

Minutes
Clark County School District
Meeting of the Board of School Trustees
Edward A. Greer Education Center, Board Room
2832 East Flamingo Road, Las Vegas, Nevada 89121

Work Session

Wednesday, July 7, 2021

8:09 a.m.

Roll Call: Members Present
Linda P. Cavazos, President
Irene Cepeda, Vice President
Evelyn Garcia Morales, Clerk
Lola Brooks, Member
Danielle Ford, Member
Lisa Guzmán, Member
Katie Williams, Member

Jesus F. Jara, Ed.D., Superintendent of Schools

Also present were: Mary-Anne Miller, Board Counsel, District Attorney's Office; Luke Puschnig, General Counsel, Office of the General Counsel; Joe Caruso, Special Assistant to the Superintendent/Liaison to the Board of Trustees, Community Services Department, Office of the Superintendent; Elizabeth Carrero, Executive Manager/Director II, Office of the Superintendent; Cindy Krohn, Director, Board Office; Jeanetta Edmond, Administrative Secretary II, Board Office; and Dr. Thomas Alsbury, Balanced Governance Solutions™.

Videoconference Call Connected

Videoconference call with Dr. Alsbury was connected at 8:09 a.m.

Adoption of the Agenda

Adopt agenda.

Motion: Brooks Second: Guzmán Vote: Unanimous

Trustee Cepeda and Trustee Ford were not present for the vote.

Teleconference Call Connected

Teleconference call with Trustee Cepeda was connected at 8:10 a.m.

Public Comment on Non-Agenda Items

In-person public comment:

Sarah Comroe shared that her mother died of colorectal cancer at a young age. She stated that due to the genetics tied to early onset stage 4 colorectal cancer in women, she should get colonoscopy every three to five years and but because of last minute changes to her health insurance, she was unable to get this vital screening. She said the advance approved to help the Teachers Health Trust (THT) only put a Band-Aid on a gaping wound.

Jamie Tadrzynski spoke about the last-minute changes to the THT insurance and how that caused havoc with teachers and providers trying to confirm coverage and appointments. She said she has lost six doctors due to non-payment by THT, and she shared the stress she has endured at times because her medication was denied because of THT, and she said without insulin she would die. She said these issues with THT are going to cause more teachers to leave the District.

Voice-recorded public comment:

Regina Jennings said she is opposed to any teachings of critical race theory (CRT) in the school district and said she would not be voting to reelect any Board member who takes the District in that direction.

Mrs. Krohn provided a summary of the written comments submitted, as follows:

A backup First Aid Safety Assistant (FASA) wrote to say thank you for the chance to work during June and for the \$400.00 stipend that was provided to the FASA backups.

The Ministers Alliance Association of Southern Nevada expressed several concerns and issues, some of which include having a limited number of African American males appointed to principal leadership; a limited amount of African American teachers; and the overinclusion of young African American and Latino male students in suspensions, referrals, required parent conferences (RPCs) out of school who are still sent to behavior schools feeding the school-to-prison pipeline. In addition, they asked what the plan is to correct the disparities for the African American community, especially Historic West Las Vegas.

Approve Reappointment of Members to the Audit Advisory Committee

Approval to reappoint Eric Bashaw, Elise Lavonne Lewis, and B. Keith Rogers to the Audit Advisory Committee for an additional two-year term commencing July 1, 2021, through June 30, 2023, as recommended.

Motion to approve.

Motion: Brooks Second: Guzmán Vote: Unanimous

Trustee Ford was not present for the vote.

Approve Public Comment at Board Meetings

Approval on how public comment is currently conducted at virtual and in-person meetings of the Board of School Trustees.

Public Hearing

In-person public comment:

Robert Cowles said when the Board was holding virtual meetings because of the pandemic, there were many Open Meeting Law (OML) violations because public comment was not held properly or at all. He said he wants to make sure that the Board hears from people before they vote or make decisions. He said there were some ideas about how to accommodate people who could not attend the meetings in person before the pandemic.

