



Magnolia Public Schools

Audit/Facilities Committee Meeting

Date and Time

Thursday February 3, 2022 at 5:30 PM PST

Location

<https://zoom.us/j/92205640153?pwd=cHNIWjlnY0dsQmxDTjZFa0pydzR0Zz09>

Meeting ID: 922 0564 0153 **Passcode:** 013089

One tap mobile: +16699009128,,92205640153# US (San Jose)

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

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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			5:30 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			3 m
E. Announcements from CEO & Superintendent and Committee Members			3 m
F. Approval of Minutes from MPS Audit/Facilities Committee Meeting- March 11, 2021	Approve Minutes		1 m
G. Approval of Minutes from MPS Audit/Facilities Committee Meeting- January 13, 2022	Approve Minutes		1 m
II. Recommended Action Items			5:41 PM
A. Committee Approval of Findings to Conduct Virtual Meetings Pursuant to AB 361/Government Code Section 54953	Vote	A.Rubalcava	5 m
B. Approval of Modular-Tech and Zingo Construction for Facility Maintenance and Improvement	Vote	M.Sahin	10 m
III. Closing Items			5:56 PM
A. Adjourn Meeting			1 m

Coversheet

Approval of Minutes from MPS Audit/Facilities Committee Meeting- March 11, 2021

Section: I. Opening Items
Item: F. Approval of Minutes from MPS Audit/Facilities Committee Meeting-
March 11, 2021
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Facility/Audit Committee Meeting on March 11, 2021

APPROVED



Magnolia Public Schools

Minutes

Facility/Audit Committee Meeting

Date and Time

Thu Mar 11, 2021 at 5:00 PM

Location

<https://zoom.us/j/91684923522?pwd=SUFXL2ZFcU5MNTIsbFZyZHJRT3psZz09>

Meeting ID: 916 8492 3522 **Passcode:** 100112

One tap mobile: +16699009128,,91684923522# US (San Jose)

Facilities Committee Members

Mr. Mekan Muhammedov, Chair
Ms. Diane Gonzalez
Mr. Haim Beliak
Dr. Umit Yapanel (alternate)

CEO and Superintendent

Mr. Alfredo Rubalcava

Committee Members Present

D. Gonzalez (remote), H. Beliak (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 Committee of Magnolia Public Schools to order on Thursday Mar 11, 2021 at 5:04 PM.

B. Record Attendance and Guests

Refer to attendance information stated above.

C.

Public Comments

No public comments were made at this time.

D. Approval of Agenda

H. Beliak 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

H. Beliak Aye

D. Gonzalez Aye

E. Approval of Minutes from Regular MPS Facilities Committee Meeting - December 9, 2020

H. Beliak made a motion to approve the minutes from Regular Facilities Committee on 12-09-20.

M. Muhammedov seconded the motion.

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

Roll Call

H. Beliak Aye

D. Gonzalez Aye

M. Muhammedov Aye

II. Facility Committee- Recommended Action Items

A. Approval of MSA-1 Design Contract

P.Ontiveros, General Counsel and Director of Facilities, presented the selection of Franco Architects to provide design and engineering services for capital improvement projects for Magnolia Science Academy-1. Staff previously solicited bids from four firms: Franco Architects, Berliner Architects, CannonDesign and David Ke Design Collaborative Studios. Given the feedback received from the Committee and the Board, staff went back to the bids and clarified certain information from the architects. The projects entail two scopes of work. Franco Architects was the most affordable from the bids. P.Ontiveros, addressed the Committee's previous concerns and detailed the analysis taken since that time to address certain disparities on the bids. The firms resubmitted the bids and a breakdown of the expenses was provided. Committee members addressed their questions and concerns to which staff addressed. Committee recommended approval on the outside scope of work for this project and would consider further discussion regarding the second scope of work regarding the inside of the middle schools first floor.

M. Muhammedov made a motion to amend the motion and approve the selection of Franco Architects Inc. for design and engineering services for site and improvement projects (collectively, the "Project") at Magnolia Science Academy—1 ("MSA-1") and that the Committee further recommends and moves that the Board of Directors of MPS approve the same.

H. Beliak seconded the motion.

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

Roll Call

H. Beliak Aye

D. Gonzalez Aye

M. Muhammedov Aye

B.

Approval of Fiscal Year 2019-2020 Annual Independent Audit Reports

S.Orazov, Chief Financial Officer, presented the independent audit report. This was in collaboration with Eide Bailey. S.Orazov, walked through the consolidated report and all 10 schools and the home office. Committee members questions were addressed by staff. Furthermore, the Committee recommended for sometime in the future to have a session where the Committee can learn the complexities with working with the auditors and to be more financially sound.

M. Muhammedov made a motion to recommend to the Board for the approval of the annual Independent Audit Reports for fiscal year 2019-20 of all ten (10) schools and the consolidated audit report including the home office.

