

**Minutes of the
CHIME Institute
Board of Directors Meeting
Held via Zoom Video Conference
Tuesday, November 1st, 2022**

Members Present: Patrick Smith, Josh Mark, Marc Polansky, Matthew Rinnert, Melissa Diaz

Members Absent: Traci Myman, Tony Battaglia

Others Present: Irina Castillo, Erin Studer, William Caplenor, Annie Cox, Cindy Iniguez, Caitlin Healey

Call to Order: The meeting was called to order by Board President, Patrick Smith

I. Affirmation of Continuing Emergency Conditions Necessitating Virtual Board Meeting

1. The board was given the following recommendation from Dr. Studer:
November 1st, 2022

TO: CHIME Institute
Board of Directors

FROM: Erin Studer
Executive Director

SUBJECT: Recommendation to approve the November and December 2022 CHIME Institute Virtual Board Meeting

BACKGROUND

While California's Ralph M. Brown Act has been amended to allow fully virtual board meetings during a state of emergency after the Governor signed Assembly Bill 361 into law on September 16, 2021. The new law comes as local public agencies were preparing for the expiration of Executive Orders that currently allow virtual board meetings. AB 361 goes into effect immediately, and it amends Section 54953 of the Brown Act to allow virtual board meetings through January 1, 2024 in any of the following circumstances:

1. 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.
2. 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.

3. 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.

These circumstances allow agencies to hold entirely virtual board meetings during the current pandemic, while California is in a proclaimed state of emergency. The previous teleconference rules under the Brown Act also remain in place, but are not as flexible.

If a board meeting is held virtually under the new provisions of AB 361, the agenda must still be posted under the appropriate timelines: 72 hours in advance for a regular board meeting, and 24 hours in advance for a special board meeting. The agenda must include the meeting link or dial-in, so that members of the public make

access the meeting. Members of the public must be allowed to address the board in real-time during the meeting. Boards can no longer require public comments to be submitted in advance. When boards use agenda items with timed public comment periods, they must allow those time limits to expire before closing public comment. When boards take public comment separately on each agenda item, they must allow a reasonable amount of time per agenda item.

AB 361 also has special provisions for technical glitches. In the event the meeting broadcast is disrupted, or if a technical issue on the agency's end disrupts public comment, the board cannot take any further action on the agenda until the technical issue is resolved.

Most significantly, in order to continue to hold virtual meetings when a state of emergency remains active, the board must make findings every 30 days that 1) the board has reconsidered the circumstances of the state of emergency and 2) the state of emergency continues to directly impact the ability of the members to meet safely in person or state or local officials continue to impose or recommend measures to promote social distancing.

As of now, the current Executive Orders that allow fully virtual board meetings are slated to remain in effect until September 30, 2021. This gives public agencies about two weeks to prepare for virtual meetings under AB 361.

ANALYSIS

- 1) the CHIME Charter board has reconsidered the circumstances of the state of emergency and
- 2) the state of emergency continues to directly impact the ability of the members to meet safely in person or state or local officials continue to impose or recommend measures to promote social distancing.

RECOMMENDATION

It is recommended that the Board of Directors approve to conduct November 1st, 2022 and December Board meetings virtually.

2. **RESOLUTION M/S/P**(P. Smith) The board resolves to conduct November and December board meetings remotely via Zoom.
3. **Public comment:** There was an opportunity for public comment and none were made

4. ***VOTE***

- a. ***Yeses:*** *P. Smith, J. Mark, M. Polansky, M. Aguilar, M. Rinnert*
- b. ***No's:*** none
- c. ***Abstentions:*** *none*
- d. ***MOTION PASSES: 5-0-0***

II. Public Comment: (3 minutes each)—Speakers were given the opportunity to make a public comment. Each speaker, if any, was advised of the three (3) minute time limit and that ordinarily, Board members cannot respond to presentations on non-action items as no action can be taken on non-agenda items, but that the Board may advise that direction may be given to staff following a presentation later.

III. Consent Agenda: The following item(s) may be adopted by a single vote of the board, or any item(s) may be pulled off of consent by any member's request (without any need for a vote to pull from consent).

- 1. Approval of the minutes of the 10/11/2022 CHIME Institute Board Meeting.
 - a. **M/S/P Motion** (M. Rinnert, J. Mark) to approve the minutes of the 10/11/2022 CHIME Charter School Board meeting
 - 2. **Public comment:** There was an opportunity for public comment. None were made
- a. ***VOTE***
- b. ***Yeses:*** *P. Smith, J. Mark, M. Diaz, M. Rinnert*
 - c. ***No's:*** none
 - d. ***Abstentions:*** *M. Polansky*
 - e. ***MOTION PASSES: 4-0-1***

IV. Educational Programs Reports

- 1. A. Cox presented her board report for the preschool program.
- a. P. Smith offered a board liaison to an educational administration meeting that A. Cox is a part of.
- b. P. Smith requested information about the process of filling enrollment through due process.

V. Board Committee Reports

- 1. M. Rinnert spoke about the DOD Ad-Hoc committee.
- a. There was a discussion about the progress M. Rinnert has made and he expressed that he is ready to move forward with creating the position.

VI. Adjournment: The next meeting will be on December 6th 2022 and January's meeting will be on the second Tuesday of the month.

- 1. **M/S/P Motion** (P. Smith) to adjourn the CHIME Institute Board meeting.
 - 2. **Public comment:** There was an opportunity for public comment. None were made
- a. ***VOTE***
- b. ***Yeses:*** *P. Smith, J. Mark, M. Polansky, M. Aguilar, M. Rinnert*

- c. *No's:* none
- d. *Abstentions:*,none
- e. ***MOTION PASSES: 5-0-0***