Sarah Comroe talked about what happened with regard to public comment during the previous meeting, which she said could only be described as the epitome of systemic racism and overall bigotry. She said none of the Board members said or did anything about it. She said an investigation needs to occur but not by the police officers who were present but did not act. She said there also needs to be a change in what can be said during public comment and how it is conducted.

Jamie Tadrzynski said during the previous meeting, her sister spoke during public comment and a man in the audience physically threatened her. She said the officer that was standing nearby chuckled at this threat but when her sister asked the officer if he was going to do something, the officer said he could make her leave. She talked about the many negative comments and insults she heard that evening. She said what took place at that meeting should never be allowed.

Mrs. Krohn provided a summary of the written comments submitted, as follows:

A writer wrote about being personally attacked by a speaker during public comment two months ago and expressed concern with speakers who attacked individual leaders in the community. They asked that the Board put procedures in place that would cut off speakers who engage in personal attacks of private citizens as one way to ensure CCSD meetings are civil and about the business of children's education.

Mi Familia Vota wrote about their concerns and safety with the environment at Board meetings. They said Board meetings should be occasions where Trustees, as public officials, truly listen to what is best for students and their families. They asked that procedures be put in place so there is no bullying, jeering, or insults.

Trustee Williams stated that the Board needs to be firm on the time limits set for public comment and be consistent and fair by allowing each person the same amount of time. She suggested in the interest of fairness that all Board members be allowed to cut off a speaker if they are continuing to speak beyond the allotted time.

Approve Public Comment at Board Meetings (continued)

Trustee Guzmán asked about receiving public comment in real time in a manner similar to that of the legislature and about being able to prevent the voice-recorded comments and the written public comments from being duplicative.

Board Member Arrives

Trustee Ford arrived at the Board meeting at 8:28 a.m.

Approve Public Comment at Board Meetings (continued)

Trustee Brooks agreed with Trustee Williams' comments that they have to be consistent and they have to be fair. She said everyone should be given the same amount of time to speak, and Trustee Cavazos, as the Board President, needs to enforce this and express it verbally. She said with regard to public comment on agenda items, in the past public comment followed the presentation, which allowed people to have more information before speaking. She advised that the Board hear public comment at that time and then close public comment for that item.

Trustee Brooks said she thought the Board would explore the suggestion made by Trustee Guzmán for live call-in comments. She stated that since Ms. Miller advised that written public comments no longer had to be read into the record and the public comment procedures being followed currently are not in line with the Board's written policies, Trustee Cavazos could change them back to what they were at any time with the addition of live call-in comments.

Trustee Ford agreed with being fair and consistent but said the way it has been managed has not been successful for the past several years. She suggested that the Board should discuss how to best educate the public about how to successfully give public comment; articulate more clearly what is expected at the beginning of public comment during the meetings, perhaps with a script or a public service announcement (PSA); and provide support to help people give public comment.

Trustee Ford suggested continuing with the times allowed for public comment as is currently in policy beginning at tomorrow's meeting and later consider changing in the policy the amount of time allowed for multiple consent agenda items to five or six minutes and two minutes for non-agenda and agenda items.

Trustee Cavazos noted the time limits had been changed due to accommodations made in response to the pandemic and asked if it would be possible to return to the previous procedures without notice.

Ms. Miller said Trustee Ford's suggestions could not begin tomorrow and would have to be first brought forward on a posted agenda in the future. She clarified that the Board does not have to change their policy in order to change their practice and said it simply has to be placed on a posted agenda.

Approve Public Comment at Board Meetings (continued)

Trustee Garcia Morales suggested that it may be beneficial for the Trustees and for individuals providing public comment if the Board President read the public comment guidelines at the beginning of each meeting as stated in GP-11: Public Comment. She said also letting people know what the green, yellow, and red lights mean would be helpful. She said she also believes it is essential to be clear about who is responsible for facilitating the meeting.