H. Beliak seconded the motion.

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

Roll Call

M. Muhammedov Aye

D. Gonzalez Aye

H. Beliak Aye

III. 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 6:11 PM.

Respectfully Submitted,

M. Muhammedov

Coversheet

Approval of Minutes from MPS Audit/Facilities Committee Meeting- January 13, 2022

Section:	I. Opening Items
Item: January 13, 2022	G. Approval of Minutes from MPS Audit/Facilities Committee Meeting-
Purpose:	Approve Minutes
Submitted by:	
Related Material:	Minutes for Audit/Facilities Committee Meeting on January 13, 2022

APPROVED



Magnolia Public Schools

Minutes

Audit/Facilities Committee Meeting

Date and Time

Thu Jan 13, 2022 at 6:00 PM

Location

<https://zoom.us/j/92205640153?pwd=cHNIWjlnY0dsQmxDTjZFa0pydzR0Zz09>

Meeting ID: 922 0564 0153 **Passcode:** 013089

One tap mobile: +16699009128,,92205640153# 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 Committee of Magnolia Public Schools to order on Thursday Jan 13, 2022 at 6:05 PM.

B. Record Attendance and Guests

Refer to attendance information stated above.

C.

Approval of Agenda

D. Gonzalez made a motion to approve the agenda as presented.
M. Muhammedov 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 made at this time.

E. Announcements from CEO & Superintendent and Committee Members

A.Rubalcava, CEO & Superintendent, wished a happy new year and would save his comments for the Special Board Meeting today, January 13th at 6:30pm

F. Approval of Minutes from MPS Audit/Facilities Committee Meeting- October 7, 2021

D. Gonzalez made a motion to approve the minutes from Audit/Facilities Committee Meeting on 10-07-21.
M. Muhammedov seconded the motion.
The committee **VOTED** unanimously to approve the motion.

Roll Call

M. Muhammedov Aye
D. Gonzalez Aye

G. Approval of Minutes from MPS Audit/Facilities Committee Meeting- November 4, 2021

D. Gonzalez made a motion to approve the minutes from Audit/Facilities Committee Meeting on 11-04-21.
M. Muhammedov seconded the motion.
The committee **VOTED** unanimously to approve the motion.

Roll Call

D. Gonzalez Aye
M. Muhammedov Aye

H. Approval of Minutes from MPS Audit/Facilities Committee Meeting- December 2, 2021

D. Gonzalez made a motion to approve the minutes from Audit/Facilities Committee Meeting on 12-02-21.
M. Muhammedov seconded the motion.
The committee **VOTED** unanimously to approve the motion.

Roll Call

M. Muhammedov Aye
D. Gonzalez Aye

I. Approval of Minutes from MPS Audit/Facilities Committee Meeting- December 9, 2021

D. Gonzalez made a motion to approve the minutes from Audit/Facilities Committee Meeting on 12-09-21.
M. Muhammedov seconded the motion.
The committee **VOTED** unanimously to approve the motion.

Roll Call

M. Muhammedov Aye
D. Gonzalez Aye

J. Approval of Minutes from MPS Audit/Facilities Committee Meeting- December 14, 2021

D. Gonzalez made a motion to approve the minutes from Audit/Facilities Committee Meeting on 12-14-21.

M. Muhammedov seconded the motion.

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

Roll Call

M. Muhammedov Aye
D. Gonzalez Aye

II. Recommended Action Items

A. Committee Approval of Findings to Conduct Virtual Meetings Pursuant to AB 361/Government Code Section 54953

The Committee discussed and reconsidered the circumstances of the State of Emergency related to COVID-19 in which meeting in person can directly impact the ability of the Board and public to meet safely. As such, local officials are still continuing to recommend measures to promote social distancing.

M. Muhammedov made a motion to adopt the findings relating to the ability of the Magnolia Public Schools Audit/Facilities Committee to conduct meetings due to teleconference during the State of Emergency, in reference to AB 361/Government Code Section 54953.

D. Gonzalez seconded the motion.

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

Roll Call

D. Gonzalez Aye
M. Muhammedov Aye

B. Approval of 2020-21 Annual Audit Report

S. Budhraj, Chief Financial Officer, previously presented the 2020-21 annual audit report to the Finance Committee. Being presented was the financials from last financial year which ended June 30, 2021. Report encompassed financials, number of students in total and per school site, money that was received and spent, instructional minutes, compensation. There were no reconciliations of fund balances. MPS received an unmodified opinion which entailed that the financials were fair and accurate. Entitlement money was spent properly, and there were no federal findings to the report. Internal controls were appropriate and the recommendations made in 2019-20 regarding internal controls was acted upon. Committee members had no questions regarding this item.

D. Gonzalez made a motion to recommend to the Board for approval of the annual Independent Audit Report for the fiscal year 2020-21 of the consolidated audit covering all ten (10) schools and the Home Office.

