

AGENDA

REGULAR MEETING OF THE BOARD OF TRUSTEES

Conference Room

April 3, 2019

5:00 p.m.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the administration office at (951) 849-3192. Notification 72 hours prior to the meeting will enable the library to make reasonable arrangements to ensure accessibility to this meeting.

1. **Open Session/Call to order**— 5:00 p.m.
2. **Pledge of Allegiance**— Kathy Little, Board President
3. **Roll Call/Establishment of Quorum**
4. **Community Comment**

4.1 Report from the Friends of the Banning Library *Verbal*

PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD—A five-minute limitation shall apply to each member of the public who wishes to address the Library Trustees on any matter under the subject jurisdiction of the Trustees. A thirty-minute limit is placed on this section. No member of the public shall be permitted to “Share” his or her five minutes with any other member of the public. (Usually, any items received under this heading are referred to staff for future study, or research, completion and or future action by the trustees.)

5. **Consent Calendar**

Items on the Consent Calendar are not discussed individually but are approved as a group with a single motion. The President may remove an item from the Consent Calendar for separate discussion upon request by a Trustee or member of the public wishing to speak on a specific item on the Consent Calendar. If an item is pulled, it shall be considered after the remaining items on the Consent Calendar items are voted upon.

- 5.1 Adopt minutes of the Special Board Meeting: January 9, 2019 *Attached*
- 5.2 Adopt minutes of the Special Board Meeting: February 20, 2019 *Attached*
- 5.3 Adopt minutes of the Regular Board Meeting: March 6, 2019 *Attached*

- 5.4 Adopt minutes of the Special Board Meeting: March 20, 2019 *Attached*
- 5.5 Recommendation to accept the Lunch at the Library grant of \$2,500 *Exhibit 5.5*

6. Discussion/Action

- 6.1 First Reading: Recommendation to approve Budget Plan for FY 2019-2020 *Exhibit 6.1*
- 6.2 Recommendation to discuss and approve \$10,183 for Commercial Package Property & General Liability; and \$1,590 for Directors & Officers Liability *Exhibit 6.2*
- 6.3 First Reading: Job Description for Library Administrator, Creation of Policy No. 2015 after Second Reading *Exhibit 6.3*
- 6.4 First Reading: Job Description for Historian, Creation of Policy No. 2067 after Second Reading *Exhibit 6.4*
- 6.5 First Reading: Development of a Fee for Rental of Library Space(s) by for Profit, Non-profit Organizations and Private Individuals *Exhibit 6.5*
- 6.6 Discussion: Install a Flagpole in front of the Library *Exhibit 6.6*
- 6.7 Appointment of Interim Director and Setting Differential Compensation *Exhibit 6.7*
- 6.8 Discussion of October 10, 2019 Special Meeting minute *Verbal*

7. Interim Director's Report

The Library Administration is encouraged to report on items of information to the Board, as well as provide information about conferences or meetings they have attended. Other items, which may be added to the agenda of a future meeting, may be presented at this time but cannot be commented upon or discussed at this meeting. (Reference: *The Ralph M. Brown Act*)

8. Board Member Comments

Board members are encouraged to report on items of information not requiring comment or discussion to the entire body at this time. (*Reference: The Ralph M. Brown Act*)

9. Last Minute Action Items

The Board may discuss an item, which was not previously placed on the agenda when the Board determines that there is a need for immediate action which cannot reasonably wait for the next regularly scheduled meeting. The determination must be made by two-thirds of the total Board or, if two-thirds of the Board is not present, by a unanimous vote of those remaining. (*Reference: The Ralph M. Brown Act*)

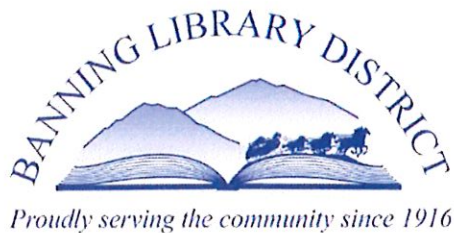
10. Pending Items for Next Meeting

- Development of Emergency/Disaster Evacuation Plan
- Discussion of CIPA and E-Rate funding
- Proposal for Roofing Project
- Hiring of a Librarian, Library Assistant, and Historian
- ~~Development of a Fee for Rental of Library Space(s) by for Profit Organizations and Private Individuals~~
- ~~Maximum Occupant Load/Capacity Signs Posted~~
- ~~CA Equal Restroom Access Act for restrooms~~
- ~~Asphalt and Paving Construction on Northside of Library Entrance~~

11. Next Regular Board Meeting

May 1, 2019

12. Adjournment



21 West Nicolet Street
Banning, CA 92220
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MINUTES

SPECIAL MEETING OF THE BOARD OF TRUSTEES
Wednesday – January 9, 2019 – 4:00 P.M.
Banning Library Conference Room
21 W. Nicolet
Banning, CA 92220

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1. **Open Session – Call to Order** 4:01 P.M. Kathy Little

