CALL TO ORDER 5:30 p.m.
1. Roll Call
2. Comments from the Public – this is a time for the public to address the Board
3. Recess to Closed Session  (a maximum of 5 minutes will be allotted to each speaker)

CLOSED SESSION 5:30 p.m.
Notice is hereby given that a closed session of the Board will be held under the general provisions listed as follows:

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – Closed Session Pursuant to Government Code Section 54957

CONFERENCE WITH LABOR NEGOTIATORS – Closed Session Pursuant to Government Code Section 54957.6
Agency Negotiator(s): Susan Cheu/Eric Ramones
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS – Closed Session Pursuant to Government Code Section 54957.6
Agency Negotiator: Dr. Steven M. Kinsella
Employee Organization: Unrepresented Employees

CONFERENCE WITH LABOR NEGOTIATORS - Closed Session Pursuant to Government Code Section 54957.6
Agency Negotiators: Sherrean Carr/Eric Ramones/Dr. Kathleen Rose
Employee Organization: GCFA

CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Closed Session Pursuant to Government Code Section 54956.8
Property: 555 Bailey Avenue, San Jose, CA 95141
Agency Negotiator: Dr. Steven M. Kinsella
Negotiating Parties: IBM
Under Negotiation: Terms of payment, conditions
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: 1 potential case

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED OR POTENTIAL LITIGATION – Significant Exposure to litigation pursuant to Subdivision (b)(1) and (3)(A) of Section 54956.9: (1) one potential case

II. OPEN SESSION 7:00 p.m.
1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Report of Any Action Taken in Closed Session
5. Approval of Agenda
6. Consent Agenda
   (a) Regular Board of Trustees Meeting Minutes, June 10, 2014
   (b) Personnel Actions
   (c) Warrants and Electronic Transfers Drawn on District Funds
   (d) Monthly Financial Report
   (e) Budget Adjustments
7. Comments from the Public - this is a time for the public to address the Board
8. Recognitions (a maximum of 5 minutes will be allotted to each speaker)
9. Officers' Reports
   (a) Vice Presidents
   (b) College President
   (c) Academic Senate
   (d) Professional Support Staff
   (e) Student Representative
   (f) Board Member Comments
   (g) Board President
10. Board Committee Reports
11. Information/Staff Reports
   (a) Learning Council 13-14 Year-End Report
   (b) Update on Board Goals for 2014

III. ACTION ITEM
1. New Business
   (a) Hearing to Consider Approval of Necessity Authorizing Acquisition by Eminent Domain of Certain Easement Interests for the Gilroy Campus Modernization Project and Authorizing and Directing Legal Counsel to Institute Condemnation Proceedings (APN 810-34-006).
   (b) Signing Authority
   (c) Consideration and Possible Approval of the Second Addendum to the Mitigated Negative Declaration Adopted by the Board on November 13, 2012, for the Gilroy Campus Modernization Project
   * (d) Consideration and Potential Approval of Resolution #976 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 Procedures, Including but not Limited to, Sections 1240.120, 1240.125, and 1245.220, for a Portion of The Property Described as 1065 Castro Valley Road, Gilroy, California, Assessor’s Parcel Number 810-34-006, for the Gilroy Modernization Project (APN 810-34-006)
   (e) Consider and Accept Bid for Energy Efficiency Proposition 39 Project
IV. CLOSING ITEMS
1. The next regularly scheduled Board meeting is August 12, 2014, Gavilan College, Morgan Hill Site Rooms 10 and 11
2. Adjournment

*Roll Call Vote

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 Board 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 Board 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 Board of Trustees 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 regularly scheduled meeting. The Board President and Superintendent/President will determine what items will be included in the agendas. Regular meetings are held the second Tuesday of each month.

Items listed under the Consent Agenda are considered to be routine and are acted on by the Board of Trustees as one motion. There is no discussion of these items prior to Board vote unless a member of the Board, staff, or public requests that specific items be 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 Board of Trustees 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 Board meeting.

Please help keep Gavilan College a litter-free campus and preserve its park-like setting. Thank you.
http://www.gavilan.edu
Gavilan Joint Community College District
Governing Board Agenda

July 8, 2014

Consent Agenda Item No. 6 (a) Office of the President
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No.

SUBJECT: Regular Board of Trustees Meeting Minutes, June 10, 2014

☐ Resolution: BE IT RESOLVED,
☐ Information Only
☒ Action Item

Proposal:
That the Board approve the Regular Board of Trustees Meeting Minutes, June 10, 2014.

Background:

Budgetary Implications:

Follow Up/Outcome:

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

Prepared By: Angie Oropeza, Executive Assistant

Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
REGULAR MEETING, BOARD OF TRUSTEES
Tuesday, June 10, 2014
5055 Santa Teresa Boulevard, Gilroy, CA 95020
Social Science Room #206
CLOSED SESSION – 6:00 p.m.  OPEN SESSION – 7:00 p.m.

OPTIONAL ARBORETUM GRAND OPENING 5:00 p.m.

MINUTES

I. CALL TO ORDER 6:00 p.m.
Kent Child called the meeting to order at 6:00 p.m.

1. Roll Call
   Tom Breen, Jonathan Brusco, Kent Child, Mark Dover, Walt Glines, Laura Perry, Tony Ruiz

2. Comments from the Public
   None

3. Recess to Closed Session
   The Board of Trustees recessed to closed session at 6:01 p.m.

II. OPEN SESSION 7:00 p.m.
1. Call to Order
   The meeting was called to order by Kent Child at 7:00 p.m.

2. Roll Call
   Tom Breen, Jonathan Brusco, Kent Child, Mark Dover, Walt Glines, Laura Perry, Tony Ruiz
   
   Dr. Steven M. Kinsella, Superintendent/President
   Dr. Kathleen Rose, Executive Vice President, Instructional Services
   Terry Newman, Interim Senior Director of Administrative Services
   Diana Seelie, Professional Support Staff
   Angie Oropeza, Recorder

   Also in attendance: Eric Ramones, Susan Cheu, Rajeev Bharol, Santos Torres, Jan Chargin,
   Susan Alonzo, Ken Wagman

3. Pledge of Allegiance
   The Pledge of allegiance was led by Jonathan Brusco.

4. Report of Any Action Taken in Closed Session
   No action was taken in closed session

5. Approval of Agenda
   MSC (T.Breen/L.Perry) 7 ayes, 0 nays to approve

6. Consent Agenda
   (a) Regular Board of Trustees Meeting Minutes, May 13, 2014, Special Meeting of the Board of
       Trustees Minutes, May 5, 2014, Board Budget Committee Minutes, May 12, 2014, Board
       Facilities Development and Utilization Committee Minutes, May 13, 2014
   (b) Personnel Actions
   (c) Warrants and Electronic Transfers Drawn on District Funds
   (d) Ratification of Agreements
   (e) Monthly Financial Report
   MSC (L.Perry/M.Dover) 7 ayes, 0 nays to approve
7. Comments from the Public
   None

   Judy Rodriguez, Hollister Site Manager, reported that the Jr. Rams Club was established to plant
   the seed of college in young minds, to start them thinking about their future and how Gavilan can
   help make that possible. She introduced the Gilroy recipients, Kashika Bharol and Daniel Torres,
   who read their winning essays. Kent Child congratulated the students and their families.

9. Officers’ Reports
   (a) Vice Presidents
       Terry Newman reported that Lot C is being graded, the GECA portables are being moved,
       water lines are being put in, and new computers are being installed in the labs.

   (b) College President
       Dr. Steven Kinsella reported that two new vice presidents will be joining us; one next week and
       the second in August. Some money is coming in from the state.

   (c) Academic Senate
       No report

   (d) Professional Support Staff
       Diana Seelie reported that MIS will be installing 200 computers in the labs. Next week will be
       the last CSEA meeting until September, they gave out five scholarships in May, and she will
       attend the CSEA conference in August.

   (e) Student Representative
       Joey Hayes reported that they are advertising to fill the Student Trustee position, ASB is going
       through a transition with a new vice president and advisor, and he attended the GECA
       graduation. They are working to create a partnership with GECA ASB.

   (f) Board Member Comments
       Tom Breen acknowledged Joey Hayes for his graduation speech, his grandson graduated from
       San Benito High School; he was one of 18 students with perfect attendance for four years,
       and Sunday is Tony Ruiz’ birthday.
       Laura Perry acknowledged the great staff recognition and graduation and thanked everyone
       who worked on the events.
       Walt Glines concurred with Laura Perry’s comments about the staff recognition and graduation.
       He suggested that the college consider naming the arboretum that was dedicated today in
       honor of Ray Williams, the original college landscaper. He also reported that the college is
       being congratulated online in response to incoming Vice President, Fred Harris, taking a
       position at Gavilan.
       Tony Ruiz reported that he recently met with Dr. Kinsella to express concerns about the
       redistricting issue being dropped without additional discussion. His other concern is regarding
       finding a location for Gavilan in San Benito County. A potential location, acceptable to the
       state, was found and he is now aware that funds previously allocated to San Benito County are
       being allocated to Morgan Hill. San Benito County needs a full general ed and more than the
       Briggs Building.
       Jonathan Brusco reported that he enjoyed the staff recognition and graduation; he
       acknowledged Joey Hayes’ speech at graduation.
(g) Board President
Kent Child concurred with Trustee comments about the staff recognition and graduation. He acknowledged the retirement of his past assistant, Natalie Juarez. He thanked Tony Ruiz for the recommendation of the graduation speaker. He reminded everyone how fragile life is and encouraged everyone to focus on the big picture in light of the recent passing of Gavilan College and San Benito High School staff.

10. Board Committee Reports
None

11. Information/Staff Reports
(a) Academic Senate Resolution on Distance Education Faculty Handbook
Trustees acknowledged the handbook.

(b) Santa Clara County Treasury Investment Portfolio Status as of March 31, 2014
Trustees acknowledged the report.

(c) Articulation
Ken Wagman, math faculty, reported that the math faculty hosted the second annual math articulation meeting through the STEM grant. Math faculty from all area high schools were invited. Representatives attended from all districts. Among issues discussed were ways to increase assessment scores, including math boot camp for those who don’t do well on the assessment. Boot camps are condensed sessions designed to jog students’ memories so when they see the material on the assessment, they will improve by one or two courses. Low assessment scores may also be due to some students finishing high school math requirements in their sophomore year and taking the assessment much later. High school teachers will be able to take the assessment test so they can see what their students face when they come here. It was an opportunity to connect, discuss common challenges, and build relationships. Jonathan Brusco requested that Trustees be informed about the next meeting; he would like to attend. He invited Ken Wagman to the next Board subcommittee meeting on district collaboration that is working on these kinds of issues. In response to questions, Ken Wagman and Dr. Rose stated that the same activities could be replicated in the English department. The English department is doing a boot camp this summer. With Common Core, the things being emphasized in their standards are different from our standards. Common Core doesn’t affect us; we are teaching to the UC/CSU standards. Math faculty look at how long it takes students to go through the classes, not from the financial aid point of view. Gavilan faculty would be concerned about high school teachers placing students in Gavilan classes. Walt Glines acknowledged the importance of collaborating with the high schools and offered assistance with follow-up with the districts. He reported that Pasadena City College offers credit courses after the placement tests; that might be a possibility at Gavilan.

III. ACTION ITEMS
1. New Business
(a) Curriculum
MSC (L.Perry/J.Brusco) 7 ayes, 0 nays to approve
In response to questions, Dr. Rose and Dr. Kinsella stated that the English 1A description is a rewrite. A textbook update is required for any curriculum update. Textbooks have to be updated every five years. In order to keep text costs down, digital and rental texts are available and the bookstore looks for ways to minimize costs. English classes may have a different emphasis so the books are different. Relevancy and currency in the curriculum is paramount and requires that textbooks be updated. We don’t have control on publishing costs and pricing. We do what we can with support services such as the lending libraries. It is a continuing discussion. Joey Hayes stated that ASB provides textbook scholarships each semester. He stated that another student concern is that some classes don’t fully use all required books.
(b) FY 2014-15 Tentative Budget
MSC (L.Perry/T.Breen) to approve
Dr. Kinsella stated that the deficit is because we are expecting some changes from the state. This is an estimated budget. Salaries and benefits don’t take into consideration the employees that are assigned to grants. All expenses are listed, but we still don’t know all the revenue that will be coming in. Kent Child acknowledged the work of those who worked on the document.
Vote: 6 ayes, 1 no (T.Ruiz) to approve

*(c) Appropriations Limit for FY 2014/15, Resolution #975
MSC (T.Breen/L.Perry) Roll Call Vote: 7 ayes: Tom Breen, Jonathan Brusco, Kent Child, Mark Dover, Walt Glines, Laura Perry, Tony Ruiz, 0 nays to approve

*(d) Five Year Capital Construction Plan and Initial Project Proposals, Resolution #974
MSC (L.Perry/T.Breen)
Dr. Kinsella stated that we use Measure E for capital improvements. We will start allocating funds for this in the next couple of years. The list is prioritized by year with the PE building being the only item identified as a priority.
Roll Call Vote: 6 ayes: Tom Breen, Jonathan Brusco, Kent Child, Mark Dover, Walt Glines, Laura Perry, 1 nay: Tony Ruiz, to approve

(e) Settlement Agreement for Claim Against the District
MSC (W.Glines/L.Perry) 7 ayes, 0 nays to approve

(f) Claim Against the District
Dr. Kinsella reported that an individual claims the college used an online image listed as theirs and is requiring a large amount of money based on copyright infringement; though the person insists it is not possible for anyone to have lifted it from the webpage.
MSC (L.Perry/T.Breen) 7 ayes, 0 nays to approve

(g) Compensation Agreement
Dr. Kinsella stated that the greater public good is to keep the space open in front of the Briggs Building.
MSC (W.Glines/T.Breen) 7 ayes, 0 nays to approve

(h) 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
MSC (T.Breen/L.Perry) 7 ayes, 0 nays to approve

(i) BFGC-IBI Group Architecture and Planning Project Assignment Amendments (PAAs) Additional Services No. 1
MSC (L.Perry/W.Glines) 7 ayes 0 nays to approve

IV. CLOSING ITEMS
1. The next regularly scheduled Board meeting is July 8, 2014, Gavilan College, Social Science Room #206.

