the PE building funded by the state. It is a \$14 million project and we have \$7 million set aside. We had done the same with the library and the theatre. We can't wait long enough for the library to get funded by the state and can't justify holding the money because we would be too far out from the date we funded the bond. So we've taken that money and the unexpended money to set up the South Bay Public Safety Training Consortium at Coyote Valley. They are currently in year one of a three-year lease. At the end of the three years they need to be in a new location. We are waiting to get the habitat clearance to move on it. We also have \$2 million of equipment purchases and replacements. We are waiting in line for our list of projects to be funded by the state. We need to wait for the state funds because we are not able to fully fund the projects on our own. We must spend Measure E by the end of 2015. After that we must justify why we have not spent it, which we can. The Parking Lot C project will be completed this summer.

VII. ACTION ITEM(S)

1. Set Next Meeting Date(s)

MSC (S.Bulle/S.Habr) 6 ayes, 0 nays to schedule the next meeting at June 23, 6:00 p.m.

VIII. CLOSING ITEMS

1. Adjournment

The meeting was adjourned by consensus at 6:30 p.m.

**Gavilan Joint Community College District
Citizens' Oversight Committee Agenda**

June 23, 2014

Office of the President

Consent Agenda Item No.
Information/Staff Reports No. V.1.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No.

SUBJECT: Item(s) presented at Board meetings for information or approval by the Board of Trustees

- Resolution:
 Information Only
 Action Item

Proposal:
None

Background:
Information for items presented at Board meetings.

Budgetary Implications:

Follow Up/Outcome:

Recommended By: Dr. Steven M. Kinsella, Superintendent/President

Prepared By: 
Dr. Steven M. Kinsella, Superintendent/President

Agenda Approval: 
Dr. Steven M. Kinsella, Superintendent/President

MARCH 11, 2014

**Gavilan Joint Community College District
Governing Board Agenda**

March 11, 2014

Consent Agenda Item No.		Administrative Services
Information/Staff Reports No.	10.(d)	
Discussion Item No.		
Old Business Agenda Item No.		
New Business Agenda Item No.		

SUBJECT: Hearing to Consider Approval of Necessity Authorizing Acquisition by Eminent Domain to Certain Easement Interests for the Gilroy Campus Modernization Project and Authorizing and Directing Legal Counsel to Institute Condemnation Proceedings (APN-808-23-004)

- Resolution: BE IT RESOLVED,
 Information Only
 Action Item

Proposal:

That the Board of Trustees conduct a public hearing to consider approval of necessity authorizing acquisition by eminent domain to certain easement interests for the Gilroy Campus Modernization Project and authorizing and directing legal counsel to institute condemnation proceedings (APN-808-23-004).

Background:

On November 13, 2012, the Board approved the Gavilan College Gilroy Campus Modernization Project, which includes a water tank replacement project necessary to protect the safety of the College's students, staff, and faculty. Specifically, the College desires to add more water tank storage to reduce the refill rate of its tanks, as well as to add a second water well to provide redundancy and effectively double the College's well production rate (the "Project"). The Project is intended to respond to concerns raised by the Fire Marshal regarding fire supply recovery after a fire event on campus. Currently, the National Fire Protection Agency requires fire supply to be fully recovered in 8 hours, which would require the College's current well and pump to be modified to produce 1,300 GPM. This demand is beyond the capacity of the existing well. In addition to fire re-fill rates, the College also needs a back-up source of water in case the current well fails.

On March 11, 2014, in connection with the Project, the Board will be asked to adopt Resolution #968 ("Resolution of Necessity"), which would authorize acquisition by eminent domain of easements interests ("Easements") encumbering a portion of the real property identified as 4395 Monterey Road, Gilroy, California, Assessor's Parcel Number 808-23-004 ("Property"). The Easements are needed to construct, operate, and maintain a second water well and pipelines on the Property as part of the Project.

According to Code of Civil Procedure section 1245.235, the governing body of a public entity may adopt a Resolution of Necessity only after the governing body has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030, that is, (1) that the public interest and necessity require the Project, (2) that the Project is planned or located in the manner that will be most compatible with the greatest

public good and the least private injury, and (3) that the property sought to be acquired is necessary for the project.

On February 24, 2014, the College provided written notice by first class U.S. mail and email to the record owners of the Property. The notice advised the owners that on Tuesday, March 11, 2014, at 7:00 p.m. or as soon thereafter as the matter may be heard, at 5055 Santa Teresa Boulevard, Gilroy, California 95020, in the Student Center, North/South Lounge, the Board of Trustees will consider a proposed Resolution of Necessity authorizing acquisition of the Easements by eminent domain. The notice further advised the owners that they have the right to appear before the Board of Trustees and be heard on the matters referred to in California Code of Civil Procedure section 1240.030, listed above.

In advance of adopting the Resolution of Necessity, the Board is requested to hold a public hearing to receive input on the following matters:

1. Whether the public interest and necessity require the Project;
2. Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the real property sought to be acquired is necessary for the Project; and
4. Whether the College made an offer to the owner of record, to purchase the Easements pursuant to Government Code section 7267.2.

The Board is requested to provide any and all owners of the Property the opportunity to appear and be heard on the matters listed above. The hearing is not intended to address the valuation of the Easements. Failure by the Property owner(s) to appear or to participate in the hearing has no bearing on whether the owners agree with the purchase offer previously made by the College to the owners. No action is proposed as part of this hearing.

Budgetary Implications

The water replacement system project is funded by the State of California.

Follow Up/Outcome:

Following the hearing, the Board will be asked as a separate item to consider adopting Resolution #968, a Resolution of Necessity.

Recommended By: Terry Newman, Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

Gavilan Joint Community College District
Governing Board Agenda

March 11, 2014

Consent Agenda Item No. Administrative Services
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No. 2. (c)

SUBJECT: Consider and Approve the Addendum to the Mitigated Negative Declaration adopted by the Board on November 13, 2012, for the Gilroy Campus Modernization Project

- Resolution: BE IT RESOLVED,
 Information Only
 Action Item

Proposal:

That the Board of Trustees consider and approve an Addendum to the Mitigated Negative Declaration adopted by the Board on November 13, 2012, for the Gilroy Campus Modernization Project.

Background:

On November 13, 2012, the Board of Trustees adopted the Initial Study (IS) and Mitigated Negative Declaration (MND) for the Gilroy Campus Modernization Project. The Project was approved by the Board on November 13, 2012 and a Notice of Determination was filed on November 20, 2012.

When a change occurs to a proposed project or its surrounding circumstances following certification of an environmental impact report ("EIR") or negative declaration, CEQA review may be required in certain instances. An addendum is appropriate in this case because the confirmation of location of a required second well within the already narrowly defined area at most requires only a minor, technical change to the IS/MND, and does not result in any additional significant impacts. No subsequent EIR or negative declaration is required to be prepared.

Attached is the "Addendum to the Previous Adopted Initial Study and Mitigated Negative Declaration for the Gilroy Campus Modernization Project."

Budgetary Implications:

None.

Follow Up/Outcome:

None. Addendum will be posted on the college website with the approved MND.

Recommended By: Terry Newman, Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella for Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

3/11/14
A. Draper

ADDENDUM TO THE PREVIOUSLY ADOPTED
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
FOR THE GILROY CAMPUS MODERNIZATION PROJECT
(State Clearinghouse Number 2012092051)

A. INTRODUCTION

On November 13, 2012, the Board of Trustees (“Board”) of the Gavilan Joint Community College District (“College”) adopted the Initial Study and Mitigated Negative Declaration (“IS/MND”) for the Gilroy Campus Modernization Project, described as the implementation of several facilities and infrastructure upgrades at the College’s Gilroy campus (“Project”), including but not limited to water storage, tank distribution, and well improvements. The Project was approved by the Board on November 13, 2012 and a Notice of Determination was filed on November 20, 2012.

The IS/MND identified two alternative locations for the well improvements, denoted as Option A and Option B, within a narrowly defined area (estimated to be less than 1500 feet apart). The potential impacts of developing a well under either Option A or Option B were already analyzed in the IS/MND. Since the MND was approved, the College has conducted testing and determined that Option A is the preferable option for its new well and related improvements. When a change occurs to a proposed project or its surrounding circumstances following certification of an environmental impact report (“EIR”) or negative declaration, further CEQA review may be required in certain instances. (See, Pub. Resources Code § 21166.) As detailed below, an addendum is appropriate in this case because the confirmation of location of the well within the already narrowly defined area at most requires only a minor, technical change to the IS/MND, and does not result in any additional significant impacts or increases in the severity of previously-identified impacts, nor does it alter the analyses regarding any mitigation measures adopted or not adopted by the Board. (See, Cal. Code Regs., tit. 14, § 15162(a).)

B. APPLICABLE LAW

According to section 15162(a) of the CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000, *et seq.*), when a negative declaration has been adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement

of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(Emphasis added.)

Section 15162(b) states that if changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation. Per Section 15164(b), an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions describe in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

C. PREVIOUSLY ADOPTED IS/MND AND SUBSEQUENT CONFIRMATION OF NEW WELL LOCATION

On behalf of the College, David J. Powers & Associates, Inc., prepared and circulated the Draft IS/MND for the Project on September 25, 2012. The MND concluded that the Project could have a potentially significant effect on the environment, however, there would not be a significant effect because mitigation measures described in the IS/MND would reduce the impacts to a less than significant level. (MND, pg. 14.) Following the

30-day public comment period, the Board approved the IS/MND and the Project on November 13, 2012.

The Project consists of several facilities and infrastructure upgrades at the College's Gilroy campus, including the following:

- Water Storage, Tank Distribution and Well Improvements
- Gilroy Early College Academy (GECA) Consolidation
- Parking Lot C Expansion
- Outdoor Classrooms
- Demolition of Former Police Academy Portables
- Demolition of Building CJ500

With regard to the Water Storage Tank, Distribution, and Well Improvements, the College currently operates a 1,000,000 gallon water tank and existing water well. The existing water well is located on real property that is not owned by the College, known as 4395 Monterey Road, Gilroy, California, APN 808-23-004 ("Monterey Road Property"), pursuant to easement rights held by the College. The IS/MND explained that the College proposed to build a replacement water system for the existing 1,000,000 gallon water tank with two new 669,000 gallon reservoir tanks at the same location in the foothills above the campus. (Initial Study ("IS"), pg. 4.) Water supply to the tanks will be provided by implementing improvements to the existing well and installing an additional well directly to the east to provide supplemental water supply ("Option A"). (*Id.*) According to the IS/MND, the College initially considered installing two new wells adjacent to Mesa Road in the agricultural fields east of the project site, while decommissioning the existing well ("Option B"). (*Id.*) However, the College had been unsuccessful in contacting the owners of the property on Mesa Road ("Mesa Road Property") after repeated efforts, and therefore concluded that Option B may not be feasible. (*Id.*) The College also believes that Option A results in the least amount of burden on neighboring property owners, since it would install a new well on the same property as the existing well.

According to the IS/MND, in both Option A and Option B, the two wells would only be run simultaneously after a time of high water demand on campus, such as a fire event. In normal operation the wells would alternate in service. (*Id.*) Either option would be capable of delivering adequate water supply to re-fill the water tanks within the National Fire Protection Association requirement of eight hours. Since the IS/MND was adopted and the Project approved, the College has obtained a License Agreement with the owners of the Monterey Road Property, and has conducted preliminary testing of such Property. Based on the testing results, the College's design team concluded that a new well in the area described as Option A could reliably yield from 360 gpm to 540 gpm. The data substantiated a high probability of achieving a production rate that equals or exceeds the existing well and corresponds with the assumptions made as part of the Project. Based on this data, the College has confirmed that Option A is the preferable option. The College is in the process of attempting to acquire easement rights encumbering the Monterey Road Property in order to install a new well and related improvements under Option A.

The impacts of the well improvements were analyzed in the IS/MND, and did not depend on whether Option A or Option B was chosen. The following is a summary of the impacts and mitigation measures described and included in the IS/MND. As discussed below, selection of Option A for the location of the new well will not result in any additional potentially significant impacts, nor will it increase the severity of those already identified.

- Aesthetic Impacts: The IS/MND concluded that the Project as a whole, inclusive of the new well, would have less than significant aesthetic and visual impacts. Specifically, the Project proposes several facilities and infrastructure upgrades that will result in minor changes to the aesthetic character of the campus. (IS, pg. 22.) The well improvements are not part of the on-campus upgrades and thus are not part of the facilities and infrastructure that may result in minor changes to the aesthetic character of the campus. With regard to the water well improvements, the IS/MND concluded that the installation of underground water distribution lines and wells proposed by the Project would not result in aesthetic changes to the project site and surrounding area because the distribution lines would be underground and the wells would be at ground-level. (*Id.*) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.
- Agricultural: The IS/MND concluded that the Project as a whole, inclusive of the new well, would not have any impact on agricultural land, agricultural activities, or forest resources, and the well improvements specifically would not result in the conversion of farmland to non-agricultural use. (IS, pg. 26.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.
- Air Quality: The IS/MND concluded that the Project as a whole, inclusive of the new well, would have less than significant impacts on air quality. With regard to regional and local impacts, the only identified impact related to the well improvements is that the improved water distribution system may result in a slight increase in electricity use related to the increased pumping of water. Indirect air emissions from these potential increase in electricity use would be negligible. (IS, pg. 31.) Also, construction activities such as earthmoving, construction vehicle traffic, and wind blowing over exposed earth, would temporarily affect local air quality. (*Id.*) It was concluded that the Project would not result in significant air quality impacts, and that implementation of Avoidance Measure AQ-1.1 would further reduce air quality impacts with the construction of the Project. (IS, pg. 32.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.

- Biological Resources: The IS/MND concluded that the Project as a whole, inclusive of the new well, could result in significant impacts to various special-status animal and plant species. (IS, pgs. 42-49.) It was also found that the outdoor classroom and Parking Lot C expansion could result in significant impacts to riparian habitat and protected wetlands. (IS, pgs. 49-51.) As a result of these potentially significant impacts, the College adopted mitigation measures MM BIO-1.1 through MM BIO-9.2. (IS, pgs. 52-62; MND, pgs. 2-11.) The resulting conclusion was that with implementation of these mitigation measures, the Project would not result in significant impacts to biological resources. (IS, pg. 62.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.

- Cultural Resources: The IS/MND concluded that the Project as a whole, inclusive of the new well, could result in potentially significant impacts on the environment. (IS, pg. 66.) Namely, construction activities associated with the proposed project could result in impacts to buried and paleontological resources, should they be discovered on the site. (IS, pgs. 64-65.) Implementation of mitigation measures MM CUL-1 and MM CUL-2 would result in a less than significant cultural resources impact. (IS, pg. 66; MND, pg. 11.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.

- Geology: The IS/MND concluded that the Project as a whole, inclusive of the new well, would not result in any potentially significant impacts on the environment in terms of geology. (IS, pg. 71.) With regard to the water wells specifically, the tanks would be connected to the wells by a water distribution system consisting of pipelines traversing the entire site, portions of which would be located in the sloped areas of the hillside adjacent to the water tanks, which are subject to creep and possible surficial instability related to heavy rainfall, and other portions of which would be located within the Santa Clara Fault Rupture Zone associated with the Camadero fault trace. (IS, pg. 70.) In addition, it was concluded that the wells and portions of the pipelines would be located within a liquefaction hazard zone. (*Id.*) The IS/MND concluded that implementation of the recommendations in the site-specific geotechnical investigation prepared for the proposed water distribution system improvements (Appendix C to the IS/MND), along with standard engineering practices, would ensure that no significant geology and soils impacts would occur from implementation of the Project, including impacts related to unstable soil, expansive soil, soil erosion, and the loss of topsoil. (*Id.*) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.

- Greenhouse Gas (GHG) Emission: The IS/MND found that the Project as a whole, including the well improvements, would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment,

nor would it conflict with any existing GHG Laws, plans, policies, or regulations adopted by the California legislature, the CARB, or BAAQMD. Therefore, GHG impacts would be less than significant. (IS, pg. 74.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.

- Hazards and Hazardous Materials: With regard to the Project as a whole, inclusive of the new well, the IS/MND identified two potentially significant impacts related to hazards and hazardous materials. First, hazardous materials contamination in the agricultural fields east of campus and in the vicinity of the maintenance yard could pose a risk to construction workers and future users of the outdoor classroom. (IS, pg. 79.) Second, lead-based paint could present a risk to workers during demolition on the site. (*Id.*) With implementation of mitigation measures MM HAZ-1.1 to MM HAZ-2.3, the IS/MND concluded that these impacts would be less than significant. (IS, pgs. 80-81; MND, pg. 12.) Neither of these impacts are affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property.

The water wells would be located in the agricultural fields east of campus, and would supply water to the campus. (IS, pg. 79.) The IS/MND found that it is common to find arsenic, lead, and DDT residue in the soil in Santa Clara County from historic farming operations. (*Id.*) These contaminants could leach into groundwater beneath the soils. (*Id.*) Groundwater in the Project area also contains elevated levels of nitrates. (*Id.*) As a result, the Project includes drilling test wells in the vicinity of the proposed wells to confirm that the untreated well water meets federal Safe Drinking Water Act and California Department of Public Health primary and secondary drinking water standards (Title 22). (*Id.*) This testing remains to be completed.

