



Union High School District

**BOARD OF TRUSTEES
SPECIAL EMERGENCY MEETING**

Board of Trustees
Joyce Dalessandro
Beth Hergesheimer
Amy Herman
Maureen "Mo" Muir
John Salazar

Interim Superintendent
Eric R. Dill

**THURSDAY, NOVEMBER 3, 2016
5:55 PM**

**DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD., ENCINITAS, CA 92024**

Welcome to the meeting of the San Dieguito Union High School District Board of Trustees.

PUBLIC COMMENTS

If you wish to speak regarding an item on the agenda, please complete a speaker slip located at the sign-in desk and present it to the Secretary to the Board prior to the start of the meeting. When the Board President invites you to the podium, please state your name before making your presentation.

In the interest of time and order, presentations from the public are limited to three (3) minutes per person, per topic. The total time for agenda items shall not exceed twenty (20) minutes. An individual speaker's allotted time may not be increased by a donation of time from others in attendance.

In accordance with the Brown Act, public comments are limited to item(s) on the published agenda. 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.

PUBLIC INSPECTION OF DOCUMENTS

In compliance with Government Code 54957.5, agenda-related documents that have been distributed to the Board less than 72 hours prior to the Board Meeting will be available for review on the district website, www.sduhsd.net and/or at the district office. Please contact the [Office of the Superintendent](#) for more information.

CLOSED SESSION

The Board will meet in Closed Session to consider qualified matters of litigation, employee negotiations, student discipline, employee grievances, personnel qualifications, or real estate negotiations which are timely.

CELL PHONES / ELECTRONIC DEVICES

As a courtesy to all meeting attendees, please set cell phones and electronic devices to silent mode and engage in conversations outside the meeting room.

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the [Office of the Superintendent](#). Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
SPECIAL EMERGENCY MEETING
24 HOUR NOTICE
AGENDA**

**THURSDAY, NOVEMBER 3, 2016
5:55 PM**

**DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD., ENCINITAS, CA 92024**

The Governing Board of the San Dieguito Union High School District has scheduled a Special Meeting to consider adoption of a Resolution for an Emergency Waiver, to be held on Thursday, November 3, 2016, at the above time and location.

1. CALL TO ORDER **5:55 PM**

2. PUBLIC COMMENTS

In accordance to the Brown Act, public comments are limited to item(s) on the published agenda. 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.

DISCUSSION/ACTION ITEMS (ITEMS 3-4)

3. ADOPTION OF RESOLUTION FOR EMERGENCY WAIVER, PUBLIC PROJECT / OAK CREST MIDDLE SCHOOL

Motion by _____, second by _____, to adopt the attached Resolution for Emergency Waiver constituting an emergency condition and request approval from the County Superintendent of Schools to enter into contracts, purchase equipment, materials, and supplies, without advertising or inviting bids pursuant to Public Contract Code sections 20113 and 1102, for the reconstruction of the Administration Building at Oak Crest Middle School, as shown in the attached supplement.

- Roll Call

4. ADJOURNMENT

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: November 2, 2016

BOARD MEETING DATE: November 3, 2016

PREPARED BY: Douglas B. Gilbert, Director of Purchasing/Risk

SUBMITTED BY: Eric R. Dill
Interim Superintendent

SUBJECT: **ADOPTION OF RESOLUTION FOR EMERGENCY
WAIVER / OAK CREST MIDDLE SCHOOL**

EXECUTIVE SUMMARY

On October 29, 2016, a fire broke out at Oak Crest Middle School causing substantial damage to the structure of the Administration Building, its contents, materials, and infrastructure, etc. District staff has determined the situation requires an Emergency Waiver to enter into contracts for emergency services, restoration services, records restoration, temporary office trailers, security, and replacement of materials, supplies, and infrastructure affected by the fire. The Risk Management Joint Powers Authority sent an adjuster and they have provided an initial estimated total cost for the entire claim in the amount of \$1,300,000.00. To ensure the site is safe, secure, and functional, the District must enter in contract(s) for public works in excess of the \$15,000.00 bid limit, as well as possibly enter into other contracts that are not public works, make purchases or leases of equipment, buy materials and supplies that may be over the \$87,800.00 bid limit. This Emergency Waiver, which must be unanimously approved, is required to allow the District to conduct the necessary steps to ensure safety, security, and functionality of the site, and restoration of the building without advertising for or inviting bids.

The District Proposition AA Facilities Planning and Construction Department had planned on major remodeling of the building affected by the fire. Since the Risk Management Joint Powers Authority will only reimburse the District the cost to bring the building back to its original condition, District staff have determined it will be best to coordinate work with the restoration company and other District contractors to make sure any construction or reconstruction will include the necessary improvements to advance the remodeling effort. District staff will manage the project in a manner that ensures the safety, security, and functionality of the site while complying with Public Contract Code bid requirements whenever possible.

ITEM 3

Upon adoption, this resolution will be sent to the County Superintendent of Schools for formal consideration.

RECOMMENDATION:

It is recommended that the Board adopt the attached Resolution for Emergency Waiver constituting an emergency condition and request approval from the County Superintendent of Schools to enter into contracts without advertising or inviting bids pursuant to Public Contract Code section 20113 and Public Contract Code section 1102, for the reconstruction of the Administration Building at Oak Crest Middle School, as shown in the attached supplement.

FUNDING SOURCE:

General Fund 01-00, and/or Building Fund Prop 39 – Fund 21-39, and/ or Capital Facilities Fund 25-18, with substantial reimbursement from the Risk Management Joint Powers Authority insurance claim.

GOVERNING BOARD RESOLUTION FOR EMERGENCY WAIVER **ITEM 3**
SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
RESOLUTION # B2017-12

On Motion of Member _____, seconded by Member _____, the following resolution is adopted by the Governing Board of the San Dieguito Union High School District:

WHEREAS, on October 29, 2016, a fire broke out at Oak Crest Middle School causing substantial damage to the structure of the Administration Building at Oak Crest Middle School, and major loss of its contents, materials, infrastructure, etc.; and

WHEREAS, District staff has determined the situation requires emergency restoration services, records restoration, temporary office trailers, security, and replacement of materials, supplies, and infrastructure; and

WHEREAS, the cost for some of the contracts, purchases, leases, to ensure the site is safe, secure, and functional will be in excess of the \$15,000.00 bid limit for public works contracts and may be over the bid limit of \$87,800.00 for services that are not public works, purchases or leases of equipment, materials, or supplies; and

WHEREAS, Public Contract Code sections 20113, as further defined by Public Contract Code section 1102, provides that school districts may, with the unanimous approval of the governing board and approval of the county superintendent of schools, contract for the performance of labor and purchase of materials without advertising for or inviting bids in an emergency when such work is necessary to permit the continuance of existing school classes or to avoid danger to life or property;

NOW THEREFORE, be it resolved that the Governing Board of the San Dieguito Union High School District has determined that these circumstances constitute an emergency condition and request approval from the county superintendent of schools to enter into contracts, purchase equipment, materials, and supplies, without advertising or inviting bids pursuant to Public Contract Code sections 20113 and 1102, for the reconstruction of the Administration Building at Oak Crest Middle School.

PASSED AND ADOPTED by unanimous vote of the members of the Governing Board of the San Dieguito Union High School District this 3rd day of November, 2016, by the following vote:

AYES:
NOES:
ABSENT:

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I, Amy Herman, Clerk of the Governing Board of the San Dieguito Union High School District, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the said Board at a special called and conducted meeting held on said date.

Clerk of the Governing Board