Trustee Cepeda said the Board is not always able to hear what is being said in the audience, and she requested that a staff member pay attention to what is happening in the audience. She agreed with trying to stop the duplicate messages. She said she is concerned with comments being directed at other audience members and wondered if there was a warning system that could be implemented.

Trustee Cavazos agreed with Trustee Brooks that she has the authority and the responsibility of directing police officers during a meeting. Regarding the previous meeting, she said she later asked and was informed that she would have had to tell the officers specifically who she wanted removed from the meeting. She agreed with Trustee Cepeda that the Trustees could not hear the comments that were being made in the audience, so she said she would have to figure out how to address that issue. She suggested that the Board figure out a way to incorporate a statement which says personal attacks against the Board and abusive or offensive comments will not be tolerated.

There was further discussion around the time limits for public comment period on non-agenda items as well as for individual public comments on agenda and consent agenda items.

Motion to revert back to the Board's formerly adopted policies. Moving forward, explore ways to be innovating, requesting that Mr. Caruso research options on alternative methods for public comment and present them at an Officers Meeting. The officers would present a solution to the full Board at a following meeting.

Motion: Brooks Second: Guzmán

Trustee Cavazos asked if the maker and second of the motion would consider included Ms. Miller in the motion.

Trustee Brooks stated that Mr. Caruso would consult with Ms. Miller and did not feel it needed to be part of the motion.

Trustee Guzmán agreed.

Vote on Trustee Brooks' motion was unanimous.

Board Review of the Clark County School District Board of Trustees' Governance Policy GP-9: Meeting Planning

Discussion and possible action regarding suggestions for future modifications, additions, language changes, and deletions to, GP-09: Meeting Planning, is requested. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Public Hearing

Mrs. Krohn provided a summary of the written comments submitted, as follows:

A written comment was received for Items 3.03, 3.04, 3.05, 3.06, 3.07, 3.08, and 3.09

The Ministers Alliance Association of Southern Nevada is concerned that the Balanced Governance™ model used by the School Board is showing no effective results with the Superintendent, Trustees, schools, or communities. They feel communities are now unwelcomed, shut down and have no voice in partnering with the education of students.

Trustee Cavazos stated that as the Board reviews the policies, if clarification is needed on any of the items the Board has already worked on, that could be done at this time.

There was some discussion around the process for revision, review and adoption of the policies.

Dr. Alsbury noted that as was shared during the planning meeting, some minor language changes in some of the policies might be necessary to make it more specific to the District. He stated that in his opinion modifications such as these would not change the intent or the content of the policy, but would simply be making the language more accurate. He said in order to make those changes, he would like a conference with Mr. Caruso and the Superintendent or his designee and said the Board President or officers could be part of that as well.

Trustee Cavazos asked if Superintendent Jara would want to attend that meeting or select a designee.

Superintendent Jara said he had full confidence in Mr. Caruso to be able to complete the work.

There was some discussion on clarification of the differences between Balanced Governance™ policies and Focus: 2024 with regard to language and timelines.

Trustee Ford said none of the policies the Board has worked on with Dr. Alsbury have been adopted or implemented, so she said she believes there is a misconception that the Board is operating under Balanced Governance™. She questioned the delay in bringing these policies forward and said she would like an explanation.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
GP-9: Meeting Planning (continued)**

Superintendent Jara said he was simply not copied on the emails and did not receive the policies. He said he did instruct Mr. Caruso not to work on the policies given the allegations that were brought forth previously.

Trustee Brooks suggested that if the Board President worked more closely with the Board Liaison to get this process back on track, the Board could go through the policies and figure out which of them have come forward as a Notice of Intent previously and approve it.

Trustee Ford discussed the timeline in the development and revision of the policies and stated that if the Board is voting on these policies, she would not be voting on two of them. She asked what the format of the completed policies would look like because GP-09: Meeting Planning and GP-10: Construction of the Agenda look different than the other policies and look different than they did in December.

Mr. Caruso explained the current format and the colors used for distinction in the draft policies.

