

**MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES AGENDA – SPECIAL MEETING**

Wednesday, January 26, 2022 4:00 PM

Zoom meeting information: [January 26, 2022, zoom meeting link](#)

Or by telephone phone dial: +1 346 248 7799 (US Toll)

Meeting ID: 983 9902 6688

CALL TO ORDER

1. APPROVAL OF AGENDA

PUBLIC COMMENT

This time is set aside for general public comments. Additionally, comments may be made at the time of discussion of any item. After being recognized by the Chair, those wishing to make comments are asked to stand at the podium, give their name, place of residence and affiliation, if any, and address their comments to the Board President. Trustees may ask questions of the speaker for clarification but will not discuss items that are not on the agenda. If appropriate, the Board may choose to refer the subject to College staff for research or for the item to be placed on a subsequent agenda.

At the appropriate time on the agenda, the Board President will ask individuals joining the meeting via phone wishing to make a public comment to unmute themselves by pressing *6 on their phone and state their full name. Individuals joining the meeting via computer should list their name in the chat (i.e.: “Member of the public’s name would like to speak during public comment”). Once the Board President has received a list of all members of the public who wish to speak, they will call upon each member to speak. After being recognized by the Chair, those wishing to make comments are asked to give their name, place of residence and affiliation, if any, and address their comments to the Board President. Trustees may ask questions of the speaker for clarification but will not discuss items that are not on the agenda. If appropriate, the Board may choose to refer the subject to College staff for research or for the item to be placed on a subsequent agenda.

2. JOINT FOUNDATION BOARD AND BOARD OF TRUSTEES DISCUSSION

- 2.1 The College Board of Trustees will engage in discussion with the Foundation Board members to determine how everyone can continue to work together for the betterment of all Mendocino College students.

Category: Discussion

Type: Information

The Mendocino College Board of trustees and the Mendocino College Foundation Board members will share and discuss information from their specific areas.

CONSENT AGENDA

3. Other Items

- 3.1 Authorization for Remote Teleconference Meetings – Resolution #01-22-01
Recommendation to adopt Resolution #01-22-01 as presented

4. INFORMATIONAL ITEM

- 4.1 Board Docs

A review of Board Docs will be presented as information and will include an update on our upcoming implementation

5. REVIEW OF COLLEGE BUDGET

- 5.1 The College Board of Trustees will engage in discussion about the college budget and budget processes

Category: Discussion

Type: Information

6. ACTION ITEMS

6.1 Board of Trustees Budget Parameters for District 2022-2023 Budgets
Recommendation to adopt the 2022/2023 Board Budget Parameters as presented

7. **ADJOURNMENT**

ADA Compliance: Persons with disabilities needing assistance, please notify the Superintendent/President's Office at 468-3071 no later than 24 hours prior to the scheduled meeting.

Agenda Packet and Supporting Documents Notice: The agenda packet and supporting materials can be found on the college website at : [Board of Trustee meeting documentation](#)

Future Board Meetings:

- *Regular Meeting – Wednesday, February 9, 2022, 4:00 PM, Room 4210 and available via ZOOM*

ITEM NO: 3.1
DATE: January 26, 2022

SUBJECT: AUTHORIZATION FOR REMOTE TELECONFERENCE MEETINGS -
RESOLUTION #01-22-01

SYNOPSIS:

Adoption of Resolution #01-22-01, Authorization for Remote Teleconference Meetings

RECOMMENDATION:

The Superintendent/President recommends this item be approved as presented.

ANALYSIS:

Assembly Bill AB361 provides legislation that legislative bodies may continue to meet remotely during a declared State of Emergency subject to certain conditions. Those conditions include:

1. If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
 - A. The legislative body has reconsidered the circumstances of the state of emergency.
 - B. Any of the following circumstances exist:
 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 2. State or local officials continue to impose or recommend measures to promote social distancing.

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees hereby adopt Resolution #01-22-01 and authorizes the continuation of virtual meetings pursuant to the conditions as outlined in Assembly Bill 361 as presented.

