



Magnolia Public Schools

Audit/Facilities Committee Meeting

Date and Time

Thursday October 7, 2021 at 6:00 PM PDT

Location

<https://zoom.us/j/94980486941?pwd=U0FqbUpKOFIpdUNISIk5S1lxUU9XZz09>

Meeting ID: 949 8048 6941

Passcode: 577647

One tap mobile: +16699009128,,94980486941# US (San Jose)

All members of the public can participate by calling in using the numbers provided above.

In compliance with the Americans with Disabilities Act (ADA) and upon request, Magnolia Public Schools may furnish reasonable auxiliary aids and services to qualified individuals with disabilities. Members of the public who need special accommodations or translation are strongly encouraged to contact Magnolia Public Schools at least 24 hours in advance of the Board meeting so assistance can be assured.

Any public records relating to an agenda item for an open session which are distributed to all, or a majority of all, of the Board Members shall be available for public inspection. Magnolia Public Schools values public comment during Board meetings. Pursuant to AB 361 members of the public may address the Board during the Public Comment period on the day of the board meeting without the need to complete a public speaker form. We limit individual speakers to three (3) minutes and speakers with interpreters to six (6) minutes. For any questions regarding this meeting email board@magnoliapublicschools.org or call 213-628-3634 Ext. 100.

Audit/Facilities Committee Members

Mr. Mekan Muhammedov, Chair

Ms. Diane Gonzalez

Dr. Umit Yapanel (alternate)

CEO and Superintendent

Mr. Alfredo Rubalcava

Agenda

	Purpose	Presenter	Time
I. Opening Items			6:00 PM
Opening Items			
A. Call the Meeting to Order			1 m
B. Record Attendance and Guests			1 m
C. Approval of Agenda	Vote		1 m
D. Public Comments			5 m
E. Announcements from CEO & Superintendent and Committee Members			5 m
F. Approval of Minutes from Audit/Facilities Committee Meeting - September 8, 2021	Approve Minutes		1 m
II. Recommended Action Items			6:14 PM
A. Committee Approval of Findings to Conduct Virtual Meetings Pursuant to AB 361/Government Code Section 5495	Vote	A.Rubalcava	10 m
B. Approval of AG Construction to Provide Services for all MPS Schools	Vote	P.Ontiveros	10 m
III. Informational/Discussion Items			6:34 PM
A. Facilities Department Updates	Discuss	P.Ontiveros	10 m
IV. Closing Items			6:44 PM
A. Adjourn Meeting	Vote		

Cover Sheet

Approval of Minutes from Audit/Facilities Committee Meeting - September 8, 2021

Section: I. Opening Items
Item: F. Approval of Minutes from Audit/Facilities Committee Meeting
- September 8, 2021
Purpose: Approve Minutes
Submitted by:
Related Material:
Minutes for Audit/Facilities Committee Meeting on September 8, 2021



Magnolia Public Schools

Minutes

Audit/Facilities Committee Meeting

Date and Time

Wednesday September 8, 2021 at 6:00 PM

Location

<https://zoom.us/j/95785897640?pwd=SXdCT1lvTzZka3RBczZydDc0VkprQT09>

Meeting ID: 957 8589 7640

Passcode: 520189

One tap mobile: +16699009128,,95785897640# US (San Jose)

Audit/Facilities Committee Members

Mr. Mekan Muhammedov, Chair

Ms. Diane Gonzalez

Dr. Umit Yapanel (alternate)

CEO and Superintendent

Mr. Alfredo Rubalcava

Committee Members Present

D. Gonzalez (remote), M. Muhammedov (remote)

Committee Members Absent

None

I. Opening Items

A. Call the Meeting to Order

M. Muhammedov called a meeting of the Audit/Facilities Committee of Magnolia Public Schools to order on Wednesday Sep 8, 2021 at 6:17 PM.

B. Record Attendance and Guests

Refer to attendance information reported above.

C. Approval of Agenda

M. Muhammedov made a motion to approve the agenda as presented.

D. Gonzalez seconded the motion.

The committee **VOTED** unanimously to approve the motion.

Roll Call

M. Muhammedov Aye

D. Gonzalez Aye

D. Public Comments

No public comments were given at this time.

E. Announcements from CEO & Superintendent and Committee Members

A. Rubalcava, CEO & Superintendent welcomed everyone and would give his announcements during the September 9th, Regular Board Meeting.

F. Approval of Minutes from Regular Audit/Facilities Committee Meeting - August 9, 2021

M. Muhammedov made a motion to approve the minutes from Audit/Facilities Committee Meeting on 08-09-21.

D. Gonzalez seconded the motion.

The committee **VOTED** unanimously to approve the motion.