2. Adjournment
The meeting was adjourned by consensus at 8:10 p. m.

*Roll Call Vote
Gavilan Joint Community College District
Governing Board Agenda

July 8, 2014

Consent Agenda Item No. 6.(b) Human Resources

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

SUBJECT: Personnel Actions

☐ Resolution: BE IT RESOLVED,
☐ Information Only
☒ Action Item

Proposal:
That the Board of Trustees approve personnel actions the District is entering into during the period of June 10, 2014 thru July 8, 2014.

Background:
Board of Trustees approval is required for all personnel actions. The attached items have been prepared in accordance with existing Board policies and laws related to employees within the California Community College system.

Budgetary Implications:
Funds to pay for salaries and benefits of the assignments are included in the final budget for FY 2013-2014.

Follow Up/Outcome:
Human Resources will notify employees of the approved personnel actions and issue authorization to allow processing of payroll when due.

Recommended By: Eric Ramones, Human Resources Director

Prepared By: 
ERIC RAMONES, Human Resources Director

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

C:\WorkGroups/HR/BoardAgenda/07-08-14
A. Classified and Unclassified Personnel Actions – July 8, 2014

Unless otherwise, please refer to the Classified Salary Schedule for the following personnel actions:

I. APPOINTMENTS/PROMOTIONS/TRANSFERS/PERMANENT SCHEDULE CHANGES/WORKING OUT-OF-CLASS

NONE

II. SHORT TERM AND SHORT TERM PEAK/TEMPORARY APPOINTMENTS

NONE

III. PROFESSIONAL EXPERTS

David Owens  
Graduation Assistant  
Student Services  
May 23, 2014

Domingo Payne  
Contract Education Instructor  
Community and Contract Education  
July 1, 2014 to June 30, 2015

Ellen Yu-Costa  
Contract Education Instructor  
Community and Contract Education  
June 9, 2014 to July 18, 2014

Jan Shorr  
Contract Education Instructor  
Community and Contract Education  
May 24, 2014 to July 18, 2015

Kyle Bennett  
Baseball Supervisor  
Student Services  
June 1, 2014 to September 30, 2014

Lathika Sadasivan  
Contract Education Instructor  
Community and Contract Education  
June 9, 2014 to July 18, 2014

Mary McKenna  
ERC Development  
Liberal Arts and Sciences  
September 24, 2013 to April 21, 2014

Miriam Padilla  
Contract Education Instructor  
Community and Contract Education  
June 9, 2014 to July 18, 2014
Neal Andrade  Baseball Fields Groundskeeper  
Student Services  
July 1, 2014 to June 30, 2015

Nikki Dequin  Softball Fields Groundskeeper  
Student Services  
July 1, 2014 to June 30, 2015

Trevin Kelley  Graduation Assistant  
Student Services  
May 23, 2014

IV. SUBSTITUTE AND/OR INTERSESSION APPOINTMENTS

Jeri Allen  Assessment Specialist  
Student Services  
July 1, 2014 to June 30, 2015

Regina Robasciotti  Assessment Specialist  
Student Services  
July 1, 2014 to June 30, 2015

Rosalina Curiel  Program Services Specialist  
Student Services  
July 1, 2014 to June 30, 2015

V. REQUESTS FOR LEAVE

NONE

VI. PERMISSION TO ENROLL/STAFF DEVELOPMENT

NONE

VII. PERMISSION TO ENROLL/PROFESSIONAL GROWTH

Denise Apuzzo  HIST 2 – U.S. History

Jose Morales  BUS 1 – Fundamentals of Business  
ACCT 20 – Financial Accounting

Maribel Galvez  BIOL L391 – Biology

VIII. APPLICATION FOR AWARD/STAFF DEVELOPMENT

NONE

IX. APPLICATION FOR AWARD/PROFESSIONAL GROWTH

A. Classified and Unclassified Personnel Actions
Denise Apuzzo
FRENCH 1A, BIO 13, CMUN 8, POL 3

Diana Seelie
MUS 9A, DM 6, CSIS 129, DM 75, ACCT 120, SPAN 1A

X. ADDITIONAL DUTY/STIPEND

NONE

XI. VOLUNTEERS

Johnnie Skinner
Volunteer Worker
Kinesiology and Athletics
June 2, 2014 to August 14, 2014

Sydney Bircher
Volunteer Worker
Kinesiology and Athletics
June 2, 2014 to August 14, 2014

Timothy Powers
Volunteer Worker
Kinesiology and Athletics
June 2, 2014 to August 14, 2014

XII. RESIGNATIONS AND RETIREMENTS

Natalie Miranda-Juarez
Program Services Specialist
Student Services
Date of Hire: December 18, 1972
Retirement Effective: May 30, 2014

XIII. REQUEST FOR CATASTROPHIC LEAVE CREDITS

NONE

RECOMMENDATION: The Administration recommends approval of the above Classified & Unclassified Personnel Actions.
B. Faculty Personnel Actions – July 8, 2014

Unless otherwise, please refer to the Faculty Salary Schedule for the following personnel actions:

I. APPOINTMENTS

NONE

II. FACULTY OVERLOAD ADDITIONAL DUTY STIPENDS

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Office</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert Marques</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
</tr>
<tr>
<td>Beatriz Lawn</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
</tr>
<tr>
<td>Blanca Arteaga</td>
<td>CalWORKs Counselor – Overload</td>
<td>Student Services</td>
<td>July 1, 2014 to August 31, 2014</td>
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<tr>
<td>Dana Young</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
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<tr>
<td>David Perez</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
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<td>Debra Klein</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
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<td>Denise Besson</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
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<tr>
<td>Enrique Luna</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
</tr>
<tr>
<td>Grant Richards</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
</tr>
</tbody>
</table>
Jennifer Nari  
Trained Faculty Evaluator  
Office of Instruction  
January 27, 2014 to May 23, 2014

Jessica Hooper  
Trained Faculty Evaluator  
Office of Instruction  
January 27, 2014 to May 23, 2014

John Lango  
Head Strength and Conditioning Coach  
Kinesiology and Athletics  
August 25, 2014 to December 13, 2014

John Lango  
Head Strength and Conditioning Coach  
Kinesiology and Athletics  
January 26, 2014 to May 22, 2015

John Lawton-Haebl  
Trained Faculty Evaluator  
Office of Instruction  
January 27, 2014 to May 23, 2014

Karen Warren  
Trained Faculty Evaluator  
Office of Instruction  
January 27, 2014 to May 23, 2014

Kathleen Campbell  
Trained Faculty Evaluator  
Office of Instruction  
January 27, 2014 to May 23, 2014

Kevin Kramer  
Head Volleyball Coach  
Kinesiology and Athletics  
August 15, 2014 to November 30, 2014

Kevin Kramer  
Head Women’s Sand Volleyball Coach  
Kinesiology and Athletics  
January 15, 2015 to April 30, 2015

Lorraine Burgman  
Trained Faculty Evaluator  
Office of Instruction  
January 27, 2014 to May 23, 2014

Lucien Flippen  
Aviation Maintenance Equipment Inventory  
Career Technical Education  
June 1, 2014 to July 30, 2014

Marla Butler  
Trained Faculty Evaluator  
Office of Instruction  
January 27, 2014 to May 23, 2014
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<th>Name</th>
<th>Position</th>
<th>Department</th>
<th>Dates</th>
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<tbody>
<tr>
<td>Mary Ann Sanidad</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
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<tr>
<td>Neal Andrade</td>
<td>Head Baseball Coach</td>
<td>Kinesiology and Athletics</td>
<td>January 15, 2015 to April 30, 2015</td>
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<td>Nicole Cisneros</td>
<td>Trained Faculty Evaluator</td>
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<td>Nikki Dequin</td>
<td>Head Softball Coach</td>
<td>Kinesiology and Athletics</td>
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<td>Rey Morales</td>
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<td>Office of Instruction</td>
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<tr>
<td>Russell Lee</td>
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<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
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<tr>
<td>Scott Sandler</td>
<td>Trained Faculty Evaluator</td>
<td>Office of Instruction</td>
<td>January 27, 2014 to May 23, 2014</td>
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**III. PART-TIME FACULTY (CREDIT & NON-CREDIT) ASSIGNMENTS/STIPENDS**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Department</th>
<th>Dates</th>
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</thead>
<tbody>
<tr>
<td>Andrew West</td>
<td>Communications Instructor</td>
<td>Liberal Arts and Sciences</td>
<td>August 22, 2014 to December 19, 2014</td>
</tr>
<tr>
<td>Barry Stallard</td>
<td>South Bay Regional Public Safety Consortium</td>
<td>Volunteer Instructor</td>
<td>July 8, 2014</td>
</tr>
<tr>
<td>Beatrice Ramirez</td>
<td>Non-Credit Instructor</td>
<td>Community Development and Non-Credit</td>
<td>June 17, 2014 to June 30, 2014</td>
</tr>
</tbody>
</table>
Carla Velarde-Barros  Faculty Orientation  
Student Services  
May 1, 2014 to December 31, 2014

Carla Velarde-Barros  CalWORKs Counselor  
Student Services  
June 1, 2014 to June 30, 2014

Claudia Valencia  CalWORKs Counselor  
Student Services  
July 1, 2014 to June 30, 2015

David Barnett  South Bay Regional Public Safety Consortium  
Volunteer Instructor  
July 8, 2014

David Kaplansky  Head Men's Basketball Coach  
Kinesiology and Athletics  
October 15, 2014 to February 28, 2015

Deborah Steiner  Mathematics Instructor  
Liberal Arts and Sciences  
August 23, 2014 to June 30, 2015

Dwight Thompson  South Bay Regional Public Safety Consortium  
Volunteer Instructor  
July 8, 2014

Elizabeth Knepper  South Bay Regional Public Safety Consortium  
Volunteer Instructor  
July 8, 2014

Erik Nelson  Head Women’s Basketball Coach  
Kinesiology and Athletics  
October 15, 2014 to February 28, 2015

Evan Gilstrap  Faculty Orientation  
Student Services  
May 1, 2014 to December 31, 2014

Gerry Laird  South Bay Regional Public Safety Consortium  
Volunteer Instructor  
July 8, 2014

Jane Godley  Faculty Orientation  
Student Services  
May 1, 2014 to December 31, 2014
<table>
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<tr>
<th>Name</th>
<th>Employer</th>
<th>Position</th>
<th>Start Date</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joshua Rowlett</td>
<td>South Bay Regional Public Safety Consortium</td>
<td>Volunteer Instructor</td>
<td>July 8, 2014</td>
<td></td>
</tr>
<tr>
<td>Jyothi Suresh</td>
<td></td>
<td>Mathematics Instructor</td>
<td>Liberal Arts and Sciences</td>
<td>August 23, 2014 to June 30, 2015</td>
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<tr>
<td>Kendall Ward</td>
<td></td>
<td>Communications Instructor</td>
<td>Liberal Arts and Sciences</td>
<td>August 22, 2014 to December 19, 2014</td>
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<tr>
<td>Mary Gutierrez</td>
<td>South Bay Regional Public Safety Consortium</td>
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<td>July 8, 2014</td>
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<td>July 8, 2014</td>
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<td>Rebecca Katz</td>
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<td>June 16, 2014 to December 19, 2014</td>
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<td>Ricardo Espinoza</td>
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<td>Head Men's Soccer Coach</td>
<td>Kinesiology and Athletics</td>
<td>August 15, 2014 to November 30, 2014</td>
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<td>July 8, 2014</td>
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<td>July 8, 2014</td>
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<td>Robert Herrera</td>
<td>South Bay Regional Public Safety Consortium</td>
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<td>July 8, 2014</td>
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Robert Sapien Jr.  South Bay Regional Public Safety Consortium
Volunteer Instructor
July 8, 2014

Russell Malley  Supplemental Instruction Coordinator
Liberal Arts and Sciences
January 1, 2014 to May 31, 2014

Scott Kouns  South Bay Regional Public Safety Consortium
Volunteer Instructor
July 8, 2014

Spencer Gilford  Head Football Coach
Kinesiology and Athletics
August 15, 2014 to November 30, 2014

Steven Davis  Art Instructor
Liberal Arts and Sciences
August 22, 2014 to June 30, 2014

Steven Famalett  South Bay Regional Public Safety Consortium
Volunteer Instructor
July 8, 2014

William Willoughby  Aviation Maintenance Equipment Inventory
Career Technical Education
June 1, 2014 to July 30, 2014

IV. SUBSTITUTE AND/OR INTERSESSION APPOINTMENTS
NONE

V. REASSIGNMENTS
NONE

VI. RESIGNATIONS AND RETIREMENTS
Robin Paige  Sociology Instructor
Liberal Arts and Sciences
Date of Hire: August 28, 2007
Resignation Effective: June 30, 2014

