



HOLTVILLE UNIFIED SCHOOL DISTRICT

Governing Board of Trustees

Emergency Board Meeting

March 16, 2020

Board of Trustees

Jared Garewal, President

Ben Abatti, Jr., Clerk

Matt Hester, Member

Robin Cartee, Member

Kevin Grizzle, Member

Superintendent

Celso Ruiz

Assistant Superintendent

John Paul Wells



NOTICE OF EMERGENCY BOARD MEETING
of the
BOARD OF TRUSTEES
HOLTVILLE UNIFIED SCHOOL DISTRICT

Monday, March 16, 2020
 OPEN SESSION 1:30 PM

Holtville Unified School District, Board Room, 621 East Sixth Street, Holtville, CA. 92250

Members of the public who require disability accommodation in order to participate in the meeting should contact the Superintendent at (760)356-2974, or in writing, at least 24 hours prior to the meeting. (Government Code section 54954.2).

1. PRELIMINARY

- Call to Order
- Flag Salute
- Roll Call

Present Absent

Jared Garewal, President	_____	_____
Ben Abatti, Jr, Clerk	_____	_____
Matt Hester, Member	_____	_____
Robin Cartee, Member	_____	_____
Kevin Grizzle, Member	_____	_____

2. MODIFICATIONS OF THE ORDER OF THE AGENDA, IF ANY.

Motion: _____ Second: _____ Ayes: ____ Nays: ____ Vote: ____ - ____

3. PUBLIC COMMENT ON ITEMS ON THE OPEN SESSION AGENDA AND ON NON AGENDA ITEMS OF INTEREST TO THE PUBLIC THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD.

At this time, members of the public may address the Board on any item described in this Notice (Government Code Section 54954.3). If you wish to address the Board, please stand, give your name and address and proceed to the podium from which you will speak. Individual presentations shall not be for more than three (3) minutes and the total time for this purpose shall not exceed twenty minutes. In accordance with the Brown Act, unless an item has been placed on the published agenda, there shall be no action taken. The Board may 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda.

4. ACTION/DISCUSSION ITEMS

A) The Superintendent recommends approval of the actions dictated in the letter date March 16, 2020 regarding the Coronavirus (COVID-19). (Mr. Ruiz)

Motion: _____ Second: _____
 Ayes: _____ Nays: _____ Vote: ____ - ____

**BOARD OF TRUSTEES
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ACTION/DISCUSSION continued

B) Approve Board Resolution 2019/20-008 Regarding the Delegation of Authority to the Superintendent to enter into Written Agreements or Written Contracts and Respond to Public Health Orders as Necessary Due to the Novel Coronavirus (COVID-19). (Mr. Ruiz) Pgs. 2-4

Motion: _____ Second: _____
Roll Call Vote: Garewal: _____ Abatti: _____ Hester: _____ Cartee: _____ Grizzle: _____
Ayes: _____ Nays: _____ Vote: ____ - ____

5. **ADJOURNMENT**

MISSION STATEMENT

The Mission of the Holtville Unified School District is to ensure a standards-based curriculum that promotes excellence in academic, social and emotional growth for every student through the establishment of strong parent/school/community partnerships in a stable and safe learning environment.

HOLTVILLE UNIFIED SCHOOL DISTRICT

School Board Meeting Agenda

ACTION/DISCUSSION

**RESOLUTION 2019/20-008
OF THE GOVERNING BOARD OF
THE HOLTVILLE UNIFIED SCHOOL DISTRICT
DELEGATION OF AUTHORITY TO THE SUPERINTENDENT
NECESSARY DUE TO THE NOVEL CORONAVIRUS (COVID-19)**

March 16, 2020

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 15, 2020, there are 335 confirmed cases of COVID-19 in the State of California, 2 presumptive positive cases in Imperial County, and public health officials generally expect the number of cases to increase; 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-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, the Governing Board is authorized by Education Code section 35161 to delegate any of its statutory powers or duties to the Superintendent of the District; and

WHEREAS, the Governing Board now desires to specifically delegate to the Superintendent of the District the authority to enter into written agreements or contracts with outside vendors and/or consultants for products and/or services, and specifically delegate to the Superintendent of the District the authority to close the District, its school and/or office(s), under the limitations of this Resolution;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Governing Board of the Holtville Unified School District specifically delegates to the Superintendent of the District the authority to enter into written agreements or written contracts with outside vendors and/or consultants for materials, products and/or services necessary due to COVID-19 without prior or subsequent approval by the Governing Board under the limitations of this Resolution. This Resolution does not authorize oral agreements or oral contracts of any kind or type. This Resolution also does not authorize any agreement or contract to purchase or sell real property, any agreement or contract to lease real property, or any agreement or contract to borrow money. This delegation of authority is strictly limited to written agreements or written contracts with outside vendors and/or consultants for materials, products and/or services necessary due to COVID-19.

The Governing Board of the Holtville Unified School District also specifically delegates to the Superintendent of the District the authority to close the District, its school and/or office(s) as may be necessary due to COVID-19 until the Governing Board can review such decision at a public meeting.

BE IT FURTHER RESOLVED THAT:

- A. The Superintendent, within his discretion, is hereby authorized to enter into written agreements or written contracts with outside vendors and/or consultants for materials, products and/or services necessary due to COVID-19 without prior or subsequent approval by the Governing Board under

the limitations of this Resolution.

- B. Each and every written agreement or contract entered into pursuant to this Resolution:
- i. Shall have an absolute total or maximum liability and/or cost to the District of ten thousand dollars (\$10,000) for the entire term of the written agreement or contract; and
 - ii. Shall not have an automatic renewal provision; and
 - iii. Shall be consistent with the current adopted Budget in the District and shall not cause any additional deficit spending. This means that any such written agreement or contract shall be consistent with the amounts budgeted in any major classification of the current adopted Budget in the District; and
 - iv. Shall be consistent with and not in conflict with any Board Policy in the District or any prior action by the Governing Board. In no event may the Superintendent enter into any written agreement or contract where the Governing Board at an open Board meeting took action not to enter into the written agreement or contract or failed to take action on the written agreement or contract; and
 - v. Shall be reviewed and approved in writing as to form by legal counsel for the District before it is approved by the Superintendent. The Superintendent shall not approve any written agreement or contract without prior review and approval in writing as to form by legal counsel for the District; and
 - vi. Shall be considered a record to be fully disclosed to the public under the California Public Records Act, and a record to be made reasonably available to the public for inspection or copying.
- C. Within forty-eight (48) hours after approval of any written agreement or contract by the Superintendent, the Superintendent shall notify all members of the Governing Board regarding his action, and if applicable, shall make a copy of the written agreement or contract immediately available to any member of the Governing Board upon request.
- D. No written agreements or written contracts shall be entered into under this Resolution during any time when the District does not have an approved Budget, during any time when the District has a qualified or negative certification under Education Code section 42131 or any other applicable law, or during any time when the District must borrow funds to meet current cash needs.
- E. In the event that the U.S. Centers for Disease Control and Prevention, the California Department of Public Health, and/or the Imperial County Public Health Department order(s) the immediate closure of a school and/or office of the District, the Superintendent is authorized to close such school(s) and/or office(s) accordingly until the Governing Board can review such decision at a public meeting.
- F. Should the U.S. Centers for Disease Control and Prevention, the California Department of Public Health, and/or the Imperial County Public Health Department recommend preventative or responsive school dismissals, the Governing Board of the District retains the right to convene a public meeting to take action in the interest of the health, safety and well-being of its students, staff members, and community.

PASSED AND ADOPTED this _____ day of March ___, 2020

Secretary of the Board

President of the Governing Board