Roll Call

M. Muhammedov Aye

D. Gonzalez Aye

II. Recommended Action Items

A. Approval for Pacific Charter School Development to serve as a Partner on the Magnolia Science Academy-7 Expansion Project

P. Ontiveros, General Counsel & Director of Facilities presented that the goal for the project is to expand enrollment at Magnolia Science Academy (MSA) - 7. The school (MSA-7) has been operating at their current location for several years and are operating under a conditional use permit which allows a certain number of students. A new conditional permit is currently being worked on with the assistance of a land use consultant. Pacific Charter School Development (PCSD) is a non-profit operating since 2004 and working with different charter school operators. Committee members questions were addressed by staff. At the Committee's request, updates will be provided to them at the Audit/Facilities Committee meetings.

M. Muhammedov made a motion to approve the selection of Pacific Charter School Development, Inc. ("PCSD"), a California non-profit public benefit corporation, to provide certain project management services for the expansion of enrollment at MSA-7 and related entitlement and construction phases for a total cost not to exceed \$138,000 and further approves that MPS Staff be authorized to negotiate and sign a professional services contract for said services in such form as MPS Staff may deem appropriate and in the best interests of MPS. Staff further recommends and moves that the Committee recommend to the full MPS Board of Directors that it take the same action.

D. Gonzalez seconded the motion.

The committee **VOTED** unanimously to approve the motion.

Roll Call

M. Muhammedov Aye

D. Gonzalez Aye

B. Approval of Wall Construction at Magnolia Science Academy-1 and Selection of Vendor

M.Sahin, Project Manager at Magnolia Public Schools presented the proposal for the selection of ISAAC-BODNER CONSTRUCTION to build the proto type II wall at Magnolia Science Academy (MSA)-1 south parking lot. Oltmans, the general contractor construction company, was not able to perform the project due to certain restrictions. MSA-1 received a zone change for its parking lot parcel from the City of Los Angeles and as a condition, MSA-1 agreed to make certain improvements to the parking lot parcel. A settlement with a neighbor to the school was agreed when the water that was accumulating in the parking lot damaged their wall. Franco Architects assisted in the process and a Request for Proposal (RFP) was provided. Committee Members questions were addressed by staff.

D. Gonzalez made a motion to approve (1) the selection of ISAAC-BODNER CONSTRUCTION for the proto type II wall construction that is a part of the Magnolia Science Academy—1 (“MSA-1”) middle school parking lot site improvement project (the “Project”) and to spend up to \$76,900 on said project and (2) the execution of a contract that Staff may negotiate with such vendor and that the Committee further recommend and move that the Board of Directors of MPS approve the same.

M. Muhammedov seconded the motion.

The committee **VOTED** unanimously to approve the motion.

Roll Call

M. Muhammedov Aye

D. Gonzalez Aye

III. Information/Discussion Items

A. Update on Shade Structure Project for Magnolia Science Academy-1 High School Building

M.Sahin, Project Manager at Magnolia Public Schools provided updates on the shade structure project for Magnolia Science Academy (MSA) -1 High School Building. The Committee and full Board had previously approved of this project. Committee Members questions were addressed by staff and images of the project was provided and shown.

IV. Closing Items

A. Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 7:08 PM.

Respectfully Submitted,
M. Muhammedov

Cover Sheet

Committee Approval of Findings to Conduct Virtual Meetings Pursuant to AB 361/Government Code Section 5495

Section: II. Recommended Action Items
Item: A. Committee Approval of Findings to Conduct Virtual Meetings
Pursuant to AB 361/Government Code Section 5495
Purpose: Vote
Submitted by:
Related Material: AB 361 Initial Findings (Audit.Facilities Committee).pdf



Board Agenda Item #	II A: Recommended Action Item
Date:	October 7, 2021
To:	Magnolia Public Schools – Audit/Facilities Committee
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Alfredo Rubalcava, CEO & Superintendent
RE:	Committee Approval of Findings to Conduct Virtual Meetings Pursuant to AB 361/Government Code Section 54953

Proposed Board Recommendation

I move for the Audit/Facilities Committee to adopt the findings relating to the ability of the Magnolia Public Schools Audit/Facilitates Committee to conduct meetings due to teleconference during the State of Emergency, in reference to AB 361/Government Code Section 54953.

Introduction

In September 16, 2021, Governor Newsom signed executive order Assembly Bill (AB) 361 into law which gives local agencies, included local educational agencies (LEA) governing boards, flexibility in conducting public meetings virtually during a declared state of emergency. While AB 361 offers flexibilities similar to the expiring Executive Order N-29-20, there are some key difference in regards to public comment and meeting operations.

