



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 10.1h

**Meeting Date:** February 16, 2017

**Subject:** Approve Waiver Request and Affidavit – Request for Allowance of Attendance Due to Emergency Conditions at Crocker/Riverside Elementary School and O.W. Erlewine Elementary School on January 19, 2017, and Golden Empire Elementary School on January 19 and 20, 2017

- ☐ Information Item Only
- ☒ Approval on Consent Agenda
- ☐ Conference (for discussion only)
- ☐ Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- ☐ Conference/Action
- ☐ Action
- ☐ Public Hearing

**Division:** Business Services

**Recommendation:** Approve the he submission of the affidavit to the State Superintendent of Public Instruction.

**Background/Rationale:** In accordance with Education Code Section 41422, districts that are prevented from maintaining school for the required number of days because of extraordinary conditions, “which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the Governing Board of the school district and of the County Superintendent of Schools, shall receive the same apportionment from the State School Fund as it would have received had it not been prevented from maintaining school.”

Due to a lack of water on January 19, 2017 prior to the start of school day and determination from the City of Sacramento that water would not be restored until 4-6 hours, the District closed Crocker/Riverside Elementary; therefore, lost attendance for the day.

Due to a lack of electricity on January 19, 2017 prior to the start of school day and determination from SMUD that electrical service will not be restored until the of the school day, the District closed O.W. Erlewine Elementary School; therefore, lost attendance for the day.

Due to a lack of electricity on January 19 and 20, 2017 prior to the start of the school day and determination from SMUD that electrical service will not be restored until the end of the school day due to a SMUD power line having been blown down. The District closed Golden Empire Elementary School January 19 and 20, 2017; therefore, lost attendance for those days.

Under the provisions of Education Code 41422, the District may request allowance for operation of fewer days of school than normally required because these schools were closed due to emergency conditions.

The implications are as follows:

- Fiscal: Failure to file this waiver request would cost the district approximately \$115,192 in lost Local Control Funding
- Personnel: None
- Program: None
- Legal: Education Code Section 41422
- Other: None

**Financial Considerations:** Failure to file this waiver request would cost the district approximately \$115,192 in lost Local Control Funding

**LCAP Goal(s):** Safe, Emotionally Healthy and Engaged Students; Family and Community Empowerment; and Operational Excellence

**Documents Attached:**

1. Request for Allowance of Attendance Because of Emergency Conditions Form J-13A (Rev. 01-05)
2. Email from The City of Sacramento

**Estimated Time of Presentation:** N/A Minutes

**Submitted by:** Gerardo Castillo, CPA, Chief Business Officer

**Approved by:** José L. Banda, Superintendent

**REQUEST FOR ALLOWANCE OF ATTENDANCE  
BECAUSE OF EMERGENCY CONDITIONS  
Form J-13A (Rev. 01-05)**

School District (or Charter School) Name: Sacramento City Unified School District

School District (or Charter School) Address: 5735 47<sup>th</sup> Avenue, Sacramento, CA 95824

County-District Code: 34-67439

County Name: Sacramento

This form replaces the Form J-13A (Rev. 4-90) and should be used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in *Education Code* Section 41422
- When one or more schools were kept open but experienced a material decrease in attendance because of conditions described in *Education Code* Section 46392
- When attendance records have been lost or destroyed as described in *Education Code* Section 46391

Approved credit for instructional time may be used in conjunction with regular instructional days to satisfy the requirements of *Education Code* Section 37202 (equal length of instructional time among schools within a district).

A separate form should be submitted for each emergency event, but credit may be requested for more than one school and under one or more of the foregoing conditions on the same form. Each separate form must include the affidavit of the governing board members and the county superintendent before it can be approved by the State Superintendent of Public Instruction.

The original form (with the board members' affidavit) and two copies should be filed with the county superintendent of schools. If the county superintendent approves the request, he or she should execute the affidavit certifying that approval and forward all pages of the original and one copy of the form to:

Office of Principal Apportionment and Special Education  
School Fiscal Services Division  
California Department of Education  
1430 N Street, Suite 3800  
Sacramento, CA 95814

This form consists of five preprinted pages. Pages 1 and 5 (5C for charter schools) must accompany all submissions. Page 4 (Lost or Destroyed Attendance Records) will not need to be submitted by most districts. Multiple copies of Pages 2 and/or 3 may have to be submitted when claims are made on a school-by-school basis.

