



# Mountain View Whisman School District

## Board of Trustees - Special Meeting Minutes

1400 Montecito Avenue  
August 28, 2023  
6:00 PM

Dial in Phone Number: (669) 900 6833 US (San Jose)  
Meeting ID: 851 6021 6902  
Passcode: 749148  
There is no participant ID

Members of the public who call in to the meeting will be placed in a waiting room until the appropriate time to address the Board. During that time in the waiting room, the caller will not be able to hear the meeting. Callers can view and hear the meeting here: [youtube.com/mvwsd](https://youtube.com/mvwsd)

Members of the public who wish to address the Board during the Board of Trustees meeting may email comments to [publiccomments@mvwsd.org](mailto:publiccomments@mvwsd.org). In order to expedite the meeting, please send your comments by the Wednesday before the meeting. Staff will make all attempts to share and record any submissions received, however, depending on timing, late submissions will be provided to the Board after the conclusion of the meeting.

(Live streaming available at [www.mvwsd.org](http://www.mvwsd.org))

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***As a courtesy to others, please turn off your cell phone upon entering.***

Under Approval of Agenda, item order may be changed. All times are approximate.

### **I. CALL TO ORDER (6:00 p.m.)**

The meeting was called to order at 6:03 p.m.

#### **A. Pledge**

Trustees President Laura Berman led the Pledge of Allegiance

### **II. SPECIAL RECOGNITION**

#### **1 AB-2449 Open meetings: local agencies: teleconferences**

A motion was made by William Lambert and seconded by Devon Conley to approve AB 2449, which provides a teleconferencing option that will be in effect from Jan. 1, 2023, until Jan. 1, 2026, and allows board members to attend meetings remotely..

Ayes: Berman, Blakely, Chiang, Conley, Lambert

Trustee Blakely attended the meeting remotely.

#### **B. Roll Call**

Present: Berman, Blakely, Chiang, Conley, Lambert  
Absent: None

C. Approval of Agenda

A motion was made by Devon Conley and seconded by Christopher Chiang to approve the agenda, as presented.

Ayes: Berman, Blakely, Chiang, Conley, Lambert

### **III. REVIEW AND DISCUSSION**

A. Monta Loma Fencing Choice

Carducci Associates gave the Trustees a presentation on fencing options for the Monta Loma outdoor Improvement Project. A final vote will be returned at the September 7 meeting.

The following member of the public addressed the Board of Trustees:

- Former Trustee Ellen Wheeler
- John
- Ray
- Jill
- Bril
- Deborah
- Leslie McClellan
- Carlos
- Kerri Fox

### **IV. ADJOURNMENT (10:00 p.m.)**

The meeting was adjourned at 8:31 p.m.

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#### **NOTICES FOR AUDIENCE MEMBERS**

1. **RECORDING OF MEETINGS:**

The open session will be video recorded and live streamed on the District's website ([www.mwvsd.org](http://www.mwvsd.org)).

2. **CELL PHONES:**

As a courtesy to others, please turn off your cell phone upon entering.

3. **FRAGRANCE SENSITIVITY:**

Persons attending Board meetings are requested to refrain from using perfumes, colognes or any other products that might produce a scent or chemical emission.

4. **SPECIAL ASSISTANCE FOR ENGLISH TRANSLATION/INTERPRETATION:**

The Mountain View Whisman School District is dedicated to providing access and communication for all those who desire to attend Board meetings. Anyone planning to attend a Board meeting who requires special assistance or English translation or interpretation is asked to call the Superintendent's Office at (650) 526-3552 at least 48 hours in advance of the time and date of the meeting.

El Distrito Escolar de Mountain View Whisman esta dedicado a proveer acceso y comunicacion a todas las personas que deseen asistir a las reuniones de la Junta. Se pide que aquellas personas que planean asistir a esta reunion y requieren de asistencia especial llamen a la Oficina del Superintendente al (650) 526-3552 con por lo menos 48 horas de anticipacion del horario y fecha de esta reunion, para asi poder coordinar los arreglos especiales.

5. **DOCUMENT AVAILABILITY:**

Documents provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office, located at 1400 Montecito Avenue during normal business hours.

Los documentos que se les proveen a la mayoria de los miembros de la Mesa Directiva sobre los temas en la sesion abierta de este orden del dia estaran disponibles para la inspeccion publica en la Oficina del Distrito, localizada en el 1400 Montecito Avenue durante las horas de oficinas regulares.

**Agenda Item for Board Meeting of 8/28/2023**

**Agenda Category:** Remote Meeting Notice

**Agenda Item Title:** Remote Meeting

**Estimated Time:**

**Person Responsible:**

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**Background:**

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**Fiscal Implication:**

**Recommended Action:**

**Agenda Item for Board Meeting of 8/28/2023**

**Agenda Category:** Special Recognition

**Agenda Item Title:** AB-2449 Open meetings: local agencies: teleconferences

**Estimated Time:**

**Person Responsible:** Dr. Ayindé Rudolph, Superintendent

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**Background:**

On Sept. 13, Gov. Gavin Newsom signed [Assembly Bill 2449](#) (Rubio, D-Baldwin Park), which provides additional options for compliant teleconferencing under the Brown Act beyond those provided in current law. AB 2449 provides a teleconferencing option that will be in effect from Jan. 1, 2023, until Jan. 1, 2026. It allows board members to attend meetings remotely without following the traditional rules for teleconferenced meetings if the meetings meet specific requirements and if the member participating remotely demonstrates a need to do so, either because of an emergency circumstance or other “just cause” as defined in the statute (for non-emergencies, members may only make use of this provision two times per calendar year).

