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Banning, CA 92220
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www.banninglibrarydistrict.org

**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting Date: February 12, 2020
By: Kevin Lee, District Director

Exhibit 13.1

TITLE:

Retention Schedule and Policy Update

DISCUSSION:

Staff is organizing and working on a retention schedule. Records are getting organized.

RECOMMENDATION:

No board action is required. This is an update.

BOARD ACTION

Motion: _____ Little ___ Geronimo ___ Ajigbotafe ___ Cousar ___ Lara ___

Second: _____

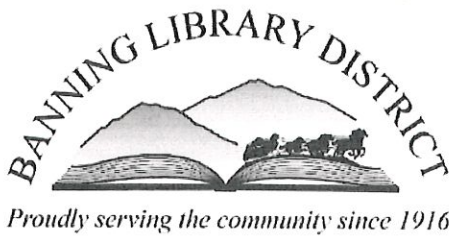
Approved as
Recommended

Approved as
Amended

Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary



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**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting Date: February 12, 2020
By: Kevin Lee, District Director

Exhibit 13.2

TITLE:

Facility Improvement and Renovation Discussion Update

DISCUSSION:

City building inspector said that there are no safety concerns. He said it was only a normal wear and tear drywall crack lines. Staff is in the process of getting a licensed contractor who can fix the drywall crack lines. We are checking behind bookshelves along the wall to make sure we find every drywall crack lines.

I have contacted three library interior designers. They sell library furniture, but do not offer painting or carpet installation services. Therefore, we need to find licensed painters and carpet installers on our own. Staff will bring three bids for painting services and carpet installation services before the board if the amount requires board approval. The interior designers will work with staff. They will provide feedback on what kind of wall paint/wall design and carpet would work well with the furniture.

Staff plans to first work on the Children's Room. We are looking to put new paint with children-friendly and welcoming designs. We, then, plan to install new carpet in said room. Lastly, we would purchase new furniture that is suitable and appropriate for children.

The work will not start until the Board reviews the sketch of the proposed design.

RECOMMENDATION:

No board action required. This is an update.

BOARD ACTION

Motion: _____ Little ___ Geronimo ___ Ajigbotafe ___ Cousar ___ Lara ___

Second: _____

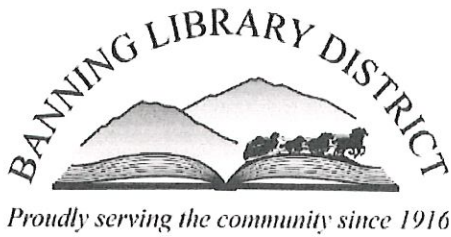
Approved as
Recommended

Approved as
Amended

Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary



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**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting Date: February 12, 2020
By: Kevin Lee, District Director

Exhibit 14.1

TITLE:

Adoption of Bylaws

DISCUSSION:

The purpose of Bylaws is to establish structure and procedures processes. It is legally binding, and it outlines how the board will operate.

RECOMMENDATION:

That the Board pass, approve, and adopt Resolution No. 2020-01.

BOARD ACTION

Motion: _____ Little ___ Geronimo ___ Ajigbotafe ___ Cousar ___ Lara ___

Second: _____

Approved as
Recommended

Approved as
Amended

Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary

RESOLUTION NO. 2020-01

**A RESOLUTION OF THE BANNING LIBRARY DISTRICT
APPROVING BYLAWS OF THE BOARD OF TRUSTEES**

WHEREAS, the Banning Library District was formed pursuant to California Education Code section 18343; and

WHEREAS, staff and general counsel have prepared the attached proposed Bylaws, which have been reviewed by the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED by the Banning Library District Board of Trustees as follows:

The Bylaws for the Banning Library District Board of Trustees, attached hereto as Exhibit "A", is approved.

PASSED, APPROVED, AND ADOPTED this 12th day of February, 2020.

Kathy Little, President

ATTEST:

Alex Geronimo, Board Secretary

APPROVED AS TO FORM:

Algeria Ford, Interim General Counsel

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

I, Alex Geronimo, Board Secretary of the Banning Library District, do hereby certify that the foregoing Resolution No. 2020-01 was duly adopted by the Board of Trustees of the Banning Library District at a regular meeting thereof, held on the ____ day of _____, 2020, by the following vote:

AYES:

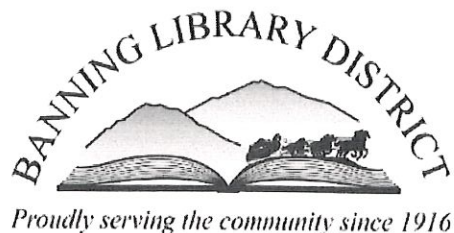
NOES:

ABSTAIN:

ABSENT:

Alex Geronimo, Board Secretary

Exhibit "A"



BANNING LIBRARY DISTRICT BOARD OF TRUSTEES BYLAWS

Article I. Principal Office

Section 1. The principal office for the transaction of business of the Banning Library District shall be located at 21 West Nicolet Street, Banning, California 92220.

