

SIERRA SANDS UNIFIED SCHOOL DISTRICT

**Board of Education
Special Concurrent Meeting**

**August 18, 2011
Ridgecrest City Council Chambers
100 West California Avenue
*www.ssusd.org***

We, the members of the Board of Education of the Sierra Sands Unified School District, are committed to providing the highest quality education in a safe environment to all K-12 students. We believe the school shares with the family, church, and community the responsibility for developing life-long learners who are responsible, productive

A G E N D A

CALL TO ORDER AND PLEDGE TO THE FLAG

7:00 P.M.

Amy Covert
Judy Dietrichson
Bill Farris
Tim Johnson, Vice President/Clerk
Tom Pearl, President
Kurt Rockwell
Michael Scott

Joanna Rummer, Superintendent

MOMENT OF SILENCE

1. ADOPTION OF AGENDA
2. GENERAL ADMINISTRATION
 - 2.1 Authorization for Board Member Travel
 - 2.2 Emergency Resolution Authorizing the Procurement of Solid Waste Handling Services Without Competitive Bidding
3. ADJOURNMENT

2. GENERAL ADMINISTRATION

2.1 Authorization for Board Member Travel

BACKGROUND INFORMATION: At the May 7, 2009 board meeting, protocol requiring the board to authorize all board member travel was established. The 2011-12 travel budget for the board was approved for 18,700.00.

CURRENT CONSIDERATIONS: Ms. Amy Covert, as the board's designated representative for NAFIS activities, is requesting authorization to travel to Washington, D.C. on October 1 – October 5 to attend the NAFIS 2011 Fall Conference. Cost of travel is estimated as follows:

Conference registration	\$ 500.00
Air Fare	\$ 530.00
Hotel (4 nights @ \$336.63 inc. tax)	\$ 1346.52
Meals (4 days @ \$50 per day)	\$ 200.00
Miscellaneous	\$ 50.00
Estimated total cost of travel	\$ 2626.52

FINANCIAL IMPLICATIONS: The travel budget for the Board for 2011-12 is \$18,700.00. To date, no money has been spent, however, approximately \$10,000 has been approved for the annual CSBA conference.

SUPERINTENDENT'S RECOMMENDATION: In accordance with the board's adopted protocol, it is recommended that the board review the proposed travel and determine if it wishes to authorize this travel activity.

2. GENERAL ADMINISTRATION

2.2 Resolution #4 1112 Authorizing the Procurement of Solid Waste Handling Services Without Competitive Bidding

BACKGROUND INFORMATION: The Sierra Sands Unified School District has utilized the Benz Sanitation, Inc. for trash hauling services for many years. In 2009, trash hauling, which included a recycling program, was inaugurated by the City of Ridgecrest. The District participated in this program. The current program is undergoing change. The current contract between the City of Ridgecrest and Benz Sanitation, Inc. will expire on September 2, 2011. It is unknown at this time what will happen regarding trash hauling after that date.

CURRENT CONSIDERATIONS: In accordance with Public Resource Code 40059, the district may, upon determining that aspects of solid waste hauling are of local concern the district may authorize the procurement of solid waste handling services by means of a contract without competitive bidding. The authority to do the above is spoken to in Public Resource Code 40059 and the vehicle to make the authorization is through the use of the attached resolution of the board. Staff believes that since the requirement for trash hauling is ongoing, it is in the best interest of the district to authorize staff to consider an interim contract for trash hauling services until further information regarding the outcome of the negotiations regarding solid waste hauling at the City are finalized. Staff will investigate and analyze the potential options available to the district in this area. If negotiations between the City and Benz fail to produce a new contract, or if the district determines it is in its best interest to procure solid waste handling services on its own, the district may engage in a process which includes publishing a request for proposal speaking to the district's long term needs.

FINANCIAL IMPLICATIONS: Costs are unknown at this time but are anticipated to be no more than the amount currently paid for this service which is \$8,100 per month. The fund source would continue to be the unrestricted general fund.

SUPERINTENDENT'S RECOMMENDATION: It is recommended that the Board of Education approve Resolution #4 1112, authorization to procure solid waste hauling services without competitive bidding.