**SCHOOL CLOSURE**

Nature of Emergency (describe):

Damage due to rain and high winds from a storm resulted in a downed tree, which broke the distribution main line of water supply to the area. The district closed Crocker/Riverside Elementary School January 19, 2017, thereby losing attendance for one school day. Email received from the City of Sacramento attached. Under the provisions of Education Code 41422, the district may request an allowance for operation of fewer days of school than normally required due to emergency conditions.

Name of School(s): Crocker/Riverside Elementary School  
(if request covers all schools, write "all schools")

School Code(s): 34-67439-6034243

We request that apportionments be maintained and instructional time credited for the above named school(s) without regard to the fact that the school(s) were closed on (dates):

January 19, 2017

because of the described emergency. Approval of this request authorizes the local educational agency to disregard these days in the computation of average daily attendance (ADA) (per Section 41422) and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *Education Code* Section 46200, et seq.

If the school closure resulted from a power outage or impassable roads caused by inclement weather, state the number of school closure days for the same conditions in each of the last five years: N/A

**MATERIAL DECREASE**

Nature of Emergency (describe):

Damage due to rain and high winds from a storm resulted in a downed tree, which broke the distribution main line of water supply to the area. The district closed Crocker/Riverside Elementary School January 19, 2017, thereby losing attendance for one school day. Under the provisions of Education Code 41422, the district may request an allowance for operation of fewer days of school than normally required due to emergency conditions.

Name of School: Crocker/Riverside Elementary School  
(if request covers all schools, write "all schools")

School Code(s): 34-67439-6034243

We request the substitution of estimated days of attendance for actual days of attendance in accordance with the provisions of Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of apportionments for the foregoing school(s) for (dates) January 19, 2017 during which school attendance was materially decreased because of the described emergency.

Estimated attendance for each day (October or May ADA): 642.97 students per day. Estimated daily attendance multiplied by number of days of material decrease, yields one days of attendance requested.

State method of determining estimated daily attendance (October or May ADA):

ADA for school month beginning on September 26, 2016 and ending on October 21, 2016.

Actual apportionable attendance for days of material decrease:

Site: Crocker/Riverside Elementary School Date: January 19, 2017 Actual  
Attendance: -0-

**LOST OR DESTROYED ATTENDANCE RECORDS**

We request the use of estimated attendance in lieu of attendance that cannot be verified because of the loss or destruction of attendance records. This request is made in accordance with Section 46391. The entire period covered by the lost or destroyed records commences with \_\_\_\_\_, 2\_\_\_\_, up to and including, \_\_\_\_\_, 2\_\_\_\_.

Describe circumstances and extent of records loss or destruction:

Describe how it is proposed to reconstruct attendance records or estimate attendance in the absence of records:

We, members constituting a majority of the governing board of the Sacramento City Unified school district, hereby swear (or affirm) that the foregoing statements are true and are based on official district records.

<u>Jay Hansen</u>	_____
<u>Jessie Ryan</u>	_____
<u>Darrel Woo</u>	_____
<u>Ellen Cochran</u>	_____
<u>Christina Pritchett</u>	_____
<u>Michael Minnick</u>	_____
<u>Mai Vang</u>	_____
Printed Names	Signatures

**At least a majority of the members of the governing board shall execute this affidavit.**

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.  
Signature, Title \_\_\_\_\_  
of \_\_\_\_\_ County, California

Contact/Individual responsible for preparing this form:

Name: Gerardo Castillo Title: Chief Business Officer  
Phone: (916)643-9055 Fax: (916)399-2039  
E-mail: Gerardo-Castillo@scusd.edu

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**AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS**

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools \_\_\_\_\_  
Date: \_\_\_\_\_

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.  
Signature, Title \_\_\_\_\_  
of \_\_\_\_\_ County, California

Contact/Individual responsible for preparing this form:

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: \_\_\_\_\_

We, members constituting a majority of the governing board of the \_\_\_\_\_  
\_\_\_\_\_ charter school, hereby swear (or affirm) that the foregoing  
statements are true and are based on official district records.