None of the conclusions related to hazards and hazardous materials impacts are affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusions are not altered by the College's confirmation of Option A for its new well.

- Hydrology and Water Quality: With regard to the Project as a whole, inclusive of the new well, the IS/MND identified one potentially significant impact related to hydrology and water quality: construction activities could temporarily contaminate stormwater runoff from the site. (IS, pg. 87.) With implementation of mitigation measure MM HYD-1, the IS/MND concluded that these impacts would be less than significant. (IS, pg. 89; MND, pg. 13.) This impact is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property.

With regard to the water wells, either Option A or Option B would involve wells located in areas where the known geomorphology should support water production as high as 500 gpm or greater per well head. (IS, pg. 87.) The Project proposed that a test well would be drilled in the vicinity of the proposed wells to provide a current, accurate assessment of geomorphology. (*Id.*) The testing would ensure that

sufficient groundwater is available to provide the desired pumping rates on an ongoing basis, without lowering the groundwater table or contributing to drawdown of other nearby wells. (*Id.*) The IS/MND also concluded that the Project would not increase the student capacity of the overall campus, and would not increase water demand on the site; the new wells are primarily proposed to ensure sufficient fire flow and storage tank recharge rates. (*Id.*) The wells would be used alternately, only to be combined during times of high water demand on-campus, such as fire events. (*Id.*) For these reasons, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. (*Id.*)

Also, the groundwater basin in the Project area contains elevated levels of nitrates, and the Project would include drilling test wells in the vicinity of the proposed wells to confirm that the untreated well water meets federal Safe Drinking Water Act and California Department of Public Health primary and secondary drinking water standards (Title 22). (*Id.*) This testing remains to be completed.

The College has since completed preliminary testing of the Option A well site, which substantiated a high probability of achieving a production rate that equals or exceeds the existing well and corresponds with the assumptions made as part of the Project. The testing data and confirmation of Option A for the new well do not affect any of the conclusions in the IS/MND.

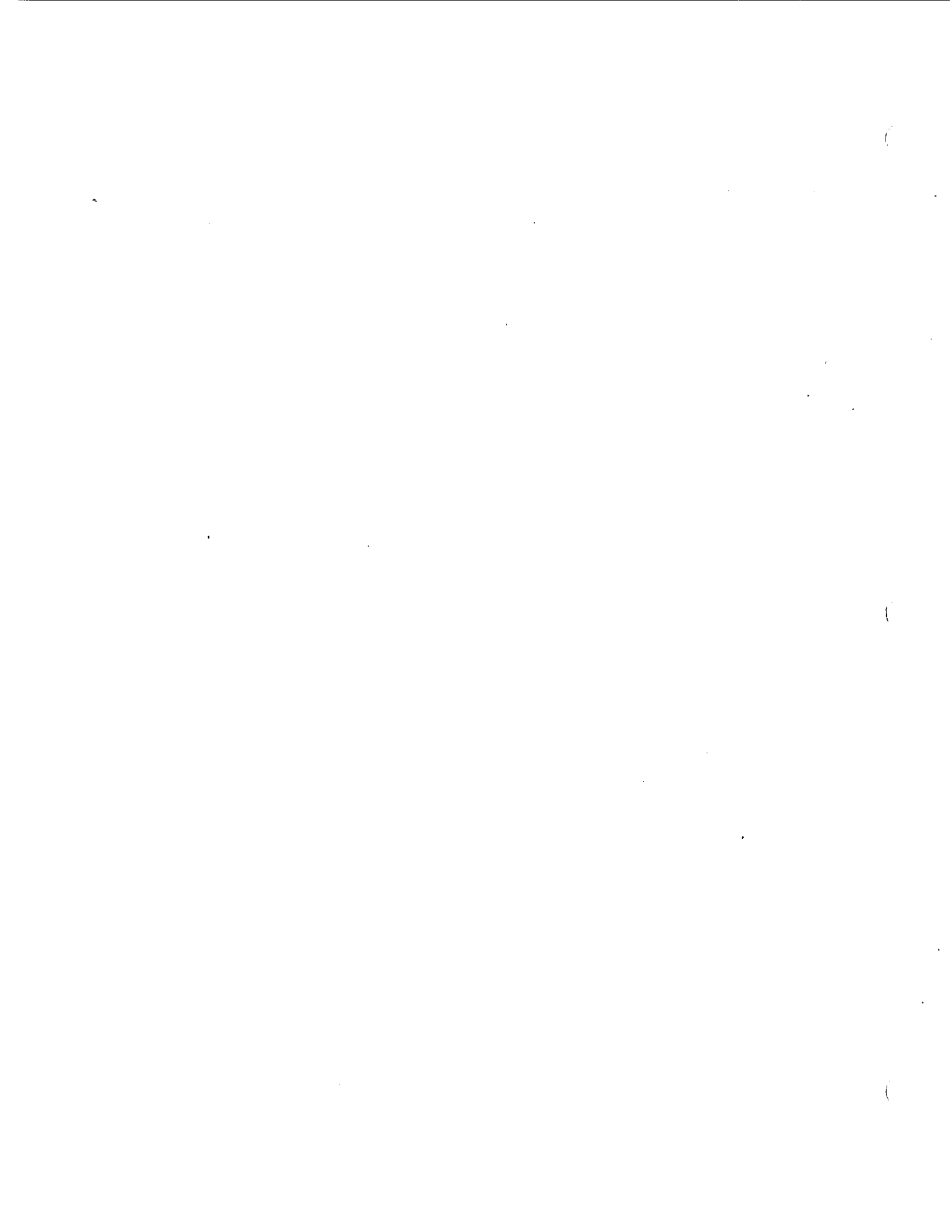
- Land Use: The IS/MND concluded that the Project is consistent with the General Plan and Zoning Ordinance, and that the Project would not physically divide an established community, conflict with applicable plans or policies, or result in any other significant land use impacts. (IS, pg. 91.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.
- Mineral Resources: The IS/MND concluded that the Project would not result in any significant impacts from the loss of availability of a known mineral resource. (IS, pg. 92.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.
- Noise: Regarding the Project as a whole, inclusive of the new well, the IS/MND identified noise impacts related to demolition of existing structures construction of the Project, however, it concluded that those impacts would be less than significant. (IS, pgs. 94-96.) Nevertheless, the Project still implemented Avoidance Measure AM NOISE-1.1 to further reduce noise impacts on neighboring properties. (IS, pgs. 95-96.) The IS/MND concluded that the Project would not result in significant noise impacts, and that conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.

- Population and Housing: The IS/MND concluded that the Project as a whole, inclusive of the new well, would have a less than significant impact on population and housing. (IS, pg. 97.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.
- Public Services: The IS/MND concluded that the Project as a whole, inclusive of the new well, would not result in adverse physical impacts associated with a need for new public safety or recreational or educational facilities in order to maintain acceptable levels of service. (IS, pg. 99.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.
- Recreation: The IS/MND concluded that the Project as a whole, inclusive of the new well, would not result in any significant adverse impact to recreation facilities within the City of Gilroy and surrounding area of unincorporated Santa Clara County. (IS, pg. 100.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well. The College recognizes that the IS erroneously referenced the City of Mountain View in its discussion of impacts related to recreation on page 100, and hereby corrects that error through this Addendum.
- Transportation: The IS/MND concluded that the Project as a whole, inclusive of the new well, would have less than significant transportation impacts. (IS, pg. 103.) This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.
- Utilities and Service Systems: The IS/MND concluded that the Project as a whole, inclusive of the new well, would not result in significant impacts to utilities and service systems. (IS, pg. 109.) With regard to the well improvements specifically, the IS/MND states that in either Option A or Option B, two wells would only run simultaneously after a fire event; in normal operation the wells would alternate in service. (IS, pg. 106.) Both options would be capable of delivering adequate water supply to re-fill the water tanks within the National Fire Protection Association requirement of eight hours. (*Id.*) The physical improvements proposed by the Project would not increase the student capacity of the overall campus, and would not increase water demand on the site. (*Id.*) With implementation of the proposed improvements, adequate water supply would be available to serve the site. (*Id.*) There were no significant impacts relating to utilities and service systems identified in the IS/MND. This conclusion is not affected by the location of the new well(s) on the Mesa Road Property or the Monterey Road Property, thus, the conclusion is not altered by the College's confirmation of Option A for its new well.

D. CONCLUSION

The College's confirmation that it will move forward with Option A as the location of its new water well and pipelines does not alter any of the analyses or conclusions contained in the IS/MND, in particular because the impact of a new well under either Option A or Option B was already analyzed in the IS/MND. This confirmation does not constitute substantial changes to the Project or the circumstances under which the Project is undertaken. (15164(a)(1)&(2).) It does not require major revisions to the previously-adopted MND. (*Id.*) As discussed above, this confirmation of location does not involve any new significant environmental effects or a substantial increase in the severity of previously identified effects. (*Id.*) In fact, there is no change in the severity of previously identified effects. Also, while the testing data confirming the desired location of the new well could technically constitute "new information" for purposes of the CEQA Guidelines, such information does not show: (1) that the Project would have one or more significant effects not discussed in the previously-adopted MND, (2) that the significant effects previously examined will be substantially more severe than shown in the previously-adopted MND, (3) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, or (4) that mitigation measures or alternatives which are considerably different from those analyzed in the MND would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative. (CEQA Guidelines, § 15164(a)(3).)

In short, there is no change in the analysis regarding significant impacts and mitigation measures or alternatives presented in the IS/MND. None of the circumstances set forth in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or MND have occurred, and at most, the confirmation of location would require only a minor technical change to the previously-adopted IS/MND. Therefore, an addendum to the MND is appropriate, and no subsequent EIR or negative declaration is required to be prepared. In fact, there is truly no technical change because the impacts of either Option A or Option B were already analyzed in the IS/MND. Nevertheless, this Addendum has been prepared to maximize transparency and to allow for public comment through consideration and adoption at a publicly noticed meeting.



Gavilan Joint Community College District
Governing Board Agenda

March 11, 2014

Consent Agenda Item No. Administrative Services
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No. 2. (d)

SUBJECT: Consider and Approve Resolution #968 Determining that the Public Interest and Necessity require Acquisition of Real Property for Public Purposes and Authorizing Proceedings in Eminent Domain for the Gilroy Modernization Project (APN 808-23-004)

- Resolution: BE IT RESOLVED, that Resolution #968 be approved.
 Information Only
 Action Item

Proposal:

That the Board of Trustees consider and approve Resolution #968 determining that the public interest and necessity require acquisition of real property for public purposes and authorizing proceedings in eminent domain for the Gilroy Modernization Project. (APN 808-23-004)

Background:

Attached is a Staff Report of Findings on Public Interest and Necessity for Parcel Number 808-23-004. Also attached is Resolution #968, "Determining that the Public Interest and Necessity require Acquisition of Easements for Public Purposes and Authorizing Proceedings under Education Code Section 70902(b)(13) and Title 7 of Part 3 of the Code of Civil Procedure, including, but not limited to Sections 1240.120, 1240.125, AND 1245.220, for a Portion of the Property described as 4395 Monterey Road, Gilroy, California, Assessor's Parcel Number 808-23-004, for the Gilroy Campus Modernization Project."

Certain easements are needed to serve the water tank replacement project which is necessary to protect the safety of the college's students, staff and faculty. The college desires to add a second water well to provide redundancy and effectively double the College's well production rate (well improvements). The well improvements are intended to respond to concerns raised by the Fire Marshall regarding fire supply recovery after a fire event on campus. This demand is beyond the capacity of the existing well.

This resolution is a necessary step to acquire certain real property in order to add a second water well. The ideal way to acquire property is through negotiation and not through the litigation process, however to ensure that the college is able to acquire the easements on a timely basis, including to meet the construction scheduled required to avoid jeopardizing state funding for the Project, this Resolution of Necessity is needed at this time.

Budgetary Implications:

The water replacement system project is being funded by the State of California.

APPROVED BY THE BOARD
DATE 3/11/14
W. Orsola

Follow Up/Outcome:

With board approval of the resolution, the district will direct legal counsel to proceed. The President and designees will be authorized to execute instruments as may be necessary.

Recommended By: Terry Newman, Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella for Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
Staff Report of Findings on Public Interest and Necessity
4395 Monterey Road, APN 808-23-004

March 11, 2014

TITLE AND SUBJECT

Conduct a Public Hearing and Adopt Resolution #968 Determining that the Public Interest and Necessity Require Acquisition of Easements for Public Purposes and Authorizing Proceedings Under Education Code Section 70902(b)(13) and Title 7 of Part 3 of the Code of Civil Procedure, Including, but not Limited to, Sections 1240.120, 1240.125, and 1245.220, for a Portion of the Property Described as 4395 Monterey Road, Gilroy, California, Assessor's Parcel Number 808-23-004, for the Gilroy Campus Modernization Project

DESCRIPTION/DISCUSSION

The Board has been provided with a copy of Resolution #968 ("Resolution"), which would authorize the acquisition of easements for public purposes by exercising the College's powers under Education Code section 70902(b)(13) and Title 7 of Part 3 of the Code of Civil Procedure, including, but not limited to, Sections 1240.120, 1240.125, and 1245.220. The Resolution requires approval by at least two-thirds majority of the Board. The real property that is subject to the Resolution consists of a portion of a parcel of property, owned by Bert D. Millen and Gloria P. Millen, Trustees under Revocable Trust Agreement, Dated August 22, 1980; Linda Anne Pelliccione, Diana Marie Pelliccione, Lisa Anne Fellows, and Deborah Marie Sigala as Trustees of the Testamentary Trust Created by Judgment of Final Distribution filed March 9, 1990 in the Estate of Paul F. Pelliccione, also known as Paul Pelliccione, deceased, Case No. 121211, Superior Court of California, County of Santa Clara, and Recorded March 23, 1990 in Book L298, Page 52, Santa Clara County Official Records; Mark P. Millen, and Michael D. Millen (collectively, "Owners"), and located on the east side of Santa Teresa Boulevard. The entire parcel bears Assessor's Parcel Number 808-23-004 ("Property") and the property sought to be acquired consists of easement interests that are legally described in Exhibit "A" and depicted in Exhibit "B" to the Resolution (the "Easements").

The Easements are needed to serve the water tank replacement project as part of the College's Gilroy Campus Modernization Project ("Project"), which is necessary to protect the safety of the College's students and faculty. Specifically, the College desires to add more water tank storage to reduce the refill rate of its tanks, as well as to add a second water well to provide redundancy and effectively double the College's well production rate ("well improvements"). The well improvements are intended to respond to concerns raised by the Fire Marshal regarding fire supply recovery after a fire event on campus. Currently, the National Fire Protection Agency requires fire supply to be fully recovered in 8 hours, which would require the College's current well and pump to be modified to produce 1,300 gallons per minute (GPM). This demand is beyond the capacity of the existing well. In addition to fire refill rates, the College also needs a back-up source of water in case the current well fails.

As set forth in Resolution #968, the Board will make the following findings:

1. The public interest and necessity require the Project.
2. The Project is planned or located in the manner that would be the most compatible with the greatest public good and the least private injury.
3. The real property sought to be acquired is necessary for the Project.
4. The College has offered to purchase the Easements in compliance with the statutory requirements.
5. The College has the statutory authority to acquire the Easements by eminent domain.
6. The College has complied with California Environmental Quality Act (CEQA) requirements.

The following information is provided as a basis for the Board to make the required findings:

1. The public interest and necessity require the Project.

Currently, water is supplied to the College's Gilroy campus by the existing well located on the Property. During the tank replacement design phase of the Project, the Fire Marshal raised concerns about fire supply recovery after a fire event on the campus. Currently, the National Fire Protection Agency requires fire supply to be fully recovered in 8 hours, which would require the existing well and pump to be modified to produce 1,300 GPM. This demand is beyond the capacity of the existing well, thus, it is insufficient to meet Fire Protection Agency standards and could endanger the College's students and faculty. In addition to fire refill rates, the College requires a back-up source of water in case the existing well fails due to the fact that both the well and pump are over 50 years in age. If the existing well were to fail, it would take months before a new well could be drilled and production restored, thus, the College's water supply would be jeopardized.

Given these concerns, the Project includes adding more tank storage to reduce the water refill rate as well as adding a second well to provide redundancy and effectively double the College's well production rate. The well improvements are necessary to protect the safety of the College's students and faculty, particularly in the event of a fire on campus.

2. The Project is planned or located in the manner that would be most compatible with the greatest public good and the least private injury.

The well improvements aspect of the Project is intended to install pipelines and a new well directly to the east of the College's existing well on the Property. Locating the new well in such location will result in the least burden on private interests since it would extend easement rights that are already held by the College. The Easements would be located along the northern boundary of the Property to foster the least amount of burden on the Property, and the pipelines are intended to be installed underneath a dirt road on the Property. Also, as discussed below, the College commissioned preliminary testing of the proposed location of the new well. The data resulting from the testing substantiated that the proposed location is the recommended site for the new well, and is thus compatible with the greatest public good.