2. **Pledge of Allegiance**

3. **Roll Call and Establishment of Quorum**

Board Present: K. Little, W. Ayo-Thompson, L. Cousar, A. Geronimo, M.Lara
Staff Present: Eddie Duque-Interim Director, Andrew Jared-General Counsel

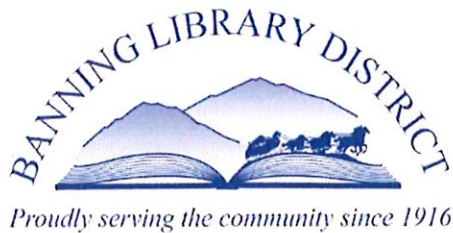
4. **Community Comment**

Mary Sartin disagreed with the wordage under Item 6.1 in the January 2, 2019 Agenda. It said appointment of Library Director rather than review of Library Director. She said she had planned to stay until the end of the Closed Session and asked if there would be a report. She requested documentation of what transpired during the Closed Session.

Gloria Bell said she was happy about the new Trustees, starting anew, and going forward. She hoped they could better the Library. She suggested they read all the past Agendas and Minutes from the last few years. She cited code 54957 saying she understood it to mean what transpired at the last meeting instead of employee appointment. She requested a copy of the Closed Session report citing the Brown Act about full disclosure of closed sessions. She asked if she could comment outside the Agenda. Little answered that the purpose of this Special Meeting was for the new Board to get up and running on the Brown Act and the process of running future meetings.

Gae Rusk, Vice President of the Friends of the Library had a few recommendations and wanted to know if she could only talk about the Brown Act at this meeting. Jared, Legal Counsel answered that in a Special Meeting the Agenda has to be adhered. She stated that the Library was in a crisis, and to remember that the different entities need to work together which has been severely lacking. She announced an upcoming Event in April in which the new Board Members, Staff, FOL and the public could introduce themselves.

Frank Burgess wanted to know if this was a new rule about being only to comment on Agenda Items. It was his understanding that at a public meeting, the public could discuss things not on the Agenda. He commented that at the January 2, 2019 meeting he found Last Minute Action Item 12 to be



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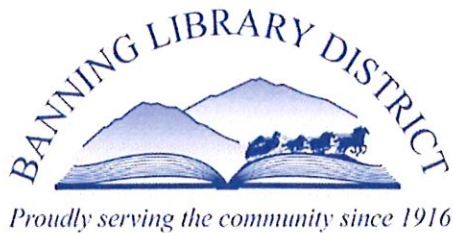
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dangerous, because of the tendency to leave an item off the Agenda, only to have the Director spring something new on the Board, and then be able to vote on it. He spoke of the time when a previous Library Director and the Banning City Council refused to support the Cabazon Library and the County took over it. In doing so, the Library has lost \$240-250,000 in revenue every year and perhaps \$300,000 these days with the property taxes coming in. He was concerned that something illegal had occurred by the County under the LAFCO program as three of their Board Members had the same Cabazon addresses and wanted the Library to go to Riverside County Supervisor District. At one point, the Library Board had been working on the design of the new Cabazon Library with the County. Then they lost it.

Jared addressed some of the public comments. He explained that Item 6.1 was to discuss the Munitemp agreement and going forward with hiring a permanent Director. He confirmed that the right code was chosen for that discussion. He explained that Closed Session was usually prior to the regular meeting, then that Item is reported on at that meeting or a subsequent meeting. Since tonight's meeting was to be about learning the Brown Act, he had suggested Closed Meeting be at the end in that it could take longer than the usual thirty minutes. Jared clarified that it had been a state law for quite some time that at a regular meeting the public can comment on anything related to the District. At a special meeting the public discussion is limited to only the items on the Agenda. He promised there would be a report out at the end of the Special Meeting. Jared thought LAFCO was beyond the scope of the meeting for that evening.

Since April 2015 Andrew Jared has been the Legal Counsel for the Banning Library District. He presented the Brown Act and Parliamentary Procedures. The purpose of the presentation was to familiarize the new Board Members with the laws, be able to see issues, and know when to ask questions. At times, an issue will come up, and he encouraged the members to call him to talk through it. He reminded the Board that they still had to take the AB1234 training online, and repeated every two year while in office. The training has to do with Ethic Laws from the California Fair Political Practices Commission. Board members will receive a certificate upon completion. Also, 700 Forms on the FPPC website are due annually by April 2, from each Board member. The 700 forms attempt to identify that an individual's financial interests are within the boundaries of the District, verifying they do not have a business which will profit from being on the Board. The late fee for not filing the form is \$10.00 a day.

The Brown Act is a government transparency/government fair process practice to ensure that business is conducted in open meetings that have been publicized. There must be an opportunity for the public to speak. It protects against Board members having any financial gain, not subject to bribery, and revolving door situations whereas Board members could become employees of an agency once their term is up. The Brown Acts purpose is for the public to be treated in a fair manner. There are transparency laws as in open public meetings that are assessable to all (EDA approved), the Agenda posted at the place of the meeting, 72 hours before the actual meeting, as well as on the Library's website, the press and given to anyone who asks. Special meetings are to be posted 24 hours before actual meeting. An emergency meeting can be called an hour before the actual meeting. The exception are Closed sessions which deal with personnel issues, lawsuits and property negotiations. All closed sessions must be at the posted agenda location, and within a regular scheduled meeting. All meetings are to take place within the boundaries of the district.