**At least a majority of the members of the governing board shall execute this affidavit.**

Contact/Individual responsible for preparing this form:

**Approval by Superintendent of Authorized Local Educational Agency (LEA)**

Signature, Title \_\_\_\_\_  
of \_\_\_\_\_ (LEA).

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools \_\_\_\_\_  
Date: \_\_\_\_\_

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ County, California

Contact/Individual responsible for preparing this form:

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: \_\_\_\_\_



**REQUEST FOR ALLOWANCE OF ATTENDANCE  
BECAUSE OF EMERGENCY CONDITIONS  
Form J-13A (Rev. 01-05)**

School District (or Charter School) Name: Sacramento City Unified School District

School District (or Charter School) Address: 5735 47<sup>th</sup> Avenue, Sacramento, CA 95824

County-District Code: 34-67439

County Name: Sacramento

This form replaces the Form J-13A (Rev. 4-90) and should be used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in *Education Code* Section 41422
- When one or more schools were kept open but experienced a material decrease in attendance because of conditions described in *Education Code* Section 46392
- When attendance records have been lost or destroyed as described in *Education Code* Section 46391

Approved credit for instructional time may be used in conjunction with regular instructional days to satisfy the requirements of *Education Code* Section 37202 (equal length of instructional time among schools within a district).

A separate form should be submitted for each emergency event, but credit may be requested for more than one school and under one or more of the foregoing conditions on the same form. Each separate form must include the affidavit of the governing board members and the county superintendent before it can be approved by the State Superintendent of Public Instruction.

The original form (with the board members' affidavit) and two copies should be filed with the county superintendent of schools. If the county superintendent approves the request, he or she should execute the affidavit certifying that approval and forward all pages of the original and one copy of the form to:

Office of Principal Apportionment and Special Education  
School Fiscal Services Division  
California Department of Education  
1430 N Street, Suite 3800  
Sacramento, CA 95814

This form consists of five preprinted pages. Pages 1 and 5 (5C for charter schools) must accompany all submissions. Page 4 (Lost or Destroyed Attendance Records) will not need to be submitted by most districts. Multiple copies of Pages 2 and/or 3 may have to be submitted when claims are made on a school-by-school basis.

### **SCHOOL CLOSURE**

Nature of Emergency (describe):

Due to lack of electricity, the district closed O.W. Erlewine Elementary School January 19, 2017, thereby losing attendance for one school day. Under the provisions of Education Code 41422, the district may request an allowance for operation of fewer days of school than normally required due to emergency conditions.

Name of School(s): O.W. Erlewine Elementary School  
(if request covers all schools, write "all schools")

School Code(s): 34-67439-6034177

We request that apportionments be maintained and instructional time credited for the above named school(s) without regard to the fact that the school(s) were closed on (dates):

January 19, 2017

because of the described emergency. Approval of this request authorizes the local educational agency to disregard these days in the computation of average daily attendance (ADA) (per Section 41422) and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *Education Code* Section 46200, et seq.

If the school closure resulted from a power outage or impassable roads caused by inclement weather, state the number of school closure days for the same conditions in each of the last five years: N/A

**MATERIAL DECREASE**

Nature of Emergency (describe):

Due to lack of electricity, the district closed O.W. Erlewine Elementary School January 19, 2017, thereby losing attendance for one school day. Under the provisions of Education Code 41422, the district may request an allowance for operation of fewer days of school than normally required due to emergency conditions.

Name of School: O.W. Erlewine Elementary School  
(if request covers all schools, write "all schools")

School Code(s): 34-67439-6034177

We request the substitution of estimated days of attendance for actual days of attendance in accordance with the provisions of Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of apportionments for the foregoing school(s) for (dates) January 19, 2017 during which school attendance was materially decreased because of the described emergency.

Estimated attendance for each day (October or May ADA): 300.81 students per day. Estimated daily attendance multiplied by number of days of material decrease, yields one day of attendance requested.

State method of determining estimated daily attendance (October or May ADA):

ADA for school month beginning on September 26, 2016 and ending on October 21, 2016.