3. The real property sought to be acquired is necessary for the Project.

On behalf of the College, C2G/Civil Consultants Group, Inc., conducted preliminary testing of the proposed site for the new well. Through this preliminary analysis, the consultants determined that the best location for a new well is further away from campus and closer to

Highway 101, which would require extending the College's existing easement further to the east and acquiring additional easement rights for a new well. On January 30 and 31, 2014, the consultants constructed a test well boring, sample collection and E-log. The test well boring was drilled in the agricultural field on the Property approximately 800 feet easterly of the College's existing well, within the Easements sought to be acquired by the College. Based on the data obtained, the consultants recommended that the College pursue a new well in the vicinity of the test well. The data substantiated a high probability of achieving a production rate that equals or exceeds the existing well and corresponds with the assumptions made during the tank replacement project. Thus, the College requires the Easements to construct its new well and related improvements on the Property.

4. The College has offered to purchase the property in compliance with the statutory requirements.

The College used the services of appraiser Charles R. Marqueling of Valbridge Property Advisors to determine the fair market value of the Easements, which Mr. Marqueling concluded is \$2,700 as of February 10, 2014. On February 24, 2014, the District made an offer to the Owners of the Property to purchase the Easements for more than their fair market value, \$5,000, and offered an additional amount up to \$5,000 for the owners to obtain an independent appraisal. The College's offer to purchase the Easements fully complied with the requirements of California Government Code § 7267.2. If the Resolution of Necessity is adopted, the College is prepared to continue negotiations to acquire the Easements. The ideal way to acquire property is through negotiation and not through the litigation process, however, to ensure that the College is able to acquire the Easements on a timely basis, including to meet the construction schedule required to avoid jeopardizing state funding for the Project, this Resolution of Necessity is needed at this time.

5. The College has the statutory authority to acquire the real property by eminent domain. California Education Code § 70902(b)(13), Code of Civil Procedure §§ 1240.120, 1240.125, and 1245.220, and Section 19 of Article I of the California Constitution empower the College to acquire the Easements by eminent domain.

6. The College has complied with California Environmental Quality Act (CEQA) requirements.

On behalf of the College, David J. Powers & Associates, Inc., prepared and circulated a Draft Initial Study and Mitigated Negative Declaration ("IS/MND") for the Project on September 25, 2012. Following the 30-day public comment period, the Board adopted the IS/MND and approved the Project on November 13, 2012. A Notice of Determination was filed on November 20, 2012. (State Clearinghouse Number 2012092051.) The IS/MND identified two alternative locations for the well improvements, denoted as Option A and Option B, within a narrowly defined area (estimated at less than 1500 feet apart). The potential impacts of developing a well under either Option A or Option B were analyzed in the IS/MND. Since the MND was approved, the College has conducted testing and determined that Option A is the preferable option for its new well and related improvements as part of the Project. Option A involves constructing a new well on the Property and requires acquisition of the Easements.

The College's confirmation that it intends to move forward with Option A as the location of its

new water well and pipelines did not alter any of the analyses or conclusions contained in the IS/MND, in particular because the impact of a new well under either Option A or Option B was already analyzed in the IS/MND. Such confirmation does not constitute substantial changes to the Project or the circumstances under which the Project is undertaken. It does not require major revisions to the previously-adopted MND, and does not involve any new significant environmental effects or a substantial increase in the severity of previously identified effects. In fact, there is no change in the severity of previously identified effects. Also, while the testing data confirming the desired location of the new well could technically constitute "new information" for purposes of the CEQA Guidelines, such information does not show: (1) that the Project would have one or more significant effects not discussed in the previously-adopted MND, (2) that the significant effects previously examined will be substantially more severe than shown in the previously-adopted MND, (3) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, or (4) that mitigation measures or alternatives which are considerably different from those analyzed in the MND would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative.

Since there was no change in the analysis regarding significant impacts and mitigation measures or alternatives presented in the IS/MND, none of the circumstances set forth in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or MND have occurred, and at most, the confirmation of location would require only a minor technical change to the previously-adopted IS/MND, the College prepared and approved an addendum to the MND. Although there was truly no technical change because the impacts of either Option A or Option B were already analyzed in the IS/MND, the Addendum was prepared to maximize transparency and to allow for public comment through consideration and adoption at a publicly noticed meeting.

Recommendation

It is recommended that the Board adopt Resolution #968 Determining that the Public Interest and Necessity Require Acquisition of Easements for Public Purposes and Authorizing Proceedings Under Education Code Section 70902(b)(13) and Title 7 of Part 3 of the Code of Civil Procedure, Including, but not Limited to, Sections 1240.120, 1240.125, and 1245.220, for a Portion of the Property Described as 4395 Monterey Road, Gilroy, California, Assessor's Parcel Number 808-23-004, for the Gilroy Campus Modernization Project.

BEFORE THE BOARD OF TRUSTEES OF THE
GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
SANTA CLARA COUNTY, CALIFORNIA

In the Matter of the Gilroy Campus Modernization Project) A RESOLUTION DETERMINING THAT THE) PUBLIC INTEREST AND NECESSITY REQUIRE) ACQUISITION OF EASEMENTS FOR PUBLIC) PURPOSES AND AUTHORIZING PROCEEDINGS) UNDER EDUCATION CODE SECTION 70902(b)(13)) AND TITLE 7 OF PART 3 OF THE CODE OF CIVIL) PROCEDURE, INCLUDING, BUT NOT LIMITED TO,) SECTIONS 1240.120, 1240.125, AND 1245.220, FOR A) PORTION OF THE PROPERTY DESCRIBED AS 4395) MONTEREY ROAD, GILROY, CALIFORNIA,) ASSESSOR'S PARCEL NUMBER 808-23-004, FOR THE) GILROY CAMPUS MODERNIZATION PROJECT
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WHEREAS, the Board of Trustees (the "Board") of the Gavilan Joint Community College District (the "College") determines that it is necessary to acquire certain real property, which is needed by the College for use in connection with the Gilroy Campus Modernization Project. Said real property is generally located on the west side of Santa Teresa Boulevard, between Mesa Road and Castro Valley Road, in the unincorporated area of Santa Clara County, south of the City of Gilroy. The property subject to this Resolution consists of a portion of a parcel of property, owned by Bert D. Millen and Gloria P. Millen, Trustees under Revocable Trust Agreement, Dated August 22, 1980; Linda Anne Pelliccione, Diana Marie Pelliccione, Lisa Anne Fellows, and Deborah Marie Sigala as Trustees of the Testamentary Trust Created by Judgment of Final Distribution filed March 9, 1990 in the Estate of Paul F. Pelliccione, also known as Paul Pelliccione, deceased, Case No. 121211, Superior Court of California, County of Santa Clara, and Recorded March 23, 1990 in Book L298, Page 52, Santa Clara County Official Records; Mark P. Millen, and Michael D. Millen (collectively, "Owners"), and located on the east side of Santa Teresa Boulevard. The entire parcel bears Assessor's Parcel Number 808-23-004 ("Property") and the property sought to be acquired consists of easement interests that are legally described in Exhibit "A" hereto and depicted in Exhibit "B" (the "Easements"); and

WHEREAS, the project for which this Resolution ("the Resolution of Necessity") is being considered is a water tank replacement project by the College as part of its Gilroy Campus Modernization Project, which is necessary to protect the safety of the College's students and faculty. Specifically, the College desires to add more water tank storage to reduce the refill rate of its tanks, as well as to add a second water well to provide redundancy and effectively double the College's well production rate (the "Project"). The Project is intended to respond to concerns raised by the Fire Marshal regarding fire supply recovery after a fire event on campus. Currently, the National Fire Protection Agency requires fire supply to be fully recovered in 8 hours, which would require the College's current well and pump to be modified to produce 1,300 GPM. This demand is beyond the capacity of the existing well. In addition to fire re-fill rates, the College also needs a back-up source of water in case the current well fails; and

WHEREAS, the Board approved the Project and a related Mitigated Negative Declaration (MND) for the Project pursuant to the provisions of the California Environmental Quality Act

("CEQA"; Pub. Resources Code, § 21000, *et seq.*; Cal. Code Regs., tit. 1 § 15000, *et seq.*) on November 13, 2012, and thereafter on March 11, 2014, approved an Addendum pursuant to CEQA; and

WHEREAS, a Notice of Hearing on the intent of the Board to adopt this Resolution of Necessity was mailed to all owners of record of the Property in accordance with California Code of Civil Procedure section 1245.235(a) and (b). Said Notice of Hearing advised said persons of their right to be heard on the matters referred to therein on the date and at the time and place stated therein; and

WHEREAS, the hearing set out on the Notice of Hearing was held on March 11, 2014, at the time and place stated in the Notice, and all interested parties were given an opportunity to be heard. The hearing was then closed and the matter considered by the Board for decision, all as required by law; and

WHEREAS, the Board has fully considered the agenda report and all references therein, any evidence and comments presented during the Board's consideration of this matter, and other reports pertaining to the Project presented to the Board at its March 11, 2014, Board meeting, all of which are incorporated herein by this reference, pertaining to the decision to approve the Project; and

WHEREAS, the Board received and considered all relevant factors, information, and evidence bearing on the findings herein.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE GAVILAN JOINT COMMUNITY COLLEGE DISTRICT, BY A VOTE OF NOT LESS THAN 2/3 OF ITS MEMBERS, DECLARES, FINDS AND RESOLVES AS FOLLOWS:

1. The foregoing recitals are true and correct and, by this reference, incorporated herein as if set forth in full. The agenda report pertaining to this Resolution of Necessity and all attachments to this Resolution are also incorporated by reference.

2. The College is authorized to acquire the Easements for the Project pursuant to Education Code Section 70902(b)(13) and Title 7 of Part 3 of the Code of Civil Procedure, including, but not limited to, Sections 1240.120, 1240.125, and 1245.220, and Section 19 of Article I of the California Constitution.

3. Based on all evidence presented in this matter, the Board of Trustees specifically finds and determines that:

- a. The public interest and necessity require the proposed Project. The acquisition of the Easements is necessary to add a second water well to provide redundancy and double the College's well production rate, to respond to concerns raised by the Fire Marshal regarding fire supply recovery after a fire event on the College's campus, and to provide a back-up source of water in case the current well fails.
- b. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The Easements are necessary for the proposed Project.
- d. The College has made pre-condemnation offers to acquire the Easements for the Project to the owners of record of the Property in accordance with California Government Code section 7267.2.

- e. The College has complied with all conditions and statutory requirements necessary to exercise the powers granted the College by Education Code Section 70902(b)(13) and Title 7 of Part 3 of the Code of Civil Procedure (“the right to take”) to acquire the Easements described herein.
- f. The College has fully complied with all provisions of the California Environmental Quality Act (Pub. Resources Code, §§ 21000, *et seq.*; Cal. Code Regs., tit. 14, §§ 15000, *et seq.*) for the Project.

4. The Property, and the Easements sought to be acquired, are located within the territorial boundaries of the College.

5. The College plans that the date of use of the Easements for the Project will be within seven years from the date the complaint for eminent domain proceedings is filed, pursuant to Code of Civil Procedure section 1240.220(a).

6. The College’s legal counsel is authorized and directed to institute and conduct to conclusion, in the name of the College, proceedings in accordance with the provisions of the Constitution of the State of California and pursuant to Education Code Section 70902(b)(13) and Title 7 of Part 3 of the Code of Civil Procedure to acquire the Easements, in the name of the College, and such other interests as may be necessary for construction and operation of the Project.

7. Legal counsel, and the College through its President or his designee, are authorized to deposit the probable amount of compensation with the Treasury of the State of California, to seek an order for a prejudgment possession consistent with the needs of the College, and to perform all other acts as convenient or necessary to acquire the Easements for the Project.

8. The President, and his designees, is also authorized to execute such agreements, certificates, deeds, and other instruments as may be necessary or convenient to facilitate acquisition of the Easements through voluntary Purchase Agreement in lieu of eminent domain, and to expend such funds as may be needed for said purposes.

This Resolution was adopted at a duly-called meeting of the Gavilan Joint Community College District held on March 11, 2014.

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

President, Board of Trustees

Attest:

Clerk, Board of Trustees

EXHIBIT A

LEGAL DESCRIPTION OF EASEMENTS

PARCEL 1

A permanent subsurface water pipeline easement and right-of-way ("Pipeline Easement") in favor of Grantee for the construction, reconstruction, alteration, replacement, expansion, enhancement and upgrade of underground water pipelines, laterals, and connections associated with the Water Well for the injection, removal, or distribution of water, and related appurtenances thereto (collectively, "Pipeline Improvements"), under the following described real property ("Pipeline Easement Area"):

SITUATE IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA

BEING PART OF THE LANDS DESCRIBED IN THAT CERTAIN GRANT DEED TO MICHAEL D. MILLEN DATED DECEMBER 3, 2009 AND RECORDED DECEMBER 18, 2009 AS DOCUMENT NO. 20545985 IN OFFICIAL RECORDS, SANTA CLARA COUNTY RECORDS AND ALSO BEING PART OF PARCEL 'A' AS SAID PARCEL IS SHOWN ON THAT RECORD OF SURVEY RECORDED JULY 21, 1945 IN BOOK 6 OF MAPS AT PAGE 55, SANTA CLARA COUNTY RECORDS;

BEING AN EASEMENT FOR THE PURPOSES SET FORTH HEREIN, 10.00 FEET IN WIDTH THE NORTHERN BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE NORTHEASTERN CORNER OF THAT WELL EASEMENT RECORDED IN BOOK 487 OR OFFICIAL RECORDS AT PAGE 425, SANTA CLARA COUNTY RECORDS, ON THE NORTHERN BOUNDARY OF PARCEL 'A' AS SAID PARCEL AND EASEMENT ARE SHOWN ON THAT RECORD OF SURVEY RECORDED JULY 21, 1945 IN BOOK 6 OF MAPS AT PAGE 55, SANTA CLARA COUNTY RECORDS FROM WHICH A FOUND 4" DIAMETER STEEL PIPE STANDING 4 FEET TALL AT THE SOUTHWESTERN CORNER OF THE LANDS OF "BOZZO BROTHERS" AS SHOWN ON THAT RECORD OF SURVEY RECORDED APRIL 23, 1956 IN BOOK 69 OF MAPS AT PAGE 24, SANTA CLARA COUNTY RECORDS BEARS SOUTH 69° 32' 30" WEST 161.70 FEET DISTANT AND A FOUND 1" IRON PIPE AT THE NORTHEASTERN CORNER OF PARCEL 'A' AS SAID PARCEL IS SHOWN ON THAT RECORD OF SURVEY RECORDED MARCH 30, 1966 IN BOOK 207 OF MAPS AT PAGE 23, SANTA CLARA COUNTY RECORDS BEARS SOUTH 69° 32' 30" WEST 799.70 FEET DISTANT ;

THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERN BOUNDARY OF SAID LANDS OF MILLEN, NORTH 69° 32' 30" EAST 784.30 FEET TO A POINT TO BE HEREINAFTER CALLED "POINT AA".

Together with the right to access the Pipeline Easement Area and to operate, maintain, inspect, and repair the Pipeline Improvements on an on-going basis, in accordance with the terms and restrictions set forth herein. Grantee's use of the Pipeline Easement Area shall be non-exclusive, except that any activity on or use of the Pipeline Easement Area inconsistent with the purposes of the Pipeline Easement is prohibited. Grantee shall have the right to remove any unauthorized obstructions or structures placed or erected on the Water Pipeline Easement Area. Grantee shall, at its sole cost and expense, maintain and keep the Pipeline Improvements in good order and condition, but shall have no obligation to

maintain the surface of the Pipeline Easement Area, except to the extent described by Grantee's activities authorized hereunder.

