

BRAWLEY UNION HIGH SCHOOL DISTRICT

480 N. Imperial Avenue
Brawley, CA 92227

A G E N D A EMERGENCY Board Meeting Monday, March 16, 2020 Open Session 2:00 PM – Board Room

Core Values and Beliefs

- Excellence in learning, in teaching and in service to our students
- Equity in access, resource allocation and educational opportunities
- Engagement with students, families and our community
- Enrichment in curricular and extracurricular offerings and activities

A. OPENING

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda Order

B. PUBLIC COMMUNICATIONS

ADDRESSING THE BOARD OF EDUCATION - An individual or group representative may address the Board of Education on any agenda item or subject within its jurisdiction. Speakers are requested to fill-out a card prior to addressing the Board. Not more than three minutes may be allotted to each speaker and no more than twenty minutes to each subject, except by consent of the Board of Education. The Superintendent may refer the matter to the proper department for review

C. DISCUSSION/ACTION ITEMS:

1. Superintendent recommends approval of Resolution No. 19-20-18: Trustee Patricia Wilson's Compensation for missed meeting.
2. Superintendent recommends approval of Resolution No. 19-20-19: Declaring an Emergency Situation Exists and Granting Certain Emergency Powers to the Superintendent.

D. ADJOURNMENT

In accordance with the Americans with Disability Act (ADA), the District will provide accommodations, with reasonable advanced notice, for any individual with a disability needing to participate in the Board meeting and/or access the information herein. Please contact Brawley Union High School District Superintendent's Office to request such accommodations.

In accordance with the Brown Act revisions, public records relating to a Board meeting agenda item that are distributed to at least a majority of Board members less than 72 hours before a regular meeting, may be inspected by the public at the District Administrative office during regular business hours (7:30a.m. to 4:30p.m.).

To accommodate the requirements of Government Code Section 54954.2 in accordance with the Brown Act revisions; the agenda for Special Board Meetings is posted on the bulletin board in the Main Entrance, BUHS Cafeteria and on the BUHSD website at least 24 hours prior to the meeting.

**RESOLUTION No. 19-20-18
ON BOARD COMPENSATION FOR MISSED MEETINGS**

WHEREAS, the Governing Board of the Brawley Union High School District appreciates the services provided by members of the Board and provides compensation for meeting attendance in accordance with Education Code 35120 and Board Bylaw 9250; and

WHEREAS, Education Code 35120 provides that the monthly compensation provided to Board members shall be commensurate with the percentage of meetings attended during the month unless otherwise authorized by Board resolution; and

WHEREAS, Education Code 35120 specifies limited circumstances under which the Board is authorized to compensate a Board member for meetings he/she missed; and

WHEREAS, the Board finds that Trustee Patricia Wilson did not attend the Board meeting(s) on February 12, 2020 for the following reason(s): (check applicable reasons)

- Performance of other designated duties for the district during the time of the meeting
- Illness or jury duty
- Hardship deemed acceptable by the Board

NOW THEREFORE BE IT RESOLVED that the Board of the Brawley Union High School District approves full compensation of the Board member for the month of February.

PASSED AND ADOPTED THIS 16th day of March, 2020 at a regular meeting, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

Secretary

President/Vice President

BOARD OF EDUCATION
BRAWLEY UNION HIGH SCHOOL DISTRICT
BRAWLEY, CALIFORNIA

In the Matter of Intent to Declare)
Emergency Conditions Exist at Brawley)
Union High School District and Offices)
(District))

RESOLUTION No.
19-20-19

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

WHEREAS, as of March 13, 2020, Imperial County public health officials listed two presumptive positive cases of COVID-19 in the community; and

WHEREAS, on March 13, 2020, the Governor of California issued Executive Order N-26-20 (“Governor’s March 13 Executive Order”) related to COVID-19 and the potential for school closures in collaboration with local public health officials and based on recommendations therefrom; and

WHEREAS, the Governor’s March 13 Executive Order recognized the need for schools to respond to the threat of COVID-19 in collaboration with local public health officials based on real-time data related to protecting public health, meaning immediate action by school officials may be necessary; and

WHEREAS, the Governor’s March 13 Executive Order recognized that strict compliance with certain statutes and regulations could prevent or delay appropriate and necessary actions on the part of the District to prevent and mitigate the effects of COVID-19; 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 our campuses based on real-time data and the recommendations of local public health officials, and it may not be feasible to convene a meeting of this Board to make certain decisions regarding the District’s responses to the threat presented by COVID-19; and

WHEREAS, it is imperative that the Superintendent have the tools and authority to carry out the priorities identified by the Governor in the Governor’s March 13 Executive Order, at paragraph 2; 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, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services; and

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 of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bid; and, notwithstanding section 20114; and

WHEREAS, Education Code section 17604 authorizes the Board, by a majority vote, to delegate to the District’s Superintendent, or to such persons as the Superintendent may designate, the authority to enter into contracts subject to the provision that “no contract made pursuant to the delegation and authorization shall be valid or constitute an enforceable obligation against the district unless and until the same shall have been approved or ratified by the governing board, the approval or ratification to be evidenced by a motion of the board duly passed and adopted.”

NOW, THEREFORE BE IT RESOLVED that the Board of Education of the Brawley Union High School District:

1. Determines that the circumstances described in the above recitals constitute an emergency condition (“Emergency Conditions”); for purposes of, but not limited, to Section 20113 of the Public Contract Code.

