

APPROVED



## Magnolia Public Schools

### Minutes

#### Regular Board Meeting

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**Date and Time**

Thursday December 13, 2018 at 6:00 PM

**Location**

MSA- 1: 18238 Sherman Way, Reseda, CA 91335

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The following locations remained open for remote access which include the sites where Board Members joined from.

By dialing into; 1.844.572.5683 Code: 1948435

- MSA-6 3754 Dunn Dr., Los Angeles, CA 90034
- MSA-SD 6525 Estrella Ave. San Diego, CA 92120 (Dr. Salih Dikbas)
- MSA-SA 2840 W. 1st., Santa Ana, CA 92703 (Mr. Shohrat Geldiyev)
- 940 Steward Dr. Sunnyvale, CA 94085 (Dr. Umit Yapanel)
- 1363 Ridgecrest Rd Pinole, CA 94564 (Mr. Serdar Orazov)
- 683 Loyola Ave. Carson, CA 90746 (Mrs. Charlotte Brimmer)
- 5113 Babette Ave. Los Angeles, CA 90066 (Ms. Diane Gonzalez)

**Board Members:**

Dr. Saken Sherkhonov, Chair (reappointment)

Mr. Haim Beliak, Vice-Chair

Dr. Umit Yapanel

Mr. Serdar Orazov

Dr. Salih Dikbas

Ms. Diane Gonzalez

Ms. Charlotte Brimmer

Ms. Sandra Covarrubias

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Mr. Shohrat Geldiyev

CEO & Superintendent:

Mr. Alfredo Rubalcava

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**Directors Present**

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

**Directors Absent**

*None*

**Directors who arrived after the meeting opened**

C. Brimmer, S. Geldiyev

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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 Dec 13, 2018 at 7:10 PM.

S. Sherkhanov, MPS Board Chair, did not participate in the meeting until after he was reappointed, therefore his votes were recorded as abstention but he did vote until after item II A.

**B. Record Attendance and Guests**

C. Brimmer, MPS Board Member joined remotely at 7:10pm, S. Geldiyev, MPS Board Member joined remotely at 8:08pm.

H. Beliak, MPS Vice-Chair, sat in as Chair of the Board for the beginning of the meeting, given that the MPS Board Chair had not yet been reappointed.

**C. Pledge of Allegiance**

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

**D. Approval of Agenda**

U. Yapanel made a motion to approve the agenda as presented.

S. Covarrubias seconded the motion.

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

**Roll Call**

C. Brimmer	Absent
H. Beliak	Aye
S. Orazov	Aye

**Roll Call**

S. Geldiyev Absent  
U. Yapanel Absent  
D. Gonzalez Aye  
S. Dikbas Aye  
S. Covarrubias Aye  
S. Sherkhanov Abstain

**E. Public Comments**

There were no public comments.

**F. Communications: Board/Superintendent**

A. Rubalcava, MPS CEO & Superintendent, handed recognition awards to all MPS Board Members and thanked them for their dedication and hard work as Board Members. No other communications were given.

C. Brimmer arrived.

**G. Approval of November 8, 2018 Regular Board Meeting Minutes**

C. Brimmer made a motion to approve minutes from the Regular Board Meeting on 11-08-18 Regular Board Meeting on 11-08-18.

U. Yapanel seconded the motion.

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

**Roll Call**

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

**II. Consent Items**

**A. Approval to Reappoint Board Member & Chair- S. Sherkhanov**

This item was taken out of Consent Agenda and was voted on before voting on other consent items.

U. Yapanel made a motion to approve the reappointment of Dr. Saken Sherkhanov for a 3rd five (5) year term beginning on December 13, 2018 and ending on December 12, 2023 and to continue to serve as the MPS Board Chair.