M. Muhammedov seconded the motion.

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

Roll Call

D. Gonzalez Aye
M. Muhammedov Aye

III. 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 6:23 PM.

Respectfully Submitted,
M. Muhammedov

Coversheet

Committee Approval of Findings to Conduct Virtual Meetings Pursuant to AB 361/Government Code Section 54953

Section: II. Recommended Action Items
Item: A. Committee Approval of Findings to Conduct Virtual Meetings Pursuant to AB 361/Government Code Section 54953
Purpose: Vote
Submitted by:
Related Material: AB 361 Findings for Audit & Facilities Committee (Feb.3).pdf



Board Agenda Item #	II A: Recommended Action Item
Date:	February 3, 2022
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/Facilities 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, Minney & Corr, LLP 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):

- Findings for Audit/Facilities Committee Pursuant to Government Code 54953(e)(3)



EACH THIRTY DAYS THEREAFTER FOR AUDIT/FACILITIES COMMITTEE

Magnolia Public Schools

Magnolia Public Schools Audit/Facilities Committee findings pursuant to Government Code Section 54953(e)(3)

The Magnolia Public Schools Audit/Facilities Committee has reconsidered the circumstances of the State of Emergency declared by the Governor on March 4, 2020, and finds the State of Emergency continues to directly impact the ability of the Committee members to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing.

DATE: February 3, 2022

VOTE

AYE:

NOES:

ABSENT:

BOARD SECRETARY: _____

Coversheet

Approval of Modular-Tech and Zingo Construction for Facility Maintenance and Improvement

Section: II. Recommended Action Items
Item: B. Approval of Modular-Tech and Zingo Construction for Facility Maintenance and Improvement
Purpose: Vote
Submitted by:
Related Material: Modular-Tech and Zingo Construction for Facility Maintenance and Improvement Projects.pdf



Facilities Committee / Board Agenda Item: II B: Recommended Action Item
Date: February 3, 2022
To: Magnolia Public Schools ("**MPS**") Audit/Facilities Committee
From: Alfredo Rubalcava, Chief Executive Officer and Superintendent
Patrick Ontiveros, General Counsel & Director of Facilities
Mustafa Sahin, Project Manager
RE: Approval of Modular-Tech and Zingo Construction for Facility Maintenance and Improvement Projects

I. Proposed Motion/Recommendation(s)

Facilities Department staff recommends and moves that the MPS Audit/Facilities Committee approve Modular-Tech and Zingo Construction as vendors for facility maintenance and improvement projects for all MPS campuses and that the MPS Audit/Facilities Committee recommends and moves that the MPS Board of Directors approve the same.

II. Background

The MPS Board approved the Master List of Contracts over \$50,000 for 2021-22 on June 24, 2021. Both Modular-Tech and Zingo Construction were not listed because MPS started working with them during the 2021-22 fiscal year. The MPS board approved the preferred vendor list of contracts below \$50,000.00 for 2021-22 on November 18, 2021, both vendors were in the MPS preferred vendors' list. They cannot exceed more than \$50,000 per year according to MPS fiscal policy. As MPS is maintaining and improving its private sites, this limit is a very easy target to reach for facility needs, so these vendors need to be listed under our Master Vendors' list where they can provide services over \$50,000.

Staff prepared a Request for Proposals and published it on the MPS website. See [Exhibit A](#). Both ModularTech and Zingo Construction responded to the RFP. There were no other responses to the RFP.

III. Budget & Conclusion

There is no budgetary impact with this item.

February 3, 2022
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Exhibit A

RFP



MAGNOLIA PUBLIC SCHOOLS

Request for Proposals
for Facility Maintenance and Improvement

Due Date:

January 11, 2022

- 1.0 The purpose of this Request for Proposal ("**RFP**") is to solicit proposals from qualified vendor to provide facility maintenance and improvement services to MPS schools.

INTRODUCTION

Magnolia Education & Research Foundation doing-business as Magnolia Public Schools ("**MPS**"), a charter school management organization, operates 10 Charter Schools across Southern California. They are as follows:

School	Address	Private Site or Co-Located on District Site	Size of Facility (Square Feet)	No of Stories
1 & 5	18220-38 Sherman Way, Reseda, CA 91335	Private	50,000	2
2	17125 Victory Blvd., Van Nuys, CA 91406	Co-located	n/a	n/a
3	1254 East Helmick St., Carson, CA 90746	Co-located	n/a	n/a
4	11330 W Graham Place, Los Angeles, CA 90064	Co-located	n/a	n/a
6	1512 Arlington Ave Los Angeles, CA 90019	Co-located	n/a	n/a
7	18355 Roscoe Blvd., Northridge, CA 91325	Private	12,000	1
8	6411 Orchard Ave, Bell, CA 90201	Co-Located	n/a	n/a
San Diego	6525 Estrella Ave., San Diego, CA 92120	Private		1
Santa Ana	2840 W 1st St., Santa Ana, CA 92703	Private	50,000	2

Site Tour

Site tours will be facilitated if requested.