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The Banning District Library is separate and independent from any other agency – not a subset of the school district or city. Its boundaries go beyond city boundaries. If its territory expands or is taken away it must be done through LAFCO.

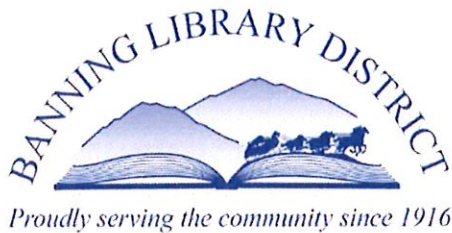
Decisions can only take action when the majority of the Board (3) vote yay or nay on an item. To start a meeting there has to be three Board members present. Two out of three members can give direction but it takes three members to take formal action. It is the Boards direction that the staff takes. Trustees can only discuss issues at open meetings. Board members cannot talk about Board issues outside of a meeting, nor can they talk about a specific item on the Agenda, or communicate via an email on an item. All email accounts of Board members are public records. The public can request email documents that deal with the interest of the District. Quorum and decisions can take action only through a majority (3 members). Direction can occur with 2 out of 3 members. Secret ballots are prohibited but votes can be kept secret until the voting is complete. All members must vote at the same time. The public has the right to record a meeting unless it interferes with the meeting. Rebroadcasting of the meeting is not prohibited. There is to be no discussion of items on the Agenda with the exception of staff providing clarification, and/or requesting an item for a future agenda. In order to add an emergency action that was not anticipated upon the public posting of the Agenda, it must be a true emergency or something that requires immediate action. Serial meetings are prohibited and need to be avoided. The public does not have to give their last names or addresses when making statements during community comments.

A public meeting is when the majority of the Board come together at the same place and same time to discuss and deliberate items on the Agenda. Board members can talk to each other outside the meeting, but may not make a collective consensus about an issue that is before the Board. A Brown Act violation would be members talking before a meeting about an item on the Agenda.

What is NOT a meeting is a conversation with the public about an item on the Agenda, communicating with staff or legal counsel, attendance at other public meetings, attending social or ceremonial functions, conferences and seminars or other training venues. Individual members cannot talk to another member about an Agenda item. There can be Standing Committees which do research and then report back to the Board. Ad Hoc committees having less than a majority of the Board, also research and report back to the Board. They are not required to do so at a public meeting.

To participate at the meeting there must be the majority of the Board present. Telecommunication conferences (speakerphone) are acceptable. The traveling member must have all the materials available to them, and the Agenda posted at their actual location 72 hours before the open meeting. All votes would have to be in roll call order in this type of situation.

At a regular meeting, any district business may be discussed. There must be a place on the Agenda for the public to speak. The Brown Act prohibits the public from criticizing the Board, consultants or contractors. The Board may not criticize an employee. Employee misconduct needs to be handled in other legal ways than bringing it up at a public meeting. The Board cannot censor the public, but only listen to public comments, with no response.



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Penalties for a Brown Act violation would come down through the Public Integrity Unit which have a DA department, which would file a lawsuit. It would be a misdemeanor, liable up to \$1,000 or even jail time for an egregious situation. The court will typically issue an injunction and ask the Board to stop doing what they are doing. In closed session violations, the meetings would be required to be recorded, a minute's log kept, and the court would review what action was taken.

Jared gave additional resources. The FPPC website primarily deals with ethics. The public may also take the ethics training. The League of California Cities, public 5, has information pertaining to the Brown Act. The Brown Act does change from time to time, and changes can be found on the California Legislative Information website.

Jared asked if there were any questions. Gloria Bell asked who was responsible when the incorrect date or time was printed in the local newspaper. Jared answered that it was the district's responsibility, unless it was a typo, then the press. Gae Rusk asked if the employees were protected, what the procedure is for problematic employees. Jared answered that the discussion would have to be moved to a private venue.

Someone in the audience asked clarification that any item on the open Agenda can be commented on by the public at any time during the meeting, and not just during community comment time. She felt that some items have to be heard before commenting on them. Jared said although this is allowed, it makes for very long meetings.

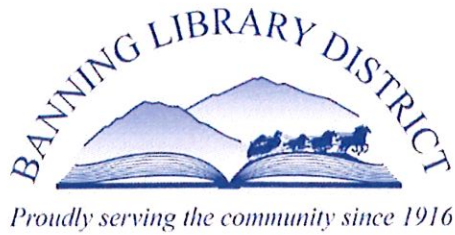
Mary Sartin asked if the Board could create sub committees (Ad Hoc). Jared answered yes, but only for research.

Geronimo asked about serial meetings and how far you can express your opinion. He used the example of the bidding process, but Jared said it is the Director's job to handle bids, unless he is not doing it, then you would give the Director direction, and hold the Director accountable. A report from the Director can be made publically or in person. Geronimo also asked about social media. Jared said it was okay to comment on your own Facebook page as long as you didn't talk about your Board position or issues.