PARCEL 2

permanent water well easement and right-of-way ("Water Well Easement") in favor of the Gavilan Joint Community College District, a community college district in the State of California, its officers, contractors, employees, and agents (collectively, "Grantee"), for the construction, reconstruction, alteration, replacement, expansion, enhancement and upgrade an operational water well (the "Water Well"), including associated pumps, motors, engines, power wire poles, power wires, and the usual parts thereof and appurtenant thereto, and the laying of pipelines, laterals, and connections for the injection, removal, extraction, or distribution of water, and related appurtenances thereto, and related facilities including but not limited to conduit for signal wire and electrical wire to serve the control panel and Water Well (collectively, "Water Well Improvements"), upon, across, above, and under the following described real property ("Water Well Easement Area"):

SITUATE IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA

BEING PART OF THE LANDS DESCRIBED IN THAT CERTAIN GRANT DEED TO MICHAEL D. MILLEN DATED DECEMBER 3, 2009 AND RECORDED DECEMBER 18, 2009 AS DOCUMENT NO. 20545985 IN OFFICIAL RECORDS, SANTA CLARA COUNTY RECORDS AND ALSO BEING PART OF PARCEL 'A' AS SAID PARCEL IS SHOWN ON THAT RECORD OF SURVEY RECORDED JULY 21, 1945 IN BOOK 6 OF MAPS AT PAGE 55, SANTA CLARA COUNTY RECORDS;

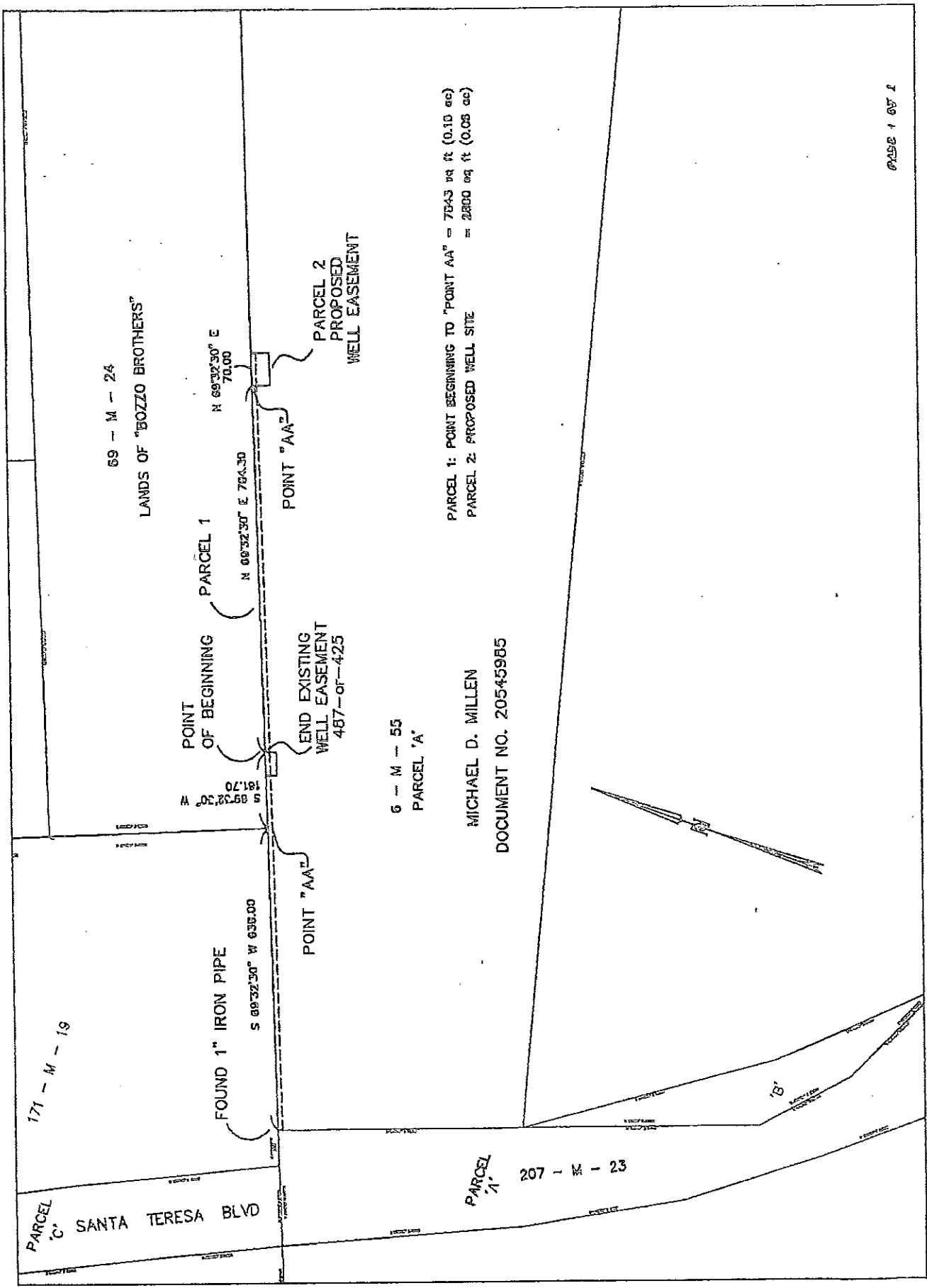
BEGINNING AT "POINT AA" ON THE SOUTHERN BOUNDARY OF SAID LANDS OF "BOZZO BROTHERS" AS SHOWN ON THAT RECORD OF SURVEY RECORDED APRIL 23, 1956 IN BOOK 69 OF MAPS AT PAGE 24, SANTA CLARA COUNTY RECORDS AS ABOVE DESCRIBED;

THENCE LEAVING SAID SOUTHERN BOUNDARY AT RIGHT ANGLES THERETO, SOUTH 20° 27' 30" EAST 40.00 FEET; THENCE NORTH 69° 32' 30" EAST 70.00 FEET; THENCE NORTH 20° 27' 30" WEST 40.00 FEET; THENCE SOUTH 69° 32' 30" WEST 70.00 FEET TO THE POINT OF BEGINNING.

Together with the right to access the Water Well Easement Area and operate, maintain, inspect, and repair the Water Well Improvements on an on-going basis, and to remove any unauthorized obstructions or structures placed or erected on the Water Well Easement Area, including but not limited to trees, shrubbery, or other plantings; fences, walls, roads, utilities, buildings, facilities, irrigation, or drainage systems; or other underground pipes, wells, or related appurtenances. Grantee shall have the right to fence off the Water Well Easement Area, and shall, at its sole cost and expense, maintain and keep the Water Well Easement Area and the Water Well Improvements in good order and condition.

EXHIBIT B
DEPICTION OF EASEMENTS

[ATTACHED]

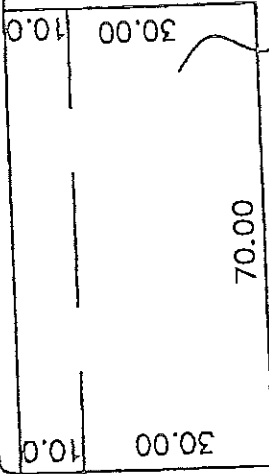


69 - M - 24
LANDS OF "BOZZO BROTHERS"

PARCEL 1: POINT BEGINNING TO "POINT AA" = 704.30 sq ft (0.10 ac)
 PARCEL 2: PROPOSED WELL SITE = 2800 sq ft (0.06 ac)

POINT "AA" S 69°32'30" W

70.00



40.00
N 20°27'30" W

S 20°27'30" E
40.00

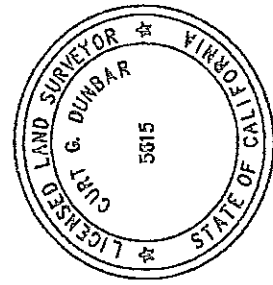
70.00
N 69°32'30" E

PROPOSED
WELL EASEMENT

ALPHA SURVEYING

PO BOX 1146
MORGAN HILL, CALIFORNIA 95038
(408) 645-4288

Curt Dunbar



CURT DUNBAR, PLS 5615

LICENSE RENEWAL DATE 9/30/2014

Gavilan Joint Community College District
Governing Board Agenda

March 11, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No.

Administrative Services

2. (e)

SUBJECT: Consider and Approve Resolution #969 to Accept Bid for Replacement of Water Supply System Project

- Resolution: BE IT RESOLVED, that Resolution #969 be approved.
- Information Only
- Action Item

Proposal:

That the Board of Trustees consider and approve Resolution #969 to accept the bid from Anderson Pacific Engineering Construction, Inc. for the Replacement of Water Supply Project.

Background:

The current domestic, fire, and potable water distribution system was constructed in 1966. In 2010, the State of California authorized funds to begin the preliminary planning to replace the water tank, distribution lines, and the well. After a lengthy environmental process, the bid for construction of the Water Supply Replacement Project closed on February 27, 2014. A total of four contractors participated in the bidding process. The apparent lowest responsible bidder has been identified as Anderson Pacific Engineering Construction, Inc. in the amount of \$4,375,000.

Attached is a letter providing a bid analysis from Gilbane, the construction managers, dated March 3, 2014. The letter includes a bid tabulation form.

Budgetary Implications:

The efficient use of State Capital Outlay funds and Measure E funds.

Follow Up/Outcome:

Upon Board approval, issue a Notice-to-Proceed.

Recommended By: Terry Newman, Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Senior Director of Administrative Services

Agenda Approval: Dr. Steven M. Kinsella for Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President



GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
RESOLUTION #969

ACCEPTANCE OF BID FOR REPLACEMENT OF WATER SUPPLY
SYSTEM PROJECT

WHEREAS, the Gavilan Joint Community College District has supported and pursued the replacement of the water tank, distribution lines, and well; and

WHEREAS, the District and the Chancellor's Office of the California Community Colleges have supported and approved the creation of Preliminary Plans and Drawings; and

WHEREAS, the District and the Chancellor's Office have supported and approved the completion of Working Drawings; and

WHEREAS, the District and the Chancellor's Office have approved the advertising for bid proposals for the Replacement of the Water Supply System; and

WHEREAS, the official bid opening took place at the District Office on February 27, 2014, at 2:00 p.m.; and

WHEREAS, the low bid was submitted by Anderson Pacific Engineering Construction, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Gavilan College Board of Trustees hereby accepts the construction bid proposal of Anderson Pacific Engineering Construction, Inc. for \$4,375,000.00 for the Replacement of the Water Supply System, contingent upon the acceptance, authorization to let the contract, and release of funds from the Chancellor's Office and the Department of Finance.

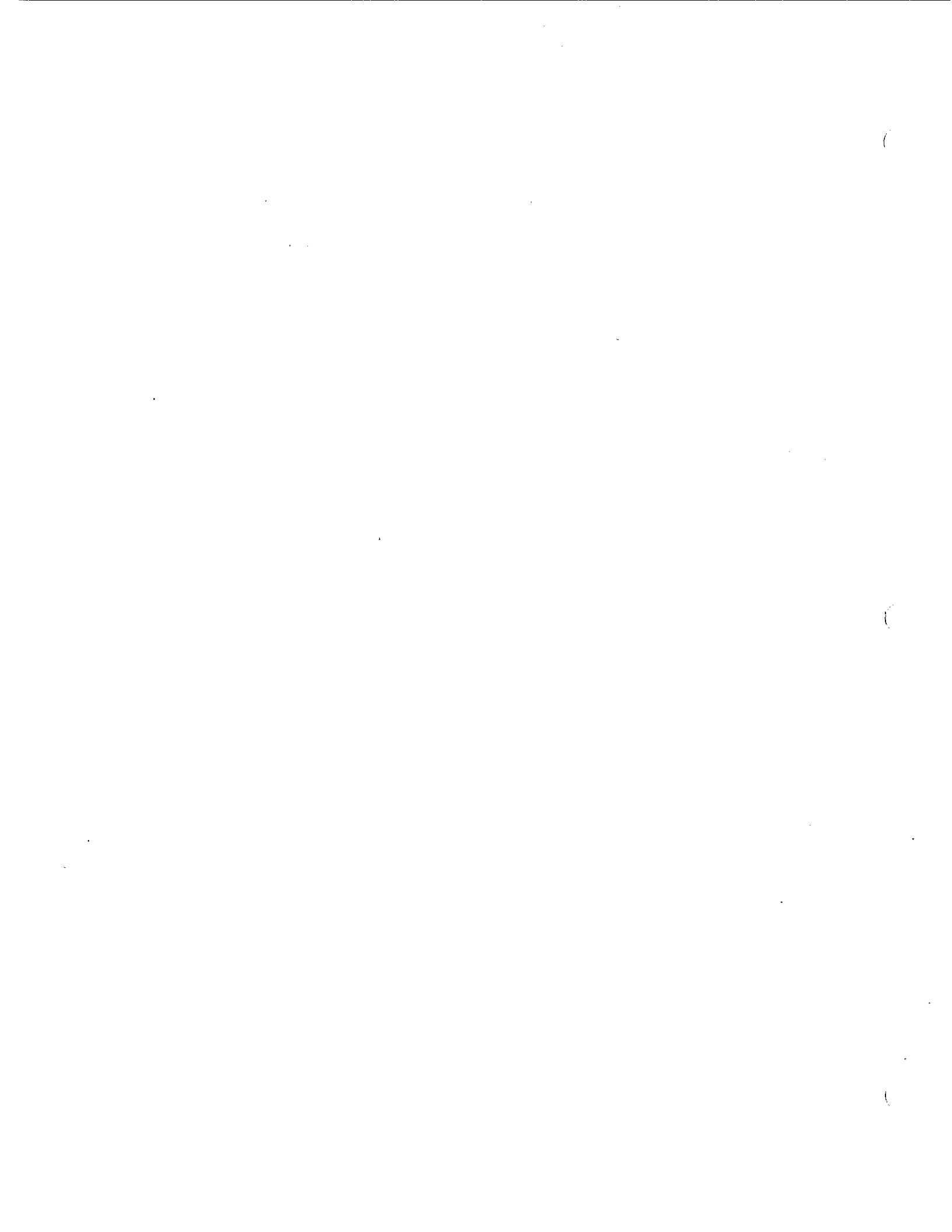
PASSED AND ADOPTED by the Governing Board of the Gavilan Joint Community College District this 11th day of March, 2014.

Dr. Steven M. Kinsella
Secretary to the Board of Trustees

AYES: _____

NOES: _____

ABSENT: _____





March 3, 2014

Ms. Terry Newman
Senior Director, Administrative Services
Gavilan Joint Community College District
5055 Santa Teresa Boulevard
Gilroy, CA 95020

Re: Bid Analysis
Water Storage Tank, Distribution, & Well Improvements
Gavilan Community College

Dear Terry:

We are pleased to provide our analysis of the bid results for the above referenced project. Gilbane reviewed the apparent low bidder, Anderson Pacific Engineering Construction Company's bid and determined that they submitted a responsive bid and appear to be a responsible bidder. Anderson Pacific Engineering Construction confirmed their base bid amount of \$4,375,000 and stated they would honor it.

Please refer to our analysis and findings below for more detail.

Bid Analysis

The following items were considered in our bid analysis:

1. Comparative Pricing
2. Bond Review
3. Company History
4. Bid Form Review
5. Reference Check
6. Contractor License Check

1. Comparative Pricing (See attached Bid Tabulation Form)

A. Budget	\$5,328,000
B. Low Responsive Bid	\$4,375,000
C. Average Bid	\$4,719,416
D. High Bid	\$5,340,000
E. Number of Contractors Contacted	25
F. Number of Plan Holders	19
G. Number of Potential Bidders (Mandatory Pre-Bid Walk)	10
H. Number of Bidders	4

1798 Technology Drive * San Jose, CA 95110
Fax (408) 660-4402 * Phone (408) 660-4416

2. Bond Review

A. Contractor's Bid Bond

Anderson Pacific Engineering Construction has provided a Bid Bond in the required amount of 10% of their bid amount. The surety is Liberty Mutual. Their address is 175 Berkeley Street, Boston, Massachusetts, 021126. The contact number is (415) 486-7576.

B. Contractor's License Bond

All California contractors are required to file a bond with the State in the amount of \$12,500. The bond number is 5415451 and the effective date is 1/01/07 with Safeco Insurance Company of America. Their address is 175 Berkeley Street, Boston, Massachusetts, 02116.

3. Company History & Experience

Anderson Pacific Engineering Construction has indicated they have been in the general contracting business under this name for 47 years.

4. Bid Form Review

A. Contractor's Proposal Form	No Exception Taken
B. Bid Pricing	No Exception Taken
C. Addenda Acknowledgement	No Exception Taken
D. Contractor's License Information	No Exception Taken
E. Subcontractor's List	No Exception Taken
F. Non-Collusion Affidavit	No Exception Taken
G. Bid Security	No Exception Taken

5. Reference Check

A. Stanford University – The owner's representative stated Anderson Pacific Engineering Construction Company has performed a couple of projects successfully for them. These projects varied in sizes. He mentioned that they were cooperative and team oriented and had minimal problems with budget or schedule issues. He said if he could he would hire Anderson Pacific Engineering Construction Company for all his projects. He said he recommends Anderson Pacific Engineering Construction Company for the Water Storage Tank, Distribution, & Well Improvements.

B. Infrastructure Engineering – Keith Marshal from Infrastructure Engineering highly recommends Anderson Pacific Engineering Construction. He stated that Anderson Pacific Engineering Construction Company worked with him on an 8 million gallon water reservoir for the city of Mountain View. He stated there were no budget problems with the project and the project ran smoothly. He also mentioned that Anderson

Pacific Engineering Construction was proactive on Request for Information (RFI). Anderson Pacific Engineering Construction never submitted frivolous RFIs and any change orders submitted complemented the project.

6. Contractor License Check
- | | |
|-----------------------------|--|
| A. License Number: | 245215 |
| B. License Status: | Current and Active |
| C. License Issued to: | Anderson Pacific Engineering Construction, Inc. |
| D. Expiration Date: | 7/31/14 |
| E. County of Incorporation: | Santa Clara |
| F. Claims Against License: | No citations or cases on record |
| G. Type of License(s): | A – General Engineering
B – General Building
C10 - Electrical
HAZ – Hazardous Substance Removal |

If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

Edgar S. Esquivel

Edgar S. Esquivel
Project Manager

Enclosures: Bid Tabulation Form

cc: Dean Aron Tatsuno , IBI Group
Casey Michaelis , Gilbane

APRIL 8, 2014

Gavilan Joint Community College District
Governing Board Agenda

April 8, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.