Teleconference Call Disconnected

Teleconference call with Trustee Cepeda was disconnected at 9:55 a.m.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
GP-9: Meeting Planning (continued)**

Trustee Ford discussed what the process should be for reviewing and approving the revisions being presented here.

There was further discussion and clarification of the process moving forward on adopting the draft policies on today's agenda.

Trustee Brooks stated that she does not have additional feedback for GP-09: Meeting Planning.

Trustee Williams stated that she does not have additional feedback for GP-09: Meeting Planning.

Trustee Williams asked Trustee Cavazos to make a statement that the Trustees will not mistreat staff, that they will respect staff, so that Board members understand that how they behave reflects on the entire District, not just themselves.

Trustee Cavazos said she will not do that because she believes Trustee Williams is directing her statement at Trustee Ford in particular and not at all the Trustees.

Trustee Garcia Morales said she does not have any additional input or questions on GP-09: Meeting Planning.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
GP-9: Meeting Planning (continued)**

Superintendent Jara asked that Mrs. Krohn and Ms. Carrero be made aware of any technical changes in policy.

Trustee Ford suggested that they revert back to the language given to them on December 2, 2020, shown in Reference 3.03 (H).

Trustee Brooks noted that it is the consensus of the Board that this policy and would come back unchanged as a Notice of Intent.

No action was taken on this item.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
GP-10: Construction of the Agenda**

Discussion and possible action regarding suggestions for future modifications, additions, language changes, and deletions to, GP-10: Construction of the Agenda, is requested. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Trustee Ford stated as in the previous item, she does not believe the language here was the original language given to the Board on December 2, 2020, Reference 3.03 (H), and said she would like to revert back to the original language. She said she does not support this policy as presented.

Trustee Garcia Morales said she did not have any questions or need for clarification for GP-10: Construction of the Agenda and said she is in support of this item.

Trustee Brooks agreed with Trustee Garcia Morales.

Trustee Williams also stated that she did not have any questions on this policy.

Superintendent Jara asked again that Mrs. Krohn and Ms. Carrero be included on any revisions.

Trustee Brooks noted that the consensus of the Board is that no changes are required for GP-10: Construction of the Agenda and this policy could move forward with the exception of changes that come from the Board Office to ensure the language is in line with CCSD practices.

No action was taken on this item.

Board Review of Proposed Board Governance Policy Board Public Communication

Discussion and possible action on the review of a proposed Board Governance Policy, Board Public Communication, for the Clark County School District Board of Trustees, is requested. By direction of the Board, any recommendations made at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Public Hearing

In-person public comment:

Anna Binder recognized that Trustee Cavazos took responsibility for what took place at the previous Board meeting quickly and publically and commended her for doing so. Regarding Item 3.02, she said people are questioning how this Board, who represents one of the largest school districts in the nation, could limit public comment. She mentioned the deletion of "Community Engagement Event" in Item 3.04. She mentioned some items she agreed with in Item 3.05.

Sarah Comroe referred to the first paragraph under "Handling Complaints" in Reference 3.05, page 1 of 4, and said it was interesting that the Board was talking earlier about attacks on staff from the Trustee who has regularly attacked teachers on Twitter. She noted "meeting" should say "media" under "Use of Email and Social Media," number 2, page 2 of 4. She referenced number 4 on page 2 of 4 and asked how these policies are being enforced. She said there are Trustees tweeting during this meeting and there are Trustees who have tweeted hateful comments about teachers during meetings.

Trustee Ford said this is a good start to a communications policy and suggested bringing this policy back three months after it is implemented for review.

Trustee Cavazos agreed with Trustee Ford that this is a good start. She asked Dr. Alsbury if a process for enforcing the parameters around social media use could be included in the policy he has for social media.

Dr. Alsbury said yes, that is something the Board could include in its policy.

Trustee Brooks said she would assume that the Trustees would follow the rules outlined in policy and if they do not, the Board President would take them through the progressive discipline process, document it in writing, and meet with legal counsel.

Trustee Cavazos agreed that would be the process and said that has not always happened.

Trustee Brooks said she does not have any questions on this item.