Frank Burgess thought the Board members should be compensated, and asked if that could happen or would it be illegal. Jared said none of the Board members have ever mentioned the idea, and that he'd need to follow up and research the idea. Jared felt they could probably do so, but it would only be applicable for the next Board. Burgess expressed he'd like to see this idea on a future agenda as it would encourage people to serve on the Board.

Gloria Bell asked if it was ok to contact a Board Member to talk to them about a concern or if they had a question. Little answered yes, and they are still setting up their District email addresses.

Mary Sartin voiced that at the January 2nd meeting, the public spoke out about a position that had been terminated, and had never been put on the Agenda. Her question was how do you talk about how wrong that was? Jared answered that it was a personnel matter and should not be talked about in public.



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If the public notices Brown Act violations, they should contact Jared, or the local DA.

Next, Parliamentary procedures were discussed. The President of the Board presides over meetings, and if not available, then the Secretary of the Board presides. There needs to be an Agenda, or an outline, or script about what the meeting is to be about. The Board can rearrange items on the Agenda. Typically the order of the Agenda is an item is called by the President. Staff discuss the item, clarifies comments and answers questions from the Board. The public can comment on the issue. At that time the issue is discussed and debate amongst the Board. A member will make a motion, it will be seconded, and that motion can be debated. Another member can make a substitute motion, it can be seconded, and debated. If that last motion fails, the Board goes with the first motion. Jared said there is a lot more to know about public meetings and he suggested they reference Rosenberg's Rules for Boards and Commissions which are suitable for this type of Board. To make a motion these words need to be spoken "I move to (verb) (do something)". The motion then needs to be seconded and voted on. Three affirmative votes carry the motion.

5. **Adjournment** 6:00 P.M.

6. **Closed Session**

MINUTES

SPECIAL MEETING OF THE BOARD OF TRUSTEES
Wednesday – February 20, 2019 – 6:00 p.m.
Banning Library Conference Room
21 W. Nicolet
Banning, CA 92220

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1. **Open Session – Call to Order** 6:05 P.M. Kathy Little
2. **Pledge of Allegiance**
3. **Roll Call and Establishment of Quorum**
Board Present: Kathy Little, Loretta Cousar, Alejandro Geronimo
Staff Present: Kevin Lee – Interim Director, Andrew Jared – General Counsel
4. **Report from Closed Session**
No report since it had been moved to the end of the Agenda.
5. **Community Comment**
Sean Balingit, President of the San Gorgonio Pass Historical Society, thanked the Board for taking the public concerns seriously and convening this meeting to discuss it.

Mary Sartin called for the reinstatement of Bill Bell. She felt the workshop was a wonderful idea, but premature. If Bill wasn't there to head the workshop, what's to discuss. He knows the inventory and the public doesn't know if it's still intact. Little assured her it was. Mary said it was important that they reinstate Bill for as long as he wanted. She felt that the new Board was not to blame, but that Bill was due an apology. It was important to the integrity of the Board.

Craig W. Van Kirk, a previous longtime Banning resident, reported that he and his wife, had drove 1,000 miles (from Denver) to be at this meeting. They have worked closely with Bill for some years. Six of their relatives were also in the audience that had been coming to the library since they were children. They receive the Banning newspaper every week because they are interested in their beloved home town and library. Craig said they were here to provide support now, tomorrow, long distance, in many ways and many times.

Bill Bell, spoke about how overwhelmed he was at the community support for him and more importantly, for the history collection. He gave a brief history of the historical collection housed at the library. It all began when the Barker family, original pioneers of Banning, established a local history project grant back in the 1970's. It took the library twenty years to decide what to do, so they

contacted Bill to be project coordinator. The bulk of the collection is from the Barker family. He stated that the Library has the most amazing collection throughout the entire Inland Empire, and it has to be kept intact. He added that history happens every day, and needs to be continually documented. Within the Historical Society and the City of Banning, the Library's collection is the foundation of those entities. He has a written proposal he's like to bring before the Board, in a Closed Session, to discuss the possibility of his return. Regardless, he reiterated that the history collection had to be kept intact. He added that he never could imagine so many people thought the collection was as important as he did. He thanked everyone for their support of local history and that preserving local history of the Pass was incredibly important, and with some work, they could make it better.

Gloria Bell thanked the Board for this Special Meeting and all who came in regards to the historical depository. The library has many valuable books that need to be identified and Bill is the only one who can identify them, preserve them and have tagged immediately.

Bernie Howlett thanked Dee-Dee, a woman in the audience, for hauling her family down from Colorado. He felt the historical collection must stay at the library and continue to be kept up, and available to people who are interested. Since Bill knows the collection, he strongly recommended that he be rehired, or something worked out. He mentioned that the State of California has an online archive of more than 300 photos of the city of Banning, and that they could be viewed on the Library's website.

Linda Page, Friends of the Library Secretary, thanked the Board for taking on the responsibility. She reminded everyone that a Special District has to house local history, so they need someone in house that knows the local history. She agreed that the Board should reinstate Bill Bell.