**Fiscal Implication:**

None.

**Recommended Action:**

It is recommended for Trustee Blakely that the Board of Trustees approve AB 2449, which provides a teleconferencing option that will be in effect from Jan. 1, 2023, until Jan. 1, 2026, and allows board members to attend meetings remotely. .

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">AB 2449 New Option</a>	Backup Material	2/24/2023

# AB 2449 – New Option

**Effective January 1, 2023 – December 31, 2025**

- Advantages

- Remote participation without traditional requirements
- Not dependent on state of emergency or findings

- Disadvantages

- Use limited to specific circumstances
- Creates new requirement for board approval
- Requires technological capabilities

# AB 2449 – Remote Participation

- Any location without opening/disclosure of location.
- Meeting requirements:
  - Quorum must be in-person at open location in the district.
  - Public access via two-way audiovisual platform or two-way audio service/ webcast.
  - Public comment via the remote platform as well as in-person (real time).
- Member requirements:
  - Participate through both audio and video.
  - Identify any individual over 18 in the room with the member and relationship.

# AB 2449 - When IT May Be Used

- Two circumstances:

1. Just cause

- Care for a family member, an illness, or a disability, or traveling on government business.
- Must notify board of the “just cause,” by providing a general description, at the earliest opportunity possible.

2. Emergency circumstance

- Physical or family medical emergency that prevents a member from attending in-person.
- Requires approval by board after it is provided with a general description of the circumstances.

- Limits:

- For “just cause,” only two meetings a calendar year.
- For either reason, no more than:
  - Three consecutive months; or,
  - 20% of regular meetings in a calendar year if a board meets at least 10 times a year; no more than two meetings in a calendar year if the body meets fewer than 10 times a year.



**Agenda Item for Board Meeting of 8/28/2023**

**Agenda Category:** REVIEW AND DISCUSSION

**Agenda Item Title:** Monta Loma Fencing Choice

**Estimated Time:**

**Person Responsible:**

Rebecca Westover, Ed.D., Chief Business Officer

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**Background:**

Due to the full Board of Trustees agenda on August 17, there was limited time for public comment. Therefore, the Trustees added this extra meeting to gather community input and discuss the proposed fencing options.

Copies of backup materials will be available in print and online.

**Fiscal Implication:**

None.

**Recommended Action:**

It is recommended that the Board of Trustees receive the information.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Community Letter</a>	Backup Material	8/24/2023

August 22, 2023

Dear Monta Loma Community member,

We wanted to inform you about the latest developments regarding the fencing options for the Monta Loma Elementary field and highlight upcoming opportunities to participate in the process. Whether you're just joining us in the process or want to participate for the first time, please know we value your input.

Comprehensive information about the process can be found here: [www.mvwsd.org/MontaLomaField](http://www.mvwsd.org/MontaLomaField). Specifically, [please view the recommended fencing design and supporting information here](#). We invite you to give input about the fencing options in these ways:

- Aug. 24 at 5 p.m.- Attend the Community Meeting in the Monta Loma Elementary Multi-use room. *Learn more and give input about new design options for balancing school field use and community access during the day.*
- by Aug. 24 - Email your comments to [MLOpenSpace@mvwsd.org](mailto:MLOpenSpace@mvwsd.org)
- Aug. 27 - See us at the Monta Loma Ice Cream Social
- Aug. 28 at 6 p.m. - Attend the Board of Trustees special meeting. *Trustees will hear final thoughts from the community, review community input received thus far and deliberate the options. (In person or on Zoom: <http://mvw.sd/828>)*

Due to a very full Board of Trustees agenda on August 17, there was limited time for public comment. As a result, the Trustees added the extra meeting on August 28 with the exclusive purpose of gathering community input and discussing the proposed fencing options.

#### Background

Over the last three years, we have been diligently exploring options, with the community's help, to enhance the safety and security of our school campus while maintaining an open and welcoming place for neighbors to play and recreate after school hours.



Mountain View  
Whisman  
School District

We heard loud and clear how important Monta Loma's greenspace is to the residents. There has been some confusion, so we want to reiterate this important point: The community has full access to the fields and playground space outside of school hours. That will remain the case regardless of any fencing decisions. Any school greenspace areas outside of the fence will be available for day-time use. Our goal is to strike a balance between safeguarding our students and staff and our community's need for greenspace.

Next Step

After input has been received, the next step is:

- Board of Trustees meeting, Sept 7 at 6 p.m.  
*Trustees will consider approving the plan. (In person or on Zoom:  
<http://mvw.sd/0907>)*

We appreciate your time spent reviewing the options presented and providing your feedback at meetings or by email. Your insights will play a crucial role in helping Trustees make an informed decision that best aligns with our community's values and priorities. Together, we can ensure the safe and vibrant atmosphere that makes our school a special place for our neighbors and for our students to learn and grow.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Laura Ramirez Berman', with a long horizontal flourish extending to the right.

Laura Ramirez Berman  
Board of Trustees President

A handwritten signature in blue ink, appearing to read 'Ayindé Rudolph', with a long horizontal flourish extending to the right.

Ayindé Rudolph, Ed.D.  
Superintendent