

RESOLUTION NO. 20-03.1
ITEM 3.G.

**RESOLUTION OF THE BOARD OF EDUCATION
OF THE LAGUNA BEACH UNIFIED SCHOOL DISTRICT
IN THE MATTER OF INTENT TO DECLARE EMERGENCY CONDITIONS EXIST**

WHEREAS, on March 4, 2020, the Governor of California declared a State of Emergency due to the outbreak and spread of a novel coronavirus (COVID-19); and

WHEREAS, as of March 12, 2020 there are 198 confirmed cases of COVID-19 in California; and

WHEREAS, strict compliance with various statutes and regulations could prevent, hinder, or delay appropriate actions on the part of the District to prevent and mitigate the effects of COVID-10; and

WHEREAS, it is imperative for the District to prepare for and implement measures to respond to the potential spread of COVID-19; and

WHEREAS, it is imperative that the Superintendent have the tools to ensure the health and safety of students, staff, and families on and off campuses and to ensure student learning continues if student education needs to be conducted from alternate locations or virtual learning environments; and

WHEREAS, it is imperative that District employees be allowed to take a leave of absence due to being quarantined or staying home after recently returning from Level 3 countries or sick from Coronavirus or illnesses with similar symptoms (e.g., cough, fever, shortness of breath) without suffering pay loss; and

WHEREAS, the protection of the health and safety and preservation of the lives and property of the people of the State from the effects of natural emergencies such as COVID-19 which may result in conditions of disaster or in extreme peril to life, property, and resources is of paramount State importance requiring the responsible efforts of public and private agencies and individual citizens, and all public employees required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law under Government Code 3100; and

WHEREAS, Section 1102 of the Public Contract Code defines "emergency" to mean a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services," and section 21060.3 of the Public Resources Code and California Environmental Quality Act Guidelines 14 CCR section 15269(c) defines "emergency" to mean "a sudden,

WHEREAS, under California Public Contract Code Section 20113, in an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do the following: make a contract in writing or otherwise on behalf the district for the performance of labor and furnishing of materials or supplies for the pm-pose without advertising for or inviting bid; and, notwithstanding section 20114; and

NOW, THEREFORE BE IT RESOLVED, the Board of Education hereby affirms its commitment of the Laguna Beach Unified School District:

1. Determines that the circumstances described in the Resolution herein constitute an emergency condition; for purposes of, but not limited, to Section 20113 of the Public Contract Code; and
2. Authorize the Superintendent and/or his designee(s) to enter into any and all contracts necessary, without advertising or inviting bids, and for any dollar amount necessary to respond to the emergency conditions at the District Sites, including, but not limited to: the relocation of students and staff; continued instruction of students; maintenance of food supplies, instructional materials, operational support supplies, equipment in support of virtual learning, daily student transportation; and provision of additional personnel such as nurses; and the flexibility with use of M & O Staff, notwithstanding section 20114, to enable and support the District Sites.

PASSED AND ADOPTED by the LBUSD Governing Board on March 13, 2020, by the following vote:

AYES: 5 Vickers, Normandin, Wolff, Perry and Kelly

NOES: 0

ABSENT: 0

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE

I, Carol Normandin, Clerk of the Governing Board, do hereby certify that the foregoing is a full, true, and correct copy of a resolution passed and adopted by the LBUSD Board at an emergency meeting called and conducted on said date.

WITNESSED my hand this 13th day of March 2020.



Carol Normandin
Clerk of the Governing Board