Article II. Authority and State Law

Section 1. The Banning Library District is authorized by Senate Bill 405, enacting California Education Code section 18343.5. The measure expressly authorized the governing board of the Banning Unified School District to provide that the Banning Library District thereafter be governed by a new board of trustees.

Section 2. Notwithstanding any provision of these Bylaws, the Board of Trustees shall conduct its business in accordance with the Government Code and the Education Code of the State of California and all other applicable laws.

Section 3. The Board of Trustees (hereinafter, "Board") is the unit of authority within the Banning Library District. Apart from his/her normal function as a part of this unit, a Trustee has no individual authority. As individuals, Trustees may not commit the District to any policy, act, or expenditure.

Section 4. Trustees do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

Article III. Mission Statement

The mission of the Banning Library District is to provide library services and materials that are responsive to the informational, recreational, educational, inspirational, technological and cultural needs of the community we serve.

Article IV. Members and Officers

Section 1. Board Members of the Banning Library District shall be registered electors residing within the boundaries of the Banning Library District. The Board of Trustees shall consist of five (5) members.

Section 2. President. The Board shall elect a President biannually at their December meeting. The President shall be chosen from among the members of the Board. The President will serve as chairperson at all Board meetings. The President shall hold office until he/she shall resign, be removed, be otherwise disqualified to serve, or a successor is elected and qualified. He/she will have the same rights as the other members of the Board in voting and any discussion of questions that follow said actions.

Section 3. Secretary. The Board shall elect a Secretary biannually at their December meeting. The Secretary shall be chosen from among the Board. The Secretary shall hold office until he/she shall resign, be removed, be otherwise disqualified to serve, or a successor is elected and qualified. The Secretary shall keep the records of the District. He/she transcribes and or authenticates the minutes of all regular and special meetings, certifies all resolutions and documents as may be required by law, execute other documents authorized by the Library Board, maintains Closed Session Minute Book, and carries out necessary duties as prescribed by law. He/she will serve as chairperson at all Board Meetings in the absence of the President. He/she will have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

If the President and Secretary of the Board are both absent, the remaining members will select among those present to act as chairperson of the meeting.

Article V. Meetings

Section 1. The Board of Trustees shall hold regular meetings on the second Wednesday of each month at 5:00 p.m.

Section 2. Special meetings of the Board of Trustees may be called by the Board President.

Section 3. Three (3) Trustees represent a quorum for the conduct of business.

Section 4. All Trustees shall have equal voting and other rights. Each Trustee shall be entitled to one vote. Votes shall be taken by roll call.

Section 5. Attendance. Members of the Board of Trustees will attend all regular and special meetings of the Board unless there is good cause for absence. When absence is necessary, the Trustee will notify the Board President or District Director prior to the scheduled meeting. A vacancy will occur if any member ceases to discharge the duty of

his/her office for the period of three (3) consecutive meetings, except as authorized by the Board of Trustees.

Article VI. Committees

The Board President will appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. Ad hoc committees may only be comprised of members of the Library Board of Trustees. The number of members of any ad hoc committee must be less than the number of Trustees required for a quorum. The duties of the ad hoc committees will be outlined at the time of appointment, and the committee will be considered dissolved when its final report has been made.

Establishment of standing committees of the Banning Library District Board of Trustees requires a 4/5 vote of the Board of Trustees.

Article VII. Elections

Elections will be held biennially, in the even numbered years, at the General Election of Riverside County.

The Trustees will hold office for a term of four (4) years beginning on the first Friday in December after their election, or in the case of names not appearing on the ballot, after appointment by the Riverside County Board of Supervisors.

Article VIII. Conflict of Interest

Section 1. Each member of the Board shall make a commitment to providing a high level of service to the community, regardless of age, gender, ethnicity or economic status.

Section 2. Each member has a duty to disqualify himself/herself from taking a position where even the appearance of a conflict of interest exists.

Article IX. Amendments to the Bylaws

The Bylaws may be amended by a majority vote of the Board.