VII. REQUEST FOR LEAVE
NONE
VIII. REQUEST FOR CATASTROPHIC LEAVE CREDITS

NONE

IX. NEW FSA ASSIGNMENT

NONE

RECOMMENDATION: The Administration recommends approval of the above Faculty Personnel Actions.
C. Management/Confidential Personnel Actions — July 8, 2014

Unless otherwise, please refer to the Unrepresented Employees Salary Schedule(s) for the following personnel actions:

I. APPointments/contract Ratification and Extensions

NONE

II. Additional Duty/Stipend

Angie Oropeza
Executive Assistant to Superintendent/President
Office of the President
July 1, 2014 to October 10, 2014

Eric Ramones
Director of Human Resources
Human Resources
July 1, 2014 to December 31, 2014

Grace Cardinali
Executive Assistant to Vice President of Student Services
Student Services
July 1, 2014 to September 30, 2014

Jan Bernstein-Chargin
Interim Liaison to Gavilan College Education Foundation
Office of the President
July 1, 2014 to September 30, 2014

Kyle Billups
Cell Phone Stipend
Management Information Systems
Effective: June 11, 2014

Nancy Bailey
Executive Assistant to Vice President
Administrative Services
July 1, 2014 to September 30, 2014

Susan Cheu
Director of Business Services
Business Office
July 1, 2014 to December 31, 2014

Terry Newman
Interim Senior Director of Administrative Services
Administrative Services
July 1, 2014 to September 30, 2014

III. Substitute and/or InterSession Appointments

NONE
IV. REQUEST FOR LEAVE

NONE

V. PERMISSION TO ENROLL/PROFESSIONAL GROWTH

Lucy Alvarez

CHHS 340 – Conflict Resolution/Collaborative Negotiation
CHHS 385 – Applied Statistics/Research Methods
SW 310 – Introduction to Social Work

VI. APPLICATION FOR AWARD/PROFESSIONAL GROWTH

NONE

VII. RESIGNATIONS AND RETIREMENTS

NONE

RECOMMENDATION: The Administration recommends approval of the above Management/Confidential Personnel Actions.
D. Administration Personnel Actions – July 8, 2014

Unless otherwise, please refer to the Administrative Salary Schedule for the following personnel actions:

I. APPOINTMENTS

   NONE

II. ADDITIONAL DUTY/STIPENDS

   Eduardo Cervantes  Coordinator of MESA
   Student Services/Liberal Arts & Sciences
   July 1, 2014 to December 31, 2014

   Sherrean Carr  Dean of Career and Technical Education
   Office of Instruction
   July 1, 2014 to September 30, 2014

III. BOARD MEMBER APPROVED ABSENCE

   NONE

IV. BOARD MEMBER RESIGNATION

   Anel Tovar  Student Trustee
   Board of Trustees
   Effective: May 13, 2014

V. RESIGNATIONS AND RETIREMENTS

   Rachel Perez  Associate Dean of Community Development
   Office of Instruction
   Date of Hire: June 16, 1997
   Retirement Effective: July 1, 2014

RECOMMENDATION: The Administration recommends approval of the above Administrative Personnel Actions.
Gavilan Joint Community College District
Governing Board Agenda
July 8, 2014

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

SUBJECT: Warrants and electronic transfers drawn on District Funds
☐ Resolution: BE IT RESOLVED,
☐ Information Only
☒ Action Item

Proposal:

Background:
In accordance with Education Code Section 85266.5 the Board of Trustees will review for ratification of warrants issued.

Warrants:

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<th>Dates</th>
<th>Warrant Numbers</th>
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<td>6/1/14-6/25/14</td>
<td>18006768-18007741</td>
<td>$879,522.48</td>
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Electronic Transfers:

<table>
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<tr>
<th>Dates</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
</table>

The complete warrant and electronic transfer list is available for review in the President’s Office.

Budgetary Implications:
Expenditures are included in the Budget for FY 2013-2014.

Follow Up/Outcome:
No further action is required.

Recommended By: Frederick E. Harris, Vice President of Administrative Services

Prepared By: Susan Cheu, Chief Financial Officer

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

C:/Board/Forms/Monthly Warrants/CvrSheet-Summary Version
Gavilan Joint Community College District
Governing Board Agenda

July 8, 2014

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

SUBJECT: Monthly Financial Report

☐ Resolution: BE IT RESOLVED,
☒ Information Only
☐ Action Item

Proposal:
That the Board of Trustees consider the FY 2013/14 Monthly Financial Report.

Background:

Follow Up/Outcome:
The Administration will continue to review the FY 2013/14 budget and will submit budget adjustments for consideration by the Board.

Recommended By: Frederick E. Harris, Vice President of Administrative Services

Prepared By: Susan Cheu, Chief Financial Officer

Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
<table>
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<tr>
<th>Fund #</th>
<th>Fund Description</th>
<th>Beginning Fund Balance 7/1/2013</th>
<th>Revised Budgets Revenue</th>
<th>Revised Budgets Expense</th>
<th>Ending Fund Balance 6/30/2014</th>
<th>Year to Date Actual Revenue</th>
<th>Year to Date Actual Encumbrance</th>
<th>% Actual to Budget Revenue Expense</th>
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<td>General - Unrestricted</td>
<td>$2,937,914</td>
<td>$29,167,117</td>
<td>$10,525,913</td>
<td>$23,979,353</td>
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<td>1000 - Certificated Salaries</td>
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<td>2000 - Classified Salaries</td>
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<td>92.8%</td>
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<td>3000 - Burdens &amp; Benefits</td>
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<td>4000 - Books &amp; Supplies</td>
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<td>$4,489,799</td>
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<td>5000 - Other Operating Expenses</td>
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<td>$122,533</td>
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<td>6000 - Capital Outlay</td>
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<td>79.4%</td>
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<tr>
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<td>7000 - Other</td>
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<td>$1,403,771</td>
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<td></td>
<td><strong>Total General-Unrestricted</strong></td>
<td><strong>$2,937,914</strong></td>
<td><strong>$29,167,117</strong></td>
<td><strong>$98,165,014</strong></td>
<td><strong>$23,979,353</strong></td>
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<td>$115,947</td>
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<tr>
<td>27</td>
<td>General - Restricted</td>
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<td></td>
<td>$7,841,520</td>
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<td>$7,672,116</td>
<td>$11,873</td>
<td>72.9%</td>
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<tr>
<td></td>
<td><strong>Total General Fund</strong></td>
<td><strong>$2,950,414</strong></td>
<td><strong>$40,196,563</strong></td>
<td><strong>$10,755,113</strong></td>
<td><strong>$32,080,117</strong></td>
<td><strong>$36,131,681</strong></td>
<td><strong>$1,022,567</strong></td>
<td><strong>78.8%</strong></td>
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<tr>
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<td>Measure E - Debt Service</td>
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<td>$3,216,529</td>
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<td>$3,449,301</td>
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<td>Capital Project</td>
<td></td>
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<td>$809,705</td>
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<td>$809,705</td>
<td>$34,930</td>
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<tr>
<td>60</td>
<td>Measure E</td>
<td>$27,528,671</td>
<td>$0</td>
<td>$3,833,203</td>
<td>$23,905,488</td>
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<td>Child Development</td>
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<td>$338,537</td>
<td>$338,537</td>
<td>$258,621</td>
<td>$258,621</td>
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<td>92</td>
<td>Long Term Debt</td>
<td>$4,873,273</td>
<td>$500,000</td>
<td>$519,000</td>
<td>$4,854,273</td>
<td>$267,377</td>
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<td>33.4%</td>
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<tr>
<td></td>
<td><strong>Fiduciary Funds</strong></td>
<td><strong>$42,228,262</strong></td>
<td><strong>$1,269,112</strong></td>
<td><strong>$225,725</strong></td>
<td><strong>$318,680</strong></td>
<td><strong>$138,399</strong></td>
<td><strong>$135,847</strong></td>
<td><strong>109.7%</strong></td>
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<td>Associated Student Body</td>
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<td></td>
<td>$7,373,927</td>
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<td>$6,254,012</td>
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<td>48</td>
<td>Financial Aid</td>
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<td>$118,782</td>
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<tr>
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<td>Student Center Fund</td>
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<td>$126,782</td>
<td>$126,782</td>
<td>$0</td>
<td>$126,782</td>
<td>$0</td>
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<tr>
<td></td>
<td><strong>Total Fiduciary Funds</strong></td>
<td><strong>$42,228,262</strong></td>
<td><strong>$7,628,821</strong></td>
<td><strong>$7,732,434</strong></td>
<td><strong>$318,680</strong></td>
<td><strong>$6,505,862</strong></td>
<td><strong>$6,575,584</strong></td>
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<td><strong>Totals</strong></td>
<td><strong>$38,885,865</strong></td>
<td><strong>$54,790,195</strong></td>
<td><strong>$58,366,407</strong></td>
<td><strong>$35,409,563</strong></td>
<td><strong>$43,522,274</strong></td>
<td><strong>$49,190,852</strong></td>
<td><strong>79.4%</strong></td>
</tr>
</tbody>
</table>

Instructors salaries are paid August through May (10 months)
Some obligations, such as rent and contracted services, have been encumbered for the entire fiscal year
Fund 34 Capital Project = State Funded Projects
Gavilan Joint Community College District
Governing Board Agenda

July 8, 2014

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

SUBJECT: Budget Adjustments

☐ Resolution: BE IT RESOLVED,
☐ Information Only
☒ Action Item

Proposal:
That the Board of Trustees approve the attached budget adjustments for FY 2013-14.

Background:
During the fiscal year various budget adjustments are needed to align revenues and expenditures. California Code of Regulations Title V 58307 requires the Board of Trustees approve all changes in the budget.

Budgetary Implications:
Changes to the Final Budget are needed to accommodate expenditure needs of various departments and to appropriate revenue for the general fund and categorical programs.

Follow Up/Outcome:
No further action is required.

Recommended By: Frederick E. Harris, Vice President of Administrative Services

Prepared By: _______________________
Susan Cheu, Chief Financial Officer

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

C:/Board/Forms/Montly BudgetAdjustmentsCwrSheet
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<th>Account Code</th>
<th>Program #</th>
<th>Amount</th>
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<th>Account Code</th>
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net change to fund balance $(17,518.00)
Current decrease in budgeted expenditures increases Fund Balance $21,760.00
Current Increase in budgeted expenditures decreases Fund Balance $(22,141.00)
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June 2014 Meeting - Budget Adj (To Board).xlsx
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**ROP Nursing Assistant**

June 2014 Meeting - Budget Adj (To Board).xlsx

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| 120327 | 8890 | 11,195.00 | 120327 | 1110 | 2,333.00 |
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| 120327 |      |         | 120327 | 3400 | (14,302.00) |
| 120327 |      |         | 120327 | 4310 | 70.00 |
| 120327 |      |         | 120327 | 5150 | (550.00) |
| 120327 |      |         | 120327 | 5250 | 550.00 |
| 120327 |      |         | 120327 | 5530 | (120.00) |

**21st Century Afterschool Grant**

| 680827 | 8190 | 60,000.00 | 680827 | 1310 | 31,000.00 |
| 680827 |      |         | 680827 | 2310 | 7,000.00 |
| 680827 |      |         | 680827 | 3100 | 7,870.00 |
| 680827 |      |         | 680827 | 4200 | 4,744.00 |
| 680827 |      |         | 680827 | 5831 | 2,726.00 |
| 680827 |      |         | 680827 | 6400 | 4,130.00 |
| 680827 |      |         | 680827 | 5710 | 2,531.00 |

| 680827 | 8190 | 16,378.00 | 680827 | 1310 | 14,115.00 |
|        |      |         | 680827 | 3100 | 2,263.00 BU1435 |

**CARE**

| 643627 | 8639 | 2,843.00 | 643627 | 7520 | 2,843.00 BU1436 |

**Total Fund 27:**

|         |         |         |         |         | 219,966.00 |

| Final (Adopted) Estimated Beginning Fund Balance at 7/1/13 | $0.00 |
| Change to Actual Fund Balance at 7/1/13 | $0.00 |
| Actual Beginning Balance at 7/1/13 | $0.00 |
| Final (Adopted) Budget Net Change in Fund Balance | $0.00 |
| Budget adjustments from current year's previous months to increase (decrease) net change to fund balance | $219,966.00 |
| Current increase in budgeted revenue increases Fund Balance | $219,966.00 |
| Current increase in budgeted expenditures decreases Fund Balance | ($219,966.00) |
| Revised Net Change in Ending Fund Balance | $0.00 |
| Estimated Ending Fund Balance 6/30/14 for Restricted General Fund 27 | $0.00 |
II. 8. Recognitions

Associated Student Body
The Gavilan College Associated Student Body, would like to take this opportunity to say thank you to the Gavilan College Board of Trustees for their support to ASB this past academic school year of 2013-2014. We look forward to continuing working with the board of trustees for the years to come.

Retirees
Natalie Miranda-Juarez
Natalie was hired in 1972 as an Administrative Secretary while still a Gavilan College student. She has held various positions during her time at Gavilan including Financial Aid Assistant, Instructional Secretary, and Senior Departmental Assistant. She has worked as a Program Services Specialist at the Gavilan College Hollister site for the past seven years. Natalie holds an Associate of Arts degree in Liberal Arts from Gavilan College.