Gae Rusk, Vice President of the Friends of the Library, voiced the public relations damage that was done by Eddie Duque, previous Interim Director. Since his exit, the FOL have been talking up the Library to bring back their trust. She said everyone asks about Bill Bell and she refers it to being the decision of the new Board. She complimented the new Interim Director, Kevin Lee, as being a fountain of good ideas that were workable too.

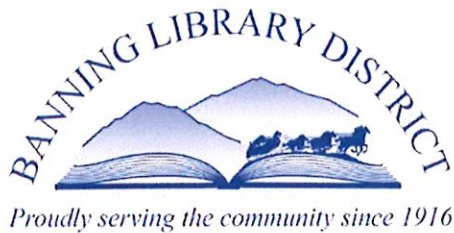
6. Board Items – Discussion/Action

6.1 Study Session – Input from community on Historical collection.

Little hung chart paper with marker pens throughout the room, some with the heading "Ideas" and some with "Concerns" She asked all present to put all their thoughts down.

Laura McGlaughlin, member of the San Geronio Pass Historical Society, read from one of the Ideas chart. It asked for the following:

- More open access to the historical archives
- Plan Pass historical programs for children and teens
- Increase partnering with local historical/heritage groups like Gilman Ranch, Morongo, Beaumont Library, Pass Historical Society, etc. to do educational events and exhibits and pull together to augment one combined collection



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- Monthly postings of Banning's history, families, important people, places, and Banning History Club
- Encourage more families to share their oral or written history, along with old photographs
- Make local history integral to STEM projects and programs
- Post historical questions in the Record Gazette offering a small prize or name mention.

Gloria Bell spoke for another group stating they wanted the collection housed in the back room in the northeast corner of the library that had its own entrances to Library rooms. They asked for an open collection in a roomier area. Other ideas were partnerships with local entities, display of artifacts, increasing the collection, preserving the collection, adding security tags, and identifying valuable books. Lastly, bringing in the schools to get acquainted with Banning's history.

Bernie spoke about the concerns that the collection asking it to stay in the local area, be available to the public with a historical director and the Library staff trained to help patrons utilize it at all times. And Banning Better Bring Bill Bell Back! Bill needs to be reinstated immediately before some of the historical collection is lost. It had been a point of pride that the Library had a historian so knowledgeable.

Little responded to the group, saying that the Board had talked about some of their concerns and assured everyone that the historical collection would stay within the Library, kept safe and dry. She thought some of the ideas were awesome, especially the STEM connection to tie in with the schools. She verified they had a security system in place and the collection would be tagged.

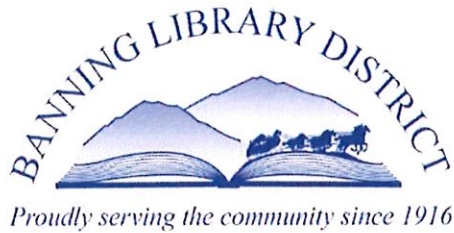
Sean Balingit wanted to add that with all the groups and entities in a community that there was an assumption that historical archives are being preserved, but often that is not the case. There is no single entity doing it. The Banning Library history collection is the best collection in the San Geronio Pass and it needs to be preserved and expanded and used as a platform to continue throughout the Pass and partnership with local entities.

Local History needs to be a component to the educational system in the Pass area. Bill has done a wonderful job cultivating and preserving the present collection, and Sean thanked the Banning Library for being out in front of other entities in doing so. He offered that the Pass Historical Society is willing to co-partner with the Library in any way, getting the collection out to the public, talked about and shared.

Bernie wanted to suggest that people sit down with their elders, talk with them, look through photos before these people pass on and the information was lost.

Little said they would take all the chart pages, organize them, and hoped to talk about a couple of the items at the next Board meeting. She voiced that she liked the idea of working with other entities.

Someone from the audience asked the Board if there was any reason they could not go forward with the space, leak free, security, and cash resources and satisfy the desires of those present. Little answered that it was why they had the meeting tonight so they could gather the information and



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desires of the community, check into square footage of the room they have in mind, look at the budget, so they could build a plan.

Lee, Interim Director, said the plan is to set up the Historical Room out front across from checkout, currently Fernando's office. The room will be locked and locked case installed.

7. **Board Member Comments**

Cousar commented that she was pleased that they have a road map that involved the community, that the Board would look at everything written down, and discuss it.

Geronimo liked the ideas of the worksheets because it brings on brainstorming. His favorite was talking about history which he wanted to do with his family. He had seen a program where the Smithsonian can store CD's for the public on their family history and thought it would be incredible to have something like that at the Library. He felt it was important to preserve the collection, have a historian and make sure Banning's History doesn't escape them. Of number one importance was taking an inventory and cataloging the current collection. Regardless of Bill or someone else, it needs to stay intact for the future before taking on the amazing ideas. The Library needs to get the inventory nailed down.