Article X. Parliamentary Procedures

Except where provided herein, or by other rules adopted by the Board or applicable provisions of state law, the procedures of the Board will be governed by the latest revised edition of Rosenberg's Rules of Order. The latest edition of the Rosenberg's Rules is appended herein for reference as Appendix A.

APPENDIX A

Rosenberg's Rules of Order



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.


The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:



First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move ...”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”


The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”



The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate


The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.



Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.


Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.



Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.




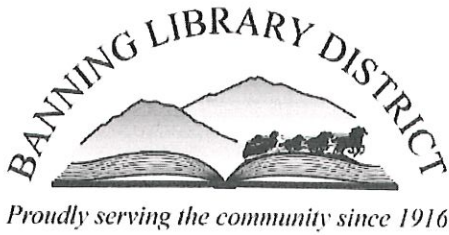
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**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting Date: February 12, 2020
By: Kevin Lee, District Director

Exhibit 14.2

TITLE:

Election of New Board of Trustees Officers

INFORMATION/DISCUSSION:

The Board of Trustees will elect a President and Secretary for the 2020 calendar year per section IV of the Bylaws.

RECOMMENDATION:

That the Board nominate and vote to elect a Board President and Board Secretary.

BOARD ACTION

Motion: _____ Little___ Geronimo___ Ajigbotafe___ Cousar___ Lara___

Second: _____

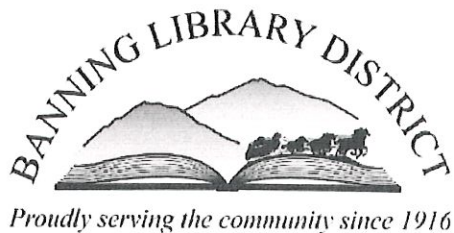
Approved as
Recommended

Approved as
Amended

Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary



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**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting February 12, 2020
By: Kevin Lee, District Director

Exhibit 14.3

TITLE:

Mid-year Budget Adjustments

INFORMATION/BACKGROUND:

Changes in the anticipated revenues and/or expenditures of the Banning Library District necessitates a revision of the appropriations for Fiscal Year 2019-2020.

RECOMMENDATION:

Receive and file the Fiscal Year 2019-20 Mid-Year Budget Report; and Adopt Resolution No. 2020-02 titled "A Resolution of the Banning Library District Amending the Fiscal Year 2019-202 Budget".

BOARD ACTION

Motion: _____ Little___ Geronimo___ Ajigbotafe___ Cousar___ Lara___
Second: _____

Approved as
Recommended

Approved as
Amended

Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary

RESOLUTION NO. 2020-02

**A RESOLUTION OF THE BANNING LIBRARY DISTRICT
AMENDING THE FISCAL YEAR 2019-2020 BUDGET**

WHEREAS, on June 5th 2019, the Banning Library District Board of Trustees adopted the budget for Fiscal Year 2019-2020; and

WHEREAS, changes in the anticipated revenues and/or expenditures of the Banning Library District necessitates a revision of the appropriations for Fiscal Year 2019-2020; and

WHEREAS, the Board of Trustees has reviewed the proposed Fiscal Year 2019-2020 budget amendments.

NOW, THEREFORE, BE IT RESOLVED by the Banning Library District Board of Trustees as follows:

The Board of Trustees for the Banning Library District does, hereby, adopt the amendments for Fiscal Year 2019-2020 as shown in Exhibit "A" of this resolution.

PASSED, APPROVED, AND ADOPTED this 12th day of February, 2020.

Kathy Little, President

ATTEST:

Alex Geronimo, Board Secretary

APPROVED AS TO FORM:

Algeria Ford, Interim General Counsel

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

I, Alex Geronimo, Board Secretary of the Banning Library District, do hereby certify that the foregoing Resolution No. 2020-02 was duly adopted by the Board of Trustees of the Banning Library District at a regular meeting thereof, held on the ____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Alex Geronimo, Board Secretary

EXHIBIT "A"