S. Covarrubias seconded the motion.

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

**Roll Call**

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

**B. Approval of 2017-18 MPS Audit Report**

This item was taken out of the Consent Agenda for further discussion. N. Montijo, MPS Chief Financial Officer (CFO), presented M. Miller, Audit Partner from Vavrinek, Trine & Day & Co., LLP, who gave an overview of the audit report. He addressed STRS and PERS questions and elaborated on how funds for employee retainment are reflected in the audit. Since this item was previously reviewed and recommended for approval by the Finance & Facility/Audit Committee there was only brief discussion by the Board.

H. Beliak made a motion to approve the Financial Audit Report for fiscal year 2017-18 of all ten (10) schools and the consolidated audit including the home office.

S. Orazov seconded the motion.

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

**Roll Call**

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

**C. Approval of MSA 1 Cabling Vendor and Contract**

S. Sherkhanov made a motion to awards the winning bid according to vendor evaluation matrix and adopt the purchase of equipment and cabling services for Magnolia Science Academy (MSA)-1 operating within the approved budgeted amounts. Should there be a similar need for any other Magnolia Public Schools(MPS), the approved vendor, machine model, and pricing per unit will be used between dates July 1st, 2018 – June 30th, 2020.

S. Orazov seconded the motion.

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

**Roll Call**

S. Dikbas Aye

**Roll Call**

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

**D. Approval of PrimeSource Invoice and Payment**

C. Brimmer, MPS Facility Committee Chair, recommended her approval of the item based on what the committee had discussed at length with the changes that she had recommended be done to the narrative. P. Ontiveros, MPS Facilities Director and General Counsel gave a brief overview of the current contract with PrimeSource and explained what the additional fees in the new invoice were for that go above the estimated contract amount reflected in the original contract between PrimeSource and MPS for professional construction management services.

C. Brimmer made a motion to approve the payment to PrimeSource Project Management LLC ("PrimeSource") of \$24,862.40 for work performed to date on both MSA-1's new construction project at 18220 Sherman Way and its rehabilitation investigation project for the existing building at 18238 Sherman Way (together, the "Project") provided that a revised copy of the report be provided during the next board meeting.

H. Beliak seconded the motion.

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

**Roll Call**

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

**E. Approval of Work Order #3 for Work by Oltmans at Existing MSA 1 Building**

C. Brimmer, MPS Facility Committee Chair, reported out from what was discussed during committee meeting and gave her recommendation to approve.

C. Brimmer made a motion to approve Work Order #3 in the amount of \$14,859.81 for work performed at the existing MSA-1 building by Oltmans Construction Company ("Oltmans").

H. Beliak seconded the motion.

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

**Roll Call**

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

**F. Approval of the LCAP Addendum for MPS**

S. Sherkhanov made a motion to approve the LCAP Addendum for all MPS under Consent Agenda.

S. Orazov seconded the motion.

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

**Roll Call**

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

**III. Action Items**

**A. 2018-19 First Interim Financial Reports**

This item was previously presented to the MPS Board Finance Committee. N. Montijo, MPS Chief Financial Officer (CFO), presented the interim reports. She went over the deficit in the revenue due to the decline in enrollment and stated that she met with principals of low enrolled sites and together they created plans and adjusted budgets to address the new revenues. S. Orazov, MPS Finance Committee Chair, reported out from the committee meeting. He explained his review and recommended that enrollment numbers be monitored closely. The board went over intra company loan details and budget funds for each school. A. Rubalcava, MPS Chief Executive Officer (CEO) elaborated on the schools that are under enrolled, he mentioned that 3 schools met their budgeted numbers and 7 did not meet the those numbers. The CFO explained that the home office will be reducing the CMO fees for MSA Santa Ana to cover for the school's deficit this fiscal year. The board reviewed the first interim reports in detail.

H. Beliak made a motion to approve the 2018-19 revised budget and submit the same as First Interim Reports for fiscal year 2018-19.