Rachel Perez
Rachel is retiring after 43 years in education. She has held various positions during her time at Gavilan including EOPS Director, Director of Special Projects, Director of Community Education, and Associate Dean. She also served as Acting Vice President of Student Services from March through September, 2009.
Gavilan Joint Community College District
Governing Board Agenda

July 8, 2014

Consent Agenda Item No. 11. (a) Instruction Office
Information/Staff Reports No.
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No.

SUBJECT: Learning Council 13-14 Year-End Report

☐ Resolution: BE IT RESOLVED,

☒ Information Only

☐ Action Item

Proposal:
That the Board review the Learning Council 13-14 Year End Report.

Background:
The purpose of the annual report will be to keep the Board informed of the focus/progress of the Learning Council.

Budgetary Implications:

Follow Up/Outcome:

Recommended By: Dr. Kathleen A. Rose, Executive Vice President and CIO

Prepared By: Dr. Kathleen Rose, Executive Vice President and Chief Instruction Officer

Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
LEARNING COUNCIL
13-14 YEAR END REPORT

History

In Spring of 2010, the Learning Council was developed from discussions that originated in the Basic Skills Committee. The committee was organized and formal structure was put into place under the Leadership of Scott Sandler and Edward Cervantes as facilitators, and Dr. Kathleen Rose as Administrator. The Learning Council is a sub-committee of the Academic Council and, according to BP and AP 4600, report to both Academic Senate and the Presidents Council.

Mission Statement

Learning Council is an advisory group committed to the development, promotion, and advancement of a student success agenda for prospective and enrolled students at Gavilan College. The Learning Council recognizes that there are varying definitions of student success. Learning Council will create an in-depth forum for discussing various categories of student success, identifying existing and new pathways, and creating a campus climate unified behind the goals of student success. Our primary method would be to find ways of minimizing barriers to student success, and making recommendations based on discussions and findings from external and internal best practices and research. The Learning Council is committed to the following: 1) To promote a collaborative community of inquiry, awareness, and change around learning by means of bridging Student, Academic, and Administrative Affairs. 2) To identify and address barriers to student success to increase persistence and retention levels of the college. 3) To foster and promote opportunities for Faculty and Staff Development to meet the diverse needs of our students. 4) To explore and implement various pedagogies that meet students’ diverse socio-cultural learning needs. 5) To empower members of the campus community in becoming advocates for learning. 6) To create a safe, welcome, inclusive campus environment centered on student success, empowerment, and engagement. This mission is embedded in the Gavilan College mission statement and reflects the shared beliefs and values of faculty, staff, administrators and students.

Overview

This last year (13/14), the Learning Council was co-facilitated by Susan Sweeny and Dr. John Lawton-Haehl under the direction of Dr. Kathleen Rose. Learning council continued to use Focus Inquiry Groups (FIGS) to complete work focused on student success. Student participation remains central to the work of the council, as is membership and participation from all staffing levels and disciplines.

All members are genuinely committed toward student success; and the goal of the council continues to be to create collaborative and inclusive dialogue about student success. The members understand the needs of students and they actively engage to ensure that true change occurs.
Given that the Learning Council highly values respect, each member is treated with equality regardless hierarchy or role. In addition, the Learning Council counts with representation of all campus constituency groups including full-time and part-time faculty, students, support staff, administrators, and supervisors. This diversity in the membership and combined skills and talents are fundamental to producing results. Members of the Learning Council report being energized by the “can do” attitude of the group. The members are present and attentive. There is a unique collegiality that is actively open to the ideas of others.

The Learning Council continues to be an advisory board for the management of our campus Title V Hispanic Service Institution Grant. The facilitators for the Learning Council actively recruit staff members from each grant, department, and program on campus to present current activities to the council to facilitate development of collaboration on campus.

Recommendations were made based on discussions and findings from external and internal best practices to minimize barriers and support student success at Gavilan College. In response to these recommendations, the following Focus Inquiry Groups (FIGS) were formed this year.

**FOCUS INQUIRY GROUPS**

**Tutoring Support Services FIG**

The tutoring support services group’s purpose is to provide a joint effort in creating excellent tutorial support services at Gavilan College. The group seeks to provide students with the necessary resources to be successful in their coursework while supporting the efforts of faculty and staff.

Efforts started by the tutoring support services groups continued throughout the academic year. Shared meetings for tutors to meet with human resources were implemented. The majority of the areas that offer tutoring utilized a common tutor-training course. Advertisement delineating the colleges tutoring support continued to be produced and distributed across campus.

**The Legislative FIG**

The Legislative FIG has focused their work on following and planning for the changes in SB1440 and SB1456 as their primary goal. The work of this FIG (SSSP) has been moved to the District and will be carried out by a Task Force developed and assigned by Dr. Rose.

**Instructional Improvement FIG**

Based on a challenge from the Counseling Department in Spring of 2013, the instructional improvement group started meeting in Fall 2014 to take up the question of integrating student services into the instructional classroom. Realizing that it first had to educate itself, the group
met with student services representatives including Financial Aid, Admission and Records, Assessment, Disability Resource Center (DRC), Tutoring, Early Alert, and the Student Success Center to ascertain where links might be made.

Four activities that came out of the fall meetings were:
1. The creation of an electronic support services flyer for inclusion with course syllabi.
2. The creation of Department Expectations handout for Math instructors.
3. The decision to pilot financial aid workshops in the classes of interested instructors.
4. A meeting with Hartnell College to share ideas about integrating student services and instruction.

At the end of the fall, there was interest in the creation of common practices for Basic Skills instructors such as using Early Alert and having a semester visit from a counselor. As there was concern about the direction these activities should take, especially with the implementation of SSSP, the decision was to convene again in the Fall of 2014 once some of the new procedures were in place.

Veteran’s FIG

The Veterans FIG is designed to promote a successful transition from military to civilian and academic life in order to ensure student Veterans’ success and retention in a one-stop setting. The Veterans Resource Center (VRC) has dedicated space that provides support and camaraderie in a safe and welcoming environment. The Gavilan College Veterans Council was formed in Fall 2011 and established as a working sub-committee of the Learning Council with the goal of fostering awareness of student Veteran’s needs for the college community, working with the Student Veterans Club in an advisory role, and assisting with the Veterans Voices Project and Events. The Council has been learning about the needs of student veterans by attending conferences and training classes, but most importantly by listening to our own student veteran’s experiences on campus, both academically and socially. Using this information, the Council hopes to expand service and provide a positive campus climate for student veterans to achieve their academic pursuits.

2013-2014 Goals:
1. Obtain permanent, dedicated, centrally located space for the Veterans Resource Center (VRC).
2. Expand services for student Veterans.
4. Advocate at state level for allocation for VRC.

2013-2014 Accomplishments:
2. Developed and printed VRC informational tri-fold.
3. Expanded monthly campus mobile services provided by the Santa Cruz VA Mobile Vet Center including: readjustment counseling, benefits counseling disability rating assistance. “On Demand” VA team was assembled to respond to student Veterans’ crisis including suicide prevention, crisis counseling and establishment of on-going readjustment counseling and housing assistance for homeless Vets.

4. Monthly campus visits were provided by the Mobile Medical Van for basic exams (sick call), prescription refills and enrollment in the VA Health Care System.

5. Held Veterans Success Workshop for students on Academic Dismissal. Partnered with Financial Aid and the Counseling Department during College Hour for the event. 20 students attended.

6. College-Wide publication of Vets Council Minutes.


8. Secured donations for the VRC:
   a. Gilroy Rotary - $1,000
   b. Carmel Doll and Toy Group - $1,000
   c. American Legion, Gilroy Post #217 - $250.00

2014-2015 Goals:
2. Plan “soft opening” for student Veterans.
4. Work with committee to implement California Reads Project: “What it’s Like to go to War” campus wide.
5. Discuss Guidance 210 section for Vets only.
6. Seek support for dedicated Veterans Counselor.
7. Seek official designation of VRC to a Division/Dean.
9. Continue to solicit donations for the VRC.

Student Veteran Graduates:

Steve Grace

Associates Degree Community Studies: Secured full-time job with Santa Cruz Vet Center as a Readjustment Outreach Technician. VA/VRC Work-study, Vets Council Member, Veterans FIG Member Learning Council, Vets Club.

Braulio Moreno

Associates Degree Business: Accepted to UC Santa Cruz School of Business Fall 2014 VA/VRC Work-study, Vets Council Member, Veterans FIG Member, ASB Senator

Andrew Herrin

Associates Degree: Administration, Psychology, and Spanish: Accepted to San Jose State University, Fall 2014 with major in Criminal Justice. VA/VRC Work-study, Vets Council Member, Veterans FIG Member Learning Council

Chris Ramirez

Associates Degree: Liberal Arts Natural Science. VRC Work-study, Vets Council Member.
The Veterans FIG is deeply appreciative of the support we received from Dr. Steven Kinsella, Mr. John Pruitt, Dr. Kathleen Rose, and the Learning Council to secure dedicated space for the Veterans Resource Center.

**Communication FIG**

The Communication Focused Inquiry Group has worked diligently this past academic year to complete projects carried over from previous years and to identify needs associated with the communication of ideas and resources across all of the college campuses. Guided by a dedicated group of faculty and staff, the group has seen much of its work for the past few years finally come to fruition.

Members:

A. Chair: Blanca Arteaga  
B. Interim Chair: Ellen Waddell  
C. Lynda Kerr  
D. Stacey Porteur  
E. Doug Martin  
F. Kyle Billups  
G. Jan Bernstein-Chargin  
H. Katie Day

The FIG saw success with its long-term projects:

**Completed:** The Student Email Accounts project required the work of multiple departments and staff. It was completed and in service as of April 1, 2014. It is expected that general use will begin to grow with registration for classes in the next few weeks.

The mobile phone app (application) was a long-term project that involved using an aspect of the MyGav software and adapting it to use with our system. For a time, the software did not work, but the issues were finally corrected and placed into service early 2014. Students are to be advised during orientation about the availability of the app, and its use.

The availability and use of Google Voice has long been a focus of the group. Many of our students do not have internet connections readily available to them outside of the campus. Also, since 70% of our faculty is adjunct, they do not have office locations or campus phones where students can leave a message. Thus, they must give out personal contact information if they are to address student needs. Google Voice offers a viable alternative that is free to users. The FIG worked with the TLC to create training materials for Adjunct Faculty orientations, yet use remains minimal. The FIG has requested a workshop during Staff Development Day August 2014 to train faculty and staff, and implement the service campus-wide. At this point, the FIG
believes they have done what they can do to promote the use of the app. This project will be considered completed once the workshops are held this coming fall.

Going forward: The Centralized Meeting and Minutes project continues. The FIG is attempting to unify all information regarding routine meetings and the minutes that occur on campus on one central webpage. The FIG has contacted all committees to gather which take minutes, and who is willing to have the information shared online (internet or intranet).

The Centralized Calendar is also an ongoing project for the FIG. The software for the calendar is now in use, but there is a need for internal policy management and methods to be identified and used before there is increased use of the page. With more research, an appropriate procedure should be developed for implementation. Once the details are dealt with, the packaging and communication of the calendar combined with training will be the final step.

The last project active for the next academic year will be the Adjunct Mentoring Project. The FIG is interested in supporting the efforts of the committee currently developing the program. Once the committee has identified the needs of the project, the FIG projects it will help with website design and content, as well as communication of the program.

On Hold: The group had been working for the past year on a project titled Ask Gav. Due to the priority of other projects, this has been placed on hold indefinitely.

The Steps to Success project remains a priority for the college as a whole, but the Communication FIG will be unable to support it in the near term due to the departure of Dave Phillips and overall workload in MIS.

Gavilanedult is a phone application now available for download. Students can use it to receive ASB discounts on products and services in the community. The Welcome Center could also promote if given posters/resources. The FIG suggests a webpage link to the Gavilane College application for integrated use. However, the FIG needs additional information in order to promote use of product. Of main concern is the lack of local services on the app.

In conclusion, the Communication Focused Inquiry Group believes the priority of projects going forward models the college values and serves its mission to be transparent with the communities it serves, and to use innovative ways to communicate with students with the aim of preparing them for success in a fast changing world.

Food Pantry FIG

Food program update (5/21/14):
The pilot program has been operating for a total of six weeks. Food boxes put together by St. Josephs and delivered by a St. Joseph’s volunteer have been distributed to 10 Gavilan College students each week. The food is distributed Monday afternoons in the former JPA parking lot.
We have worked on getting improved signage; in particular a sandwich board was purchased so the project is not borrowing the security sandwich board. Several weeks not all of the boxes were picked up on time, but all the boxes were distributed to other students in need. A process for distributing the left over boxes was developed whereby extra boxes are distributed to students on the waiting list. We would like to continue the pilot project through summer and into fall. The goal would be to demonstrate the viability of Gavilan College as a Food Bank distribution site, thus enabling more students to participate. A student survey was administered to better understand how well the pilot is functioning and its impact on students (n=7).