Administrative Services

Old Business Agenda Item No.
New Business Agenda Item No. 2. (d)

SUBJECT: Consider and Accept Bid for the Parking Lot C Expansion Project

- Resolution: BE IT RESOLVED,
 Information Only
 Action Item

Proposal:

That the Board of Trustees consider and accept the bid from Monterey Peninsula Engineering for the Parking Lot C Extension Project.

Background

In the summer of 2014, The Gilroy Early College Academy (GECA) will be expanding and reconfiguring its site at the north end of parking Lot C. To replace lost parking at the north end and to create an additional exit from Lot C, the College will expand Lot C at the southern end of the lot and create access to the south end of the loop road.

The bid for the Parking Lot C Expansion Project closed on March 19, 2014, after a Pre Bid Conference held on March 6, 2014. A total of seven (7) contractors participated in the bidding process. The apparent lowest responsible bidder has been identified as Monterey Peninsula Engineering in the amount of \$658,000.

Attached is a letter providing a bid analysis from Gilbane, the construction managers, dated March 24, 2014. The letter includes a bid tabulation form.

Budgetary Implications:

The efficient use of Measure E Funds.

Follow Up/Outcome:

Upon Board approval, issue a Notice-to-Proceed.

Recommended By: Terry Newman, Interim Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Interim Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

APPROVED BY THE BOARD OF TRUSTEES
DATE 4/8/14

a. Oruppa



March 24, 2014

Ms. Terry Newman
Senior Director, Administrative Services
Gavilan Joint Community College District
5055 Santa Teresa Boulevard
Gilroy, CA 95020

Re: Bid Analysis
Parking Lot C Extension
Gavilan Community College

Dear Terry:

We are pleased to provide our analysis of the bid results for the above referenced project.

Gilbane reviewed the apparent low bidder, Monterey Peninsula Engineering's bid and determined that they submitted a responsive bid and appear to be a responsible bidder. Monterey Peninsula Engineering confirmed their base bid amount of \$658,000 and stated they would honor it.

Please refer to our analysis and findings below for more detail.

Bid Analysis

The following items were considered in our bid analysis:

1. Comparative Pricing
2. Bond Review
3. Company History
4. Bid Form Review
5. Reference Check
6. Contractor License Check

1. Comparative Pricing (See attached Bid Tabulation Form)

A.	Budget	\$1,000,000
B.	Low Responsive Bid	\$658,000
C.	Average Bid	\$726,003
D.	High Bid	\$910,000
E.	Number of Contractors Contacted	23
F.	Number of Plan Holders	15
G.	Number of Potential Bidders (Mandatory Pre-Bid Walk)	14
H.	Number of Bidders	7

2. **Bond Review**

A. **Contractor's Bid Bond**

Monterey Peninsula Engineering has provided a Bid Bond in the required amount of 10% of their bid amount. The surety is The Continental Insurance Company. Their address is 555 Mission Street # 200, San Francisco, California, 94105. The contact number is (415) 932-7174.

B. **Contractor's License Bond**

All California contractors are required to file a bond with the State in the amount of \$12,500. The bond number is 929541042 and the effective date is 4/19/12 with Continental Insurance Company. Their address is Po Box 5077, Sioux Falls, South Dakota, 57117-5077.

3. **Company History & Experience**

Monterey Peninsula Engineering has indicated they have been in the general contracting business under this name for 34 years.

4. **Bid Form Review**

A. Contractor's Proposal Form	No Exception Taken
B. Bid Pricing	No Exception Taken
C. Addenda Acknowledgement	No Exception Taken
D. Contractor's License Information	No Exception Taken
E. Subcontractor's List	No Exception Taken
F. Non-Collusion Affidavit	No Exception Taken
G. Bid Security	No Exception Taken

5. **Reference Check**

A. California State University Monterey Bay – The project manager Katy Timmerman at CSUMB stated Monterey Peninsula Engineering has performed a couple of projects successfully for them. The most recent project was an Intergarrison Road Improvements project. These projects varied in sizes. Katy mentioned that they were cooperative and team oriented and had minimal problems with budget or schedule issues. Katy said Monterey Peninsula Engineers did such a good job she has short listed them for future projects. Katy said she recommends Monterey Peninsula Engineering for the Parking Lot C Extension project.

B. Wald Ruhnke & Dost Architects – WRD Architects has worked on multiple projects with Monterey Peninsula Engineering at Monterey Peninsula Unified School District. WRD Architects highly recommends Monterey Peninsula Engineering. WRD Architects stated they were very satisfied with Monterey Peninsula Engineering's work. Monterey Peninsula Engineering kept to the schedule and there quality of work was

to their expectation. WRD stated they will definitely use Monterey Peninsula Engineering again.

6. Contractor License Check
- | | | |
|----|--------------------------|---|
| A. | License Number: | 972425 |
| B. | License Status: | Current and Active |
| C. | License Issued to: | Monterey Peninsula Engineering
A Partnership |
| D. | Expiration Date: | 4/30/14 |
| E. | County of Incorporation: | Monterey |
| F. | Claims Against License: | No citations or cases on record |
| G. | Type of License(s): | A – General Engineering
B – General Building
HAZ – Hazardous Substance
Removal |

If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

Edgar S. Esquivel

Edgar S. Esquivel
Project Engineer

Enclosures: Bid Tabulation Form

cc: Dean Aron Tatsuno , IBI Group
Casey Michaelis , Gilbane



PRELIMINARY RESULTS

Bid Recording Sheet		Project: Gavilan Community College										Bid Due Date/Time: 3/19/14 @ 2:00 pm			
ITEM: Gavilan Community College Parking Lot C Extension		Monitory Peninsula Engineers	Don Chapin	Trinchero Construction	Granta Construction	O'Grady Paving	Galeb Paving	American Asphalt							
Bid Amount															
Bid Proposal		Yes	Yes	Yes	Yes	Yes	Yes	Yes							
Bid Security		Yes	Yes	Yes	Yes	Yes	Yes	Yes							
Subcontractors List		Yes	Yes	Yes	Yes	Yes	Yes	Yes							
Statement of Qualifications		Yes	Yes	Yes	Yes	Yes	Yes	Yes							
Non Collusion Affidavit		Yes	Yes	Yes	Yes	Yes	Yes	Yes							
Contractor License		Yes	Yes	Yes	Yes	Yes	Yes	Yes							
Addendum Acknowledgment		Yes	Yes	Yes	Yes	Yes	Yes	Yes							
Bid Total		\$658,000.00	\$679,200.00	\$685,400.00	\$708,422.00	\$716,000.00	\$726,000.00	\$810,000.00							

Notes:

MAY 13, 2014

**Gavilan Joint Community College District
Governing Board Agenda**

May 13, 2014

Consent Agenda Item No. 6. (g) Administrative Services
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No.

SUBJECT: Measure E Bond Quarterly Financial Status Report at March 31, 2014

Resolution: BE IT RESOLVED,

Information Only

Action Item

Proposal:

That the Board of Trustees review the Measure E Bond Quarterly Financial Status Report

Background:

Attached is the Measure E Bond Quarterly Preliminary Financial Status Report for the period January 1, 2014 to March 31, 2014. The column titled "Budget" is based on the Board approved Measure E Master Budget as of January 14, 2014. The expenditures are accounted for on a cash basis during the fiscal year; during year end some accrued expenses are included in the amounts.

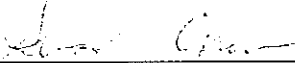
Budgetary Implications:

The efficient use of Measure E Bond Program Funds.

Follow Up/Outcome:

Continue to monitor the Measure E Bond program finances.

Recommended By: Susan Cheu, Chief Financial Officer

Prepared By: 
Susan Cheu, Chief Financial Officer

Agenda Approval: 
Dr. Steven M. Kinsella, Superintendent/President



Gavilan Joint Community College District
 Measure E Bond Quarterly Financial Status Interim Report
 Received and Expended to Date for Qtr 3 Fiscal Year 2013-2014 (1/01/2014-3/31/2014)
 Based on Board Approved December 2013 Budget

Project/Vendor	Description of Services	Budget	Expended	Balance	Notes
Revenue					
<u>Proceeds from Bond Sales</u>			\$ 108,000,000		
Cost of Issuance			\$ (255,000)		
Total Proceeds from Bond Sales			\$ 107,745,000		
Bond Implementation Costs			\$ (188,623)		
<u>Reimbursement of Bond Expenses</u>			\$ 164,456		
Premium Adjustment			\$ (13,175)		
<u>Agricultural Lease</u>			\$ 6,920		
<u>Bond Interest</u>					
	Fiscal Year 2003-04		\$ 9,988		
	Fiscal Year 2004-05		\$ 562,662		
	Fiscal Year 2005-06		\$ 1,045,177		
	Fiscal Year 2006-07		\$ 976,676		
	Fiscal Year 2007-08		\$ 1,281,565		
	Fiscal Year 2008-09		\$ 735,130		
	Fiscal Year 2009-10		\$ 100,247		
	Fiscal Year 2010-11		\$ 62,460		
	Fiscal Year 2011-12		\$ 204,720		
	Fiscal Year 2012-13		\$ 158,143		
	Fiscal Year 2013-14		\$ 60,231		
	Subtotal Bond Interest		\$ 5,196,999		
	<u>Parking Fund Contribution</u> Fiscal Year 2007-08		\$ 250,000		Non Measure "E" Fund
	<u>Scheduled Maintenance Contribution</u> Fiscal Year 2008-2009		\$ 217,138		Non Measure "E" Fund
Total Revenue			\$ 113,378,716		

Expenditures

1 Program

660060 - Program Contingency		\$ 5,798,211			
	Total Costs through 12/31/2013		\$ -		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ -	\$ 5,798,211	
660360 - Planning - District		\$ 300,000			
	Total Costs through 12/31/2013		\$ 97,510		
	5810 - Legal Services		\$ 999		
	5831 - Contracted Services		\$ 4,560		
	Total Costs through 3/31/2014		\$ 103,069	\$ 196,931	
660560 - Planning - Main Campus		\$ 4,949,686			
	Total Costs through 12/31/2013		\$ 4,591,082		
	5831 - Contracted Services		\$ (8,436)		
	Total Costs through 3/31/2014		\$ 4,582,646	\$ 367,040	2
662260 - Coyote Valley Ed Center		\$ 50,000			
	Total Costs through 12/31/2013		\$ 13,585		
	No Invoices this Period				
	Total Costs through 3/31/2014		\$ 13,585	\$ 36,415	
663260 - Hollister Ed Center		\$ 50,000			
	Total Costs through 12/31/2013		\$ 8,225		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 8,225	\$ 41,775	

Gavilan Joint Community College District
Measure E Bond Quarterly Financial Status Interim Report
Received and Expended to Date for Qtr 3 Fiscal Year 2013-2014 (1/01/2014-3/31/2014)
Based on Board Approved December 2013 Budget

Project/Vendor	Description of Services	Budget	Expended	Balance	Notes
2 Land Acquisition					
662060/662160 - Coyote Valley Prop (Property/Develop)		\$ 21,324,060			
	Total Costs through 12/31/2013		\$ 21,023,523		
	5810 - Legal Services		\$ 4,083		
	5831 - Contracted Services		\$ 45,588		
	Total Costs through 3/31/2014		\$ 21,073,194	\$ 250,866	
663060/663160 - San Benito Prop (Property/Develop)		\$ 9,838,755			
	Total Costs through 12/31/2013		\$ 9,194,072		
	5810 - Legal Services		\$ 2,751		
	5831 - Contracted Services		\$ 7,310		
	Total Costs through 3/31/2014		\$ 9,204,134	\$ 634,621	
664060 - Land Residual		\$ 2,863,885			
	Total Costs through 12/31/2013		\$ -		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ -	\$ 2,863,885	
665060 - Local Funds Off-Site Development		\$ 3,430,514			
	Total Costs through 12/31/2013		\$ 69,998		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 69,998	\$ 3,360,516	
3 Current Projects					
670260-1 - HVAC Control Replacement		\$ 200,000			
	Total Costs through 12/31/2013		\$ 410,645		
	5630 - Repairs & Maintenance		\$ 41,843		
	5831 - Contracted Services		\$ (6,233)		
	Total Costs through 3/31/2014		\$ 446,255	\$ (246,255)	3
670360-1 - Electrical Service Loop		\$ 150,000			
	Total Costs through 12/31/2013		\$ 155,181		
	5630 - Repairs & Maintenance		\$ 7,114		
	Total Costs through 3/31/2014		\$ 162,295	\$ (12,295)	
670560 - Physical Education Building		\$ 7,539,164			
	Total Costs through 12/31/2013		\$ 3,500		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 3,500	\$ 7,535,664	
671260 - Student Center Beam Replacement		\$ 186,000			
	Total Costs through 12/31/2013		\$ 185,481		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 185,481	\$ 519	
671360-1 Demo CJ500, Old Acad. PB Rebuild		\$ 300,000			
	Total Costs through 12/31/2013		\$ -		
	4510 - Office Supplies		\$ -		
	Total Costs through 3/31/2014		\$ -	\$ 300,000	
671460 - South County Airport Development		\$ 2,600,000			
	Total Costs through 12/31/2013		\$ 103,250		
	5810 - Legal Services		\$ 297		
	5831 - Contracted Services		\$ 158		
	Total Costs through 3/31/2014		\$ 103,704	\$ 2,496,296	
671560 - GECA Relocation Parking Lot C		\$ 1,500,000			
	Total Costs through 12/31/2013		\$ 312,846		
	5810 - Legal Services		\$ 3,429		
	5825-Administrative Fee		\$ 2,500		
	5831 - Contracted Services		\$ 10,084		
	Total Costs through 3/31/2014		\$ 328,859	\$ 1,171,141	

Gavilan Joint Community College District
Measure E Bond Quarterly Financial Status Interim Report
Received and Expended to Date for Qtr 3 Fiscal Year 2013-2014 (1/01/2014-3/31/2014)
Based on Board Approved December 2013 Budget

Project/Vendor	Description of Services	Budget	Expended	Balance	Notes
671660 - Furniture and Equipment Upgrade		\$ -			
	Total Costs through 12/31/2013		\$ 1,160		
	5831 - Contracted Services		\$ 500		
	6400 - Fixed Assets to \$5,000		\$ 1,633		
	Total Costs through 3/31/2014		\$ 3,292	\$ (3,292)	
672360 - Scheduled Maintenance (Match for FY 13/14)		\$ 259,000			
	Total Costs through 12/31/2013				
	No Invoices this Period				
	Total Costs through 3/31/2014		\$ -	\$ 259,000	
672460 - Instructional Equipment (Match for FY 13/14)		\$ 677,000			
	Total Costs through 12/31/2013				
	6400 - Fixed Assets to \$5,000		\$ 10,270		
	6405-Fixed Assets over \$5,000		\$ 54,774		
	Total Costs through 3/31/2014		\$ 65,044	\$ 611,956	
672560 - Scheduled Maintenance (Match for FY 14/15)		\$ 150,000			
	Total Costs through 12/31/2013				
	No Invoices this Period				
	Total Costs through 3/31/2014		\$ -	\$ 150,000	
672660 - Instructional Equipment (Match for FY 14/15)		\$ 350,000			
	Total Costs through 12/31/2013				
	No Invoices this Period				
	Total Costs through 3/31/2014		\$ -	\$ 350,000	
673060 - Multi-Purpose Building Upgrades		\$ -			
	Total Costs through 12/31/2013				
	5831 - Contracted Services		\$ 12,025		
	Total Costs through 3/31/2014		\$ 12,025	\$ (12,025)	
673160 - CDC Reconfiguration & Upgrade		\$ -			
	Total Costs through 12/31/2013				
	No Invoices this Period				
	Total Costs through 3/31/2014		\$ -	\$ -	
680560 - Water Replacement Project		\$ 500,000			
	Total Costs through 12/31/2013		\$ 68,581		
	5810 - Legal Services		\$ 11,796		
	5831 - Contracted Services		\$ (10,852)		2
	Total Costs through 3/31/2014		\$ 69,525	\$ 430,475	
680660 - Technology, Phase 2		\$ 100,000			
	Total Costs through 12/31/2013				
	6400 - Fixed Assets to \$5,000		\$ 1,020		
	6405-Fixed Assets over \$5,000		\$ 37,257		
	Total Costs through 3/31/2014		\$ 38,277	\$ 61,723	
680760 - Computer Replacement, Phase 2		\$ 250,000			
	Total Costs through 12/31/2013				
	6400 - Fixed Assets to \$5,000		\$ 3,252		
	6405-Fixed Assets over \$5,000		\$ 11,011		
	Total Costs through 3/31/2014		\$ 14,263	\$ 235,737	

INACTIVE PROJECTS

670760 - Student Center/Administration		\$ -			
	Total Costs through 12/31/2013		\$ -		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ -	\$ -	
670960 - Library/Media		\$ -			
	Total Costs through 12/31/2013		\$ -		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ -	\$ -	

Gavilan Joint Community College District
 Measure E Bond Quarterly Financial Status Interim Report
 Received and Expended to Date for Qtr 3 Fiscal Year 2013-2014 (1/01/2014-3/31/2014)
 Based on Board Approved December 2013 Budget

