APPROVED

# Magnolia Public Schools

# Minutes

## Regular Board Meeting

**Date and Time**
Thursday October 11, 2018 at 6:00 PM

**Location**
MSA 3: 1254 E. Helmick St., Carson, CA 90746

The following sites remained open as remote locations, Board Members who joined remotely participated from the following locations:
• 940 Steward Dr. Sunnyvale, CA 94085 (Dr. Umit Yapanel)
• 1363 Ridgecrest Rd Pinole, CA 94564 (Mr. Serdar Orazov)
• MSA-SD 6525 Estrella Ave. San Diego, CA 92120 (Dr. Salih Dikbas)
• MSA-5 18230 Kittridge St., Reseda, CA 91335
• MSA-6 Dunn Drive., Los Angeles, CA 90034 (Dr. Saken Sherkhanov)
• MSA-8 6411 Orchard., Bell, CA 90201

Board Members:
Dr. Saken Sherkhanov, Chair
Mr. Haim Beliak, Vice-Chair
Dr. Umit Yapanel
Mr. Serdar Orazov
Dr. Salih Dikbas
Ms. Diane Gonzalez
Ms. Charlotte Brimmer
Ms. Sandra Covarrubias
Mr. Shohrat Geldiyev

CEO & Superintendent:

Mr. Alfredo Rubalcava

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**Directors Present**
C. Brimmer, D. Gonzalez, H. Beliak, S. Covarrubias, S. Dikbas (remote), S. Geldiyev, S. Orazov (remote), S. Sherkhanov (remote), U. Yapanel

**Directors Absent**
*None*

**Directors who arrived after the meeting opened**
C. Brimmer, S. Geldiyev, U. Yapanel

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## I. Opening Items

### A. Call the Meeting to Order

H. Beliak called a meeting of the board of directors of Magnolia Public Schools to order on Thursday Oct 11, 2018 at 6:16 PM.

### B. Record Attendance and Guests

U. Yapanel, MPS Board Member arrived at 6:30 pm. C. Brimmer, MPS Board Member, arrived at 6:35 pm. S. Geldiyev, MPS Board Member joined the meeting at 7:41 pm.

### C. Pledge of Allegiance

B.Torres, Board Secretary, led the Pledge of Allegiance.

### D. Public Comments

There were no public comments.

### E. Communications: Board/Superintendent

S. Sherkhanov, MPS Board Chair, informed the Board about the the outcomes from the last MPS Facilities Committee Meeting, he stated that some items were postponed for further discussion with the full board, these items will be discussed at a later time during a Special Board Meeting.  A. Rubalcava, MPS CEO & Superintendent, informed the Board about some of the activities and events that took place across Magnolia during the month of September, he thanked MPS Board Members who attended these various events. He also invited the Board to upcoming events. No other updates were given.

### F. Approval of Agenda

S. Sherkhanov made a motion to approve the agenda with the following changes; remove items II B, II C, II D, II E and move them to a future Special Meeting and move item II F from Consent Agenda to Action item for further discussion.
S. Covarrubias seconded the motion.
The board **VOTED** unanimously to approve the motion.

**Roll Call**

| | |
|---|---|
| U. Yapanel | Absent |
| D. Gonzalez | Aye |
| S. Covarrubias | Aye |
| C. Brimmer | Absent |
| S. Dikbas | Aye |
| S. Orazov | Aye |
| H. Beliak | Aye |
| S. Sherkhanov | Aye |
| S. Geldiyev | Absent |

### G. Approval of Minutes of Regular Board Meeting from September 13, 2018

D. Gonzalez made a motion to approve minutes from the Regular Board Meeting on 09-13-18 Regular Board Meeting on 09-13-18.
H. Beliak seconded the motion.
The board **VOTED** unanimously to approve the motion.

**Roll Call**

| | |
|---|---|
| S. Dikbas | Aye |
| H. Beliak | Aye |
| C. Brimmer | Aye |
| S. Geldiyev | Absent |
| S. Covarrubias | Aye |
| D. Gonzalez | Aye |
| U. Yapanel | Aye |
| S. Sherkhanov | Aye |
| S. Orazov | Aye |

U. Yapanel arrived.
C. Brimmer arrived.

## II. Consent Items

### A. Adoption of ADA 504 Transition Plans for MSA-6 and MSA-7

U. Yapanel made a motion to approve and adopt the ADA 504 Transition Plans for MSA-6 and MSA-7 under Consent Agenda.
S. Covarrubias seconded the motion.
The board **VOTED** to approve the motion.

