



Resolution No. 2019/20-064

Date: April 22, 2020

**RESOLUTION OF THE BOARD OF EDUCATION  
OF THE SANTA ROSA CITY SCHOOLS  
DESIGNATING CERTAIN PUBLIC WORKS PROJECT(S) AS ESSENTIAL  
GOVERNMENTAL FUNCTIONS**

**WHEREAS**, on or about March 31, 2020, the County of Sonoma (“County”) issued Order No. C19-03 (hereinafter the “Order”), directing all individuals living in the County to continue sheltering at their place of residence, except as provided in the Order;

**WHEREAS**, section 3 of the Order states that the intent of the Order is “to ensure that the maximum number of people shelter in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible.”

**WHEREAS**, section 13.d of the Order contains an exemption for Essential Governmental Functions, which provides, among other things, that “nothing in this Order shall prohibit any individual from performing or accessing ‘Essential Governmental Functions,’ as determined by the governmental entity performing those functions in the County”;

**WHEREAS**, in section 13.f, the Order exempts “Essential Businesses,” which includes, among other things, specific types of construction, including “[p]ublic works projects if specifically designated as an Essential Governmental Function by the lead governmental agency;”

**WHEREAS**, section 13.f of the Order also defines “Essential Businesses,” to include “Education institutions – including public and private K-12 schools... – for purposes of facilitating distance learning or performing essential functions;”

**WHEREAS**, the Order acknowledges that educational institutions, including public k-12 schools, colleges, and universities perform “essential functions” (Order, section 13.f.xvi.);

**WHEREAS**, Santa Rosa City Schools (“District”) has certain public works projects which are either ongoing or scheduled to start in the near future, as described on Exhibit A (hereinafter the “Projects.”)

**WHEREAS**, among other day-to-day and instructional Essential Governmental Functions performed by the District, the above-listed Projects are Essential Governmental Functions for the following reasons:

- (a) Education, including public education, is essential to the preservation of the rights and liberties of the people, and the District is authorized provide the essential function of public education (Cal. Const. Art IX, §§ 1, 5, 6, 14, Education Code §§ 35010 *et seq.*);

(b) Stopping work on the Projects would cause delays in their completion, and it is unclear when sufficient labor and materials would become available to complete them. Stopping work on the Projects would likely increase their cost, and without project staffing, could jeopardize materials and work completed to date;

(c) As discussed in **Exhibit A**, the Projects concern providing a safe, secure, and functional learning environment for District students and staff. Delaying implementation of the Projects for an indefinite time period could jeopardize the safety of District property and its students, and compromise the District's ability to resume normal operations and classroom instruction when it becomes possible for school to re-open. Thus, continued work and timely completion of these projects is necessary to ensure that the District's educational mission can be implemented;

**WHEREAS**, as Essential Governmental Functions, the Projects may continue in compliance with the Order including, without limitation, compliance with Social Distancing Requirements to the greatest extent feasible.

**NOW, THEREFORE**, the Board hereby finds, determines, declares, orders, and resolves:

**Section 1.** The foregoing recitals are true.

**Section 2.** The Board finds that educational services and related operations are an "Essential Business" function for purposes of the Order, and that its employees and contractors engaged in such efforts should continue providing and carrying out work as an Essential Governmental Function.

**Section 3.** The Governing Board designates the Projects on **Exhibit A** as Essential Governmental Functions, and finds that the individuals and businesses engaged in work on the Projects can and should continue providing and carrying out work on the Projects while complying with Social Distancing requirements.

**Section 4.** The District's Superintendent, or designee, is authorized to take all steps and perform all actions necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

**Section 5.** To the extent actions in Section 3 have been undertaken, the Governing Board hereby ratifies such actions as an Essential Governmental Function.

**PASSED, APPROVED, AND ADOPTED** this 22nd day of April 2020, by the following vote:

**AYES:** \_\_\_\_\_ **NOES:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
Alegría De La Cruz, Clerk of the Board

\_\_\_\_\_  
Date

**EXHIBIT A  
(LIST OF ESSENTIAL PROJECTS)**

<b>School</b>	<b>Description of work</b>	<b>Reason for Essential Government Function</b>
Santa Rosa Middle	Roofing/HVAC	This is an ongoing roofing project. If this project were stopped now, it is unclear when it could be resumed. Stopping this project would likely increase project costs, and could result in leaks, water damage, and mold.
Montgomery High	Roofing/HVAC	This is a prospective roofing project that is planned to be awarded at this Board meeting. The roof is in disrepair and material is falling off the roof. If this project is delayed, it is unclear when it could be finished. Delaying this project could result in leaks, water damage, and possibly mold.
Santa Rosa High	Roofing/HVAC – Phase II	This is a prospective roofing project. The roof is in disrepair and material is falling off the roof. If this project is delayed, it is unclear when it can be finished. Delaying this project could result in leaks, water damage, and possibly mold. The existing HVAC system is aged and not dependable.
Maria Carrillo High School	Stadium Field Press Box	This is a prospective project to update the stadium field press box at Maria Carrillo High School. The old press box is in poor condition and was constructed without DSA approval. Carrying out this project would increase safety for people in and around the press box. If this project is delayed the old press box will remain until conditions permit its replacement.
Cook/CCLA Campus	Playground and Parking Lot	This is a prospective project for constructing a new playground and reconfiguration of the parking lot to address student safety and bus and car access. The existing playground is not big enough to accommodate the number of students using it, and the anticipated project would create a safe playing area for lower grade levels.