



Magnolia Public Schools

Nominating/Governance Committee Meeting

Date and Time

Tuesday February 8, 2022 at 5:20 PM PST

Location

<https://zoom.us/j/98382187391?pwd=Ly9ZYmpmdzZYQ2RjK1YxWmxnQmVyZz09>

Meeting ID: 983 8218 7391 **Passcode:** 914164

One tap mobile: +16699009128,,98382187391# 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.

Nominating/Governance Committee Members:

Dr. Umit Yapanel, Chair

Ms. Sandra Covarrubias

Dr. Salih Dikbas (alternate)

CEO and Superintendent:

Mr. Alfredo Rubalcava

Agenda

	Purpose	Presenter	Time
I. Opening Items			5:20 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 Nominating/Governance Committee Meeting - January 14, 2022	Approve Minutes		1 m
II. Recommended Action Items			5:30 PM
A. Committee Approval of Findings to Conduct Virtual Meetings Pursuant to AB 361/Government Code Section 54953	Vote	A.Rubalcava	5 m
III. Closing Items			5:35 PM
A. Adjourn Meeting			1 m

Coversheet

Approval of Minutes from MPS Nominating/Governance Committee Meeting - January 14, 2022

Section: I. Opening Items
Item: F. Approval of Minutes from MPS Nominating/Governance Committee Meeting - January 14, 2022
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Nominating/Governance Committee Meeting on January 14, 2022

APPROVED



Magnolia Public Schools

Minutes

Nominating/Governance Committee Meeting

Date and Time

Fri Jan 14, 2022 at 5:00 PM

Location

<https://zoom.us/j/98382187391?pwd=Ly9ZYmpmdzZYQ2RjK1YxWmxnQmVyZz09>

Meeting ID: 983 8218 7391 **Passcode:** 914164

One tap mobile: +16699009128,,98382187391# US (San Jose)

Nominating/Governance Committee Members:

Dr. Umit Yapanel, Chair

Ms. Sandra Covarrubias

Dr. Salih Dikbas (alternate)

CEO and Superintendent:

Mr. Alfredo Rubalcava

Committee Members Present

S. Covarrubias (remote), U. Yapanel (remote)

Committee Members Absent

None

I. Opening Items**A. Call the Meeting to Order**

U. Yapanel called a meeting of the Nominating/Governance Committee of Magnolia Public Schools to order on Friday Jan 14, 2022 at 5:04 PM.

B. Record Attendance and Guests

Refer to attendance information stated above.

C.

Approval of Agenda

U. Yapanel made a motion to approve the agenda as presented.
S. Covarrubias seconded the motion.
The committee **VOTED** unanimously to approve the motion.

Roll Call

U. Yapanel Aye
S. Covarrubias Aye

D. Public Comments

No public comments were made at this time.

E. Announcements from CEO & Superintendent and Committee Members

No updates were made at this time from the CEO & Superintendent and Committee Members.

F. Approval of Minutes from MPS Nominating/Governance Committee Meeting - November 18, 2021

U. Yapanel made a motion to approve the minutes from Nominating/Governance Committee Meeting on 11-18-21.
S. Covarrubias seconded the motion.
The committee **VOTED** unanimously to approve the motion.

Roll Call

U. Yapanel Aye
S. Covarrubias Aye

G. Approval of Minutes from MPS Nominating/Governance Committee Meeting - December 16, 2021

U. Yapanel made a motion to approve the minutes from Nominating/Governance Committee Meeting on 12-16-21.
S. Covarrubias seconded the motion.
The committee **VOTED** unanimously to approve the motion.

Roll Call

S. Covarrubias Aye
U. Yapanel 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.

U. Yapanel made a motion to adopt the findings relating to the ability of the Magnolia Public Schools Nominating/Governance Committee to conduct meetings due to teleconference during the State of Emergency, in reference to AB 361/Government Code Section 54953.
S. Covarrubias seconded the motion.

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

Roll Call

U. Yapanel Aye
S. Covarrubias 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 5:07 PM.

Respectfully Submitted,
U. Yapanel

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 Nominating.Governance Committee (Feb.8).pdf



Board Agenda Item #	II A: Recommended Action Item
Date:	February 8, 2022
To:	Magnolia Public Schools – Nominating/Governance 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 Nominating/Governance Committee to adopt the findings relating to the ability of the Magnolia Public Schools Nominating/Governance 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 Nominating/Governance Committee Pursuant to Government Code 54953(e)(3)



EACH THIRTY DAYS THEREAFTER FOR NOMINATING/GOVERNANCE COMMITTEE

Magnolia Public Schools

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

The Magnolia Public Schools Nominating/Governance 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 8, 2022

VOTE

AYE:

NOES:

ABSENT:

BOARD SECRETARY: _____