Proposals Due

Responses to the RFP are due no later than **5:00 PM (PST), January 11, 2022**, to the following individual:

Mustafa Sahin
Facility Project Manager
Magnolia Public Schools
250 East 1st Street
Suite 1500
Los Angeles, CA 90012
msahin@magnoliapublicschools.org
760-587-6031

Questions regarding this RFP may be directed to the individual identified above via email.

Proposal Format:

One (1) electronic PDF copy (by email) of your proposal must be delivered to the person indicated by the deadline stated above. Please endeavor to keep any emailed material to a single manageable file size (at or about 10 MBs) so that it may be easily distributed to the Selection Committee.

Respondents are encouraged to only include information pertinent to the Project and the Selection Committee's ability to select the vendor best suited to successfully complete this job.

Interviews:

Interviews will be held at the discretion of MPS. Interviews, if any, are expected to be held on or about the week of January 12, 2022, via zoom.

If interviews are held, respondents will meet with the Selection Committee for approximately ½ hour to 1 hour. The interview will be an open, unscripted format. Respondents will have 20 minutes to present any information they feel is pertinent followed by questions and answers and general discussion.

Selection Committee:

The Selection Committee will be composed of representatives from MPS.

1.1 Timeline

RFP Distributed:	Monday, December 16, 2021
Proposals Due:	Tuesday, January 11, 2021
Interviews, if any (exact date and time TBD):	Wednesday January 12th, 2022
Selection Announced:	Thursday, January 13, 2021
Contract Execution:	On or about Monday, January 17, 2022

2.0 PROJECT DESCRIPTION

Scope of services to be provided include:

Follow all code regulations; safety regulation recommendations shall be followed within relation to all work accomplished under this contract

Respond to maintenance/repair due to equipment or system failures

Supervision, personnel, labor, materials, supplies, tools, vehicles, equipment, and other items and services necessary to perform all work.

The types of work that may be requested and performed as Cost-Plus TO work may include, but not be limited to the following:

- a. Building automation systems maintenance and repair
- b. Bulk waste removal and recycling
- c. Carpeting and flooring maintenance and repair
- d. Civil, electrical, mechanical, structural and life, fire and safety engineering
- e. Deficiencies
- f. Electrical maintenance and repair
- g. Equipment rental
- h. Exterior window cleaning
- i. Gas & oil utilities maintenance and repair

- j. Graffiti Removal
- t. Grounds keeping services
- k. Hazardous materials management and disposal (to include biohazardous materials)
- l. Identifying and estimating capital repairs and improvement plans
- m. Lighting maintenance and repair (bulbs, ballasts and lamps)
- n. Moving services
- o. Paint maintenance and repair
- p. Parking management
- r. Perform facility modifications, alterations or renovations
- s. Plumbing maintenance and repair
- t. Subcontract management

3.0 PROPOSAL FORMAT

Respondent shall format its response as set forth below to facilitate timely review and selection. Please be specific to the RFP, and do not include materials not explicitly requested, such as generic marketing materials.

Your response should include the following:

- Letter of interest
- Name of your company and the individual responsible for the account
- Restate all the requirements of Section 4.0 and provide responses to each

See Section 1.0 for additional proposal format clarifications.

4.0 PROPOSAL REQUIREMENTS

4.1 Vendor Qualifications and Experience

4.1.1 Vendor Description.

Provide a description of your company and why it is qualified to undertake the Project.

Provide the following:

A minimum of three (3) references, including

- (a) name and scope of the project
- (b) client name and contact information
- (c) contract amount

4.1.2 Qualifications and Experience of Key Personnel.

Identify the person(s) that will be principally responsible for working with the MPS and leading this engagement and their qualifications and experience

4.2 Cost

Respondent's proposal should include an overall not to exceed cost and should be broken down in detail as possible. The proposal should also provide a break-down of all other costs and fees if there is any.

4.3 Product Information

Respondent will confirm its ability to provide the Project as described above in Section 2.0.

4.4 Contract

MPS will sign a contract that is mutually acceptable to both parties.

5.0 CONTACT

Questions to Owner will be accepted via email by the Facility Project Manager identified above. Answers to questions will be provided to all participants as available.

6.0 BID ACCEPTANCE/REJECTION

The Owner reserves the right to reject any or all proposals or cancel the solicitation process at its sole discretion.

7.0 PROPOSAL VALIDITY

RFP responses shall be valid until execution of a contract, which is expected to occur on or about January 17 2022. No changes to information received within the Respondent's proposal shall be changed or altered without approval by the Owner.