How much do you agree with the following statements about the food distribution program:

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Strongly disagree</th>
<th>Disagree</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>The food distribution I got was of a high quality.</td>
<td>0.0%</td>
<td>40.0%</td>
<td>60.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>The food distribution was convenient for me.</td>
<td>0.0%</td>
<td>0.0%</td>
<td>80.0%</td>
<td>20.0%</td>
</tr>
<tr>
<td>The food distribution can help reduce my stress about access to food.</td>
<td>0.0%</td>
<td>0.0%</td>
<td>80.0%</td>
<td>20.0%</td>
</tr>
<tr>
<td>I knew what to do with the food in the boxes.</td>
<td>0.0%</td>
<td>0.0%</td>
<td>40.0%</td>
<td>60.0%</td>
</tr>
<tr>
<td>Overall, I am satisfied with the program.</td>
<td>0.0%</td>
<td>0.0%</td>
<td>80.0%</td>
<td>20.0%</td>
</tr>
</tbody>
</table>

Comments:
- What do you want more of: Oranges, Cucumbers, Fruit, Organic food.
- What do you want less of: Cabbage, Bad food. The food I got so far half was moldy or slimy, cabbage, cookies.
- What are some benefits to you as a student? Keeps food in my fridge. Saves money... Lots of money, I do get addition fruits and veggies for me and my son. It comes in handy with my son's school lunches. I get free food. Its easy for me to get it.
- Suggestions to improve program: Food on the bottom is often smashed. Bananas go bad very fast and have picked up almost rotten bananas before. Bread seems to go moldy in less than two days... it would be nice to have fresher food.

Figure 1: Volunteer placing food box in student’s car.
Habits of Mind (Fall 2013-Fall 2014)

HoM Fall 2013 Activities
1) Developed and disseminated new Habits of Mind Theme: Communication
Areas of focus in our Communication theme included managing impulsivity, e-mail etiquette, effective small group communication in the classroom, thinking and communicating with clarity and precision, listening with understanding and empathy, etc.

Communication theme was determined based on a campus-wide Spring 2012 Survey. Respondents were asked to identify what characteristics or habits were most needed on our campus in order to develop student success. There were approximately 100 respondents. As a group, the HoM FIG looked at and categorized responses to find what was surfacing from the collective voices in the survey. We found that out of all the issues, time was of greatest concern. Time management was, therefore, our first theme in Fall 2012. The second most predominant response was effective communication.

2) Developed Webpage with videos, etiquette rubric, and links connected to the theme of communication
Posts on our HoM Communications page included links for supporting students in effective conversations with instructors, tips for e-mail etiquette, advice for starting a conversation, and general strong communication skills for students. A rubric for Discussion Board contributions, which included an etiquette component, was posted in order to support online teachers. Videos from Denise Besson’s Communicate! series were also posted. Video topics included: paraphrasing, mindful/mindless listening, You/I phrasing, and Shifting vs. Response.

3) Unveiled the Habits of Mind Communications Challenge
In an attempt to create a “buzz” on our campus revolving around the theme of communication, we created a Communications-themed challenge. This was also done as a way of getting more students directly involved in these discussions. All members of our campus community were encouraged to submit a project to promote and highlight a particular aspect of good and/or effective communication on a college campus. Respondents could use any medium of their choice (poster, video, skits, panel presentations, etc).

13 videos were submitted for this challenge, 12 of which were from students. Topics included effective communication practices for working with second language learners, non-verbal
communication, communication for working with Vets, issues of gender and communication, inter-cultural communication, etc.

An acknowledgement ceremony took place on December 6th in the North/South Lounge. This event was an opportunity to recognize all participants, as well as view and share highlights of projects. Judges included Kathleen Rose, Dana Young, and Stacey Porteur. Prizes included GavGear and recognition of participation certificates.

4) Student Success Lives Here Symposium
On Friday, November 1st, members of our HoM FIG presented at the 3CSN sponsored event, “Student Success Lives Here” at Yuba College. This event was attended by approximately 100 participants from various colleges throughout Northern California. At this event, several colleges presented on student success initiatives and the inspiring work being done around Reading Apprenticeship, Curricular Redesign and Acceleration, and Habits of Mind. We shared our Habits of Mind webpage and activities. The presentation looked at how we formed and developed Habits of Mind. We discussed work we have done on our campus around Time Management and Communication.

HoM Spring 2014 Activities
1) Developed and disseminated new Habits of Mind Theme: Speak For Yourself To Get What You Need
In response to our Spring 2012, our Habits of Mind FIG developed our third theme around self-advocacy: “Speak For Yourself To Get What You Need.” Self-Advocacy issues include knowing what resources are available on our campus, support for talking with instructors/counselors and getting what you need from such conversations, conflict resolution, financial aid workshops/support, communication with support services, looking at role of student government, knowing your rights/principles of community, etc. We came up with broad categories to help us frame our discussions, activities, and areas of inquiry around self-advocacy:

1) Go Ahead and Ask (What): this can include knowing what resources are available on and off-campus, knowing your rights, knowing that it’s okay to ask, finding your voice, etc.

2) Find Out (Where/Who): this can include finding who and where to go to for support, finding out about what you need to know before you even set foot on campus, etc.
3) Follow Through (How): this can include such things as finding your voice, getting what you want out of an office visit, applying what you learned to get what you need, taking ownership of learning, etc.

Habits of Mind
Speak for yourself to get what you need!
Go ahead and ask.
Find out.
Follow through.

In our first month, we focused on outreach. We scheduled appointments with the student groups to get more students invested and to have them help create some student-centered activities--some of which can take place during College Hour. Student groups that we reached out to included the Communications Club, RAMbassadors, Puente Ambassadors, and ASB. One result of our efforts was to gain two student members of Habits of Mind: Tony Fernandez from the Communications Club and Dina Sánchez from the RAMbassadors.

2) Created and Facilitated the Johari Windows Event
In an effort to find out more about the resources that our students know about, Habits of Mind developed and adapted an event based on the Johari Windows. The event took place on Tuesday, March 25th from 12:30-2:00 between the Trio and Mesa buildings. Students filled out and responded to questions on colored index cards. There were four "windows" (categories of inquiry) for this event:

   a) What resources do you know a lot about and believe are widely known by others?
   b) What resources do you know about, but do you think may be unknown to others?
   c) What resources on campus may you have heard of, but know very little about?
   d) What resources on our campus do you believe are needed?

Student responses were publicly displayed on large sections of foam board. Responses remained for several hours for students to look at. This event was widely publicized and well attended (over 100 students).
During this event, students ate pizza and listened to Gavilan musicians. The music portion of this event was arranged and facilitated by Samuel Sotelo. During musical breaks, Teresa Widdowson asked students what they wished they knew before coming to Gavilan. This video is something that will be developed in Fall 2014.

Responses were recorded and have been shared with Learning Council and at the Student Services Division meeting. Sections will also be shared at our Professional Development Day.

3) Unveiled Weekly “Did You Know” Slides
Based on contributions from student support services, faculty, and administrators, Habits of Mind have posted weekly “Did You Know” slides. These slides were adapted with permission from Santa Rosa Junior College. On each slide, we are sharing with students timely information to support them, resources and services that are available on our campus, and motivational quotations or advice. These slides are being posted weekly onto our Gavilanilearn page by Sabrina Lawrence, our Gavilan Distance Education Facebook page, our Gavilan Facebook page, and our Habits of Mind page.

4) Developed Webpage
This semester, we posted and shared our Did You Know Slides on our site, along with video contributions from Communications students. These videos were created by students in Ellen Waddell’s Small Group Communications (CMUN 10) class. There were done as part of a class project and shared with our campus through Habits of Mind. Video topics included Small
Group Communication, Self-Advocacy and Non-Verbal Cues, Talking to a peer, an instructor, or staff member, Self-Advocacy Listening Skills, Bullying, and Peer to Peer Conflict Mediation.

5) Presentation at Mission College
Gavilan College and Cerritos College presented at a 3CSN event at Mission College. This event served as an orientation to Habits of Mind. The event took place on April 25th from 9-12. Gavilan shared an overview of Habits of Mind on our campus, as well as placed an emphasis on hands-on activities that can be done in the classroom in order to better support and promote Habits of Mind.

Looking Forward: Fall 2014

In Fall 2014, we will be continuing with our Self-Advocacy theme. A number of projects are being planned for this coming semester.

They will include, but are not limited to the following:

a) Creation of an Ask Me ("It’s Okay To Ask") campaign
b) Creation of a “Virtual Tour” of our campus
c) Developing a video with Teresa Widdowson: “What do you wish you knew before coming to Gavilan”?
d) Coordinating with faculty and staff to create workshops (e.g. Conflict Resolution, E-mail Etiquette, Communication Styles, etc.)
e) Johari window event (now being called “Inquiry Window”) for Faculty/Staff
f) “Did You Know” slides for faculty/staff

College Hour FIG

In Fall term 2013, The College Hour FIG met several times to review uses of College/Common hour on a variety of campuses nation-wide. We developed proto-type schedules with suggested uses for ASB clubs and faculty and shared these prototypes with Learning Council, ASB and ICC (Inter-Club Council). We also worked with the Writing Skills Center and shared their schedule as well. Due to difficulty scheduling meetings, the FIG did not meet regularly in Spring 2014.

The FIG wishes to continue to help gather information/data about College Hour uses and success from this term in Fall 2014. We are actively seeking additional faculty/staff members.

Part-Time Faculty and Student Success FIG

This FIG investigated part-time instructional issues and provided insights about practices and trends that research indicates is expected to impact Gavilan Student Learning. Analysis of the most current data available from the CCCCO is located on the iLearn Learning Council site. After
examination of the data and focus of the FIG it was decided it will be redirected. The student success focus will be blended into the Instructional Improvement FIG and the work condition issues will be taken to the Academic Senate and Union to continue research and discussion.

FIGS for Fall 2014

A. Information and Referral
B. Gavilan College Fresh Mondays Food Pantry
C. Habits of Mind
D. Communication
E. Student Services
F. Instructional Improvement
Gavilan Joint Community College District
Governing Board Agenda

July 8, 2014

Consent Agenda Item No. 11.
Information/Staff Reports No. (b)
Discussion Item No.
Old Business Agenda Item No.
New Business Agenda Item No.

SUBJECT: Update on Board Goals for 2014

☐ Resolution: BE IT RESOLVED,
☐ Information Only
☐ Action Item

Proposal:
That the Board of Trustees review the actions taken so far to achieve the Board’s established goals for 2014.

Background:
Annually the Board of Trustees sets its goals for the upcoming year. An update on the status of the progress made to achieve the goals is provided. A short narrative is provided under each goal.

Budgetary Implications:
The goals of the Board of Trustees in combination with the Strategic Plan are used to establish the funding priorities for the tentative and final budget.

Follow Up/Outcome:
Staff will continue to make progress on developing actions and activities to assist in achieving the Board’s stated goals for the year.

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

Prepared By:  

Dr. Steven M. Kinsella, Superintendent/President

Agenda Approval:  

Dr. Steven M. Kinsella, Superintendent/President
GOAL 1: Finalize administrative reorganization plan, addressing vice president vacancies, long-term stability and effectiveness potential, financial impact and hiring sequence and timing.

Update: The college has filled both of the vacant vice president positions. The focus for the remainder of the calendar year will be used to continue the conversations regarding the dean position that is necessary to provide adequate support to learning support programs of the college. A recommendation on that position is expected to come to the Board for a first reading by the December, 2014.

GOAL 2:

a. Finalize and initiate Coyote Valley Educational Center/Public Safety Consortium site development
b. Clarify Educational Center options for San Benito locale
c. Review enhancement options for services provided at our off-site locations

Update: Coyote Valley development activities remain the highest priority for the college as the public safety program has to be relocated from Evergreen College in not more than two years. Coyote Valley is on-hold until habitat clearance is received. An application has been sent to the agency administering the Santa Clara County Habitat Conservation Plan. If this site is not functional in time for the required move, Gavilan College could lose 500 FTES that could cost the college $2.4 million annually. Accordingly, the main focus of effort is in this area of the district as failure to accommodate existing public safety training will have severe financial consequences to the district.

San Benito County property continues along its path towards habitat clearance but the timeline for completion is uncertain. Additionally, state funding is necessary for development of the site. Local borrowing is an option but until the state is paying for the enrollment we already generate, adding more service requires reductions in other aspects of the college’s educational programming.

Expansion of services in any offsite location, absent new state funding, will depend on reducing services in other areas. While the state’s economy is doing quite well, community colleges remain restrained and there is no ability system wide to obtain any funds beyond the limited cost of living allowance provided in the state budget. That rate is 0.85% and does not address the ever increasing costs of operations for goods and professional services that result from routine increases in commodities and services charged by vendors.
GOAL 3: Create pathways between high schools and Gavilan with a focus of bringing more college-ready students into the college.

Update: AB 86 is the key vehicle to create firm and institutionalized pathways between colleges and local K-12 districts. The college has made minimal progress in this area and no instructional offerings have been developed to address the remediation issues discussed over the last two years.

GOAL 4: Develop policy on staffing plans for faculty, professional support staff, and administrative positions.

Update: The Final and Tentative Budget documents include the financial standards the college uses to maintain stability year-after-year. Those standards provide guidance on how the college approaches full-time faculty, professional support, and administrative personnel. Those standards will be revisited and changes as appropriate will be provided to the Board by the end of the calendar year.

GOAL 5: Review Title IX Status Report and provide administrative and professional support staff adjustments if appropriate, to ensure college has data necessary to adequately review information and conclusions in the report.

Update: Professional support staff was increased at the beginning of the calendar year to assist with documentation and information gathering for the areas of Title IX related to the college’s athletic programs. Staff members are scheduled for training to learn more about Title IX requirements that exist for not just athletics but for all the college’s operations.

GOAL 6: Analyze district security policy.

Update: No analysis has been conducted related to this goal.

GOAL 7: Develop professional development plan for members of the Board to increase awareness of, but not limited to, the following areas:

a. Accreditation planning, practices, and actions taken to ensure continuous compliance with ACCJC Accreditation Standards.

b. What members of the Board need to know about California Community College District Budgets.

c. Information sessions on results of program reviews and evaluations of college processes.

d. Executives training on SEMS (Incident Command Center and Emergency Response Plan).

e. Analyze information ways and means of communication to community and future students.