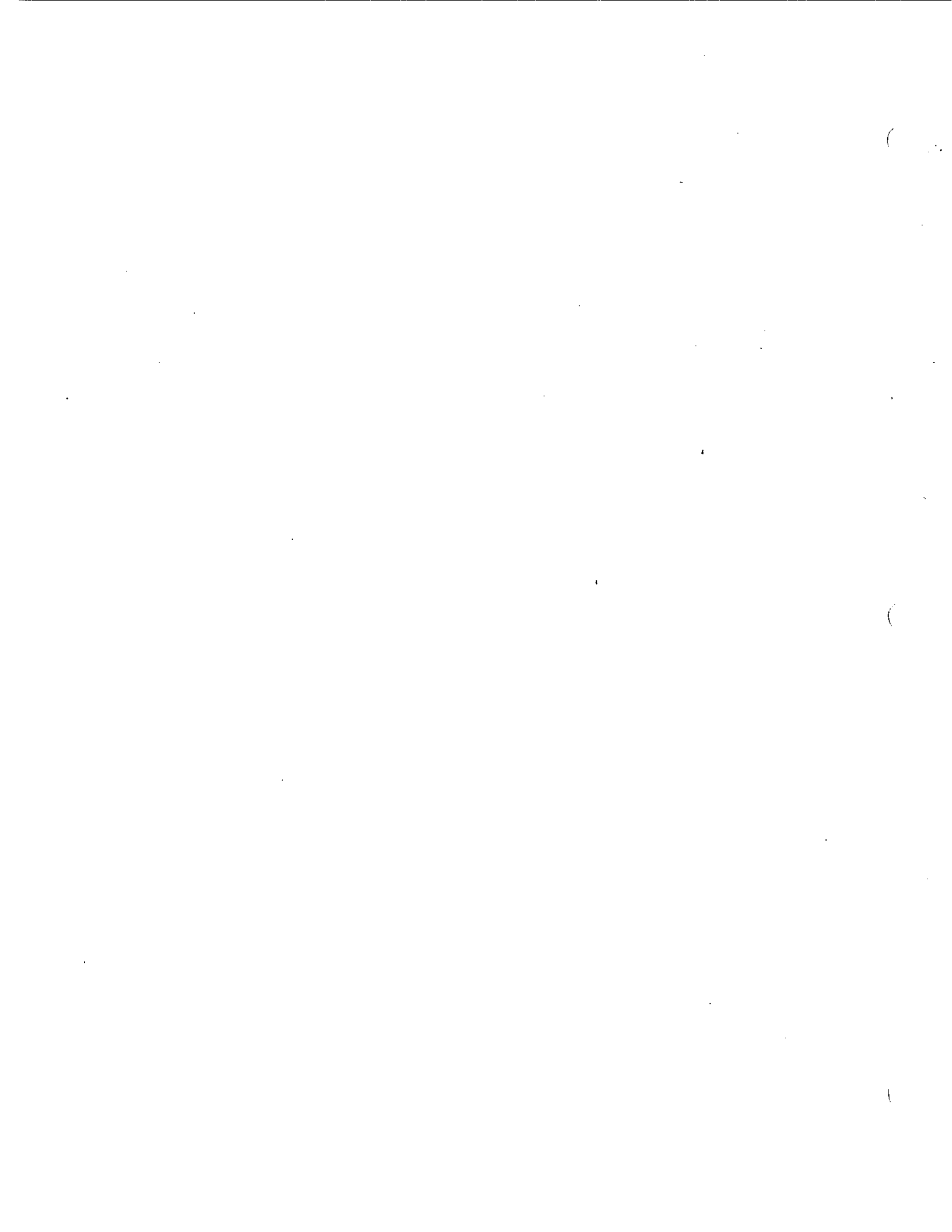
Project/Vendor	Description of Services	Budget	Expended	Balance	Notes
CLOSED PROJECTS					
670060/671460 - Campus Infrastructure/Tech		\$ 8,036,484			
	Total Costs through 12/31/2013		\$ 8,036,484		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 8,036,484	\$ -	
670160 - Tennis Court Renovations		\$ 111,859			
	Total Costs through 12/31/2013		\$ 111,859		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 111,859	\$ -	
670260 - Interim Housing/Swing Space		\$ 4,416,466			
	Total Costs through 12/31/2013		\$ 4,416,466		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 4,416,466	\$ -	
670360 - Math, Physical Science, Life Science		\$ 6,081,010			
	Total Costs through 12/31/2013		\$ 6,081,010		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 6,081,010	\$ -	
670460 - Occupational ED (OE)		\$ 4,706,936			1
	Total Costs through 12/31/2013		\$ 4,706,937		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 4,706,937	\$ (1)	
670660 - Humanities/Art/Music Hall		\$ 4,398,348			
	Total Costs through 12/31/2013		\$ 4,398,348		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 4,398,348	\$ -	
670860 - Cosmetology/Business		\$ 3,903,843			
	Total Costs through 12/31/2013		\$ 3,903,843		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 3,903,843	\$ -	
671060 - Social Sciences		\$ 3,917,858			
	Total Costs through 12/31/2013		\$ 3,917,858		
	5810 - Legal Services		\$ 177		
	Total Costs through 3/31/2014		\$ 3,918,035	\$ (177)	
671160 - Security/Maintenance Building		\$ 1,432,750			
	Total Costs through 12/31/2013		\$ 1,432,750		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 1,432,750	\$ -	
671260 - Cafeteria Renovations & HVAC		\$ 217,419			
	Total Costs through 12/31/2013		\$ 217,419		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 217,419	\$ -	
671360 - Parking Lot/Campus Lighting		\$ 4,437,518			
	Total Costs through 12/31/2013		\$ 4,437,518		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 4,437,518	\$ 0	
680160 - Technology / ERP System		\$ 3,511,130			
	Total Costs through 12/31/2013		\$ 3,511,130		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 3,511,130	\$ -	

Gavilan Joint Community College District
 Measure E Bond Quarterly Financial Status Interim Report
 Received and Expended to Date for Qtr 3 Fiscal Year 2013-2014 (1/01/2014-3/31/2014)
 Based on Board Approved December 2013 Budget

Project/Vendor	Description of Services	Budget	Expended	Balance	Notes
680360 - Computer / Phone System		\$ 1,111,376			
	Total Costs through 12/31/2013		\$ 1,111,376		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 1,111,376	\$ -	
680460 - Existing Well Replacement		\$ 70,947			
	Total Costs through 12/31/2013		\$ 70,947		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 70,947	\$ 0	
- Debt Payment		\$ 3,625,796			
	Total Costs through 12/31/2013		\$ 3,625,796		
	No Invoices this Period		\$ -		
	Total Costs through 3/31/2014		\$ 3,625,796	\$ -	
Total Previous Expended (Through 12/31/2013)			\$ 86,218,380		
Total Invoices this Period (1/1/2014 through 3/31/2014)			\$ 248,909		
Total Expended to Date (Through 3/31/2014)			\$ 86,467,290		
Total Construction Budget		\$ 113,346,015		\$ 26,878,725	
Total Revenue to Date			\$ 113,378,716		
Cash Balance				\$ 26,911,426	

Notes:

- 1 Occ Ed project budget contains funding for Science and Gym roof repairs
- 2 Moved expenses to Fund 340 for State Reimbursement
- 3 PG&E Refund for Chiller Controls Installation-Optimization Project



Gavilan Joint Community College District
Governing Board Agenda

May 13, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No. 1.(i)

Administrative Services

SUBJECT: Rodriguez Real Estate Services, LLC 3rd Amendment for Consulting Services related to Campus and Off-Site Land Development Projects

Resolution: BE IT RESOLVED,

Information Only

Action Item

Proposal:

That the Board of Trustees approve Rodriguez Real Estate Services, LLC 3rd Amendment for Consulting Services related to campus and off-site land development projects.

Background:

On April 10, 2012, the Board ratified an Agreement for Consulting Services with David Rodriguez Real Estate Consulting for that fiscal year. On July 10, 2012 a 1st amendment to the agreement extended the term until June 30, 2013. On September 10, 2013 a 2nd Amendment to the Agreement identified a change of the consultant's business name to Rodriguez Real Estate Services, LLC in addition to extending the term of the contract. A 3rd Amendment s being presented with the following items noted:

- Continue basic services to provide real estate consulting services for interim educational centers, location for police academy, and well replacement for Gilroy campus.
- Extension of agreement term from June 30, 2014 to June 30, 2015
- Additional consulting service fees not to exceed \$75,000.

Budgetary Implications:

The efficient use of State Capital Outlay and Measure E Bond Program Funds.

Follow Up/Outcome:

Process the agreement.

Recommended By: Terry Newman, Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

APPROVED BY THE BOARD OF TRUSTEES

DATE 5/13/14

A. Drapeau

**THIRD AMENDMENT TO AGREEMENT
FOR CONSULTANT SERVICES**

This Third Amendment to Agreement for Consultant Services ("3rd Amendment") is entered into this 14th day of May, 2014 by and between Gavilan Joint Community College District ("District") and Rodriguez Real Estate Services, LLC ("Consultant") with reference to the following Recitals, all of which are incorporated herein by this reference.

WHEREAS, on or about April 1, 2012, the District and the Consultant entered into a written agreement entitled "Agreement for Consultant Services" ("Agreement") which set forth terms and conditions for certain real estate consulting services to be completed by the Consultant for the District.

WHEREAS, on or about July 11, 2012, the District and the Consultant entered into a written amendment to the Agreement entitled "First Amendment to Agreement for Consultant Services" ("1st Amendment") which modified the consulting services to be completed by the Consultant under the Agreement, the compensation due the Consultant from the District for the revised scope of consulting services and extended the Term of the Agreement to June 30, 2013.

WHEREAS, on or about September 10, 2013, the District and the Consultant entered into a written amendment to the Agreement entitled "Second Amendment to Agreement for Consultant Services" ("2nd Amendment") which modified the business name and form of entity to Rodriguez Real Estate Services, LLC., consulting services to be completed by the Consultant under the Agreement, the compensation due the Consultant from the District for the revised scope of consulting services and extended the Term of the Agreement to June 30, 2014.

WHEREAS, the District and the Consultant desire to amend terms and conditions of the Agreement and the 1st and 2nd Amendment, as set forth herein.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is acknowledged by the District and the Consultant, the District and the Consultant agree as follows:

1. Extension of Agreement Term. The Term of the Agreement is extended from June 30, 2014 to June 30, 2015 ("Extended Term").
2. Adjustment of Contract Price. The Contract Price under Paragraph 3.1 of the Agreement is modified by this 3rd Amendment. For the Consultant Services authorized and directed by the District during the Extended Term, the Consultant shall be paid a not to exceed Contract Price of an additional Seventy Five Thousand Dollars (\$75,000) based on the Consultant's billing rate of One Hundred Ten Dollars (\$110) per hour.
3. No Other Modifications. Except as expressly set forth above, there are no other modifications or amendments to the Agreement or the 1st Amendment.

IN WITNESS HEREOF, the District and the Consultant have executed this 3rd Amendment as of the date set forth above.

District
Gavilan Joint Community College District

Consultant
Rodriguez Real Estate Services, LLC, in
its own capacity and as successor in
interest to David Rodriguez Real Estate
Consulting

By _____

By _____

Title _____

Title _____

Gavilan Joint Community College District
Governing Board Agenda

May 13, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No. 1. (o)

Administrative Services

SUBJECT: BFGC-IBI Group Architecture and Planning Project Assignment Amendments (PAAs)

Resolution: BE IT RESOLVED,

Information Only

Action Item

Proposal:

That the Board of Trustees approve BFGC-IBI Group Architecture and Planning (BFGC) Project Assignment Amendment (PAA) for three (3) projects listed below.

Background:

On July 12, 2011, the Board ratified an On-Going Architectural Services Agreement with BFGC-IBI Group Architecture and Planning. The Architectural Services Agreement stipulates that for each individual district project, a separate Project Assignment Amendment (PAA) will be entered into.

Project Assignment Amendment for Construction Oversight on the Water System Replacement:

- Basic services to provide construction and post-construction services.
- Basic service fees not to exceed \$85,248.
- Design consultants such as structural, plumbing, and, electrical are included in basic services.

Project Assignment Amendment, Revision #01, for Master Planning Services for Coyote Valley:

- Basic services to provide architectural services for pre-design and design consultants in electrical, cost consulting, and planning consulting.
- Basic service fees not to exceed \$85,000.
- Design consultants such as structural, geotechnical, CEQA, hazmat, and educational are not included in basic services.

Project Assignment Amendment for Maintenance Projects Consulting:

- Basic services to provide pre-design services
- Basic service fees not to exceed \$25,000.

Budgetary Implications:

The efficient use of State Capital Outlay, Proposition 39, and Measure E Bond Program Funds.

Follow Up/Outcome:

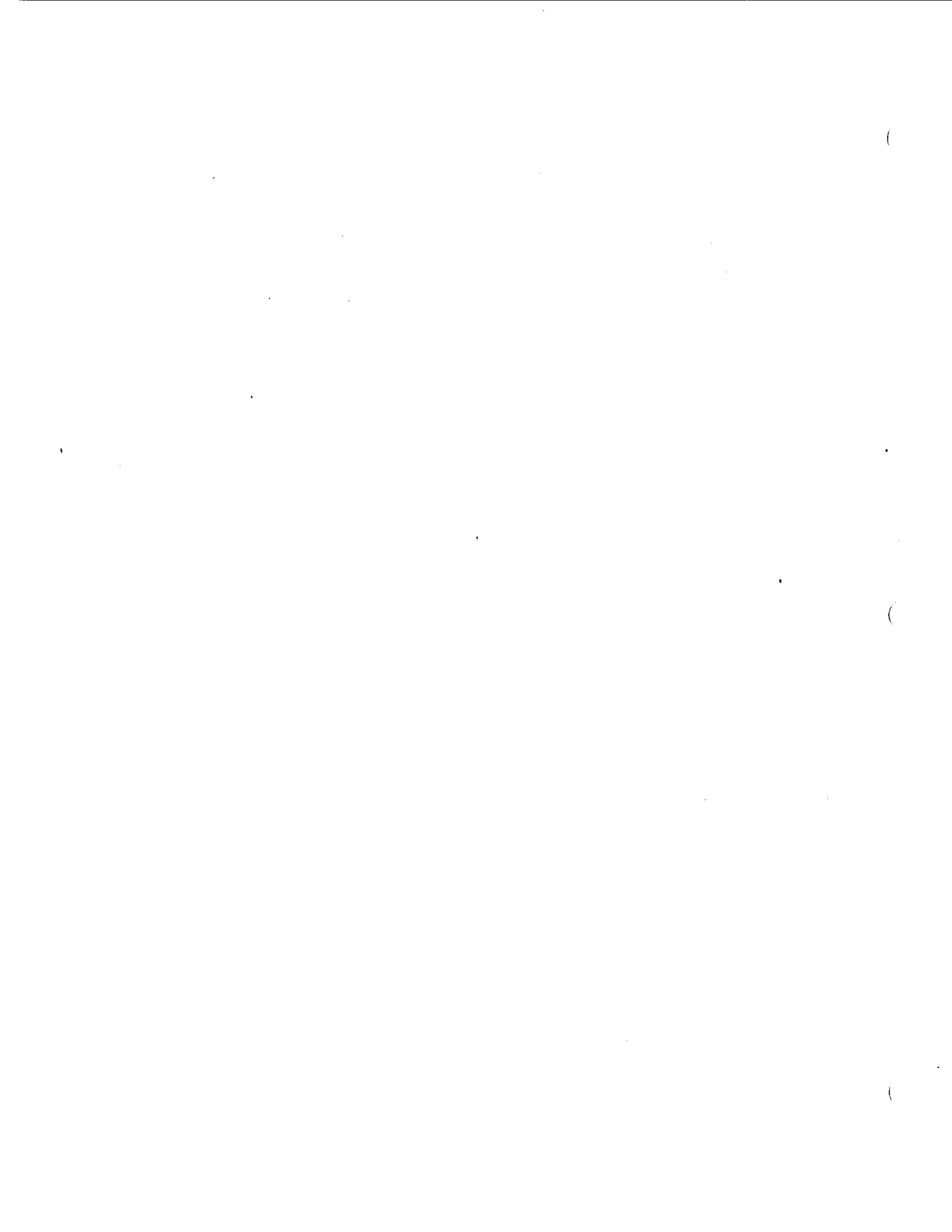
Process the agreements.

Recommended By: Terry Newman, Interim Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Interim Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

DATE: 5/13/14
A. Orsola



Gavilan Joint Community College District
Governing Board Agenda

May 13, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No. 1. (q)

Administrative Services

SUBJECT: Project Inspector Service Agreements with DFH Inspections, Inc.

- Resolution: BE IT RESOLVED,
 Information Only
 Action Item

Proposal:

That the Board of Trustees approve two project inspector service agreements with DFH Inspections, Inc for two projects listed below.

Background:

The District anticipates construction of works of improvement commonly referred to as Water Storage Tank, Distribution, & Well Improvements and the Parking Lot C Extension which are situated on the District's Gavilan College campus. In connection with construction of the projects, the District is required by applicable law to retain the services of DSA certified Project Inspector(s). DFH Inspections has worked with the district as the Inspector of Record (IOR) for multiple projects and has been pleased with his work ethic. District wishes to engage DFH Inspections as the IOR for these projects.

