

## YCCD Resolution No. 19-20.04

### Board Resolution Declaring Emergency and Authorizing Necessary Actions - Novel Coronavirus (COVID-19)

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**AUTHORIZATION NEEDED TO TAKE ANY AND ALL NECESSARY ACTIONS TO PREPARE AND RESPOND EFFECTIVELY TO THE NOVEL CORONAVIRUS (COVID-19) RESOLUTION BY THE YOSEMITE COMMUNITY COLLEGE DISTRICT (YCCD) BOARD OF TRUSTEES DECLARING EMERGENCY CONDITIONS EXIST AT MODESTO JUNIOR COLLEGE AND COLUMBIA COLLEGE**

**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 13, 2020, there are 314 cases reported of COVID-19 in California, three (3) cases in Stanislaus County, San Joaquin County, and Calaveras County, and officials expect the number of cases to increase; and

**WHEREAS**, strict compliance with various statutes and regulations would prevent, hinder or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

**WHEREAS**, it is imperative to prepare for and implement measures to respond to the potential spread of COVID-19; and

**WHEREAS**, it is imperative to have the tools to ensure the health and safety of students, staff, and families on our campuses; and

**WHEREAS**, it is imperative to have the tools to ensure student learning continues if student education needs to be conducted from alternate locations or virtual learning environments; and

**WHEREAS**, with the guidelines provided by Governor Newsom on March 3, 2020 it is imperative that employees be allowed to take a leave of absence due to being quarantined or staying home after recently returning from Level 3 countries or sick from Coronavirus or illnesses with similar symptoms (e.g., cough, fever, shortness of breath); during this state of emergency 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

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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 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. ‘Emergency’ includes such occurrences as fire, flood, earthquake, or other soil or geological movements, as well as such occurrences as riot, accident, or sabotage.”

**WHEREAS**, under California Public Contract Code Section 20654, in an emergency when any repairs, alterations, work, or improvement is necessary to any facility of a community college to permit the continuance of existing community college classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools during only the timeframe of this state of emergency do the following: make a contract in writing or otherwise on behalf the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bid; and, and notwithstanding California Public Contract Code section 20655.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Trustees of the Yosemite Community College District:

(1) Determines that the circumstances described in the Resolution herein constitute an emergency condition; for purposes of, but not limited to, section 20654; of the Public Contract Code to respond to the emergency conditions at District Sites and

(2) Authorizes the Chancellor/Presidents and/or his 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: the relocation of students and staff, provision of alternative educational program and operational options including, without limitation, temporarily transition courses, instruction and other operations to an online and/or telecommuting environment and mode of operation, provision of leave of absence to employees with pay due to quarantine or recently returning from level 3 countries or sick from COVID-19 or illnesses with similar symptoms (cough, fever, shortness of breath) or co-habitants of any individuals without any impact to their benefit time pursuant to Education Code sections 87765 and 88199, directing staff to serve as disaster service workers pursuant to Government Code 3100, and/or make alterations, repairs or improvements to school property, services, and programs.

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PASSED AND ADOPTED this 17<sup>th</sup> day of March 2020 by the following votes:

AYES: (7) Abe Rojas, Anne DeMartini, Darin Gharat, Leslie Beggs,  
Nancy Hinton, Antonio Aguilar, Margie Bulkin

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

YOSEMITE COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES

By: 

Abe Rojas  
President of the Board of Trustees  
Yosemite Community College District

Attested to: 

Henry C.V. Yong  
Clerk of the Board of Trustees  
Yosemite Community College District