

## RESOLUTION NO. 20:7

### RESOLUTION OF THE BOARD OF TRUSTEES OF THE HARTNELL COMMUNITY COLLEGE DISTRICT SPECIFICALLY DESIGNATING PUBLIC WORKS PROJECTS AS ESSENTIAL GOVERNMENTAL FUNCTIONS

**WHEREAS**, California’s public health efforts to combat the spread of Coronavirus Disease 2019 (“COVID-19”) have forced the substantial disruption of daily life throughout the state and the nation, including but not limited to the closure of the campus of the Hartnell Community College District (“District”) in response to State and local orders intended to slow the spread of COVID-19;

**WHEREAS**, on April 3, 2020, Monterey County (“County”) issued an Order of the County Health Officer to Shelter In Place (“Order”), ordering all individuals living in the County to continue sheltering at their places of residence, except to perform Essential Activities, Essential Governmental Functions, Essential Travel, to work for Essential Businesses, or to perform Minimal Basic Operations for non-essential businesses, all as defined in the Order;

**WHEREAS**, Section 13.d of the Order provides that individuals may continue performing or accessing Essential Governmental Functions as determined by the governmental entity performing those functions in the County;

**WHEREAS**, Section 13.f of the Order defines “Essential Businesses,” to include, among other things, certain types of construction, but only the types enumerated in Section 13.f.vi, among which types the Order lists “[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 “Educational institutions – including public and private K-12 schools, ... – for purposes of facilitating distance learning or performing essential functions”;

**WHEREAS**, those sections of the Order cited herein are consistent with executive orders issued by California Governor Gavin Newsom in response to the COVID-19 crisis;

**WHEREAS**, timely completion of the public works projects (“Projects”) enumerated herein is required to ensure needed facilities and infrastructure for the District as it continues to pursue its educational mission during the COVID-19 crisis, and to provide needed facilities and infrastructure for those students when the District is able to resume normal operations following the COVID-19 crisis and the cessation of State and County shelter-in-place orders;

**WHEREAS**, timely completion of the Projects enumerated herein, including design services, site and construction preparation and mobilization, and construction for those Projects, is required to ensure that the District is able to remain within its budget for the Projects and avoid increased costs to the public;

**WHEREAS**, in accordance with the Order, and for all of the reasons set forth above, and as the governing body of the District as the lead governmental agency for the Projects, the Board of Trustees (“Board”) of the District by this resolution specifically designates the Projects listed herein as Essential Governmental Functions;

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

1. The foregoing recitals are true.
2. The following Projects are hereby designated as Essential Governmental Functions, as that term is defined in the Order:
  - (i) King City Education Center Expansion; 117 North Second Street, King City, CA 93930
  - (ii) Soledad Education Center; 1505 Metz Road, Soledad, CA 93960
  - (iii) Renovation of Quad and Buildings D and E; 411 Central Avenue, Salinas, CA 93901
  - (iv) Nursing Health Science Building; 411 Central Avenue, Salinas, CA 93901
  - (v) Castroville Education Center; 10241 Tembladera Street, Castroville, CA 95012
3. Contractors and their employees performing work on the Projects enumerated above are Essential Businesses as that term is defined in the Order;
4. The Board hereby directs that the Projects enumerated above continue as Essential Governmental Functions and each in compliance with the contract awarded by the Board for each Project, and that contractors and their employees performing work on the Projects comply with all applicable State and County orders, including the Order, regarding social distancing requirements and protocols to the greatest extent feasible.

PASSED AND ADOPTED this 7th day of April 2020, by the following vote:

**AYES:** DePauw, Donohue, Lopez, Montemayor, Osorio, Padilla-Chavez, Salazar, Jr.  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

  
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Secretary  
Board of Trustees  
Hartnell Community College District