

HIGHLINE SCHOOL DISTRICT NO. 401

RESOLUTION NO. 15-24

A RESOLUTION OF THE BOARD OF DIRECTORS OF HIGHLINE PUBLIC SCHOOLS, KING COUNTY, WASHINGTON, DECLARING AN EMERGENCY, WAIVING REQUIREMENTS OF RCW 28A.335.190 AND RCW 39.04, AUTHORIZING AND RATIFYING CONTRACTS MADE IN RESPONSE TO THE EMERGENCY, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HIGHLINE PUBLIC SCHOOLS, KING COUNTY, WASHINGTON, as follows:

WHEREAS, Highline Public Schools, King County, Washington (the "School District"), is a school district duly organized and existing under and by virtue of the Constitution and the laws of the State of Washington; and

WHEREAS, RCW 28A.335.190 and Chapter 39.04 RCW impose certain obligations on the School District with respect to competitive bidding; and

WHEREAS, RCW 28A.335.190(6) authorizes the School District to waive these statutory requirements related to competitive bidding in the event of an emergency where the public interest or property of the School District would suffer material injury or damage by delay; and

WHEREAS, RCW 28A.335.190(6) defines an emergency for the purposes of that section of the statute to be a condition likely to result in immediate physical injury to persons or to property of the School District in the absence of prompt remedial action; and

WHEREAS, RCW 39.04.280 authorizes the School District to waive the statutory requirements related to competitive bidding in the event of an emergency; and

WHEREAS, RCW 39.04.280 defines an emergency for the purposes of the statute to be unforeseen circumstances beyond the control of the School District that either: (a) present a real, immediate threat to the proper performance of essential functions, or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken; and

WHEREAS, the Southern Heights Elementary School suffered a serious and substantial fire, resulting in the need for emergency building shoring, cleanup, and protection to stabilize, protect and mitigate additional loss; and

WHEREAS, these conditions are likely to result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken; and

WHEREAS, the Board finds that an emergency exists and existed as contemplated in RCW 28A.335.190(6) and RCW 39.04.280;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED as follows:

Section 1: Pursuant to RCW 28A.335.190(6) and RCW 39.04.280, the Board hereby finds that a condition exists and existed at the Southern Heights Elementary School that may have resulted in immediate physical injury and damage to property of the School District in the absence of prompt remedial action, and that the public interest and property of the School District would have suffered material injury and damage by delay.

Section 2: Pursuant to RCW 28A.335.190(6) and RCW 39.04.280, the Board hereby declares and finds that an emergency exists and existed and waives the competitive bidding and other requirements of RCW 28A.335.190 and RCW 39.04 with reference to any purchases or contracts related to the emergency building shoring, cleanup, and protection to stabilize, protect and mitigate additional loss, and all other actions taken with respect to or related to the fire at Southern Heights Elementary School and construction at the original Beverly Park campus to relocate students on an emergency basis.

Section 3: The Board hereby ratifies the emergency work and services performed and to be performed related to the fire at Southern Heights Elementary School and relocation of students to the original Beverly Park campus.

Section 4: The Board hereby specifically ratifies the contracts executed for the above-referenced work.

Section 5: All resolutions or parts thereof in conflict herewith, to the extent of such conflict, are hereby repealed.

Section 6: This Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Board of Directors of the Highline Public Schools at an open public meeting on August 21, 2024.

HIGHLINE SCHOOL DISTRICT NO. 401



Angelica Alvarez (Aug 23, 2024 11:48 PDT)



Joe Van (Aug 23, 2024 10:37 PDT)



Melissa Petrini (Aug 27, 2024 09:25 PDT)



Azeb Hagos (Aug 23, 2024 12:25 PDT)



Stephanie Tidholm (Aug 23, 2024 21:55 PDT)

Board of Directors

I, Ivan Duran, Secretary to the Board of Directors of Highline School District No. 401, do hereby certify that the above is a true and accurate copy of Resolution No. 15-24 for the use and purpose intended.



Ivan Duran (Aug 27, 2024 09:36 PDT)

Ivan Duran, Ed.D Secretary to the Board