Update: Board members have attended training on financial, strategic planning, and governance topics. The college hosted the CCLC’s first regional training for trustees. Approximately 45 people attended the college’s trainings between the college’s first offering in January and the second session in March.
The Board received training on SEMS (Incident Command Center and Emergency Response). All management personnel are trained annually and participate in required exercises that are used to place individuals into defined leadership positions who can gain experience in this training environment.

Additional training will be provided on how to operate a college in compliance with accreditation standards. Information will also be provided on the program reviews completed at the college.

**GOAL 8:** Review Board self-evaluation and goal setting policy.

**Update:** The self-evaluation process along with the goal setting policy will be forwarded for review along with the current accreditation standards that are effective July 1, 2016. The new accreditation standards were approved by the ACCJC at its June 2014. Review of all Board policies related to governance will be reviewed to determine what changes are appropriate in light of the new standards.
ACTION ITEMS
NEW BUSINESS
Gavilan Joint Community College District
Governing Board Agenda

July 8, 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. (a)

SUBJECT: Hearing to Consider Approval of Necessity Authorizing Acquisition by Eminent Domain of Certain Easement Interests for the Gilroy Campus Modernization Project and Authorizing and Directing Legal Counsel to Institute Condemnation Proceedings (APN-810-34-006)

☐ 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-810-34-006).

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, which will result in the College replacing a 1,000,000 gallon tank with two 669,000 gallon tanks. The existing water tank is damaged and no longer meets refresh rate standards set by the National Fire Protection Agency, putting the College out of compliance with the fire code and potentially jeopardizing the safety of students and faculty on campus. The existing water main connecting the water tank site to the College’s Gilroy campus (“Existing Main”) is a 12-inch asbestos cement pipe that is approximately 60 years old, and is inadequately sized to support the new water tanks. Thus, the College is required to construct and install a new water main (“New Main”). Also, the College is required by law to maintain its fire suppression system at all times, such that the College must continue using the Existing Main while it constructs and installs the New Main. As a result, the College cannot install the New Main within the easement area for the Existing Main, and must acquire additional easements rights to construct, install, and access the New Main.

Although the College has access rights to the Water Tank Property and Exiting Main, the College desires to perfect its rights to use the existing access road on the Westbrook Property, including additional width to accommodate vehicular travel for construction purposes and future improvements to the road.

On July 8, 2014, in connection with the Project, the Board will be asked to adopt Resolution #976 (“Resolution of Necessity”), which would authorize acquisition by eminent domain of easements interests (“Easements”) encumbering a portion of the real property identified as 1065 Castro Valley
Road, Gilroy, California, Assessor’s Parcel Number 810-34-006 (“Property”). The Easements are needed to serve the water tank replacement project as part of the Project.

On June 23, 2014, the College provided written notice by U.S. mail and email to the record owners of the Property. The notice advised the owners that on Tuesday, July 8, 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 Social Science building, Room 206, 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. The College has offered to purchase the easements in compliance with statutory requirements.

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 #976, a Resolution of Necessity.

Recommended By: Frederick E. Harris, Vice President of Administrative Services
Prepared By: Frederick E. Harris, Vice President of Administrative Services

Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
Gavilan Joint Community College District
Governing Board Agenda
July 8, 2014

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

SUBJECT: Signing Authority

☐ Resolution: BE IT RESOLVED,

☐ Information Only

☐ Action Item

Proposal:
That the Board of Trustees approve the following updated signing authority lists for Pinnacle Bank, Bank of America, Wells Fargo and Bank of the West.

Pinnacle Bank Signing Authority
Dr. Steve Kinsella
Dr. Kathleen Rose
Frederick Harris

Remove from Pinnacle Bank Signing Authority
Terry Newman

Bank of America
Dr. Steve Kinsella
Dr. Kathleen Rose
Frederick Harris

Wells Fargo
Dr. Steve Kinsella
Dr. Kathleen Rose
Frederick Harris

Remove from Bank of the West Signing Authority
Terry Newman

Bank of the West Authority
Dr. Steve Kinsella
Dr. Kathleen Rose
Frederick Harris

Background:
Budgetary Implications:
Follow Up/Outcome:
Recommended By: Frederick E. Harris, Vice President of Administrative Services

Prepared By: ________________

Susan Cheu, Chief Financial Officer

Agenda Approval: ________________

Dr. Steven M. Kinsella, Superintendent/President

C:/Board/Forms/Signing Authority
Gavilan Joint Community College District  
Governing Board Agenda  
July 8, 2014

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

SUBJECT: Consideration and possible approval of the Second 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 the Second 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. An addendum to the MND was approved by the Board on March 11, 2014.

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 for the clarification that the new water main will be located outside the Project boundaries and 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. No subsequent EIR or negative declaration is required to be prepared.

Attached is the "Second 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: Frederick E. Harris, Vice President of Administrative Services
Prepared By: Frederick E. Harris, Vice President of Administrative Services

Agenda Approval: [Signature] Dr. Steven M. Kinsella, Superintendent/President
SECOND 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. On March 11, 2014, the College adopted a first Addendum to the IS/MND.

The Project includes the replacement of the College’s water tank, 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, which will result in the College replacing a 1,000,000 gallon tank with two 669,000 gallon tanks. The College also needs to construct and install a new water main connecting the replaced water tanks with the College’s Gilroy campus.

The Project studied in the IS/MND includes the construction, installation, and maintenance of the new water main. Figures 2 and 3 in the IS/MND depict the boundaries of the Project site, however, the new water main is planned to be located outside of the boundaries shown on the maps. The other figures contained in the IS/MND clearly show the location of the new water main. However, the College wishes to clarify that the water main will be located outside the boundaries shown on Figures 2 and 3. The proposed water line is shown on Figure 5 of the IS/MND, and was thus considered as part of the College’s overall CEQA analysis.

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 clarification that the new water main will be located outside the Project boundaries shown on Figures 2 and 3 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 ADDITION OF WATER MAIN

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 and proposed water tanks are located on real property that is owned by the College (“Water Tank Property”). The tanks supply water to property on which the College operates its Gilroy College Campus (“College Campus”). However, the existing water tank is damaged and no longer meets refresh rate standards set by the National Fire Protection Agency, putting the College out of compliance with the fire code. Thus, the College is replacing the existing tank with two 669,000-gallon tanks. The existing water main connecting the water tank site to the College’s Gilroy campus (“Existing Main”) is a 12-inch asbestos cement pipe that is approximately 60 years old, and is inadequately sized to support the new water tanks, which will have the capability to deliver 3,500 gallons per minute of water, as required by the fire code. Thus, the College is required to construct and install a new water main (“New Main”).

The New Main was included as part of the Project analyzed in the IS/MND, as shown on Figure 5 therein. The New Main is part of the overall water distribution system that was studied for purposes of CEQA, and any potential environmental impacts that may result from the Project, including the New Main, have been thoroughly and adequately identified and mitigated. The College wishes only to clarify that the New Main runs between and connects the non-contiguous parcels shown on Figures 2 and 3, and is therefore technically located outside of the boundaries shown on those figures.
D. CONCLUSION

The clarification set forth herein does not constitute substantial changes to the Project or the circumstances under which the Project is undertaken. (CEQA Guidelines, § 15164(a)(1)&(2).) It does not require major revisions to the previously-adopted MND. (Id.) As discussed above, the New Main was included as part of the Project that was analyzed in the IS/MND, notwithstanding that it is planned to be located outside of the boundaries shown on Figures 2 and 3. This clarification 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.

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 Project boundary clarification 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.
SUBJECT: Consideration and Potential Approval of Resolution #976 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 Procedures, including but not limited to, Sections 1240.120, 1240.125, and 1245.220, for a Portion of the Property described as 1065 Castro Valley Road, Gilroy, California, Assessor's Parcel Number 810-34-006, for the Gilroy Modernization Project (APN 810-34-006)

Resolution: BE IT RESOLVED, that Resolution #976 be approved.

Proposal:
That the Board of Trustees consider and approve Resolution #976 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 810-34-006)

Background:
Attached is a Staff Report of Findings on Public Interest and Necessity for Parcel Number 810-34-006. Also attached is Resolution #976, 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 Procedures, including but not limited to, Sections 1240.120, 1240.125, and 1245.220, for a Portion of the Property described as 1065 Castro Valley Road, Gilroy, California, Assessor's Parcel Number 810-34-006, for the Gilroy Modernization Project (APN 810-34-006)

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 more water tank storage to reduce the refill rate of its tanks, which will result in the College replacing a 1,000,000 gallon tank with two 669,000 gallon tanks. The College is required to construct and install a new water main ("New Main"). These improvements are intended to respond to the concerns raised by the Fire Marshall regarding fire supply recovery after a fire event on campus. The College desires to perfect its rights to use the existing access road on the Westbrook Property, including additional width to accommodate vehicular travel for construction purposes and future improvements to the road.

This resolution is a necessary step to acquire certain easements in order to install a New Main. The ideal way to acquire the easement 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.

**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: Frederick E. Harris, Vice President of Administrative Services

Prepared By: [Signature]
Frederick E. Harris, Vice President of Administrative Services

Agenda Approval: [Signature]
Dr. Steven M. Kinsella, Superintendent/President
RESOLUTION NO. 976

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 1065
) CASTRO VALLEY ROAD, GILROY, CALIFORNIA,
) ASSESSOR’S PARCEL NUMBER 810-34-006, FOR THE
) GILROY CAMPUS MODERNIZATION PROJECT

WHEREAS, the Board of Trustees (the “Board”) of the Gavilan Joint Community College District (the “College”) determines that it is necessary to acquire easement interests in certain real property, which are needed by the College for use in connection with the Gilroy Campus Modernization Project. The property subject to this Resolution consists of a portion of a parcel of property, owned by Barbara Westbrook, Trustee of the Don and Barbara Westbrook Family Trust, UTA dated March 15, 2010 (“Owner”), located on the west side of Santa Teresa Boulevard, north of Castro Valley Road, in the unincorporated area of Santa Clara County, south of the City of Gilroy. The entire parcel is commonly known as 1065 Castro Valley Road, Gilroy, California, and bears Assessor’s Parcel Number 810-34-006 (“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 is building a replacement water system for the irrigation and fire demands at its Gilroy Campus, which includes replacement of the existing 1,000,000 gallon water tank with two new 669,000 gallon reservoir tanks at the same location (“Project”). As part of the Project, the College needs to install a new water main connecting the water tanks to the College campus, since the existing water main is approximately 60 years old and is insufficient in size to accommodate the replaced tanks. Since the College is required by law to maintain fire suppression at all times, it is unable to construct and install the new water main in the same location as the existing main. Also, constructing within the easement for the existing water line would disrupt sensitive species of trees. Thus, the College must acquire easement rights to construct and install a new water main, and to gain access thereto; 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. 14, §§ 15000, et seq.) on November 13, 2012; 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 July 8, 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 July 8, 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 construct and install a water main to support the replaced water tanks supplying water to the College campus.

   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.

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 designee, 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 July 8, 2014.

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________
President, Board of Trustees

Attest:

__________________________
Clerk, Board of Trustees
EXHIBIT A

LEGAL DESCRIPTION OF EASEMENTS

PARCEL ONE

A permanent and non-exclusive easement ("Water Main Easement") to lay, construct, reconstruct, install, remove, replace, inspect, maintain, repair, improve, relocate, and otherwise use a water main and related appurtenances ("Facilities") in, on, over, under, and across that certain real property described as follows ("Water Main Easement Area"): 

Situate in the County of Santa Clara, State of California


Being 20 feet in width, measured at right angles, the center line of which is more particularly described as follows to wit:

Beginning at a point in the eastern boundary of that certain parcel of land conveyed to Gavilan Joint Junior College by Grant Deed recorded December 17, 1965 in Book 7215 of Official Records at Page 155, Santa Clara County Records, from which the western most corner thereof bears North 71° 03' 15" West 222.08 feet distant.

Thence from said point of beginning leaving said last mentioned boundary South 30° 49' 00" East 108.00 feet; thence South 75° 49' 00" East 272.00 feet to a point in the southeastern boundary of that certain parcel of land conveyed by Grant Deed to Gavilan Joint Junior College and recorded April 5, 1967 as Document Number 3205339, Santa Clara County Records.

Attached hereto is a plat labeled "Exhibit B" and by this reference made a part thereof.

Together with the necessary rights of access, ingress and egress and the right to enter upon and to pass and re-pass over and along the Water Main Easement Area for the construction, operation, and maintenance of the Facilities to be constructed in the Water Main Easement Area by Grantee or its successors and assigns, its officers, agents, and employees and by persons under contract with Grantee or its successors and assigns.

PARCEL TWO

A permanent and non-exclusive right of access, ingress and egress ("Access Easement") as reasonably necessary for the use and enjoyment of the Water Main Easement and the real property owned by Grantee and described as APN 810-34-003, and any improvements or facilities located thereon, including Grantee’s water tanks, over and across the property described as follows ("Access Easement Area"): 

Situate in the County of Santa Clara, State of California

Being 30 feet in width, measured at right angles, the center line of which is more particularly described as follows to wit;

Beginning at a point in the eastern boundary of that certain parcel of land conveyed to Gavilan Joint Junior College by Grant Deed recorded December 17, 1965 in Book 7215 of Official Records at Page 155, Santa Clara County Records, from which the eastern most corner thereof bears North 18° 56'45" East 103.33 feet distant.