Trustee Ford asked if any Board members have had training on the policies the Board is reviewing today, and she referenced a transcript of the December 2, 2020, meeting that stated the Board would begin working toward operating within these policies.

Board Review of Proposed Board Governance Policy Board Public Communication (continued)

Trustee Garcia Morales said Trustee Ford's question does not provide clarity of the policy before them and said she is concerned they are getting off track.

Trustee Ford asked if the Trustees were trained on these policies since that was the directive on December 2, 2020.

Trustee Brooks clarified that as the former Board President, the onboarding process was not developed by her, nor provided by her. She said Dr. Alsbury provided the training and Mr. Caruso coordinated it. She said as an incoming Trustee on the same election cycle, she attended also as the Board President to provide input and give context.

Trustee Williams stated she did not have any questions on Item 3.05.

Trustee Brooks noted that it is the consensus of the Board to move forward with a Notice of Intent for this policy and to reflect any changes from the Board Office or Superintendent's Office to ensure compliance with CCSD practices.

No action was taken on this item.

Board Review of Proposed Board Governance Policy Board Report and Progress Monitoring

Discussion and possible action on the review of a proposed Board Governance Policy, Board Report and Progress Monitoring, for the Clark County School District Board of Trustees, is requested. By direction of the Board, any recommendations made at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

There were no questions regarding this policy.

Superintendent Jara said he would ask that Mr. Caruso work with Dr. Alsbury to clarify some language in this policy so that it can be aligned to the District's current procedures, language, and strategic planning.

Trustee Brooks noted that it is the consensus of the Board to move forward with a Notice of Intent for this policy and to reflect any changes from the Board Office or Superintendent's Office to ensure compliance with CCSD practices.

No action was taken on this item.

Board Review of Proposed Board Governance Policy Board Report Content

Discussion and possible action on the review of a proposed Board Governance Policy, Board Report Content, for the Clark County School District Board of Trustees, is requested. By direction of the Board, any recommendations made at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Superintendent Jara stated that number 14, page 2 of 6, Reference 3.07, is operational and should be deleted.

Trustee Guzmán suggested changing the language to say that the Trustees would receive the survey along with others so that when they are presented with survey results, they would have had the opportunity to preview what had been asked.

Trustee Brooks said there needs to be a balance between the Trustees being able to review and provide feedback on the survey while recognizing that collecting the information is operational. She said she would prefer that the language be modified to recognize both of those issues.

Trustee Cavazos wondered if the surveys could be shared with the Trustees through other modes of communication.

Superintendent Jara said staff does have a process for sharing surveys with the Trustees but said there have been times when the information gets to the media before it gets to schools. He said he would be willing to continue sending the surveys to the Trustees, but he cautioned that if a Trustee wants to change something on the survey, that might not be possible.

Trustee Brooks noted that it is the consensus of the Board to move forward with a Notice of Intent for this policy with changes to item number 14 which would reflect the input given on that item here and any changes from the Board Office or Superintendent's Office to ensure compliance with CCSD practices.

No action was taken on this item.

Board Review of Proposed Board Governance Policy Board Report Vetting

Discussion and possible action on the review of a proposed Board Governance Policy, Board Report Vetting, for the Clark County School District Board of Trustees, is requested. By direction of the Board, any recommendations made at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

There were no questions on this item. Trustees agreed to move forward with this policy.

Superintendent Jara noted that in the proposed policy "Board directors" should be "Board of Trustees."

Board Review of Proposed Board Governance Policy Board Report Vetting (continued)

No action was taken on this item.

Board Review of Proposed Board Governance Policy Board Report Schedule

Discussion and possible action on the review of a proposed Board Governance Policy, Board Report Schedule, for the Clark County School District Board of Trustees, is requested. By direction of the Board, any recommendations made at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Mr. Caruso briefly reviewed the proposed policy.

Trustee Brooks said the formative report calendar language is specific to Focus: 2024, and she asked how that could be changed if necessary without the Board having to spend an exorbitant amount of time editing the policy in February.