U. Yapanel seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

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

**B. Approval of Work Order #4 for Future Work Done by Oltmans at Existing MSA 1 Building**

P. Ontiveros, MPS General Counsel and Facilities Director explained the details of the proposed work order, he went over the work that has been done and the work that would be done if this work order is approved. Due to the exploratory work that was done by the engineer, additional needed work was uncovered, this work was not initially planned for as it is work that is uncovered as exploration happens. He explained that this item did not go to the Facility Committee but is now being presented to the full board. The board presented their concerns regarding approving work orders for Oltmans in pieces which can affect the budget as change costs increase. P. Ontiveros went over fees, funding sources and other money that can be repurposed for this project. The board wants to ensure this project and these work orders be closely monitored and is requesting reports regarding work that is being done after board approval for the various facility work. P. Ontiveros, explained the difficulty with predicting the entire work that will be needed at any particular construction site, Board Member, C. Brimmer supported P. Ontivero's comment.

H. Beliak made a motion to approve Work Order #4 (a draft of which is attached as Exhibit A) in order for Oltmans Construction Company ("Oltmans") to complete certain exploratory work at the existing MSA-1 building at 18238 Sherman Way for an amount not to exceed \$4,500.00 to be billed on a time and material basis.

U. Yapanel seconded the motion.

The board **VOTED** to approve the motion.

**Roll Call**

S. Sherkhanov Abstain  
C. Brimmer Aye  
S. Geldiyev Aye  
S. Orazov Aye  
H. Beliak Aye  
D. Gonzalez Aye

**Roll Call**

S. Covarrubias Aye  
S. Dikbas Aye  
U. Yapanel Aye  
S. Geldiyev arrived.

**C. Approval to Build Boundary Wall at MSA-1**

P. Ontiveros, MPS General Counsel and Facilities Director, explained the need for the wall at MSA-1 to be used as a sound barrier with the residential area and to ensure MSA-1 operations do not conflict with anyone living in the vicinity, there are additional needs for this wall that were explained in depth. He gave details on the requests of an MSA-1 neighbor and how staff plans on addressing it. P. Ontiveros elaborated on the need to get this work done as soon as possible based on what the planning department requested. C. Brimmer, requested documentation that shows the request made by the planning department. M. Sahin, MSA-1 Principal, elaborated on the project, he explained that the contingency before construction committed MPS to fix the drainage issue but this has not yet been done. If this item is not approved today then the completion date of the project will be pushed back until the item is approved by theMPS Board. After a lengthy discussion of the presented change order for MSA-1, the board decided to postpone the approval of this item until further review is done.

S. Sherkhanov made a motion to table this item until further documentation is provided including documentation from the city with their request, project details and alternatives, and communication from the neighbors.

S. Covarrubias seconded the motion.

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

**Roll Call**

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

**IV. Information/Discussion Items**

**A. Human Resources Department Roles and Responsibilities**

S. Acar, Chief Operations Officer and D. Hajmeirza, Human Resource Director, presented the Human Resource department report. He went over the steps and processes that the department is in charge of and what work is outsourced. He also elaborated on what support is provided to principals and what work is done at the school

sites. Due to lack of time, the presentation was not given in its entirety. The board requested to have this report be presented at another board meeting or during the MPS Board Retreat.

**B. Facility Update**

A written report was provided, there was no discussion on this item.

**V. Closed Session**

**A. Public Announcement of Closed Session**

S. Sherkhanov, MPS Board Chair, informed the public that the board would be going into Closed Session to discuss three matters under anticipated litigation and one matter under labor negotiations.

**B. Conference with Legal Counsel- Anticipated Litigation- Three Matters**

This item was discussed in Closed Session.

**C. Personnel / Labor Negotiations: price and terms of payment**

This item was discussed in Closed Session.

**D. Report Out From Closed Session**

S. Sherkhanov, MPS Board Chair, reported out in Open Session. He stated that no actions were taken and staff was directed to gather more information and report out to the board in a future meeting.

**VI. Possible Action Items after Closed Session**

**A. PrimeSource Report and Approval of Amended Contract**

This item was tabled for a future meeting.

**VII. 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 11:07 PM.

Respectfully Submitted,  
S. Sherkhanov