In order for Magnolia Public Schools (MPS) Board Meetings to trigger the AB 361 teleconferencing provisions, any of the following circumstances must follow:

- The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing
- The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining by majority vote whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees
- The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees

Requirements under this new law include; notice of the meeting and post agendas as the Brown Act requires on our MPS websites and school sites; allow public to access the meeting and give notice for how the public can access the

meeting; include in the agenda an opportunity for all persons to attend via call-in or internet-based service; provides opportunity for the public to offer comment in the real time; provide public comment period; conduct meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the board; in an event of a disruption that prevents MPS from broadcasting the meeting or prevents members of the public from offering public comment, the meeting must stop and no action can be taken until access is restored.

MPS Board of Directors must make the following findings every 30 days by majority vote in order to continue utilizing the bills teleconferencing provisions which include:

- The legislative body has reconsidered the circumstances of the state of emergency
- Any of the following circumstances exist:
 - The state of emergency continues to directly impact the ability of the members to meet safely in person
 - State or local officials continue to impose or recommend measures to promote social distancing

Background

In March 2021, Governor Newsom issued Executive Order N-29-20, which, among other things, temporarily suspended certain Brown Act teleconference meeting requirements for as long as public health agencies have imposed or recommended social distancing measures, as the COVID-19 pandemic has made them unsafe. This law will sunset through September 30, 2021.

Analysis

As recommended by MPS legal counsel, Young, Minnie & Corr, all MPS Committee's must vote on a separate Findings for those Committee's to follow the provisions under AB 361.

Budget Implications

N/A

Exhibits (Attachments):

- Initial Finding for Audit/Facilities Committee



INITIAL FINDING FOR AUDIT/FACILITIES COMMITTEE

Magnolia Public Schools

Charter School Board Findings pursuant to Government Code Section 54953(e)(1)(A)

Pursuant to Government Code Section 54953(e)(1)(A), the Magnolia Public Schools Audit/Facilities Committee finds as follows:

(1) a state of emergency exists in California (see, Proclamation of State of Emergency declared March 4, 2020) related to COVID-19; and

(2) the County of Los Angeles Department of Public Health currently recommends measures to promote social distancing (see, LADPH Reducing Risk Guidance dated September 22, 2021.)

Therefore, the Committee may conduct this meeting via teleconference pursuant to Government Code Section 54953(e).

DATE:

VOTE

AYE:

NOES:

ABSENT:

BOARD SECRETARY: _____

Cover Sheet

Approval of AG Construction to Provide Services for all MPS Schools

Section:	II. Recommended Action Items
Item:	B. Approval of AG Construction to Provide Services for all MPS Schools
Purpose:	Vote
Submitted by:	
Related Material:	AG Construction Approval.pdf



Agenda Item #: II B: Recommended Action Item
Date: October 7, 2021
To: Facilities Committee (the "**Committee**") of Magnolia Educational & Research Foundation dba Magnolia Public Schools ("**MPS**") Board of Directors (the Board")
From: Alfredo Rubalcava, CEO & Superintendent
Staff Lead: Patrick Ontiveros, General Counsel & Director of Facilities
RE: Approval of AG Construction as a Construction Services Provider

I. Proposed Recommendation(s)

Staff recommends and moves that the MPS Audit/Facilities Committee approve AG Construction as a construction services vendor for all MPS schools retroactively as of January 1, 2021 and further recommends and moves that the Facilities Committee recommend and move that the MPS Board of Directors do the same.

II. Background

At its February 2020 meetings, the Committee and MPS Board approved AG Construction for a construction project at MSA-7. See attached Exhibit A for the original Committee and Board report. Consistent with such reports, which stated in part "*MPS Staff believes that the bid from AG Construction represents the best value to MPS and MSA-7.*" As part of such approvals, Staff had intended to recommend that AG Construction be approved as a preferred vendor for construction services for all MPS schools but such approval was only recommended for MSA-7. It was a Staff oversight error which Staff seeks to correct.

III. Budget Impact

Magnolia Science Academy – 7 building improvement costs will be recorded as leasehold improvement and depreciated over the years. Therefore, the budget impact of the cost would be minimum for each year.



Exhibit A

February 2020 Board Report



Facilities Committee Agenda Item #:	II B – Recommended Action
Date:	February 4, 2020
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“ MPS ”) Ad Hoc Committee (the “ Committee ”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	Use of MSA-7 Reserves to Pay For Capital Improvements

I. Proposed Recommendation(s)

Staff recommends and moves that the Facilities Committee approves and recommend to the MPS Board of Directors that it approves the expenditure by MSA-7 of up to THIRTY FIVE THOUSAND DOLLARS (\$35,000) to perform certain capital improvement projects (collectively, the “**Project**”) at Magnolia Science Academy—7 (“**MSA-7**”).