**Roll Call**

| | |
|---|---|
| S. Sherkhanov | Aye |

**Roll Call**

| | |
|---|---|
| C. Brimmer | Abstain |
| H. Beliak | Aye |
| S. Covarrubias | Aye |
| U. Yapanel | Aye |
| S. Orazov | Aye |
| S. Geldiyev | Absent |
| D. Gonzalez | Aye |
| S. Dikbas | Aye |

**B. Approval of Prop 39 Energy Efficiency Grant Agreement for MSA-2**

This item was removed from this agenda and will be presented during a future special meeting of the MPS Board of Directors.

**C. Approval of Prop 39 Energy Efficiency Grant Agreement for MSA-7**

This item was removed from this agenda and will be presented during a future special meeting of the MPS Board of Directors.

**D. Approval of Project Change Order Requests for MSA – Santa Ana (Gymnasium Project)**

This item was removed from this agenda and will be presented during a future special meeting of the MPS Board of Directors.

**E. Approval of Change Order from PrimeSource for the MSA-1 Project**

This item was removed from this agenda and will be presented during a future special meeting of the MPS Board of Directors.

**F. Approval of Master Contract and Work Orders 1 & 2 for the MSA-1 Tenant Improvement Project**

This item was moved from Consent Agenda to Action Item for further discussion. P. Ontiveros, MPS General Counsel and Facilities Director, explained the need for the presented change orders for the Magnolia Science Academy-1 project and went over the details pertaining to each change order. He explained that funds for these change orders would be covered by the 2014 Bond. P. Ontiveros, explained the reasons why this project did not go through the RFP process as was asked by the Board. Board and staff discussed approval process of time sensitive items for facility projects and requested attorney input on this topic, P. Ontiveros will get more information on approval processes. C. Brimmer, MPS Board Member, stated her concerns regarding approval of the presented change orders and requested a review of the related laws and procedures. The Board discussed this item at length.
C. Brimmer made a motion to approve (1) the Standard Form of Master Agreement between Owner and Contractor (AIA Document A121™-2014) (the “Master Agreement”) for tenant improvement work to be performed on MSA-1’s existing facility, attached as

Exhibit A; and (2) Work Orders #1 and #2 on AIA Document A221™-2014 (the “Work Order Agreement”) for, respectively (a) masonry infill along the wall adjacent to the new construction project for MSA-1 at 18220 Sherman Way and (b) removal and replacement of drywall for seismic engineering investigation of the existing building (18238 Sherman Way) connections per drawings and direction of Structural Engineer Brandow & Johnston. The amount of Work Order #1 is $3,946 and the amount of Work Order #2 is $22,659.
S. Sherkhanov seconded the motion.
The board **VOTED** to approve the motion.

**Roll Call**

| | |
|---|---|
| S. Dikbas | Abstain |
| H. Beliak | Aye |
| U. Yapanel | Aye |
| S. Orazov | Aye |
| S. Covarrubias | Abstain |
| C. Brimmer | Aye |
| S. Sherkhanov | Aye |
| D. Gonzalez | Abstain |
| S. Geldiyev | Abstain |

S. Geldiyev arrived.

### G. Approval of Updated MPS Bylaws

D. Gonzalez made a motion to approve the amended and restated Magnolia Educational & Research Foundation Bylaws under Consent Agenda.
H. Beliak seconded the motion.
The board **VOTED** to approve the motion.

**Roll Call**

| | |
|---|---|
| S. Sherkhanov | Aye |
| S. Dikbas | Aye |
| S. Geldiyev | Absent |
| D. Gonzalez | Aye |
| U. Yapanel | Aye |
| C. Brimmer | Abstain |
| S. Covarrubias | Aye |
| H. Beliak | Aye |
| S. Orazov | Aye |

## III. Action Items

### A. Approval of 2018-19 Compliance Monitoring and Certification of Board Compliance Review for MSA-4-8

D. Yilmaz, MPS Chief Accountability Officer, briefly went over the 2018-19 Compliance Monitoring and Certification of Board Compliance Review for MSA-4, MSA-6, MSA-7 and MSA-8. All questions were addressed.
S. Orazov made a motion to approve the 2018-19 Compliance Monitoring and Certification of Board Compliance Review for MSA 4, MSA-6, MSA-7 and MSA-8.
C. Brimmer seconded the motion.
The board **VOTED** unanimously to approve the motion.