Actual apportionable attendance for days of material decrease:

Site: O.W. Erlewine Elementary School Date: January 19, 2017 Actual  
Attendance: -0-

## LOST OR DESTROYED ATTENDANCE RECORDS

We request the use of estimated attendance in lieu of attendance that cannot be verified because of the loss or destruction of attendance records. This request is made in accordance with Section 46391. The entire period covered by the lost or destroyed records commences with \_\_\_\_\_, 2\_\_\_\_, up to and including, \_\_\_\_\_, 2\_\_\_\_.

Describe circumstances and extent of records loss or destruction:

Describe how it is proposed to reconstruct attendance records or estimate attendance in the absence of records:

### AFFIDAVIT OF GOVERNING BOARD MEMBERS

We, members constituting a majority of the governing board of the Sacramento City Unified school district, hereby swear (or affirm) that the foregoing statements are true and are based on official district records.

Jay Hansen	_____
Jessie Ryan	_____
Darrel Woo	_____
Ellen Cochrane	_____
Christina Pritchett	_____
Michael Minnick	_____
Mai Vang	_____
Printed Names	Signatures

**At least a majority of the members of the governing board shall execute this affidavit.**

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ County, California

Contact/Individual responsible for preparing this form:

Name: Gerardo Castillo Title: Chief Business Officer

Phone (916)643-9055 Fax: (916)399-2039

E-mail: Gerardo-Castillo@scusd.edu

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**AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS**

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools \_\_\_\_\_

Date: \_\_\_\_\_

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ County, California

Contact/Individual responsible for preparing this form:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: \_\_\_\_\_

We, members constituting a majority of the governing board of the \_\_\_\_\_  
\_\_\_\_\_ charter school, hereby swear (or affirm) that the foregoing  
statements are true and are based on official district records.

Printed Names	Signatures

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ County, California

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: \_\_\_\_\_

Signature, Title \_\_\_\_\_  
of \_\_\_\_\_ (LEA).

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools \_\_\_\_\_  
Date: \_\_\_\_\_

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ County, California

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: \_\_\_\_\_

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BECAUSE OF EMERGENCY CONDITIONS  
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County Name: Sacramento

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- When attendance records have been lost or destroyed as described in *Education Code* Section 46391

Approved credit for instructional time may be used in conjunction with regular instructional days to satisfy the requirements of *Education Code* Section 37202 (equal length of instructional time among schools within a district).

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## **SCHOOL CLOSURE**

Nature of Emergency (describe):

Damage to a downed transformer due to rain and high winds from a storm resulted in a loss of power that lasted over 36 hours. The district closed Golden Empire Elementary School January 19 and 20, 2017, thereby losing attendance for two school days. Under the provisions of Education Code 41422, the district may request an allowance for operation of fewer days of school than normally required due to emergency conditions.

Name of School(s): Golden Empire Elementary School  
(if request covers all schools, write "all schools")

School Code(s): 34-67439-6097083

We request that apportionments be maintained and instructional time credited for the above named school(s) without regard to the fact that the school(s) were closed on (dates):

January 19 & 20, 2017

because of the described emergency. Approval of this request authorizes the local educational agency to disregard these days in the computation of average daily attendance (ADA) (per Section 41422) and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *Education Code* Section 46200, et seq.

If the school closure resulted from a power outage or impassable roads caused by inclement weather, state the number of school closure days for the same conditions in each of the last five years: N/A



**MATERIAL DECREASE**

Nature of Emergency (describe):

Damage to a downed transformer due to rain and high winds from a storm resulted in a loss of power that lasted over 36 hours. The district closed Golden Empire Elementary School January 19 and 20, 2017, thereby losing attendance for two school days. Under the provisions of Education Code 41422, the district may request an allowance for operation of fewer days of school than normally required due to emergency conditions.

Name of School: Golden Empire Elementary School  
(if request covers all schools, write "all schools")

School Code(s): 34-67439-6097083

We request the substitution of estimated days of attendance for actual days of attendance in accordance with the provisions of Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of apportionments for the foregoing school(s) for (dates) January 19 & 20, 2017 during which school attendance was materially decreased because of the described emergency.