Thence from said point of beginning leaving said last mentioned boundary on a curve (C1) to the left from a tangent bearing North 73° 40' 00" East having a radius of 110.00 feet through a central angle of 144° 40'00" an arc length of 277.74 feet; thence (R1) North 71° 00' 00" West 115.46 feet; thence (R2) North 37° 00' 00" West 173.18 feet; thence (R3) North 67° 00' 00" West 67.44 feet; thence (R4) South 74° 00' 00" West 68.92 feet; thence (R5) North 14° 00' 00" West 11.72 feet; thence on a curve (C2) to the right having a radius of 180.00 feet through a central angle of 60° 00' 00" an arc length of 188.50 feet; thence (R6) North 46° 00' 00" East 61.03 feet; thence on a curve (C3) to the left having a radius of 40.00 feet through a central angle of 70° 00' 00" an arc length of 48.87 feet; thence (R7) North 24° 00' 00" West 69.54 feet; thence on a curve (C4) to the right having a radius of 40.00 feet through a central angle of 84° 00' 00" an arc length of 58.64 feet; thence (R8) North 60° 00' 00" East 104.10 feet; thence on a curve (C5) to the left having a radius of 40.00 feet through a central angle of 91° 00' 00" an arc length of 63.53 feet; thence (R9) North 31° 00' 00" West 31.28 feet; thence (R10) North 55° 00' 00" West 80.65 feet; thence on a curve (C6) to the right having a radius of 70.00 feet through a central angle of 70° 00' 00" an arc length of 85.52 feet; thence (R11) North 15° 00' 00" East 113.39 feet; thence on a curve (C7) to the left having a radius of 60.00 feet through a central angle of 50° 00' 00" an arc length of 52.36 feet; thence (R12) North 35° 00' 00" West 64.95 feet; thence (R13) North 81° 00' 00" West 59.74 feet; thence on a curve (C8) to the right having a radius of 40.00 feet through a central angle of 67° 00' 00" an arc length of 46.77 feet; thence (R14) North 14° 00' 00" West 92.04 feet; thence on a curve (C9) to the left having a radius of 70.00 feet through a central angle of 78° 00' 00" an arc length of 95.29 feet; thence (R15) South 88° 00' 00" West 99.92 feet; thence on a curve (C10) to the right having a radius of 50.00 feet through a central angle of 116° 00' 00" an arc length of 101.23 feet; thence (R16) North 24° 00' 00" East 37.31 feet; thence on a curve (C11) to the right having a radius of 140.00 feet through a central angle of 69° 00' 00" an arc length of 168.60 feet; thence (R17) South 87° 00' 00" East 81.22 feet; thence (R18) South 69° 00' 00" East 134.31 feet; thence (R19) South 64° 00' 00" East 308.11 feet to a point in the northern boundary of the aforementioned lands of Gavilan Joint Junior College.

Attached hereto is a plat labeled "Exhibit B" and by this reference made a part thereof.
GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
BOARD AGENDA ITEM

July 8, 2014

TITLE AND SUBJECT

Conduct a Public Hearing and Adopt Resolution No. 976 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 1065 Castro Valley, Gilroy, California, Assessor’s Parcel Number 810-34-006, for the Gilroy Campus Modernization Project

DESCRIPTION/DISCUSSION

The Board has been provided with a copy of Resolution No. 976 ("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 Barbara Westbrook, Trustee of the Don and Barbara Westbrook Family Trust, UTA dated March 15, 2010 ("Owner"), and located on the west side of Santa Teresa Boulevard, north of Castro Valley Road. The entire parcel is commonly known as 1065 Castro Valley Road, Gilroy, CA, and bears Assessor’s Parcel Number 810-34-006 ("Westbrook Property"). 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, which will result in the College replacing a 1,000,000 gallon tank with two 669,000 gallon tanks. The existing water tank is damaged and no longer meets refresh rate standards set by the National Fire Protection Agency, putting the College out of compliance with the fire code and potentially jeopardizing the safety of students and faculty on campus. The existing water main connecting the water tank site to the College’s Gilroy campus ("Existing Main") is a 12-inch asbestos cement pipe that is approximately 60 years old, and is inadequately sized to support the new water tanks, which will have the capability to deliver 3,500 gallons per minute of water, as required by the fire code. Thus, the College is required to construct and install a new water main ("New Main"). Also, the College is required by law to maintain its fire suppression system at all times, such that the College must continue using the Existing Main while it constructs and installs the New Main. As

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a result, the College cannot install the New Main within the easement area for the Existing Main, and must acquire additional easements rights to construct, install, and access the New Main. Further, constructing within the easement for the Existing Main would require disrupting sensitive oak trees, which will not occur with installation of the New Main within the Easements.

Finally, although the College has access rights to the Water Tank Property and Exiting Main, the College desires to perfect its rights to use the existing access road on the Westbrook Property, including additional width to accommodate vehicular travel for construction purposes and future improvements to the road.

As set forth in Resolution No. 976, 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 be 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.

The Project at issue includes the College’s replacement of a 1,000,000 gallon tank with two 669,000 gallon tanks. The purpose of the replacement is to reduce the refill rate of the tanks. The existing water tank is damaged and no longer meets refresh rate standards set by the National Fire Protection Agency, putting the College out of compliance with the fire code and potentially jeopardizing the safety of students and faculty on campus. The Existing Main, connecting the Water Tank Property to the College campus, is a 12-inch asbestos cement pipe that is approximately 60 years old, and is inadequately sized to support the new water tanks, which will have the capability to deliver 3,500 gallons per minute of water, as required by the fire code. Thus, the College is required to construct and install the New Main. Also, the College is required by law to maintain its fire suppression system at all times, such that the College must continue using the Existing Main while it constructs and installs the New Main. As a result, the College cannot install the New Main within the easement area for the Existing Main, and must acquire additional easements rights to construct, install, and access the New Main. Further, constructing within the easement for the Existing Main would require disrupting sensitive oak trees, which will not occur with installation of the New Main within the Easements.
The College must also perfect its access rights to the Water Tank Property and the New Main in order to construct, install, and maintain the water tanks and New Main.

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 water tanks are located on the Water Tank Property, which is owned by the College but separate from the Campus Property. The Water Tank Property is not contiguous to the Campus Property, and is completely surrounded on all sides by the Westbrook Property. Thus, to install a water main connecting the tanks on the Water Tank Property to the water distribution system on the Campus Property, the College has no choice but to acquire rights on, over, under, and/or across the Westbrook Property. The New Main will be located underground so as to minimize the impact on private property interests. The New Main is planned to run fairly directly between the Water Tank Property and Campus Property, to facilitate the least amount of private injury as possible. The New Main is also designed to maximize protection of sensitive species of trees located on the Westbrook Property. The College also planned the access route to the water tanks and New Main so that it coincides with an existing access road on the Westbrook Property, further minimizing the impact on private property.

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

As stated under section 2, above, the Water Tank Property is separated from the Campus Property by a portion of the Westbrook Property, such that the College is not able to connect the water tanks to the water distribution system on campus without encumbering the Westbrook Property. Similarly, the College requires access to the New Main and Water Tank Property, and therefore desires to acquire rights which coincide with the existing access road located on the Westbrook 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 $3,100 as of June 6, 2014. On June 23, 2014, the District made an offer to the Owner of the Westbrook 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 Owner to obtain an independent appraisal. However, since the original appraisal contained a misinterpretation regarding the total square footage of the Access Easement, the appraisal was updated so that the fair market value of the Easements was concluded to be higher, and the College accordingly made an updated offer to the Owner of the Westbrook Property, in an amount exceeding the fair market value of the Easements, plus an additional amount up to $5,000 for the Owner 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 be 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 College also adopted an Addendum to the IS/MND, to address the fact that the map associated with the Project Description did not show the area of the Easements as being included in the Project Area. Since this is a very minor, technical detail, does not result in any additional significant impacts or increases in the severity of previously-identified impacts, and does not alter the analyses regarding any mitigation measures adopted or not adopted by the Board, an Addendum was proper and no additional CEQA analysis is necessary. (See, Cal. Code Regs., tit. 14, §§ 15162, 15164(b).)

**Recommendation**

It is recommended that the Board adopt Resolution No. 976 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 1065 Castro Valley Road, Gilroy, California, Assessor's Parcel Number 810-34-006, for the Gilroy Campus Modernization Project.
Gavilan Joint Community College District
Governing Board Agenda

July 8, 2014

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

SUBJECT: Consider and Accept Bid for Energy Efficiency Proposition 39 Project

☐ Resolution: BE IT RESOLVED,
☐ Information Only
☒ Action Item

Proposal:
That the Board of Trustees consider and accept the bid from Corralitos Electric Service for the Energy Efficiency Proposition 39 Projects.

Background:
The California Clean Energy Jobs Act (Prop. 39) allocates projected revenue to California's General Fund and the Clean Energy Job Creation Fund for five fiscal years, beginning with fiscal year 2013-14. Under the initiative, Gavilan College received $181,627 for the 2013-14 Fiscal Year for energy efficiency projects designed to reduce electrical usage and realize savings through reduced energy usage and incentives from PG&E.

The bid for the Energy Efficiency Proposition 39 Project closed on June 2, 2014, after a Mandatory Bid Walkthrough held on May 28, 2014. Six contractors participated in the bidding process. One presented a qualified bid in the amount of $212,000.00.

The discrepancy between the bid amount and the available Prop 39 funds will addressed at the next board meeting.

Budgetary Implications:
The efficient use of Proposition 39 Funds.

Follow Up/Outcome:
Upon Board approval, issue a Notice-to-Proceed.

Recommended By: Frederick E. Harris, Vice President of Administrative Services
Prepared By: Frederick E. Harris, Vice President of Administrative Services

Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
Gavilan Joint Community College District
Governing Board Agenda

July 8, 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.(f)

SUBJECT: BFGC-IBI Group Architecture and Planning Project Assignment Amendment (PAA) for Coyote Valley, The Academy Campus

☐ 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 Coyote Valley, The Academy Campus.

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 Coyote Valley, The Academy Campus:
- Basic services to provide preliminary plans, working drawings, bidding, construction and post-construction services.
- Structural design consultants included in basic services
- Basic service fees not to exceed $880,000.

Budgetary Implications:
The efficient use of Measure E Bond Program Funds.

Follow Up/Outcome:
Process the agreements.

Recommended By: Frederick E. Harris, Vice President of Administrative Services

Prepared By: Frederick E. Harris, Vice President of Administrative Services

Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
Gavilan Joint Community College District
Governing Board Agenda

July 8, 2014

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

SUBJECT: Child Development Contract #CSPP- 4530, Program Type: California State Preschool Program, Project Number: 43-6947-00-4 and Resolution #977

☐ Resolution: BE IT RESOLVED, that Resolution #977, be approved
☐ Information Only
☐ Action Item

Proposal:
That the Board of Trustees approve the Child Development Contract #CSPP- 4530, Program Type: California State Preschool Program, Project Number: 43-6947-00-4 and Resolution #977.

Background:
This is our state contract for children ages 3-5 years old that are 3 by September 1st of the current year. The contract is for $149,516 with a daily rate of $34.38 per child for full time enrollment. Our minimum child days of enrollment (CDE) is 4,349.0 Our minimum days of operation (MDO) are 187. We serve approximately 26 full time children under this contract.

Budgetary Implications:
This is our funding for the program.

Follow Up/Outcome:
State reports submitted to the Child Development Division on a quarterly basis.

Recommended By: Dr. Kathleen Rose, Executive Vice President and Chief Instructional Services Officer
Prepared By: Susan E. Alonzo, Director, Child Development Center
Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES

CONTRACTOR’S NAME: GAVILAN JOINT COMMUNITY COLLEGE DISTRICT

By signing this contract and returning it to the State, the contractor is agreeing to provide services in accordance with the FUNDING TERMS AND CONDITIONS (FT&C), the GENERAL TERMS AND CONDITIONS (GTC-610) (both available online at http://www.cde.ca.gov/fg/aa/cd/) and the CURRENT APPLICATION which by this reference are incorporated into this contract. The contractor’s signature certifies compliance with the Funding Terms and Conditions, the Current Application and the General Terms and Conditions.

Funding of this contract is contingent upon appropriation and availability of sufficient funds. This contract may be terminated immediately by the State if funds are not appropriated or available in amounts sufficient to fund the State’s obligations under this contract.

The period of performance for this contract is July 01, 2014 through June 30, 2015. For satisfactory performance of the required services, the contractor shall be reimbursed in accordance with the Determination of Reimbursable Amount Section of the FT&C, at a rate not to exceed $34.38 per child per day of full-time enrollment and a Maximum Reimbursable Amount (MRA) of $149,516.00.

SERVICE REQUIREMENTS
Minimum Child Days of Enrollment (CDE) Requirement 4,349.0
Minimum Days of Operation (MDO) Requirement 187

Any provision of this contract found to be in violation of Federal and State statute or regulation shall be invalid, but such a finding shall not affect the remaining provisions of this contract.