Dr. Alsbury recommended including the specific document created by staff in this policy and including language that states that the reporting calendar would be replaced if it were modified or changed by a majority vote of the Board and once approved, the document would simply be replaced in the policy.

Ms. Miller said she did not have any objections to the procedure suggested by Dr. Alsbury.

Superintendent Jara said he was thinking that with a five-year plan in place, perhaps in February the Board could have the opportunity to prioritize the goals or efforts or the strategies of the District without changing the reporting.

Trustee Brooks suggested language such as, "In February we will determine what will be prioritized" in bold print.

Trustee Ford indicated that there are probably other areas throughout the policies where Dr. Alsbury's suggestion could be applied. She suggested that these types of documents could be reviewed annually and would auto-update in January and any changes would be reflected in policy and brought to the Board before February.

Trustee Brooks clarified that it is the consensus of the Board to move forward with the policy, working with staff from the Board Office and the Superintendent's Office to make technical changes to ensure compliance with CCSD practices.

No action was taken on this item.

Approve Item for Reconsideration

Approval on a motion to reconsider the following agenda item from the June 10, 2021, Clark County School District Regular Board Meeting, Item 5.10 Board Counsel Candidate, Review, discussion, and possible action of the three Board Counsel Candidate applications.

Public Hearing

In-person public comment:

Sarah Comroe stated that legal counsel previously selected by the Board has ties to Power2Parent. She said this is a conflict of interest, and the newly selected Board counsel should be eliminated. She said the law firm should have disclosed their connection to Power2Parent.

Jamie Tadrzynski said she is disappointed because she previously spoke in favor of Holley Driggs as the best candidate and now it is known that Holley Driggs is connected to Power2Parent, which is definitely a conflict of interest. She talked about Power2Parent's actions against teachers. She said it is an ethical issue that Holley Driggs did not disclose their relationship to Power2Parent.

Anna Binder said when there is an organization who constantly attacks and works to dismantle public education, it should be alarming to the entire Board and everyone should be looking at their relationships.

Mrs. Krohn provided a summary of the written comments submitted, as follows:

A writer stated that nothing is more important to the proper functioning of the Board than to have a competent attorney who appears to be impartial. They expressed concern with a potential conflict with the Holley Driggs law firm and said the Board has not signed a contract with the firm and that there is still time to consider the potential conflict of interest. In addition, they wrote that the other two law firms that applied for the position are competent and would be in a better position to reinforce the idea that the CCSD Board is supported by unbiased, competent legal counsel.

Trustee Williams stated law firms cannot legally disclose their entire client list. She said she does not believe there will be a set of candidates who do not have some coexisting relationship within Clark County. She said the entire Board voted for this firm.

Trustee Guzmán wondered if anyone had contacted Holley Driggs to ask if the firm was aware of the concern and whether they had something in place to combat it while providing services to the Board. She said she could not find a connection between the Holley Driggs staff assigned to assist the Board and Power2Parent.

Ms. Miller stated that the Holley Driggs firm reached out after seeing the information on Twitter and indicated that they were unaware that a former partner conducted some organizational legal work and acted as a resident agent for Power2Parent and stated that they would not have any contact with the organization in the future. She added that while conducting the organizational legal work, the firm did not receive any confidential or strategic information that would present a conflict of interest.

Approve Item for Reconsideration (continued)

Trustee Cavazos noted that in an email Ms. Miller forwarded to her, it stated that if there was an appearance of conflict, Holley Driggs would be willing to resign that position. She said after consulting with Ms. Miller, she reached out to the firm and contacted Donna DiMaggio who said she was not aware of the organization, only that they were the resident agent. She said Ms. DiMaggio informed her that the retainer agreement had been sent to Ms. Miller very recently. She said Ms. DiMaggio stated that the only connection to Power2Parent she was aware of was with a former attorney of the firm.

