



**RESOLUTION 17 - 33**

**RESOLUTION OF THE OXNARD UNION HIGH SCHOOL DISTRICT  
DECLARING AN EMERGENCY UNDER  
PUBLIC CONTRACT CODE SECTIONS 22035 AND 22050**

WHEREAS, Oxnard Union High School District has suffered smoke damage at all school sites, which was caused during the recent wildfires, an occurrence that Oxnard Union High School District cannot remediate using its own forces; and

WHEREAS, unless immediate action is taken to repair these damages as listed above, which has created adverse health and safety conditions and

WHEREAS, it is essential that these repairs be undertaken immediately to allow Oxnard Union High School District staff and students to return to school in a safe and healthy environment; and

WHEREAS, under Public Contract Code Sections 22035 and 22050, in an emergency, in a district that has adopted the California Uniform Public Construction and Accounting Act, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts; and,

WHEREAS, Oxnard Union High School District has previously adopted the California Uniform Public Construction and Accounting Act; and

NOW, THEREFORE, IT IS RESOLVED that this Board has determined, by at least a four-fifths vote herein recorded, that pursuant to Public Contract Code Sections 22035 and 22050, for the reasons set forth above, an emergency exists in that there is both a danger to life and/or property and that delay could interfere with resuming normal school operations; and

IT IS FURTHER RESOLVED THAT, upon approval of this Resolution, the Board delegates to the Superintendent, or her designee, the authority to contract in writing with a reputable licensed contractor for the performance of the work required, such contract to be ratified by the Board; and

IT IS FURTHER RESOLVED THAT, upon approval of this resolution, the Superintendent shall have the authority to determine the fire recovery measures that will be performed; and

IT IS FURTHER RESOLVED THAT, upon approval of this resolution, the purchasing authority of the Superintendent supersedes Board Policies 3300 – 3312; and

BE IT FURTHER RESOLVED THAT, for any contract exceeding \$25,000.00, performance and payment bonds will be required.

RESOLVED, this grant of authority is limited to fire recovery matters until January 17, 2018.

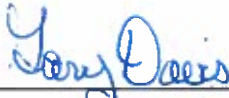
The foregoing RESOLUTION 17 - 33 was introduced by Board Member Sher, who moved its adoption, second by Board Member Herrera, and adopted on December 18, 2017.


AYES: 5

NOES: 0

ABSENT OR NOT VOTING: 0

  
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Dr. Penelope A. DeLeon, Secretary

  
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Dr. Gary Davis, President

  
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Karen M. Sher