**MENDOCINO-LAKE COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

RESOLUTION 01-22-01

**AUTHORIZATION FOR REMOTE TELECONFERENCE MEETINGS PURSUANT
TO BROWN ACT PROVISIONS INCLUDED IN ASSEMBLY BILL (AB) 361 (RIVAS)**

WHEREAS, the Mendocino-Lake Community College District is committed to preserving and nurturing public access and participation in meetings of the Board of Trustees; and

WHEREAS, all meetings of Mendocino-Lake Community College District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950–54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and

WHEREAS, on April 15, 2020, the Board of Trustees of Mendocino-Lake Community College District officially declared a state of emergency for the district; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act pertaining to teleconferenced meetings; and

WHEREAS, following the issuance of Executive Order N-29-20, the Mendocino-Lake Community College District Board of Trustees began to conduct all public meetings virtually using the Zoom teleconference platform and has continued conducting all public meetings virtually since that time; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which indicated that the authorization for holding virtual meetings outlined in Executive Order N-29-20 would expire on September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed [Assembly Bill \(AB\) 361 \(Rivas\)](#) as urgency legislation to be effective immediately, which provides that legislative bodies may continue to meet remotely during a declared State of Emergency subject to certain conditions; and

WHEREAS, AB 361 amends the Brown Act (Government Code Section 54953) to add the following:

(e)(1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) 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.

(B) 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.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following:

C. If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Mendocino-Lake Community College District finds that the March 4, 2020, declaration of a State of Emergency due to the COVID-19 pandemic by Governor Gavin Newsom remains active and that the state of

emergency continues to directly impact the ability of members of the public to meet safely in person.

BE IT FURTHER RESOLVED, that the Board of Trustees of the Mendocino-Lake Community College District authorizes the continuation of virtual meetings pursuant to Assembly Bill 361 (Rivas); and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption and shall be effective until the earlier of 30 days from the date of adoption or such time the Board of Trustees adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Trustees of the Mendocino-Lake Community College District may continue to teleconference without compliance with of paragraph (3) of subdivision (b) of Government Code section 54953.

TeMashio Anderson	_____	Xochilt Martinez	_____
Marie Myers	_____	Ed Nickerman	_____
Noel O’Neill	_____	Robert Jason Pinoli	_____
John Tomkins	_____		

PASSED AND ADOPTED THIS 26th day of January 2022, by the Board of Trustees of the Mendocino-Lake Community College District of Mendocino and Lake Counties, California.

Timothy Karas, Secretary
Board of Trustees

Date

ITEM NO: 4.1
DATE: January 26, 2022

SUBJECT: BOARD DOCS

SYNOPSIS:

Review of the new Board Docs software application.

ANALYSIS:

As part of our migration to using the Board Docs software application for the Board of Trustees meeting agendas and supporting documentation, Superintendent/President Karas will present a brief overview of the application and its functionality as it applies to the Board.

ITEM NO: 5.1
DATE: January 26, 2022

SUBJECT: REVIEW OF THE COLLEGE BUDGET

SYNOPSIS:

Review of the college budget for the 2022-2023 year.

ANALYSIS:

The Board of Trustees will engage in discussion about the college budget and budget processes with a focus on the 2022-2023 budget year.

SUBJECT: BOARD OF TRUSTEE BUDGET PARAMETERS FOR DISTRICT 2022/2023
BUDGETS

SYNOPSIS:

Board of Trustees review and adoption of revised budget parameters.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees adopt the following budget parameters as a basis for development of the 2022/2023 District budgets.

ANALYSIS:

General Fund Budget Parameters

1. Unrestricted Ending Balance – The targeted ending fund balance in the General Fund shall be 15% of total unrestricted expenditures. At no time shall the ending balance go below a minimum of 5%.
2. Balanced Budget
 - 2.1. The General Fund shall have a balanced budget with total ongoing expenditures and transfers not exceeding total ongoing revenues.
 - 2.2. One-time revenues and reserves shall not be used to fund ongoing expenditures but may be considered for current year expenditures that do not create obligations in future years.
3. Use of General Fund Reserves – When reserves are projected to exceed 15% and the budget is balanced, reserves in excess of 15% may be allocated for infrastructure projects that require a one-time expense which improve the safety, sustainability, resiliency, or technology of the District and the remodeling or construction of facilities to meet District needs. Preference should be given to projects that are a one-time investment which will result in lowering or avoiding future expenses.

Reference Board Policy 6200, Budget Preparation

MOTION/ACTION:

RESOLVED, That the Mendocino-Lake Community College District Board of Trustees does hereby adopt the 2022/2023 Budget Parameters as presented.