8. **Closed Session**

8.1 **Employee Appointment – Library Director (Pursuant to Govt. Code Section 54957(b)(1))**

8.2 **Employee Appointment – Interim Library Director (Pursuant to Govt. Code Section 54957(b)(1))**

9. **Adjournment 7:00 P.M.**

MINUTES

MEETING OF THE BOARD OF TRUSTEES
Wednesday, March 6, 2019
Banning Library Conference Room
21 W. Nicolet
Banning, CA 92220

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1. **Closed Session** 4:00 P.M.

- 1.1 Conference with Legal Counsel – Existing Litigation
Butler vs. Banning Library (Pursuant to Govt. Code Section 54956.9(d)(1))
- 1.2 Employee Appointment – Interim Library Director (Pursuant to Govt. Section 54957(b)(1))

2. **Open Session – Call to Order** 5:05 p.m.

Kathy Little

3. **Pledge of Allegiance**

4. **Roll Call and Establishment of Quorum**

Board Present: K. Little, L. Cousar, A. Geronimo, M. Lara
Staff Present: Kevin Lee – Interim Library Director, Andrew Jared – General Counsel

5. **Report from Closed Session**

Andrew Jared, Legal Counsel, addressed the two items discussed during the Closed Session. He reported as follows:

There was a briefing provided by outside counsel with Elizabeth Sutlian-Mardikian from Parker Ibrahim & Berg on Item 1.1. No final action was taken and there is nothing more to report.

Item 1.2 was discussed, no final action taken, nothing further to report. Closed Session ended at 4:58 p.m.

6. **Community Comment**

- 6.1 Report from the Friends of the Banning Library
Gae Rusk, Vice President of the Friends of the Library, started out by saying that the early literacy projects were still in progress with Baby's First Books and Head Start. The "free book" table was coming back to lobby of the library on Fridays. She reminded everyone that the meeting room was always open to look at materials for purchase. She

was proud to announce the upcoming Essay Contest, which was an effort to reconnect with the young adults to bring them back to the library as there has been a disconnect. The FOL is offering cash prizes for the best essays and the winner will be announced at the April meeting. At the last FOL meeting they voted to financially support the Summer Reading Program, with a list that Lee developed. April 12th from 4-6 p.m. is the Meet and Greet, with more information to follow as the time gets closer.

Sue Wan spoke up about a correction needed on the February 6, 2019 minutes, page 3, which used the date October 9, 2019 and it should have been October 9, 2018.

Mary Sartin said she was not angry at the new Board but instead really appreciated them. She said she was not even angry at the old Board, only angry that Bill Bell was unceremoniously and illegally let go by Mr. Duque, previous Interim Library Director. Everyone who had heard of the firing has been utterly shocked and yet nobody has done anything about it. He needs to be reinstated if even for a short time. She questioned that the next Board Agenda mentions hiring a historian. She wondered if maybe someone has decided that legally it would be better not to hire Bill back. She feels the attitude is we'll just ignore the elephant in the room and maybe it will go away. She cautioned that if this issue wasn't resolved in some way, the community would again fill up the Children's room, and that at least they needed to know why Bill has not been reinstated. It seems like Bill has been punished for his loyalty, all his hard work, getting the archives together, understanding who can go where to find what. He is in touch with archivists of the Huntington Library, UCR and the Historical Society. She suggested that Kathy Little, Board President, together with another member of the Board, talk with Bill and hear his ideas of what he could do over a period of time. If Duque didn't think Bill could do his job, Bill deserved to hear why and be able to defend himself. He could train someone else to understand where things are and why they're important. Mary also requested the minutes of October 10, 2018 when Duque was hired. She wants to know who hired him and who was at the meeting.

Gloria Bell talked about attending a recent city workshop on the Brown Act that was free. It is a city service and could be held at the Library. She again requested a response to Bill Bell's historical position under the Board of Trustees. She wanted to know what decision had been made to move forward as it has been two plus months, and a huge community outpour in support of the integrity of the Library. She asked the Board to have their own voice, own opinions, own questions, and engage with the community. Legal Counsel was there for guidance not to govern the Library. The relocation of the history department was fine, but Bill's expertise and knowledge of the archives is of vital importance to local history. If there are reasons that Bill is not returning as historian, she requests the reason. It is the public's right to know why the wrongful termination has been ignored. She asked the Board to not be led by legal counsel and others not from the community who do not understand that Bill Bell is highly respected local historian.

Jared wanted to state that at the last meeting during public comments, Bill requested to talk with the Board in private. During the break, Jared asked him if he felt comfortable

talking with him, which he said yes he did. To Jared's knowledge Bill's meeting with the Board has not happened. It was Jared's understanding that it was the next step, to move the process in considering Bill to be contributing to the library again.

Gloria Bell spoke up to say that Jared approaching Bill was inappropriate since he would be presenting his proposal to the Board, who are governing the Library. She asked if the Board wanted to hear Bill's proposal.

Mary Sartin said Jared told Bill that he couldn't have a closed session with the Board. Jared agreed saying that he was just trying to help him understand why he couldn't have a closed session.

Little then said that under the Board Comments item, they would address the Bill Bell subject.