Project Inspector service agreement for the Parking Lot C expansion project:

- Services to include review of construction documents, recording, reporting, testing and inspections required by DSA Procedure Regulation.
- Service fees for time and materials not to exceed \$26,500.

Project Inspector service agreement for the Water Storage Tank, Distribution, & Well Improvements project:

- Services to include review of construction documents, recording, reporting, testing and inspections required by DSA Procedure Regulation.
- Service fees for time and materials not to exceed \$105,420.

Budgetary Implications:

The efficient use of State Capital Outlay and Measure E Bond Program Funds.

Follow Up/Outcome:

Process the agreements.

Recommended By: Terry Newman, Interim Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman/ Interim Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

5/13/14
A. Oropesa



Gavilan Joint Community College District
Governing Board Agenda

May 13, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No. 1. (r)

Administrative Services

SUBJECT: Geotechnical Service Agreements with Cleary Consultants, Inc.

- Resolution: BE IT RESOLVED,
 Information Only
 Action Item

Proposal:

That the Board of Trustees approve two geotechnical service agreements with Cleary Consultants, Inc for two projects listed below.

Background:

The District anticipates construction of works of improvement commonly referred to as Water Storage Tank, Distribution, & Well Improvements and the Parking Lot C Extension which are situated on the District's Gavilan College campus. In connection with construction of the projects, the District is required by applicable law to retain the services of a Geotechnical of Record (GOR) firm to complete test/inspection of Project construction materials and soils. District wishes to engage Cleary Consultants as the GOR for these two projects.

Geotechnical service agreement for the Parking Lot C expansion project:

- Services to include review of construction documents, tests and inspections of construction materials, and preparation all required documentation.
- Service fees for time and materials not to exceed \$16,200.

Geotechnical service agreement for the Water Storage Tank, Distribution, & Well Improvements project:

- Services to include review of construction documents, tests and inspections of construction materials, and preparation all required documentation.
- Service fees for time and materials not to exceed \$39,600.

Budgetary Implications:

The efficient use of State Capital Outlay and Measure E Bond Program Funds.

Follow Up/Outcome:

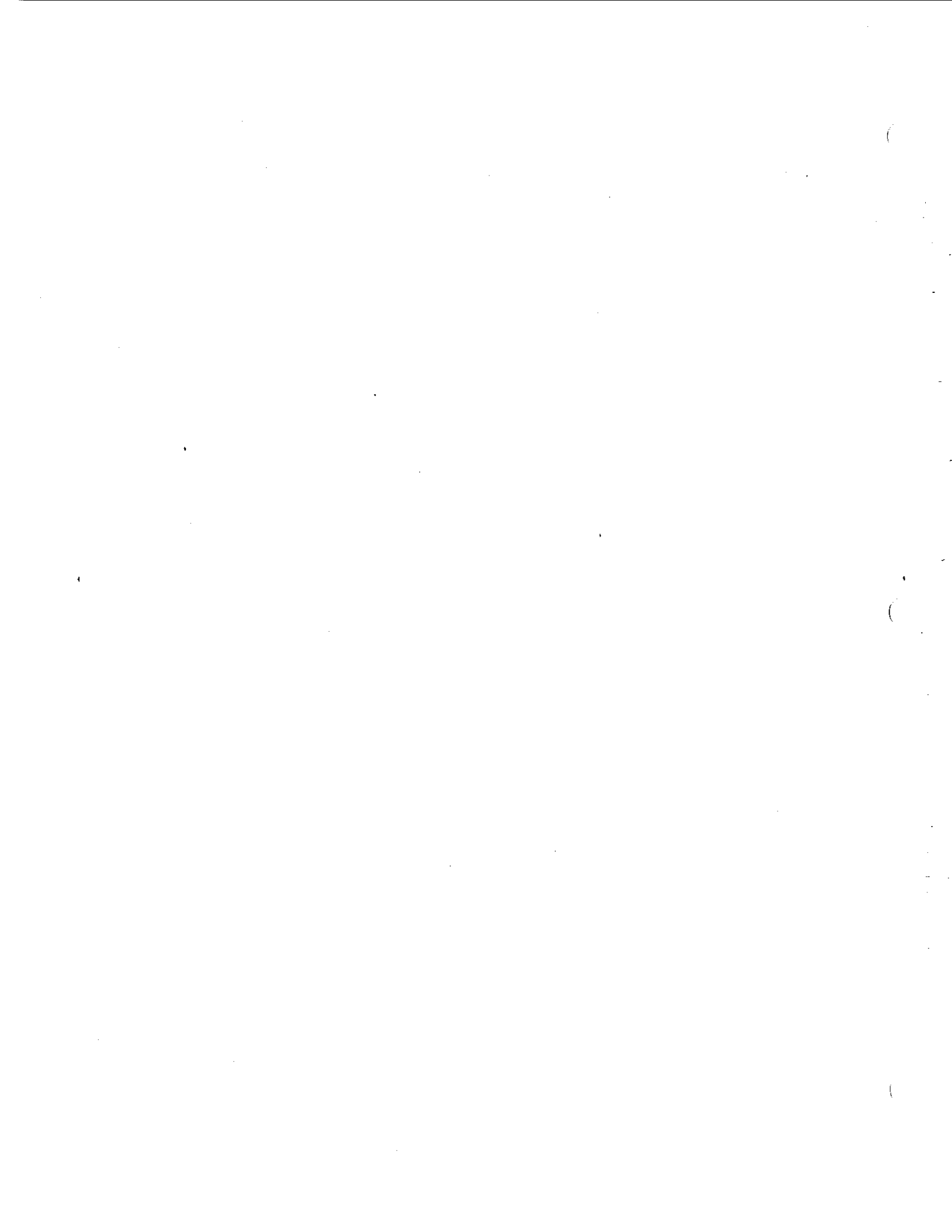
Process the agreements.

Recommended By: Terry Newman, Interim Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Interim Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

5/13/14
a. Orpeca



Gavilan Joint Community College District
Governing Board Agenda

May 13, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No. 1.(s)

Administrative Services

SUBJECT: Laboratory of Record Service Agreements with HP Inspections, Inc.

- Resolution: BE IT RESOLVED,
 Information Only
 Action Item

Proposal:

That the Board of Trustees approve two laboratory of record service agreements with HP Inspections, Inc for two projects listed below.

Background:

The District anticipates construction of works of improvement commonly referred to as Water Storage Tank, Distribution, & Well Improvements and the Parking Lot C Extension which are situated on the District's Gavilan College campus. In connection with construction of the projects, the District is required by applicable law to retain the services of a Laboratory of Record (LOR) firm to complete test/inspection of Project construction materials/soils. District wishes to engage HP Inspections as the LOR for these two projects.

Laboratory of Record service agreement for the Parking Lot C expansion project:

- Services to include review of construction documents, reporting, testing and inspections of construction materials.
- Service fees for time and materials not to exceed \$6,950.

Laboratory of Record service agreement for the Water Storage Tank, Distribution, & Well Improvements project:

- Services to include review of construction documents, reporting, testing and inspections of construction materials.
- Service fees for time and materials not to exceed \$26,715.

Budgetary Implications:

The efficient use of State Capital Outlay and Measure E Bond Program Funds.

Follow Up/Outcome:

Process the agreements.

Recommended By: Terry Newman, Interim Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Interim Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

APPROVED BY THE BOARD OF TRUSTEES
DATE: 5/13/14
A. Ortega



JUNE 10, 2014

Gavilan Joint Community College District
Governing Board Agenda

June 10, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No.

Administrative Services

1.(d)

SUBJECT: Five Year Capital Construction Plan and Initial Project Proposals,
Resolution No. 974

- Resolution: BE IT RESOLVED, that Resolution No. 974 be approved.
- Information Only
- Action Item

Proposal:

That the Board of Trustees approve the submission of:

1. the Five Year Capital Construction Plan 2016-2020 and
2. Initial Project Proposals with Resolution No. 974

Background:

Attached are the following:

1. The "District Projects Priority Order" from the Gavilan Five-Year Capital Construction Plan 2016-2020.
2. Resolution No. 974 to authorize Initial Project Proposals for:
 - a. Library/Medial Remodel;
 - b. Student Services/Administrative Center;
 - c. Theater Replacement;
 - d. San Benito County Center-Site Development & Phase 1 Academic Facilities;
and,
 - e. Coyote Valley-Site Development & Phase 1 Academic Facilities.

This resolution is recommended by the State and District consultants.

The projects listed are on the attached master schedule of individual major project schedules of Capital Construction Projects and is intended to indicate the position of a project to other projects. The master schedule also is used to generate potential additional funds from the State in order to supplement the Measure E renovation budgets.

Budgetary Implications:

The efficient use of Measure E funding and potential funding from the State of California.

Follow Up/Outcome:

Submit the Plan and Proposals to the Office of the Chancellor, California Community Colleges.

Recommended By: Terry Newman, Interim Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Interim Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

APPROVED BY THE BOARD OF TRUSTEES

DATE 6/10/14

A. Ortega



RESOLUTION NO. 974

BEFORE THE BOARD OF TRUSTEES
OF THE GAVILAN JOINT COMMUNITY COLLEGE DISTRICT

INITIAL PROJECT PROPOSALS FOR:

**LIBRARY/MEDIA REMODEL, STUDENT SERVICES/ADMINISTRATIVE CENTER,
THEATER REPLACEMENT,
SAN BENITO COUNTY CENTER-SITE DEVELOPMENT & PHASE I ACADEMIC FACILITIES, AND
COYOTE VALLEY-SITE DEVELOPMENT & PHASE 1 ACADEMIC FACILITIES**

WHEREAS, under provisions of Education Code §§70901(B) (5), the Board of Governors of the California Community Colleges ("BOG") has established regulations, rules and policies for community college districts' development and updating of Facilities Master Plans and to establish facilities planning space and utilization standards to determine eligibility amongst community college districts' proposed projects for state construction funds ("the Project Approval Process").

WHEREAS, on or about July 1, 2014, the District will submit its Five Year Facilities Master Plan to the BOG for the 2016-2020 Fiscal Years ("the Five Year Plan").

WHEREAS, the Project Approval Process requires that for each project identified by the District in the Five Year Plan be submitted for review as an Initial Project Proposal ("IPP").

WHEREAS, in conformity with applicable BOG rules and regulations, the District's facilities staff and District consultants have developed IPPs for the following projects identified in the Five Year Plan: Library/Media Remodel, Student Services/Administrative Center, Theater Replacement, San Benito County Center-Site Development & Phase 1 Academic Facilities, and Coyote Valley-Site Development & Phase 1 Academic Facilities.

NOW, THEREFORE, the following Resolution is adopted:

RESOLVED that the President/Superintendent and/or his designee are hereby, authorized to take such actions or to cause actions to be taken to submit the IPPs for Library/Media Remodel, Student Services/Administrative Center, Theater Replacement, San Benito County Center-Site Development & Phase 1 Academic Facilities, and Coyote Valley-Site Development & Phase 1 Academic Facilities to the BOG for review and approval; such actions shall include without limitation execution of applications and authentication forms on behalf of the District for such Projects.

THE FOREGOING RESOLUTION was adopted by the Board of Trustees of the Gavilan Joint Community College District at a meeting of the Board of Trustees held on June 10, 2014:

AYES: _____

NOES: _____

ABSTAIN _____

ABSENT: _____

Secretary, Board of Trustees
Gavilan Joint Community College District

No.	Project	Occupancy	Source	Schedule of Funds								
				2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021		
1	REPLACE WATER SUPPLY SYSTEM		Gavilan College									
0		2014/2015	State									
		\$5,737,000										
2	South Bay Regional Public Safety Train		Gavilan College									
		2015/2016	NonState									
		\$17,000,000		\$16,296,000								
3	Modernize Physical Education Building		Gavilan College									
-455		2017/2018	State				(P)(W)		(C)(E)			
		\$8,059,000				\$720,000		\$7,339,000				
		\$7,847,000	NonState			\$720,000		\$7,127,000				
4	LIBRARY/MEDIA REMODEL		Gavilan College									
1,658		2019/2020	State				(P)(W)		(C)(E)			
		\$16,694,000					\$1,409,000		\$15,285,000			
5	STUDENT SERVICES/ADMINISTRATIV		Gavilan College									
7,593		2020/2021	State				(P)(W)		(C)(E)			
		\$11,794,000					\$1,078,000		\$10,716,000			
6	THEATER REPLACEMENT		Gavilan College									
13,487		2020/2021	State				(P)(W)		(C)(E)			
		\$20,244,000					\$1,615,000		\$18,629,000			
7	SAN BENITO COUNTY CENTER - SITE		Gavilan College									
18,850		2020/2021	State				(P)(W)		(C)(E)			
		\$24,314,000					\$1,860,000		\$22,454,000			
8	COYOTE VALLEY-SITE DEV & PH 1 AC		Gavilan College									
18,075		2020/2021	State				(P)(W)		(C)(E)			
		\$24,244,000					\$1,862,000		\$22,382,000			
9	STUDENT CENTER REMODEL		Gavilan College									
-838		2021/2022	State						(P)(W)		(C)(E)	
		\$2,052,000							\$153,000		\$1,899,000	

Gavilan Joint Community College District
Governing Board Agenda

June 10, 2014

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No. 1. (h)

Office of the President

SUBJECT: Subordination Request Relating to Refunding Bonds Issued by the Successor Agency to the Redevelopment Agency of the City of Hollister for the Hollister Community Development Project

Resolution: BE IT RESOLVED,

Information Only

Action Item

Proposal:

That the Board of Trustees approve the Successor Agency to the Redevelopment Agency of the City of Hollister (Successor Agency) request to the subordination of Statutory Pass-through Payments that the Successor Agency is required to pay to the Gavilan Joint Community College District and Santa Clara County Equalization Aid (Taxing Entity) in connection with the Project Area to the Successor Agency's payment obligations for the 2003 Bonds, 2009 Bonds, and the Series 2014 Bonds.

Background:

The Successor Agency intends to reference these bonds and need the college and other affected taxing agencies to agree.

Budgetary Implications:

The college saves approximately \$14,000 a year in tax increments paid to the college

Follow Up/Outcome:

The Successor Agency will take steps necessary to refinance bonds.

Recommended By: Dr. Steven M. Kinsella, Superintendent/President

Prepared By:

Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

Agenda Approval:

Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/ President

6/10/14
a. Orsola





City of Hollister

Development Services

375 Fifth Street, Hollister, CA 95023

Via First-Class Mail

April 30, 2014

Mr. Kent Childs, President
Gavilan Joint Community College District and Santa Clara County Equalization Aid
5055 Santa Teresa Boulevard
Gilroy, California 95020

Subordination Request Relating to Refunding Bonds Issued by the Successor Agency to the Redevelopment Agency of the City of Hollister for the Hollister Community Development Project

Dear Mr. Childs,

I am writing to the Gavilan Joint Community District and Santa Clara County Equalization Aid (the "Taxing Entities") on behalf of the Successor Agency to the Redevelopment Agency of the City of Hollister (the "Successor Agency") with respect to its Hollister Development Project (the "Project") pursuant to Section 34177.5(c) of the California Health and Safety Code (the "Code"). As you are aware, the Agency may, with a taxing entity's approval, subordinate amounts (payable from tax increments of a redevelopment project area) that the Successor Agency is required to pay such taxing entity pursuant to Section 33607.5 of the Code (the "Statutory Pass-through Payments") to bonds issued by the former Redevelopment Agency of the City of Hollister ("former Redevelopment Agency") for the same project area.

In August 2003, the former Redevelopment Agency issued its \$35,000,000 Hollister Community Development Project Tax Allocation Bonds, Series 2003 (the "2003 Bonds"). Subsequently in July 2009, the former Redevelopment Agency issued its \$8,000,000 Hollister Community Development Project Tax Allocation Bonds, Series 2009 (the "2009 Bonds"). At this time, the Successor Agency expects to issue its Hollister Community Development Project 2014 Tax Allocation Refunding Bonds (the "Series 2014 Bonds"), in a principal amount not to exceed \$36,000,000 to refund and defease all or a portion of the outstanding 2003 Bonds. This refunding is expected to reduce the Agency's annual debt payment obligations. The Taxing entity's share of Statutory Pass-through Payments was previously subordinated to the 2003 Bonds and the 2009 Bonds. Subordination of the

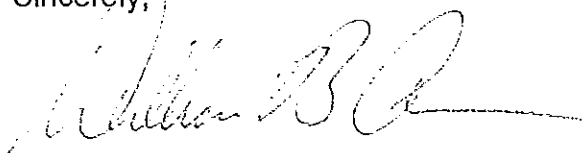
2009 Bonds was also previously requested and subsequently approved. The Series 2014 Bonds will be secured and payable by a pledge of tax revenues on a parity basis with the pledge of tax revenues to the outstanding 2009 Bonds and any unrefunded 2003 Bonds. By this letter, the Successor Agency requests that the Taxing Entity agree to the subordination of Statutory Pass-through Payments that the Successor Agency is required to pay to the Taxing Entity in connection with the Project Area to the Successor Agency's payment obligations for the 2003 Bonds, 2009 Bonds, and the Series 2014 Bonds. The Successor Agency is planning to issue the Series 2014 Bonds in August or September 2014. Enclosed for your review, pursuant to Section 34177.5(c)(2) of the Code, is a tax increment revenue projection summary, which includes a debt service coverage analysis prepared by Rosenow Spevacek Group Inc. (the "Fiscal Consultant"). The Fiscal Consultant's analysis shows that the Successor Agency can reasonably expect to have sufficient funds available to pay debt service on the 2009 Bonds, the Series 2014 Bonds, any unrefunded 2003 Bonds, and all of the Statutory Pass-through Payments and/or payments pursuant to cooperative agreements owed by the Successor Agency to the various affected taxing entities for the Project Area. (The enclosed tables show the annual payments on the currently outstanding 2003 Bonds and the 2009 Bonds; the 2014 refunding will *reduce* the annual debt payments, further enhancing capacity to make the Statutory Pass-through Payments.)