<table>
<thead>
<tr>
<th>STATE OF CALIFORNIA</th>
<th>CONTRACTOR</th>
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<td>BY (AUTHORIZED SIGNATURE)</td>
<td>BY (AUTHORIZED SIGNATURE)</td>
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<tr>
<td>PRINTED NAME OF PERSON SIGNING</td>
<td>PRINTED NAME AND TITLE OF PERSON SIGNING</td>
</tr>
<tr>
<td>Sueesh Chandra, Manager</td>
<td>Steven M. Kingsella, President</td>
</tr>
<tr>
<td>TITLE</td>
<td>ADDRESS</td>
</tr>
<tr>
<td>Contracts, Purchasing and Conference Services</td>
<td>5055 Santa Teresa Blvd.; Gilroy, CA 95020</td>
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| AMOUNT ENCUMBERED BY THIS DOCUMENT | $149,516 |
| PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT | $0 |
| TOTAL AMOUNT ENCUMBERED TO DATE | $149,516 |

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OPTIONAL USE

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I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.

SIGNATURE OF ACCOUNTING OFFICER
See Attached
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<th>PROGRAM/CATEGORY (CODE AND TITLE)</th>
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| PRIOR AMOUNT ENCUMBERED | $0 | OPTIONAL USE: 0656 | FC# 93.596 | PC# 000321 |


| OBJECT OF EXPENDITURE (CODE AND TITLE) | 702 | SACS: Res-5025 Rev-8290 |

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| PRIOR AMOUNT ENCUMBERED | $0 | OPTIONAL USE: 0656 | 23254-6947 |


| OBJECT OF EXPENDITURE (CODE AND TITLE) | 702 | SACS: Res-6105 Rev-8590 |

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SIGNATURE OF ACCOUNTING OFFICER

T.B.A. NO.  
B.R. NO.  
DATE
LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES

CONTRACTOR’S NAME: GAVILAN JOINT COMMUNITY COLLEGE DISTRICT

By signing this contract and returning it to the State, the contractor is agreeing to provide services in accordance with the FUNDING TERMS AND CONDITIONS (FT&C), the GENERAL TERMS AND CONDITIONS (GTC-616) (both available online at http://www.cde.ca.gov/fg/aa/cd/) and the CURRENT APPLICATION which by this reference are incorporated into this contract. The contractor’s signature certifies compliance with the Funding Terms and Conditions, the Current Application and the General Terms and Conditions.

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Minimum Days of Operation (MDO) Requirement 187

Any provision of this contract found to be in violation of Federal and State statute or regulation shall be invalid, but such a finding shall not affect the remaining provisions of this contract.

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STATE OF CALIFORNIA

BY (AUTHORIZED SIGNATURE)

PRINTED NAME OF PERSON SIGNING
Sueesh Chandra, Manager

TITLE: Contracts, Purchasing and Conference Services

CONTRACTOR

BY (AUTHORIZED SIGNATURE)

PRINTED NAME AND TITLE OF PERSON SIGNING
Steven M. Kinsella, President

ADDRESS
5055 Santa Teresa Blvd., Gilroy, CA 95020

AMOUNT ENCUMBERED BY THIS DOCUMENT $ 149,516

PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs

FUND TITLE (OPTIONAL USE)

Amended Date

ITEM

CHAPTER

STATUTE

FISCAL YEAR

TOTAL AMOUNT ENCUMBERED TO DATE $ 149,516

OBJECT OF EXPENDITURE (CODE AND TITLE) See Attached

702

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.

SIGNATURE OF ACCOUNTING OFFICER
See Attached

T.B.A. NO.

S.R. NO.

DATE
**CONTRACTOR'S NAME:**  GAVILAN JOINT COMMUNITY COLLEGE DISTRICT

**CONTRACT NUMBER:**  CSPP-4530

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### 2014-2015

**TOTAL AMOUNT ENCUMBERED TO DATE**

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**FISCAL YEAR**

| 2014-2015 |

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**FISCAL YEAR**

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**FISCAL YEAR**

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### 2014-2015

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**FISCAL YEAR**

| 2014-2015 |

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**SIGNATURE OF ACCOUNTING OFFICER**

**DATE**
CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

Contractor/Bidder Firm Name (Printed)  
Gavilan Joint Community College District

Federal ID Number  
942278279

By (Authorized Signature)  
Susan E. Alonzo

Printed Name and Title of Person Signing  
Susan E. Alonzo, Director, Child Development Center

Date Executed  
June 23, 2014

Executed in the County of  
Santa Clara

CONTRACTOR CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 8103) (Not applicable to public entities.)

2. DRUG-FREE WORKPLACE REQUIREMENTS: Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

   a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

   b. Establish a Drug-Free Awareness Program to inform employees about:
      1) the dangers of drug abuse in the workplace;
      2) the person's or organization's policy of maintaining a drug-free workplace;
      3) any available counseling, rehabilitation and employee assistance programs; and,
      4) penalties that may be imposed upon employees for drug abuse violations.

   c. Every employee who works on the proposed Agreement will:
      1) receive a copy of the company's drug-free workplace policy statement; and,
      2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department
determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. CONTRACTS FOR LEGAL SERVICES $50,000 OR MORE- PRO BONO REQUIREMENT: Contractor hereby certifies that contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lesser of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. EXPatriate CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. SWEATFREE CODE OF CONDUCT:

a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.
b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. DOMESTIC PARTNERS: For contracts over $100,000 executed or amended after January 1, 2007, the contractor certifies that contractor is in compliance with Public Contract Code section 10295.3.

DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.


1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)
Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS’ COMPENSATION: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

4. CONTRACTOR NAME CHANGE: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued.
pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.
FEDERAL CERTIFICATIONS

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 45 CFR Part 93, "New restrictions on Lobbying," and 45 CFR Part 76, "Government-wide Debarment and Suspension (Non procurement) and Government-wide requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 45 CFR Part 93, for persons entering into a grant or cooperative agreement over $100,000 as defined at 45 CFR Part 93, Sections 93.105 and 93.110, the applicant certifies that:

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement:

(b) If any funds other than federal appropriated funds have been or will be paid to any person for influencing or attempting to influence an employee of Congress, or any employee of any Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with this instruction;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all levels (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and other responsibilities implemented at 45 CFR Part 76, for prospective participants in primary or a lower tier covered transactions, as defined at 45 CFR Part 76, Sections 76.105 and 76.110.

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency:

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction violation of federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period proceeding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 45 CFR Part 76, Subpart F, for grantees, as defined at 45 CFR Part 76, Sections 76.805 and 76.810.

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantor's workplace and specifying the sanctions that will be taken against employees for violation of such prohibition.

(b) Establishing an on-going drug-free awareness program to inform employees about:

(1) The danger of drug abuse in the workplace;

(2) The grantor's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title,
to: Director, Grants, and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571.

Notice shall include the identification number(s) of each affected grant.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee must insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)
5055 Santa Teresa Blvd
Gilroy, CA 95020

Check □ if there is a separate sheet attached listing all workplaces.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

<table>
<thead>
<tr>
<th>NAME OF APPLICANT (CONTRACT AGENCY)</th>
<th>CONTRACT #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gavilan Joint Community College District</td>
<td>CSPP - 4530</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan E. Alonzo, Director, Child Development Center</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIGNATURE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan E. Alonzo</td>
<td>6/23/14</td>
</tr>
</tbody>
</table>
RESOLUTION #977

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for Fiscal Year 2014–15.

RESOLUTION

BE IT RESOLVED that the Governing Board of Gavilan Joint Community College District

authorizes entering into local agreement number/s CSPP - 4530 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steven M. Kinsella</td>
<td>President</td>
<td></td>
</tr>
<tr>
<td>Sherreen Carr</td>
<td>Dean, Career Technical Education</td>
<td></td>
</tr>
<tr>
<td>Susan E. Alonzo</td>
<td>Director, CDC</td>
<td></td>
</tr>
</tbody>
</table>

PASSED AND ADOPTED THIS 8th day of July 2014, by the Governing Board of Gavilan Joint Community College District of Santa Clara County, California.

I, Jonathan Brusco, Clerk of the Governing Board of Gavilan Joint Community College District of Santa Clara County, California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regularly scheduled meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

(Clerk’s signature) July 8, 2014 (Date)
Gavilan Joint Community College District
Governing Board Agenda

July 8, 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.(h)

SUBJECT: Approval to Certify the Appointment of a Representative to Joint Powers Authority for Liability and Property Protection. Resolution No. 978

 Resolution: BE IT RESOLVED, Resolution No. 978 is approved
 Information Only
 Action Item

Proposal:
That the Board of Trustees approve Resolution No. 978 to certify Frederick E. Harris Vice President of Administrative Services, as the district representative.

Background:
The District belongs to the Bay Area Community College Districts JPA which is a joint program for liability and property protection. The District appoints Frederick E. Harris Vice President of Administrative Services, to be the District representative. Susan Cheu, Chief Financial Officer will continue as the alternate representative. A resolution is required to appoint a new representative of the District. Resolution No. 978 is attached.

Budgetary Implications:
None.

Follow Up/Outcome:
Forward the Resolution to the Bay Area Community Colleges District JPA.

Recommended By: Dr. Steven M. Kinsella, Superintendent/President
Prepared By: Frederick E. Harris, Vice President for Administrative Services

Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
GAVILAN JOINT COMMUNITY COLLEGE DISTRICT
GILROY, CALIFORNIA

RESOLUTION NO. 978

APPROVAL TO CERTIFY THE APPOINTMENT OF A REPRESENTATIVE TO
JOINT POWERS AUTHORITY FOR LIABILITY AND PROPERTY
PROTECTION

On motion by Trustee____________________, seconded by Trustee
____________________, the following resolution is adopted:

WHEREAS, the Gavilan Joint Community College District is a participating
member of a joint program for liability and property protection; and

WHEREAS, from time to time there is a need to certify the appointment of
representatives from the Gavilan Joint Community College District to the Bay Area
Community College Districts JPA

NOW, THEREFORE, BE IT RESOLVED, that the Gavilan Joint Community College
District appoints Frederick E. Harris, the District's Vice President of Administrative
Services as the representative of the District and Susan Cheu, Chief Financial Officer, to
be the alternate representative of the District to the Bay Area Community College
Districts JPA.

PASSED AND ADOPTED this 8th day of July, 2014 by the Governing Board of
the Gavilan Joint Community College District of Santa Clara/San Benito Counties of
California.

STATE OF CALIFORNIA
) ss
COUNTIES OF SANTA CLARA AND
SAN BENITO
)

I, Jonathan Brusco, Clerk of the Governing Board of the Gavilan Joint Community
College District, Counties of Santa Clara/San Benito, do hereby certify the foregoing to
be a full, true, and correct copy of a resolution adopted by the said Board at a regular
meeting hereof held at its regular meeting place on July 8, 2014, which action is
contained in the minutes of the meeting of said Board.

Clerk:_________________________________________

Date:_________________________________________
SUBJECT: Capital Project Change Order

☐ Resolution: BE IT RESOLVED,

☐ Information Only

☒ Action Item

Proposal:
That the Board of Trustees authorize one capital project change order request for the Parking Lot C Expansion Project.

Background:
Public Contract Code § 20659 provides that if any change of a contract is ordered by the governing board of a community college district, such change shall be specified in writing and the cost agreed upon between the governing board and the contractor, and further provides that the board may authorize the contractor to proceed with performance of this change without the formality of securing bids, if the cost so agreed upon does not exceed ten percent of the original contract price. The following Change Order (CO) request has been submitted:

Parking Lot C Expansion Project
Monterey Peninsula Engineering, CO #1 for $26,595.00

A detailed Change Order Cover Page is attached for this project.

Budgetary Implications:
The efficient use of Measure E Bond Program Funds.

Follow Up/Outcome:
Upon Board approval, the change orders will be issued to the contractors.

Recommended By: Frederick E. Harris, Vice President of Administrative Services

Prepared By: Frederick E. Harris, Vice President of Administrative Services

Agenda Approval: Dr. Steven M. Kinsella, Superintendent/President
## Change Order for Parking Lot C Extension

**CHANGE ORDER #01 - Monterey Peninsula Engineering**

<table>
<thead>
<tr>
<th>RCCO #</th>
<th>Description</th>
<th>Amount</th>
<th>Additional Days (Calendar)</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>Provide additional 3 inches of aggregate base at parking stalls to comply with Geotechnical Engineers recommendation. (ASI-002)</td>
<td>$19,035.00</td>
<td>0</td>
</tr>
<tr>
<td>002</td>
<td>Credit for elevation changes at the east end of the Parking Lot C Extension. (ASI-002)</td>
<td>$6,945.00</td>
<td>0</td>
</tr>
<tr>
<td>003</td>
<td>Replace existing corroded corrugated metal pipe with 18 inch diameter High Density Polyethylene pipe for pond overflow. (CCD-2)</td>
<td>$1,920.00</td>
<td>0</td>
</tr>
<tr>
<td>004</td>
<td>Credit for not having to remove existing light fixture at Parking Lot C. (ASI-001)</td>
<td>$9,300.00</td>
<td>0</td>
</tr>
</tbody>
</table>

**TOTAL**  
$26,595.00  
0 days

- **Contract Amount**: $658,000.00
- **Net Change By Previously Authorized Change Orders**: $-
- **Revised Contract Amount Prior to this Change Order**: $658,000.00
- **Change Order #01**: $26,595.00
- **New Contract Amount Including this Change Order**: $684,595.00
- **Available Construction Contingency**: $65,800.00
- **Change Order #01**: $26,595.00
- **Remaining Construction Contingency**: $39,205.00

**Contract Start Date**: April 16, 2014  
**Contract Substantial Completion Date**: April 16, 2014  
**New Contract Substantial Completion Date (By Previously Authorized Change Orders)**: April 16, 2014  
**New Contract Substantial Completion Date (Including this Change Order)**: August 31, 2014