Carrie Blithero asked about John Gramble, where he came from, and how long he has been working at the library. Lee stated that Duque had hired him, the hiring passed by previous Board. He is a consultant hired to help with the budget plan and job descriptions.

7. Approval of Minutes

- 7.1 Adopt minutes from December 5, 2018, Regular Board Meeting. Motion to accept December 5, 2018 Minutes. M/S Lara/Cousar. Motion passed unanimously.
- 7.2 Adopt minutes from January 2, 2019, Regular Board Meeting. Motion to accept January 2, 2019 Minutes. M/S Geronimo/Lara. Motion passed unanimously.
- 7.3 Adopt minutes from February 6, 2019, Regular Board Meeting. Motion to accept February 6, 2019, with correction on page 3. M/S Cousar/Geronimo. Motion passed unanimously.

8. Consent Calendar

- 8.1 Upcoming Board of Trustees Conference and Training – March, April, May
- 8.2 Upcoming Conference and Training for Interim Director –March, April, May
- 8.3 Recommendation to accept Value of Libraries grant of \$3,000

Items 8.1 and 8.2 had to do with Special District training for the new Board Members. Little expressed that if at least a couple of the Board Members could attend it would be beneficial. Lee recommended the San Diego three day intensive boot camp training. Cousar was interested in that one. Lee mentioned that most the training sessions were webinars. Gloria Bell asked if Lee was a temporary Interim Library Director. Little answered yes and that on the next Agenda there would be an Item addressing that subject. Item 8.3 was to be discussed in Item 10 but still needed the Board's consent to accept the grant. Motion to accept the Consent Calendar. M/S Cousar/Lara. Motion passed unanimously.

9. Board Items – Discussion/Action

- 9.1 Second Reading: Modification: Budget Preparation, Policy No. 3020
Little said her understanding of this item was that the budget needs to be approved and in place by June 30 as the new fiscal year starts July 1. Lee explained that they needed a set date because previous Directors did it whichever way they wanted and put their accounting system in trouble. Geronimo noticed that there were two readings so the budget would not have to be approved at the last minute. Little confirmed that the first reading would be in April, the second reading in May, and the Board would approve the budget in June. Motion to adopt staff recommendations for the Budget Preparation policy, items 1-5. M/S Lara/Cousar. Motion passed unanimously.
- 9.2 Second Reading: Modification: Employee Status, Policy No. 5010 regarding deleting the current probation period under 5010.2 and replacing it with an extension probation time from six to twelve months depending on job classification. Motion to accept recommendation 1 and 2 of the modifications of employee status. M/S Cousar/Lara. Motion passed unanimously.
- 9.3 Second Reading: Modification: Holiday, Policy No. 5110 regarding holiday pay for full-time and part-time employees who work twenty-two or more hours a week. It lists the recognized holidays. When the holiday falls on a full-time employee's day off, he/she may request another day off during that month to compensate. If an employee works any of the recognized holidays they will be paid time and one-half. Motion to accept recommendation of the Holiday modification. M/S Cousar/Lara. Motion passed unanimously.
- 9.4 Consideration of Setting Regular Meeting Time
Lee started the discussion by saying he was thinking of changing the Board meeting time to 6:00 p.m. so as not to kick the kids out of the Children's area. Lara was concerned that with the long meetings that the meetings they had been experiencing, they wouldn't finish until late. Geronimo recognized that the public was important, and maybe working people would want to attend a Board meeting. 6:00 was a good time for him but he suggested a compromise of 5:00 p.m. It was decided that the next Board meeting in April would begin at 5:00 p.m. with Closed Session, and Open Meeting at 5:30.

10. Interim Director's Report

Kevin Lee, Interim Library Director announced that the staff was to begin homeless and customer service training the following week. It was discovered that the north side of the Library's entrance drain area had been plugged up with plastic bags. Computers are now CIPA compliant in the children's and teen area. The fire marshal came out for an inspection, and all fire extinguishers are good to go, and soon each room will have capacity signs. As of April, the Library will be switched back to being open 10 a.m., to 7 p.m. on Wednesdays. This will allow commuters to come to night events at the library. Lee showed the Board the new calendar of events. The First Five books will be donated to the Friends of the library since they're working on the Head Start project. He is working on three job descriptions for open positions of youth librarian, library assistant, and historian. The history room is in the process of being built. They are taking bids for repaving the sink hole developing on the north side of the building entrance. A policy is being developed to rent out the

meeting room to private individuals and For Profit organizations. Library staff visited Central Elementary School for a bilingual outreach project, and on the 14th will go to their open house. The library did win the \$3,000 marketing grant to teach people the hiring process – resumes, job applications and mock interviews. The first session will focus on food jobs, with local hiring managers present. The second session will be for service industry type jobs (hotels, banks). Another \$1,000-3,000 grant is in the works that will supply crafts and supplies for outreach programs. Lastly, an Immigration Grant, up to \$5,000 is applied, in which it will match whatever the library contributes. Other libraries have used the money to exhibit and learn about different culture's food, artwork, or music. As of yet, the theme has not been decided, but it must tie in with the subject of Immigration.

