

Board of Trustees Agenda Item

Board Meeting Date: February 7, 2011

Title of Item:

Conduct a public hearing related to an Energy Services Contract for energy-related improvements to District facilities.

Background and Analysis:

The Foothill – De Anza Community College District will hold a public hearing on February 7, 2011 for the purpose of taking public comment regarding adoption of a resolution making certain findings related to an Energy Services Contract with SunPower Corporation for energy-related improvements to District facilities in accordance with California Government Code Section 4217.10 to 4217.18.

Under California Government Code Section 4217.10 to 4217.18, the District's Board of Trustees may adopt findings that provide, and the Energy Services Contract shall require, that the cost to the District to implement the energy-related improvements per this Contract will be less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in absence of purchasing the energy improvements.

Recommendation: Charles Allen, Executive Director of Facilities, Operations & Construction Management recommends that the Board conduct a public hearing related to an Energy Services Contract with SunPower Corporation for energy-related improvements to District facilities.

Submitted by:	Charles Allen - Executive Director, Facilities, Operations & Construction Management (x6150)
Additional Contact Names:	Tom Armstrong - Director, De Anza College Bond Projects (x8289)
Is backup provided?	Yes

Foothill – De Anza Community College District
Board of Trustees

ENERGY SERVICES CONTRACT
RESOLUTION # 2011-01

WHEREAS California Government Code Section 4217.10 to 4217.18, authorizes the District Board to enter into an Energy Services Contract for the implementation of energy-related improvements if the District Board finds that it is in the best interest of the District to enter into such Energy Services Contract and that the anticipated cost to the District for thermal or electrical energy or conservation services provided by the energy conservation facility under the contract will be less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in absence of those purchases; and

WHEREAS The cost to the District for the Energy Services Contract by and between the District and SunPower Corporation for the implementation of certain energy measures for thermal or electrical energy or conservation measures will be less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in absence of the implementation of the improvements under the Energy Services Contract.

NOW, THEREFORE, the District Board adopts the following resolution:

“The District Board finds that (1) it is in the best interest of Foothill – De Anza Community College District to enter into an Energy Services Contract with SunPower Corporation for the implementation of certain energy-related improvements to District facilities, and (2) the anticipated costs to the District for thermal or electrical energy or conservation services provided by the energy conservation facility under the Contract will be less than the anticipated marginal cost of thermal, electrical or other energy that would have been consumed by the District in the absence of those purchases. The District Board hereby authorizes the District to execute an Energy Services Contract by and between the District and SunPower Corporation for the implementation of certain energy-related improvements to District facilities in accordance with these findings and California Government Code Section 4217.10 to 4217.18.”

AYES _____

Linda M. Thor, Ed.D
Secretary, Board of Trustees

NOES _____

ABSTENTIONS _____

Date