**BEFORE THE GOVERNING BOARD OF THE
SIERRA SANDS UNIFIED SCHOOL DISTRICT**

**RESOLUTION AUTHORIZING THE PROCUREMENT OF SOLID WASTE HANDLING SERVICES
WITHOUT COMPETITIVE BIDDING**

RESOLUTION NO.#4 1112

WHEREAS, the Sierra Sands Unified School District's ("District") trash and solid waste handling services have been provided by Benz Sanitation, Inc. ("Benz") through Benz's contract with the City of Ridgecrest ("City"); and

WHEREAS, Benz's contract with the City is set to expire on September 2, 2011 and the parties are still negotiating the terms and conditions of a new contract; and

WHEREAS, if Benz and the City cannot agree to terms and conditions of a new contract, the District may be left without any means for the collection and disposal of the District's solid waste and will need to procure such services with a qualified vendor; and

WHEREAS, the District's Governing Board of Education ("Board") has determined that notwithstanding any other provision of law, aspects of solid waste handling including, but not limited to, frequency of collection, means of collection and transportation, level of services, charges and fees, and nature location, and extent of providing solid waste handling services are of a local concern; and

WHEREAS, the District's Board has determined that it is in the best interest of the District to procure solid waste handling services by contract without competitive bidding; and

WHEREAS, Public Resources Code section 40059 states that a school district may, upon determining that aspects of solid waste handling are of a local concern, may authorize the procurement of solid waste handling services by means of a contract without competitive bidding; and

WHEREAS, the District intends on procuring solid waste handling services on an interim basis without competitive bidding until the current negotiations between the City and Benz are concluded, or if the District determines it is in its best interest to procure solid waste handling services on its own, rather than through the City's contract with Benz or other vendor; and

WHEREAS, if negotiations between the City and Benz fail to produce a new contract, or if the District determines it is in its best interest to procure solid waste handling services on its own, the District will issue a Request for Proposal ("RFP") and evaluate responses to the RFP to select a qualified vendor that meets the District's needs and requirements that it determines are in the best interests of the District, all in accordance with Public Resources Code section 40059; and

WHEREAS, the District, by a majority of the vote of the Governing Board and pursuant to Education Code section 17604 and similar statutes, delegates authority to its Superintendent to negotiate and execute a contract with a vendor to provide interim solid waste handling services (subject to ratification by the Board), consistent with the intent of this Resolution.

NOW, THEREFORE, the District hereby finds, determines, declares and resolves as follows:

Section 1. All of the recitals set forth above are true and correct, and the District Board so finds and determines.

Section 2. The District intends on procuring solid waste handling services on an interim basis without competitive bidding until the current negotiations between the City and Benz are concluded, or if the District determines it is in its best interest to procure solid waste handling services on its own, rather than through the City's contract with Benz or other vendor.

Section 3. The District's Governing Board hereby approves the delegation of authority and appoints its Superintendent, who is hereby authorized and directed, pursuant to a majority of the vote of the Governing Board and Education Code section 17604 and similar statutes, to negotiate and execute a contract with a vendor to provide interim solid waste handling services (subject to ratification by the Board), consistent with the intent of this Resolution.

Section 4. If negotiations between the City and Benz fail to produce a new contract, or if the District determines it is in its best interest to procure solid waste handling services on its own, the District will issue a RFP and evaluate responses to the RFP to select a qualified vendor that meets the District's needs and requirements that it determines are in the best interests of the District, all in accordance with Public Resources Code section 40059.

Section 5. This resolution shall be effective as of date of its adoption.

APPROVED, PASSED AND ADOPTED by the Governing Board of the Sierra Sands Unified School District this eighteenth day of August, 2011, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

I, Tom Pearl, President of the Sierra Sands Unified School District Governing Board, do hereby certify that the foregoing is full, true, and correct copy of the Resolution passed and adopted by said Board at a regularly scheduled and conducted meeting held on said date, which Resolution is on file in office of said Board.

President of the Board of Education
Sierra Sands Unified School District

I, Tim Johnson, Vice President/Clerk of the Board of Education of the Sierra Sands Unified School District Governing Board, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the Board of Education of the Sierra Sands Unified School District Governing Board at a regular meeting thereof held on the eighteenth day of August, 2011, by the above described vote of the Governing Board;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Sierra Sands Unified School District Governing Board this eighteenth day of August, 2011.

Clerk of the Board of Education
Sierra Sands Unified School District