Estimated attendance for each day (October or May ADA): 571.11 students per day. Estimated daily attendance multiplied by number of days of material decrease, yields two days of attendance requested.

State method of determining estimated daily attendance (October or May ADA):

ADA for school month beginning on September 26, 2016 and ending on October 21, 2016.

Actual apportionable attendance for days of material decrease:

Site: Golden Empire Elementary School Date: January 19 & 20, 2017 Actual  
Attendance: -0-

**LOST OR DESTROYED ATTENDANCE RECORDS**

We request the use of estimated attendance in lieu of attendance that cannot be verified because of the loss or destruction of attendance records. This request is made in accordance with Section 46391. The entire period covered by the lost or destroyed records commences with \_\_\_\_\_, 2\_\_\_\_, up to and including, \_\_\_\_\_, 2\_\_\_\_.

Describe circumstances and extent of records loss or destruction:

Describe how it is proposed to reconstruct attendance records or estimate attendance in the absence of records:

We, members constituting a majority of the governing board of the Sacramento City Unified school district, hereby swear (or affirm) that the foregoing statements are true and are based on official district records.

<u>Jay Hansen</u>	_____
<u>Jessie Ryan</u>	_____
<u>Darrel Woo</u>	_____
<u>Ellen Cochran</u>	_____
<u>Christina Pritchett</u>	_____
<u>Michael Minnick</u>	_____
<u>Mai Vang</u>	_____
Printed Names	Signatures

**At least a majority of the members of the governing board shall execute this affidavit.**

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.  
Signature, Title \_\_\_\_\_  
of \_\_\_\_\_ County, California

Contact/Individual responsible for preparing this form:

Name: Gerardo Castillo Title: Chief Business Officer  
Phone: (916)643-9055 Fax: (916)399-2039  
E-mail: Gerardo-Castillo@scusd.edu

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**AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS**

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools \_\_\_\_\_  
Date: \_\_\_\_\_

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.  
Signature, Title \_\_\_\_\_  
of \_\_\_\_\_ County, California

Contact/Individual responsible for preparing this form:

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: \_\_\_\_\_

We, members constituting a majority of the governing board of the \_\_\_\_\_  
\_\_\_\_\_ charter school, hereby swear (or affirm) that the foregoing  
statements are true and are based on official district records.

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<b>Printed Names</b>	<b>Signatures</b>

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ County, California

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: \_\_\_\_\_

Signature, Title \_\_\_\_\_  
of \_\_\_\_\_ (LEA).

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools \_\_\_\_\_  
Date: \_\_\_\_\_

Subscribed and sworn (or affirmed) before me, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ County, California

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: \_\_\_\_\_

**From:** [Elena Hankard](#)  
**To:** [Gerardo Castillo](#); [Karen Wiker](#); [Joette Maxwell](#); [Erika Zavaleta](#)  
**Cc:** [Barry Eypak](#)  
**Subject:** RE: School Closures during last week's storm - need list of schools  
**Date:** Friday, January 27, 2017 1:33:37 PM  
**Attachments:** [image001.jpg](#)

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Email from City for backup for Crocker:

**From:** Oscar Alcantar [<mailto:OAlcantar@cityofsacramento.org>]  
**Sent:** Thursday, January 26, 2017 2:04 PM  
**To:** Brett Nicodemus  
**Cc:** Craig Robinson  
**Subject:** Crocker Riverside Elementary

Brett,

This email is to confirm that we spoke on the phone on Thursday the 19<sup>th</sup> at about 7 am and I informed you that the storm had caused a tree to break our distribution main and that the shut down had affected the school at 2970 Riverside bl. and that we would not have the water back on for a least 4 to six hours do to having to cut and cap on both sides of the tree that caused the main break. We later spoke again at about 8:20 and confirmed the school did have domestic water but the fire Hydrant on the south side of the school was out until the main repair was complete.

Please let me know if you have any questions.

*Oscar Alcantar*  
AMI & Construction Supervisor  
O: 916-808-6901  
F: 916-421-4596  
[ocalcantar@cityofsacramento.org](mailto:ocalcantar@cityofsacramento.org)

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