II. Background

A. General

MSA-7 is located at 18355 Roscoe Boulevard in Northridge. It leases space at that location from the First Lutheran Church of Northridge. MSA7 entered into the lease as of December 1, 2011 with an initial term running from December 1, 2012 to July 31, 2017. The lease contains two five year renewal options. The first renewal option has been exercised such that the current term expires on July 31, 2022. The second renewal option, if exercised, would extend the lease until July 31, 2027.

B. Prior Authorizations

MSA-7 fully utilized both its Charter School Facility Incentive grant and its Prop 39 Energy Grant award to make improvements. CSFIG funded the repair of the pavement within the MSA-7 facility boundaries, the removal and replacement of the sand in the play area with a new rubberized surface, and the creation of a new staff restroom and the upgrade of existing student restrooms. The Prop 39 Energy Grant was used to implement several energy efficiency upgrades at the Premises.



C. Why the Current Approval is Needed

There are multiple facility needs that were not included in the operating budget for MSA-7. As a consequence, MSA-7 is required to pay for such improvements from its long term reserves. The scope of work of the Project, includes but may not be limited, to the following:

1. Replace concrete wall near the back of school. The existing wall is not stable and is a safety concern. See attached pictures, Exhibit C.
2. Replace retaining wall in the playground area. The wood planks keep shifting causing the metal plates to stick out. Involves removal of trees. See attached pictures, Exhibit C.
3. Repair cracks in asphalt. – Large cracks in the asphalt in the basketball court are safety concerns. See attached pictures, Exhibit C.

III. Procurement

MPS Staff solicited bids from three (3) general contractors. Two general contractors provided bids, copies of which are attached as Exhibits A and B. The third general contractor at the last minute decided that it would not provide a bid. All general contractors visited the site and surveyed the scope of work.

MPS Staff believes that the bid from AG Construction represents the best value to MPS and MSA-7.

While AG Construction's bid is only \$29,875, MPS Staff believes it is prudent to budget a contingency for any unforeseen conditions.

IV. Budget Impacts

The \$35,000 would be paid for out of MSA-7's long term reserves. The finance department has confirmed that MSA-7 has sufficient reserves to pay for the Project and still have remaining reserves that meet Authorizer and State requirements.

Current Long Term Reserves	\$1,749,972.00
Project Cost (with Contingency)	\$35,000.00
Remaining Long Term Reserves	\$1,714,972.00



Exhibit A

AG Construction Bid

Exhibit A

AG CONSTRUCTION

18960 Ventura Blvd #211
 Tarzana , CA 91356
 Tel. No. (818)963-1683
 Fax No. (818)344-1850
 License No. 706172
 Email: agconstruction18@gmail.com

AG CONSTRUCTION**PROPOSAL**

This proposal is submitted to:	Project Address:	INV# 2019-18
Mr.Patrick Anton Esq Magnoalia Public school 250 East 1st Street , Suite 1500 LA ,Ca 90012	Magnoalia science Academy Northridge ,Ca USD	

DESCRIPTION		AMOUNT
12/20/19	1) installation of new door bottom weather strip at 26 location and 10 doors treshold	\$ 3,250.00
	2) Demolition of 33L.F of block wall ,removing two trees behind wall ,and rebuild new 70L.F of block wall the AT same location of old broken one	\$ 12,825.00
	3) Replacing Privacy cover on chain link fence up to 170 L.F	\$ 5,200.00
	4) Fixing concrete curb around the tree and reinstalling the chain link at this section	\$ 4,500.00
	5) Fixing crack at A.C sport field up tp 20 L.F	\$ 900.00
	6) Removing the tree in front of the block wall add	\$ 3,200.00
Exclusion	Plan fee Permit fee,and proccesing	
Total Amount		\$ 29,875.00
All the above work to be completed in a substantial and workmanlike manner according to standard practice.		