11. Board Member Comments

Little said that after the Special Meeting of February 20, 2019 when they asked for the public's input on wishes and concerns for managing the historical collection, each Board member has decided to form a committee of a subject of interest. They will be contacting people who were there that night and ask them to work with them. If someone has a particular special interest in the historical collection, they should contact Kevin Lee. They would like at least two members of the public per committee. Little said she would reach out to Bill Bell and set up a meeting that will probably be in April.

Lara commented that the Board does have their own minds, and speak their own minds. She prefers to think about things before commenting. She voiced that she appreciates Jared's guidance until they're more comfortable with their new positions. She sees there are a lot of steps to take and that she doesn't think things will get done quickly. Lara expressed that she would have liked to hear from Bill and see him at the meetings. She thought if the others could have met him, and heard him speak, they would have made a connection with him. Rusk explained that there was such a deep trauma involved that Bill showing up at the last meeting was a major effort in itself.

Little finished by saying that this was a good Board, who worked well together. All were appointed because no one else had volunteered. She thanked them greatly. The audience clapped and thanked them too.

12. Last Minute Action Items

No last minute action items.

13. Pending Items for Next Meeting

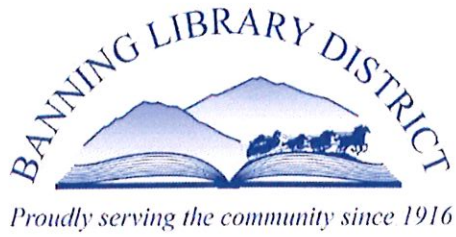
Development of a Fee for Rental of Library Spaces(s) by For Profit organizations and Private Individuals

Hiring of a Youth Services Librarian, Library Assistant, and Historian

Creation of History Room by the Library Entrance

Asphalt and Paving Construction on Northside of Library Entrance

Seek multiple bids on roofing projects, in addition to Garland

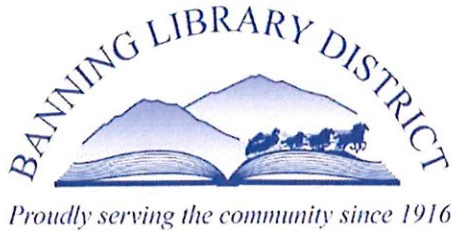


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14. Next Three Months Scheduled Regular Board Meeting Calendar

1) April 3, 2019 2) May 1, 2019 3) June 5, 2019

15. Adjournment 6:01 P.M.



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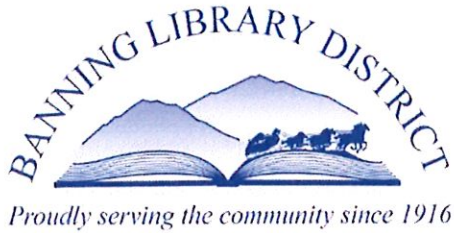
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MINUTES SPECIAL MEETING OF THE BOARD OF TRUSTEES

Wednesday March 20, 2019 – 4 p.m.
Banning Library Conference Room
21 W. Nicolet
Banning, CA 92220

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the administration office at (951) 849-3192. Notification 72 hours prior to the meeting will enable the library to make reasonable arrangements to ensure accessibility to this meeting.

1. **Open Session – Call to Order** 4:01 P.M. **Kathy Little**
2. **Pledge of Allegiance**
3. **Roll Call and Establishment of Quorum**
Board Members Present: K.Little, L. Cousar, W. Ayo-Thompson
Staff Present: Kevin Lee- Interim Library Director, Andrew Jared- General Counsel
4. **Community Comment**
Mary Sartin asked at what point the public would be able to know what the legal issue was in the Closed Session. Kathy Little, Board President, answered that it was a personnel issue therefore it was confidential and closed to the public.
5. **Board Items – Discussion/Action**
 - 5.1 **Recommendation to approve \$3,308.00 for workers compensation insurance coverage provided by The Hartford**
The annual workers compensation insurance was due at the end of the month and had to be approved by the Board as it went over the \$3,000.00 threshold allowed in the budget. Ayo-Thompson asked if the increase was because of inflation. Lee, interim library Director, answered that the price was based on employee salaries, which were still be calculated, but that the Library would be compensated if they were overcharged. Motion to approve the price increase for the workers compensation insurance. M/S Cousar/Ayo-Thompson. Motion passed unanimously.
6. **Closed Session**
 - 6.1 **Conference with Legal Counsel – Existing Litigation**
***Butler v. Banning Library District* (RCSC Case No. 1801114) (Pursuant to Govt. Code Section 54957(b)(1))**
7. **Report from Closed Session**
The Board of Trustees recessed into Closed Session to discuss Agenda Item 6.1 pertaining to *Butler v. Banning Library District*. General Counsel provided a briefing on the matter and recent settlement



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discussions between plaintiff's counsel and the District's insurance defense attorneys from the firm of Parker Ibrahim and Berg. By a vote of 3-0, the Board approved a settlement in the matter in the amount of \$55,000.

8. Adjournment 5:20 P.M.