

Board of Trustees Agenda Item

Board Meeting Date: August 8, 2011

Title of Item: Renewal of HOPE Lease for 2011-2012

Background and Analysis:

Approval is sought for renewal of the Whittier Center and Alfred WAC facilities for the District's HOPE program for the 2011-12 fiscal year.

The renewal is in accordance with the attached "Amendment Five to Agreement for the Use of Facilities Owned or Leased by Hope Services" dated 7/7/11.

The original HOPE lease was entered into on July 1, 2007 for a one-year period. Section three of this agreement stated "This agreement may be extended for additional one-year terms by the mutual written consent of the parties".

The lease amount remains the same as the current year: \$7,634/month (\$91,608/year).

Recommendation: De Anza President Brian Murphy recommends approval

Submitted by:	Brian Murphy, President, ext 8705
Additional contact names:	Letha Jeanpierre, Vice President Finance & Educational Resources ext. 8976
Is backup provided?	Yes

**AMENDMENT FIVE TO AGREEMENT FOR THE USE OF FACILITIES OWNED OR LEASED
BY HOPE SERVICES**

This Extension Agreement is made by and between HOPE Services, a California public benefit corporation ("HOPE") and Foothill-De Anza Community College District ("DE ANZA") and is effective as of July 1, 2011.

Recitals

Whereas, HOPE owns or leases facilities known as Whittier Center located at 1555 Parkmoor Avenue; San Jose, CA 95128; and Alfred WAC located at 3080 Alfred St.; Santa Clara, CA 95054"); and

Whereas, DE ANZA desires to use portions of the "HOPE Facilities" for providing educational instruction to DE ANZA students; and

Whereas, HOPE and DE ANZA has entered into a Use Agreement ("Agreement") setting forth the parties' rights and responsibilities related to DE ANZA's use of the HOPE Facilities, effective July 1, 2007;

Whereas, HOPE and DE ANZA has entered into four previous extensions and modifications of such Agreement since the foregoing date;

Whereas, HOPE and DE ANZA now mutually wish to further extend the Agreement effective from July 1, 2011.

Agreement

Now therefore, in accordance with Paragraph 1 Facilities of said Agreement, the space use is unchanged and restated as follows:

Whittier Center: Two classrooms and one large cubicle for the exclusive use of DE ANZA, use of work floor and other classroom space as needed for use by approximately 120 students, 1.5 instructors, 2.7 associates, .33 classified and .30 hourly.

Alfred WAC: One classroom, work floor and office space for use by approximately 70 students and 2 instructors. Also, effective September 16, 2009, the following additional facilities will be incorporated as part of Alfred WAC: one office for the exclusive use of DE ANZA; use of resource room, work floor, and other classroom space as needed for use by approximately 30 - 40 students, one instructor and one associate.

HOPE also agrees to provide reasonable usage of postage and basic office supplies, and photocopying, fax and internet connection services.

Paragraph 2, relating to compensation, remain unchanged as follows:

Consideration. DE ANZA shall pay to HOPE on the first day of each month \$7,634.00 for the use of the HOPE Facilities as follows:

Whittier Center:	\$6,116.00 per month
Alfred WAC:	\$1,518.00 per month

Finally, in Paragraph 3 of said Agreement, the term is amended and extended for the period from July 1, 2011 to June 30, 2012.

All other terms and conditions of the Agreement, as described in Paragraphs 4 through 7, will remain in effect for this additional period.

HOPE

HOPE Services

By: [Signature]

Its: CFO

Date: 7/7/11

DE ANZA

Foothill-De Anza Community College District

By: _____

Its: _____

Date: _____

[Signature]
7/7/11

[Signature]
7/7/11