Trustee Cavazos said shortly after their telephone conversation, Ms. DiMaggio contacted her by text message to inform her that former Holley Driggs attorney, Bryce Earl, was the person who set up the resident agent; that he was indeed related to Deborah Earl, co-founder of Power2Parent; and that he was no longer an active member of the firm but is a shareholder in Holley Driggs.

Ms. Miller stated that in the retainer agreement sent to her, Holley Driggs included language which states the firm will not represent a client whose position may be adverse to the Board without obtaining the Board's written consent in accordance with Nevada Rules of Professional Conduct.

Trustee Ford said she does not believe anything malevolent took place but that it is an unfortunate circumstance and said she does not think there is a conflict except in the fact that Bryce Earl is a shareholder. She said she feels it is worth it to move on from this choice, which is unfortunate. She said she believes the Board also has a responsibility to avoid the perception of conflicts of interest.

Motion to reconsider.

Motion: Ford Second: Brooks

Trustee Cavazos said she asked Ms. DiMaggio why the firm did not disclose the connection, and Ms. DiMaggio stated that in their search for a conflict, if the firm does not determine that there is a conflict of interest, they do not deem it necessary to disclose the information.

Trustee Brooks said she believes all of the firms would have a conflict or potential conflict given the nature of this community, which is why she has been adamant about the district attorney's office and Mr. Puschnig supporting the Board.

Vote on Trustee Ford's motion: Yeses – 5 (Brooks, Cavazos, Ford, Garcia Morales, Guzmán);

No – 1 (Williams)

The motion passed.

Trustee Cepeda was not present for the vote.

Board Member Leaves

Trustee Brooks left the dais at 11:43 a.m.

Approve Board Counsel Candidate Review

Approval of the three Board Counsel Candidate applications.

Trustee Ford wondered if the Board should consider the firm that was the second preference of the Board according to the rubric. She said it is very important to her that the Board have a law firm with multiple resources available to the Board and flexibility in their schedule.

Motion to approve Spencer Fane as the new Board counsel.

Motion: Ford Second: Guzmán

Board Member Returns

Trustee Brooks returned to the dais at 11:46 a.m.

Approve Board Counsel Candidate Review (continued)

Trustee Williams suggested the Board use CCSD General Counsel for a short time until they revisit this. She did not agree with spending the money on an outside firm, especially if the community was going to find something wrong with every firm the Board chooses.

Trustee Garcia Morales said she would like the Board to take more time to discuss this item. She said she would like to consider being supported through the district attorney's office because conflicts of interest will be found with any outside firm.

Trustee Cavazos said she believes it is a conflict of interest to have CCSD General Counsel as the Board counsel. She said she is not in favor of tabling this item either.

Trustee Brooks said she has similar concerns with the remaining candidates but said she also has concerns that none of the firms that applied had adequate experience in governance practice. She said the district attorney is legally required to provide counsel for the Board. She said she is not in support of an outside firm because of the cost associated with that when the Board could have that support for free.

Motion to hold Item 3.11.

Motion: Garcia Morales Second: Williams

Trustee Ford asked for clarification of when this would be brought back.

Trustee Garcia Morales clarified her motion to hold Item 3.11 until the next Board work session.

Trustee Cavazos asked how Item 3.10 impacts the status of the firm the Board previously selected.

Ms. Miller stated that the successful motion to reconsider vacated the Board's previous decision to hire Holley Driggs.

Approve Board Counsel Candidate Review (continued)

Trustee Ford said if the consensus of the Board is to hold the item, she will support the motion.

Vote on Trustee Garcia Morales's motion: Yeses – 5 (Brooks, Ford, Garcia Morales, Guzmán, Williams); No – 1 (Cavazos)

The motion passed.

Trustee Cepeda was not present for the vote.

Upcoming Meeting of the Board of Trustees – Thursday, July 8, 2021, 5:00 p.m.

Trustee Cavazos stated the upcoming meeting would be held in the boardroom.

Public Comment on Non-Agenda Items

None.

Adjourn: 12:01 p.m.

Motion: Garcia Morales Second: Williams vote: Unanimous

Trustee Cepeda was not present for the vote.