

**RICHGROVE ELEMENTARY SCHOOL DISTRICT
SPECIAL BOARD OF EDUCATION MEETING**

March 21, 2016

6:30pm

MINUTES

OPENING CEREMONY

The Board of Education meeting was called to order at 6:30pm by Board President, Paul Cervantes in the Richgrove School District Conference Room located at 20908 Grove Drive in Richgrove, California.

ATTENDANCE

	Arrive	Leave	Absent
Paul Cervantes, President	6:30	6:35	
Josephine B. Valencia, Clerk	6:30	6:35	
Alexandra Guerrero, Member	6:30	6:35	
Hernan Hernandez, Member	6:30	6:35	
Marisela Lopez, Member			XX
Mario Millan, Secretary	6:30	6:35	

BOARD AGENDA

The Board reviewed the board agenda as presented.

Motion

Motion by Mrs. Guerrero, seconded by Mrs. Valencia to approve the board agenda as presented. Vote; 4-1-0 (M.Lopez being absent)

**SCHOOL FACILITIES/
TRANSPORTATION**

Emergency Classroom
Foundation Repair

Mr. Millan addressed the Board and reported the need of emergency and unexpected repair of classroom foundation/floor in classroom #505 that dropped by more than 4 inches from edges with the center being the lower area. Board action requested to provide authorization to contract for an emergency without requiring competitive bidding; work/repairs to be done during spring break while unoccupied by students and staff; delay in repairs could lead to more severe repairs of the entire wing.

Motion

Motion by Mrs. Valencia, seconded by Mr. Hernandez to approve Resolution #15/16-15 authorizing District Superintendent to enter into contract without advertising for or inviting bids; pending approval of the Tulare County Superintendent of Schools.
Vote; 4-1-0 (M.Lopez being absent)

CLOSED SESSION

Board went into Closed Session to discuss student suspension/expulsion, personnel items, collective bargaining matters or to confer with legal counsel.

Time: 0:00pm

**Before the Board of Trustees
Of the
Richgrove Elementary School District**

In the Matter of Authorizing a	}	
Contract for an Emergency	}	Resolution No. <u>#15/16-15</u>
Without Requiring	}	
Competitive Bidding	}	

Whereas, Public Contract Code § 1102 defines an emergency as 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 purposes; and

Whereas, Public Contract Code § 20113 authorizes this Board, by unanimous vote, with the approval of the County Superintendent of Schools, to enter into a contract for the performance of labor and furnishing of materials or supplies without advertising for or inviting bids, in an emergency as defined in section 1102 when repairs, work, or improvements are necessary to permit the continuance of existing school classes, or to avoid danger to life or property; and

Whereas, Government Code § 53060 authorizes a school district to contract with and employ any persons for the furnishing of special services and advice in financial, economic, accounting, engineering, legal, or administrative matters without competitive bidding if such persons are specially trained, experienced, and competent to perform the services required;

Whereas, the foundation/floor in classroom number 505 has dropped by more than 4 inches from the edges as compared to the center of the room, with the center being the lower spot.

Of particular concern is that the floor has fallen very rapidly in the last week, and there is a growing concern of damage occurring to the walls of the building and foundation to nearby classrooms and bathrooms. Hesitating to repair the foundation immediately could lead to more severe repairs of the entire wing.

Whereas, hazardous to human health, its discovery poses a sudden, clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and essential public services; and

Whereas, the classroom is compromised and may render it and nearby areas unusable should there be a delay in repairs. The compromised areas will lead to student displacement. This displacement cannot be absorbed by other rooms.

Whereas, It's not feasible to do this work at any other time as the work is invasive, noisy and impossible while the buildings are occupied. Therefore, repairs must be done immediately to take advantage of no student and staff occupancy during the spring break.

Now, Therefore, Be It Resolved, as follows:

1. This Board finds the above recitals to be true.
2. This Board finds that an emergency condition exists as a result of the sinking foundation repair within the meaning of Public Contract Code §§ 1102 and 20113, as the discovery of sinking foundation, is a sudden, unexpected occurrence that poses a clear and imminent danger in order to prevent the loss of impairment of life, health, property, and essential public services, and to permit the continuance of existing school classes.
3. The Board finds that the services needed by the Board are special services which are required to be performed by specially trained, experienced, and competent persons within the meaning of Government Code §53060.
4. This Board requests the District Superintendent or his designee to obtain the approval of the Tulare County Superintendent of Schools, as required by Public Contract Code §20113, to obtain services without advertising for or inviting bids; and
5. This Board authorizes the District Superintendent or his designee to enter into a contract, pending approval or ratification by this Board for the foundation repair after obtaining the required approval of the Tulare County Superintendent of Schools.

The foregoing resolution was adopted upon a motion by Josephine B.Valencia, seconded by Hernan Hernandez at a ~~regular~~/special meeting held on March 21, 2016, by the following unanimous vote of the **Richgrove Elementary School District Board of Trustees**.

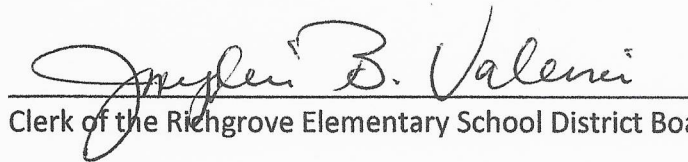
Ayes: Josephine B.Valencia, Hernan Hernandez, Alexandra Guerrero, Paul Cervantes

Noes: -0-

Absent: Marisela Lopez

Abstentions: -0-

Witness my hand and seal of said Board this 21st day of March 2016.


Clerk of the Richgrove Elementary School District Board of Trustees

OPEN SESSION

Board returned to Open Session with the following action items.
Time: 0:00pm

No items for Closed Session at this meeting.

Motion

Motion by Mrs. Valencia, seconded by Mrs. Guerrero to adjourn the
Special Board Meeting of March 21, 2016.
Vote: 4-1-0 (M.Lopez being absent)

Adjournment

The meeting adjourned.
Time: 6:35pm

Respectfully submitted,

Mario Millan, Secretary

Josephine B. Valencia, Clerk