**Roll Call**

| | |
|---|---|
| S. Covarrubias | Aye |
| S. Geldiyev | Aye |
| S. Sherkhanov | Aye |
| U. Yapanel | Aye |
| H. Beliak | Aye |
| C. Brimmer | Aye |
| D. Gonzalez | Aye |
| S. Orazov | Aye |
| S. Dikbas | Aye |

**B. Approval MSA 2 use of Reserves to Contract for the Purchase and Installation of Classroom Cameras**

P. Ontiveros, MPS General Counsel and Facilities Director, S. Keskinturk, MSA 2 Principal, and D. Garner MSA- 2 Dean of Students, explained the need for the use of reserve money to pay for the purchase and installation of classroom cameras. They explained that the policy for the use of the cameras was approved at the last board meeting and this approval is for the approval of purchase. It was also explained that the purchase will not happen immediately. The school's authorizer must approve the use of the cameras before they are purchased and placed. All questions were addressed.
C. Brimmer made a motion to approve the use by Magnolia Science Academy (MSA)-2 of its reserves to purchase and install the classroom cameras which was previously approved by the Board at the September 2018 MPS Board meeting.
D. Gonzalez seconded the motion.
The board **VOTED** unanimously to approve the motion.

**Roll Call**

| | |
|---|---|
| S. Orazov | Aye |
| H. Beliak | Aye |
| U. Yapanel | Aye |
| D. Gonzalez | Aye |
| S. Covarrubias | Aye |
| S. Geldiyev | Aye |
| C. Brimmer | Aye |
| S. Sherkhanov | Aye |
| S. Dikbas | Aye |

**C.**

### Approval of 2018-19 Education Protection Account (EPA) for MSA 1- 8, Santa Ana and San Diego

N. Montijo, MPS Chief Financial Officer, briefly explained the 2018-19 Education Protection Account (EPA) for MSA 1-8, Santa Ana and San Diego. Questions from Board Members were addressed.
C. Brimmer made a motion to approve the Education Protection Account Expenses as presented.
D. Gonzalez seconded the motion.
The board **VOTED** unanimously to approve the motion.

**Roll Call**

| | |
|---|---|
| S. Covarrubias | Aye |
| S. Sherkhanov | Aye |
| U. Yapanel | Aye |
| D. Gonzalez | Aye |
| S. Dikbas | Aye |
| S. Geldiyev | Aye |
| S. Orazov | Aye |
| H. Beliak | Aye |
| C. Brimmer | Aye |

## IV. Discussion Items

### A. Academic Updates

E. Acar, MPS Chief Academic Officer, went over academic updates that were presented in depth to the Academic Committee. B. Lopez, Assistant Director of Student Services went over student disciplinary procedures and elaborated on student suspensions and expulsions within MPS. E. Acar went over academic test scores across MPS and addressed Board Member questions. B. Plonka, MSA-5 Principal went over the academic data for his site and explained that improvements were made to address student needs. All questions were addressed, this was a discussion item, no actions were taken.

### B. Enrollment Update

I. Soto, MPS Director of Partnerships, went over the updated enrollment numbers across MPS and gave details on what plans are currently in place to increase student enrollment numbers. C. Brimmer, MPS Board Member suggested to have MPS students do more community service activities such as visiting senior citizen homes. This was a discussion items, no actions were taken.

### C. Facility Updates

A written report for facilities update was given, there was no discussion on this item.

### D. Update on Legal Vendors and Procedures

Written report was delivered, there was no discussion on this item.

### E. Financial Update- 2018 August Financials

Written report was delivered, there was no discussion on this item.

## V. Closed Session

### A. Public Announcement of Closed Session

H. Beliak, MPS Board Vice Chair, announced to the public that the Board would be going into Closed Session to discuss one matter with anticipated litigation and the performance of the Chief Executive Officer and Superintendent.

### B. Conference with Legal Counsel - Anticipated Litigation - One Matter

The Board discussed this item in Closed Session.

### C. Public Performance Evaluation: Chief Executive Officer and Superintendent

The Board discussed this item in Closed Session.

### D. Report Out From Closed Session

H. Beliak, MPS Board Vice-Chair, announced in Open Session that no actions had been taken during the Closed Session discussion.

## VI. 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 10:09 PM.

Respectfully Submitted,
H. Beliak