For the benefit of the Successor Agency's records, please complete the attached Acknowledgement and return it to me no later than June 14, 2014. The Agency also requests that the governing board of the Taxing Entities take official action, by resolution or motion, to formally approve the subordination.

Please note that, in accordance with Section 33607.5(e)(3) of the Code, if the Taxing Entity does not respond to the requested subordination within forty-five (45) days of receipt of this letter (which would be June 13, 2014), the subordination will be automatically deemed approved by the Taxing Entity and such approval shall be final and conclusive. Furthermore, to disapprove this subordination, the Taxing Entity must find, based on substantial evidence, that the Successor Agency will not be able to pay the debt service on the 2009 Bonds, the Series 2014 Bonds, any unrefunded 2003 Bonds, and the Statutory Pass-through Payments that it is required to pay the Taxing Entity.

Thank you in advance for your cooperation in this matter. If you have any questions regarding this matter, please do not hesitate to contact me at 831.636.4300 Extension 15.

Sincerely,



William Avera, City Manager
on behalf of the Successor Agency to the Redevelopment Agency of the City of Hollister

Enclosures

ACKNOWLEDGEMENT

(Hollister Community Development Project)

In response to the request by the Successor Agency to the Redevelopment Agency of the City of Hollister (the "Successor Agency"), set forth in a letter dated April 30, 2014, from William Avera on behalf of the Agency (the "Subordination Request"), to approve the Successor Agency's subordination of Statutory Pass-through Payments, the Taxing Entity hereby confirms its approval of the subordination of the Successor Agency's obligation to pay Statutory Pass-through Payments to the Taxing Entity in connection with the Hollister Community Development Project to the Successor Agency's payment obligations for the 2009 Bonds, the Series 2014 Bonds, and any remaining 2003 Bonds.

The governing board of the Taxing Entity has taken formal action on June 10,, 2014, to acknowledge and approve this subordination. A copy of the related [resolution / minutes] is enclosed.

All capitalized terms used but not defined in this Acknowledgement have the meaning ascribed to them in the Subordination Request.

IN WITNESS WHEREOF, the undersigned has caused this Acknowledgement to be signed by its authorized representative on this 10th day of June, 2014.

TAXING ENTITY

By: _____

Name: Kent Child

Title: President, Gavilan Joint Community College Board of Trustees

=====

ACKNOWLEDGEMENT

(Hollister Community Development Project)

In response to the request by the Successor Agency to the Redevelopment Agency of the City of Hollister (the "Successor Agency"), set forth in a letter dated April 30, 2014, from William Avera on behalf of the Agency (the "Subordination Request"), to approve the Successor Agency's subordination of Statutory Pass-through Payments, the Taxing Entity hereby confirms its approval of the subordination of the Successor Agency's obligation to pay Statutory Pass-through Payments to the Taxing Entity in connection with the Hollister Community Development Project to the Successor Agency's payment obligations for the 2009 Bonds, the Series 2014 Bonds, and any remaining 2003 Bonds.

The governing board of the Taxing Entity has taken formal action on June 10, 2014, to acknowledge and approve this subordination. A copy of the related [resolution / minutes] is enclosed.

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IN WITNESS WHEREOF, the undersigned has caused this Acknowledgement to be signed by its authorized representative on this 10th day of June, 2014.

TAXING ENTITY

By: _____

Name: Kent Child

Title: President, Gavilan Joint Community College Board of Trustees

TABLE 1-A
 Tax Increment Revenue Projections
 Hollister Community Development Project Area

Plan Yr	Bond Yr	Assessed Value Forecast			Incremental	Annual 1.0%	Cumulative
		Secured ¹ 2.00%	Unsecured 0.00%	Total			
1982-83 Base Year Value:							
31	1	1,143,474,816	44,942,228	1,188,417,044	1,013,391,433	10,133,914	136,346,522
32	2	1,166,344,312	44,942,228	1,211,286,540	1,036,260,929	10,362,609	212,359,949
33	3	1,189,671,199	44,942,228	1,234,613,427	1,059,587,816	10,595,878	222,722,558
34	4	1,213,464,623	44,942,228	1,258,406,851	1,083,381,240	10,833,812	233,318,436
35	5	1,237,733,915	44,942,228	1,282,676,143	1,107,650,532	11,076,505	244,152,249
36	6	1,262,488,593	44,942,228	1,307,430,821	1,132,405,210	11,324,052	255,228,754
37	7	1,287,738,365	44,942,228	1,332,680,593	1,157,654,982	11,576,550	266,552,806
38	8	1,313,493,132	44,942,228	1,358,435,360	1,183,409,749	11,834,097	278,129,356
39	9	1,339,762,995	44,942,228	1,384,705,223	1,209,679,612	12,096,796	289,963,453
40	10	1,366,558,255	44,942,228	1,411,500,483	1,236,474,872	12,364,749	302,050,250
41	11	1,393,889,420	44,942,228	1,438,831,648	1,263,806,037	12,638,060	314,424,998
42	12	1,421,767,209	44,942,228	1,466,709,437	1,291,683,826	12,916,838	327,063,059
43	13	1,450,202,553	44,942,228	1,495,144,781	1,320,119,170	13,201,192	339,979,897
44	14	1,479,206,604	44,942,228	1,524,148,832	1,349,123,221	13,491,232	353,181,089
45	15	1,508,790,736	44,942,228	1,553,732,964	1,378,707,353	13,787,074	366,672,321
46	16	1,538,966,551	44,942,228	1,583,908,779	1,408,883,168	14,088,832	380,459,394
47	17	1,569,745,882	44,942,228	1,614,688,110	1,439,662,499	14,396,625	394,548,226
48	18	1,601,140,799	44,942,228	1,646,083,027	1,471,057,416	14,710,574	408,944,851
49	19	1,633,163,615	44,942,228	1,678,105,843	1,503,080,232	15,030,802	423,655,425
50	20	1,665,826,887	44,942,228	1,710,769,115	1,535,743,504	15,357,435	438,686,227
Cumulative Totals						251,817,628	454,043,663

Notes: 1/ Includes homeowner exemption values. Utility values are excluded from these projections.

TABLE 1-B

Taxing Agency Payments
Hollister Community Development Project Area

Plan Year	Bond Yr	Senior Fiscal Mitigation Agreements		Subordinate Fiscal Mitigation Agreement		Subordinate Statutory Payments					Total Subordinate Taxing Agency Payments	Total Senior & Subordinate Taxing Agency Payments			
		Flood Control	Hospital District	Water & Sewer	Total	County of San Benito	City of Hollister ^{1/}	Education Tax Areas	Hollister Elementary	San Benito High			Gavilan Jr. College	Santa Clara Equalization	
		3.4680%	2.0575%	5.5255%		18.4039%	14.0299%	3.1368%	27.9064%	23.0155%	7.9613%	0.0209%	76.0706%	94.4745%	100%
BY 1982-83															
31 1	2013-14	351,441	208,505	559,946	1,865,036	23,384	5,228	46,512	38,361	13,269	35		126,789	1,991,826	2,551,772
32 2	2014-15	359,372	213,211	572,583	1,907,125	29,801	8,141	72,423	59,790	20,661	54		190,810	2,097,935	2,670,518
33 3	2015-16	367,462	216,010	583,472	1,950,056	36,346	11,111	88,852	81,527	28,201	74		256,111	2,206,167	2,791,639
34 4	2016-17	375,713	222,906	598,619	1,993,845	43,023	14,141	125,809	103,760	35,891	94		322,718	2,316,564	2,915,182
35 5	2017-18	384,130	227,899	612,029	2,038,510	49,833	17,232	153,306	126,437	43,736	115		390,658	2,423,168	3,041,197
36 6	2018-19	392,714	232,992	625,707	2,084,068	56,779	20,384	181,352	149,568	51,737	136		459,956	2,544,024	3,169,731
37 7	2019-20	401,471	238,187	639,658	2,130,538	63,864	23,600	209,959	173,162	59,888	157		530,640	2,661,178	3,300,837
38 8	2020-21	410,403	243,487	653,889	2,177,937	71,090	26,880	239,139	197,228	68,223	179		602,738	2,780,875	3,434,564
39 9	2021-22	419,513	248,892	668,405	2,226,283	78,462	30,225	268,902	221,774	76,714	201		676,278	2,902,561	3,570,966
40 10	2022-23	428,806	254,405	683,210	2,275,597	85,980	33,638	289,260	246,812	85,374	224		751,289	3,026,886	3,710,096
41 11	2023-24	438,284	260,028	698,312	2,325,897	93,649	37,118	330,226	272,351	94,208	247		827,799	3,153,697	3,852,009
42 12	2024-25	447,952	265,764	713,716	2,377,203	101,472	40,668	361,811	298,400	103,219	271		905,841	3,283,044	3,996,759
43 13	2025-26	457,813	271,614	729,428	2,429,535	109,451	44,290	394,027	324,970	112,410	295		985,442	3,414,978	4,144,405
44 14	2026-27	467,872	277,582	745,454	2,482,914	117,589	47,983	426,888	352,072	121,785	319		1,066,636	3,549,550	4,295,004
45 15	2027-28	478,131	283,669	761,800	2,537,361	125,890	51,751	460,406	379,716	131,347	344		1,149,454	3,686,815	4,448,615
46 16	2028-29	488,596	289,878	778,474	2,592,896	134,357	55,894	494,595	407,912	141,100	370		1,233,928	3,826,824	4,605,298
47 17	2029-30	499,270	296,211	795,481	2,649,542	142,984	59,514	529,467	436,873	151,049	396		1,320,092	3,969,634	4,765,115
48 18	2030-31	510,158	302,670	812,828	2,707,321	151,803	63,512	565,036	466,009	161,196	423		1,407,979	4,115,300	4,928,128
49 19	2031-32	521,263	309,259	830,522	2,766,255	160,789	67,590	601,318	495,931	171,547	450		1,497,623	4,263,879	5,094,401
50 20	2032-33	532,591	315,979	848,570	2,826,368	169,954	71,749	636,324	526,452	182,104	477		1,589,061	4,415,429	5,263,999
Total		8,732,954	5,181,147	13,914,101	45,344,289	1,846,511	730,349	6,497,612	5,358,845	1,853,668	4,859		16,291,844	62,636,133	76,550,234

1/ The City of Hollister only receives the first tier of the statutory payments

Successor Agency to the Hollister Redevelopment Agency
 Hollister Community Development Project

Year (1)	Net Revenue Available for Debt Service(2)	Current Parity Obligations				Subordinate Obligations				Total All Obligations	All-in Coverage	Net Remaining Cashflow
		1997 Bonds	2003 Bonds	2009 Bonds	Total Parity Bonds	AB 1290 Payments (2)	San Benito County (3)	Agency Admin Fee (4)	Total Subordinate Obligations			
2014	9,182,799	-	2,820,419	676,856	3,497,275	190,810	1,907,125	399,997	#####	5,995,207	153.2%	3,187,592
2015	9,390,030	-	2,818,719	677,506	3,496,225	256,111	1,950,056	409,001	#####	6,111,393	153.6%	3,278,637
2016	9,601,405	-	2,819,131	677,156	3,496,287	322,718	1,993,845	418,185	#####	6,231,036	154.1%	3,370,370
2017	9,817,008	-	2,816,394	680,156	3,496,550	390,658	2,038,510	427,553	#####	6,353,271	154.5%	3,463,738
2018	10,036,924	-	2,815,506	681,769	3,497,275	459,956	2,084,068	437,108	#####	6,478,408	154.9%	3,558,515
2019	10,261,237	-	2,816,206	681,919	3,498,125	530,640	2,130,538	446,855	#####	6,606,158	155.3%	3,655,079
2020	10,490,037	-	2,818,231	680,888	3,499,119	602,738	2,177,937	456,796	#####	6,736,590	155.7%	3,753,446
2021	10,723,412	-	2,816,319	678,638	3,494,957	676,278	2,226,283	466,936	#####	6,864,455	156.2%	3,858,958
2022	10,961,455	-	2,815,469	679,738	3,495,207	751,289	2,275,597	477,279	#####	6,999,372	156.6%	3,962,083
2023	11,204,259	-	2,820,419	679,219	3,499,638	827,799	2,325,897	487,829	#####	7,141,164	156.9%	4,063,096
2024	11,451,919	-	2,815,644	682,031	3,497,675	905,841	2,377,203	498,590	#####	7,279,308	157.3%	4,172,611
2025	11,704,533	-	2,818,650	676,381	3,495,031	985,442	2,429,535	509,566	#####	7,419,575	157.8%	4,284,958
2026	11,962,198	-	2,816,788	680,881	3,497,669	1,066,636	2,482,914	520,762	#####	7,567,981	158.1%	4,394,218
2027	12,225,017	-	2,820,056	677,931	3,497,987	1,149,454	2,537,361	532,181	#####	7,716,983	158.4%	4,508,034
2028	12,493,092	-	2,817,944	677,788	3,495,732	1,233,928	2,592,896	543,829	#####	7,866,385	158.8%	4,626,707
2029	12,766,529	-	2,815,450	680,050	3,495,500	1,320,092	2,649,542	555,710	#####	8,020,843	159.2%	4,745,686
2030	13,045,434	-	2,817,319	679,950	3,497,269	1,407,979	2,707,321	567,828	#####	8,180,396	159.5%	4,865,038
2031	13,329,918	-	2,818,038	681,100	3,499,138	1,497,623	2,766,255	580,189	#####	8,343,205	159.8%	4,986,713
2032	13,620,091	-	2,817,350	679,450	3,496,800	1,589,061	2,826,368	592,797	#####	8,505,026	160.1%	5,115,065
2033	13,916,068	-										

All or a portion of the 2003 bonds will be refinanced by the 2014 Bond

- (1) Revenues presented on a fiscal year basis, bond debt service presented on the lagging bond year basis. (i.e. debt service due on October 1, 2014 will be paid from FY 2013-14 pledged revenues.)
- (2) Provided by RSG, April 29, 2014
- (3) Agency has asked County to subordinate its share of increment to debt.
- (4) Provided by the Agency.
- (5) Includes all current debt service and all taxing agency payments senior and subordinate.

Gavilan Joint Community College District
Governing Board Agenda

June 10, 2014

Consent Agenda Item No.

Administrative Services

Information/Staff Reports No.

Discussion Item No.

Old Business Agenda Item No.

New Business Agenda Item No. 1. (i)

SUBJECT: BFGC-IBI Group Architecture and Planning Project Assignment Amendments (PAAs) Additional Services No. 1

Resolution: BE IT RESOLVED,

Information Only

Action Item

Proposal: That the Board of Trustees approve BFGC-IBI Group Architecture and Planning Project Assignment Amendment (PAA) Additional Services No. 1 for the project listed below.

Background:

On July 12, 2011, the Board ratified an On-Going Architectural Services Agreement with BFGC-IBI Group Architecture and Planning. The Architectural Services Agreement stipulates that for each individual district project, a separate Project Assignment Amendment (PAA) will be entered into. On June 11, 2013 the board ratified a PAA for consulting services related to New Off-Site Campus Wells.

Project Assignment Amendment for Additional Services No. 1: Water System Replacement-Construction Oversight-Additional Services:

- Basic services for well relocation
- Additional valves and replacement valves
- Upgrade existing chlorination plan for the new well

Budgetary Implications:

The efficient use of State Capital Outlay

Follow Up/Outcome:

Process the agreements

Recommended By: Terry Newman, Interim Senior Director of Administrative Services

Prepared By: Terry Newman
Terry Newman, Interim Senior Director of Administrative Services

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

APPROVED BY THE BOARD OF TRUSTEES

6/10/14
A. Orsica



**Gavilan Joint Community College District
Citizens' Oversight Committee Agenda**

June 23, 2014

Office of the President

Consent Agenda Item No.
Information/Staff Reports No.
Discussion Item No. VI.1.
Old Business Agenda Item No.
New Business Agenda Item No.

SUBJECT: Update Measure E Activities

- Resolution:
 Information Only
 Action Item
 Discussion Item

Proposal:

That the Citizens' Oversight Committee receive an update of Measure E activities.

Background:

Budgetary Implications:

Follow Up/Outcome:

Recommended By: Dr. Steven M. Kinsella, Superintendent/President

Prepared By: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

Agenda Approval: Steven M. Kinsella
Dr. Steven M. Kinsella, Superintendent/President