Exhibit B

EXHIBIT B**Adams Innovative Renovations**

Carson, California

Magnolia #7 Proposal

Tuesday, December 17, 2019

Owner:
Charlotte Brimmer**Phone:**
Email/Fax:**Project Address:**
Magnolia Science Charter #7**Job Number:**

Division	Scope	Qty	Unit Price	Cost	Total
1	General Requirements				
	Project hauling and dumping	3	\$ 750.00	\$ 2,250.00	
					\$ 2,250.00
2	Site Construction				
	Cut down and Remove 3 large trees and dig out roots	3	\$ 1,650.00	\$ 4,950.00	
	Remove existing damaged brick wall 6'x30' and dig up existing footing to prep for new foundation to support new wall	1	\$ 1,875.00	\$ 1,875.00	
	Remove existing damaged 2x's at bottom of gate with privacy screen. Remove 170ft of old privacy screen	1	\$ 1,300.00	\$ 1,300.00	
	Provide and install 10 door thresholds plus weather stripping for each door, weather strip for bottom of 4 bathroom doors	1	\$ 1,850.00	\$ 1,850.00	
					\$ 9,975.00
3	Concrete				
	Supply and install new masonry brick with foundation and supporting rebar for stabilization 6'x30'	1	\$ 7,500.00	\$ 7,500.00	
	Asphalt crack repair, open crack enough to pack and fill to compress new asphalt to repair	1	\$ 975.00	\$ 975.00	
	Partial retaining wall for area by sand box at the bottom of the chain link fence	1	\$ 2,150.00	\$ 2,150.00	
					\$ 10,625.00
10	Specialties				
	Privacy screen removal and install of new privacy screen 170 linear feet	1	\$ 2,250.00	\$ 2,250.00	
					\$ 2,250.00
			Sub Total		\$ 25,100.00
			Overhead & Insurance		\$ 5,020.00
	Deposit required at project startup		Grand Total		\$ 30,120.00

Notes *Cash, Checks and Credit Cards Accepted(Additioinal Fee)*
 *All material provided are builder quality. Any architectural or designer material will be billed accordingly.
 *Allowances are budgets only. Actual cost is subject to increase or decrease upon discovery of extent of repairs needed or not needed and/or materials selected.
 *Items are priced as a package. If items are removed from scope may cause prices to go up or down.

Exclusions

Work not defined in above scope, permits, any and all unforeseen conditions

Print Name: _____

Accepted: _____ **Date:** _____

Monique Adams, Owner, G.C.

License # 1023432

335 E. Albertoni Street #200-755

Carson, CA 90746

310.256.0267

****Estimate Only, Once Approved Contract to follow****



Exhibit C – Pictures of Current Conditions & Project



Rear Wall



Rear Wall




Asphalt at Basketball Court



Retaining Wall at Playground



Exhibit C – Pictures of Current Conditions & Project

	 <p data-bbox="878 892 1360 934">Retaining Wall at Playground</p>

Cover Sheet

Facilities Department Updates

Section:	III. Informational/Discussion Items
Item:	A. Facilities Department Updates
Purpose:	Discuss
Submitted by:	
Related Material:	Facilities Updates.pdf



Agenda Item #: III A: Information/Discussion Item
Date: October 7, 2021
To: Facilities Committee (the "**Committee**") of Magnolia Educational & Research Foundation dba Magnolia Public Schools ("**MPS**") Board of Directors (the Board")
From: Alfredo Rubalcava, CEO & Superintendent
Staff Lead: Patrick Ontiveros, General Counsel & Director of Facilities
Mustafa Sahin, Facilities Project Manager
RE: Facilities Department Update

I. Proposed Recommendation(s)

N/A

II. Updates

A. MSA-1

- Actively pursuing several site acquisitions to allow MSA-1 to provide an appropriate space for physical education services.
- Actively talking to the City about the sale of a 25' strip of land from the high school parking lot for them to building their ice rink.
- Pressing forward with Middle School Parking Lot Site Improvement project -- contracts signed with canopy contractor and restroom manufacturer. Proto II Wall is designed and ready for plan submission.
- Seeking financing for various MSA-1 projects.
- Other misc facility projects.

B. MSA-2

- Conducting site search for a private site for MSA-2 within a three mile radius of existing location.



C. MSA-3

- Conducting site search for a private site for MSA-3 within a three mile radius of existing location.

D. MSA-4

- Continuing site search for a private site.

E. MSA-5

- Conducting site search for a private site for MSA-5 to relocate to from MSA-1.

F. MSA-6

- Continuing site search for a private site in conjunction with MSA-4 site search.

G. MSA-7

- The Conditional Use Permit Application to increase enrollment has been submitted to the Los Angeles City Planning Department. We are currently working on meeting with the church to memorialize our mutual understanding of our ongoing relationship.

H. MSA-8

- No facility updates.

I. MSA-Santa Ana

- Installation of mini-pitch soccer field. Working with architect to insure the installation does not violate the fire code.
- Arranged for a new burglary and fire alarm system.
- Other misc facility projects.

III. Budget Impact

N/A