2. Authorizes the Superintendent and/or designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff at the District Sites, including, but not limited to, closure of the District's schools if such is recommended by local public health officials based on real-time data, and carrying out the priorities identified at Paragraph 2 of the Governor's March 13 Executive Order.
3. Authorizes the Superintendent and/or designee to direct staff to serve as disaster service workers pursuant to Government Code 3100.
4. Authorizes the Superintendent and/or designee to take any and all actions necessary to ensure the ability of the public to participate in any board meetings of the District that may be scheduled during this emergency through remote electronic means, including any emergency meeting that might be necessary and permitted by Government Code sections 54956 and 54956.5, which permit an emergency board meeting in limited circumstance with less than 24-hour notice.
5. For the next sixty (60) days, authorizes the Superintendent to, in order to address the Emergency Conditions described within this Resolution:
 - a. Execute a non-public works contract as may be necessary to address Emergency Conditions, subject to Board review and ratification within sixty (60) days of entering into the contract. No contract made pursuant to this delegation and authorization shall be valid or constitute an enforceable obligation against the District unless and until the contract is approved or ratified by the Board, evidenced by a motion of the Board duly passed and adopted.
 - b. Execute a public works contract, as may be necessary to address the Emergency Conditions subject to Board review and ratification within sixty (60) days of entering into the contract. No contract made pursuant to this delegation and authorization shall be valid or constitute an enforceable obligation against the District unless and until the contract is approved or ratified by the Board, evidenced by a motion of the Board duly passed and adopted.
 - c. The Superintendent or his designee are further authorized pursuant to this Resolution to take any action and execute any documents that are necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

PASSED AND ADOPTED by the Governing Board of the Brawley Union High School District, Brawley, California at a public meeting thereof duly called and held this 16th day of March 2020.

AYES:

NAYS:

ABSENT:

ABSTAINING:

I, _____, Clerk of the governing board of the Brawley Union High School District, do hereby certify that the foregoing is a full, true and a correct copy of a resolution adopted by said Board at regularly called and conducted meeting thereof held on the 16th day of March 2020 and by the vote above stated, which resolution is on file with the minutes of said meeting.

By: _____
Clerk, Board of Education
Brawley Union High School District

BRAWLEY UNION HIGH SCHOOL DISTRICT
480 North Imperial Avenue
Brawley, California 92227

BOARD OF EDUCATION EMERGENCY MEETING

ADOPTED MINUTES

Monday, March 16, 2020

Open Session 2:00 PM – Board Room

CALL TO ORDER AND ROLL CALL

1. The Emergency Board meeting of the Brawley Union High School District Board of Education was called to order on Monday, March 16, 2020 by President Garcia at 2:03 p.m. for Open Session.
2. **PLEDGE OF ALLEGIANCE**
President Garcia led the Pledge of Allegiance.
3. The following members were present for roll call: Trustee Morgan, Trustee Contreras, Trustee Wilson, President Garcia, Supt. Canalez.
4. **ADOPTION OF THE AGENDA**

Motion was made by Trustee Wilson, seconded by Trustee Morgan and carried unanimously by the following vote approve the Agenda as presented.

Ayes: Trustee Wilson, Trustee Morgan, Trustee Contreras, and Trustee Garcia

Nays: None

Abstained: None

Absent: Trustee Sassie

PUBLIC COMMUNICATIONS

No comments.

DISCUSSION/ACTION ITEMS

1. Superintendent recommends to approval of Resolution No. 19-20-18: Trustee Patricia Wilson's Compensation for missed meeting.

Motion was made by Trustee Morgan, seconded by Contreras and carried by the following vote to approve Resolution No. 19-20-18: Trustee Patricia Wilson's Compensation for missed meeting.

Ayes: Trustee Morgan, Trustee Contreras, and Trustee Garcia

Nays: None
Abstained: Trustee Wilson
Absent: Trustee Sassie

2. Superintendent recommends approval of Resolution No. 19-20-19: Declaring an Emergency Situation Exists and Granting Certain Emergency Powers to the Superintendent.

Supt. Canalez provided notice from ICOE calling county wide closure of all public schools. He stated that discussions will take place with staff regarding which services will be provided and that classified will be working 4 hour days until further notice. He also reported that at this point no community members had been reported infected or confirmed.

Trustee Wilson was thankful for the county wide decision and their agreement to suspend classes. She also requested to continue updating/communicating parents and students of any changes.

Motion was made by Trustee Wilson, seconded by Trustee Contreras and carried unanimously by the following vote to approve Resolution No. 19-20-19: Declaring an Emergency Situation Exists and Granting Certain Emergency Powers to the Superintendent.

Ayes: Trustee, Wilson, Trustee Garcia, Trustee Contreras, and Trustee Morgan
Nays: None
Abstained: None
Absent: Trustee Sassie

ADJOURNMENT

Motion was made by Trustee Contreras, seconded by Trustee Wilson and Carried unanimously by the following vote to adjourn the meeting at 2:45pm.

Ayes: Trustee Wilson, Trustee Morgan, Trustee Contreras, Trustee Garcia
Nays: None
Abstained: None
Absent: Trustee Sassie

Rosendo Garcia, President

Karin Morgan, Clerk

Brawley Union High School District Board of Education Minutes – Board Meeting held on March 16, 2020 in the BUHSD Board Room 2:00 pm for Open Session.

Recorded by: Christina Velasco, Executive Assistant.