BANNING LIBRARY DISTRICT
MID-YEAR BUDGET
Fiscal Year 2019-20

	FY 19-20 YTD Actual	Projected Ending Balance	FY 19-20 Budget	Amended FY Amendments	Amended FY 19/20 Budget
<u>REVENUES</u>					
County Revenues					
Property Tax Current Secured	\$ 298,525	\$ 869,587	\$ 869,587	\$ -	\$ 869,600
Property Tax Current Unsecured	37,108	37,649	37,649	-	37,600
Property Tax Prior Unsec.	2,056	2,056	1,907	-	1,900
Tax Current Supplemental	2,180	5,000	5,000	-	5,000
Tax Prior Year Supplement	6,300	6,300	2,500	-	2,500
RDV Property Tax LMIH	29,354	29,354	21,000	-	21,000
Homeowner Tax Relief	1,327	9,060	9,060	-	9,100
Contractual Revenue	15,623	15,623	14,000	-	14,000
Interest Invested Funds	2,443	4,886	4,519	-	4,500
Interest Income ACO	-	-	100	-	100
Total County Revenues	394,918	979,515	965,322	-	965,300
Local Revenues					
Grant Funds-Non Capital	7,055	7,055	-	-	-
Donations	-	-	-	-	-
Service Sales	1,730	3,460	500	3,000	3,500
Product Sales	-	-	500	(500)	-
Late Fees	4,228	8,456	8,000	500	8,500
Fines	1,715	3,430	1,000	2,500	3,500
Rental Fees	163	327	1,000	-	1,000
Other Revenues	1,904	3,809	100	1,900	2,000
Local Revenues	16,795	26,536	11,100	7,400	18,500
TOTAL REVENUES	411,714	1,006,051	976,422	7,400	983,800
<u>EXPENDITURES</u>					
Salaries and Benefits					
Regular Salaries	217,896	435,793	493,159	(53,759)	439,400
Overtime	134	269	2,000	-	2,000
Health Insurance	11,265	22,530	60,990	-	61,000
Retirement	6,574	13,147	19,987	(3,887)	16,100
Social Security	12,883	25,767	31,434	(4,034)	27,400
Medicare	3,008	6,015	7,397	(997)	6,400
Unemployment Insurance	1,566	3,132	4,000	800	4,800
Total Salaries & Benefits	253,326	506,653	618,967	(61,877)	557,100

BANNING LIBRARY DISTRICT

MID-YEAR BUDGET

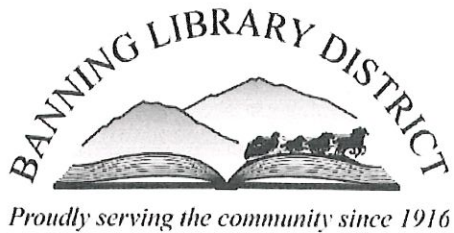
Fiscal Year 2019-20

	FY 19-20 YTD Actual	Projected Ending Balance	FY 19-20 Budget	Amended FY Amendments	Amended FY 19/20 Budget
Operations					
Automation-equipment leasing	12,916	22,752	17,600	4,400	22,000
Equipment and Furniture	1,708	3,415	10,000	-	10,000
Maintenance	5,091	10,183	16,000	-	16,000
Website Maintenance	228	456	2,000	-	2,000
Security	912	1,824	2,400	-	2,400
Janitorial	913	1,826	2,600	-	2,600
Electronic & Cataloging Expense	-	-	250	(250)	-
Adult Books	3,172	6,343	16,000	(9,500)	6,500
Juvenile Books	2,863	5,726	5,000	5,000	10,000
Youth Books	501	1,002	1,000	-	1,000
Data Base	3,537	4,986	3,200	5,000	8,200
Audio	20	40	5,000	-	5,000
Periodicals	884	1,768	4,000	(2,000)	2,000
DVD Videos	2,255	4,509	3,600	-	3,600
Processing Books & ILL	1,810	3,619	500	3,500	4,000
Program Expense	4,678	9,355	2,900	7,100	10,000
Total Operational	41,486	77,805	92,050	13,250	105,300
Administrative					
Office	10,510	21,020	15,000	5,000	20,000
Insurance	7,460	14,920	12,894	4,100	17,000
Tuition reimbursement	-	-	8,600	(600)	8,000
Advertising/Marketing	831	1,662	3,500	(2,500)	1,000
Membership	2,797	4,193	3,500	1,000	4,500
Recognition Events	-	-	2,000	-	2,000
Travel/Training	2,259	4,519	2,000	18,000	20,000
Recruitment	52	104	1,000	(500)	500
County Auditing & Accounting	-	-	500	-	500
Bank Fees	50	101	150	-	200
Total Administrative	23,960	46,518	49,144	24,500	73,700
Professional					
Accounting Services	12,074	24,149	43,000	-	43,000
Legal Services	5,225	10,449	40,000	-	40,000
Independent Audit	9,850	16,360	16,360	-	16,400
Web Site Development	-	-	10,000	-	10,000
Assistant Management Services	844	1,688	-	1,700	1,700
Management Services Other	-	-	-	-	-
Professional Other	11,155	22,309	31,400	-	31,400
Total Professional	39,147	74,955	140,760	1,700	142,500

BANNING LIBRARY DISTRICT**MID-YEAR BUDGET**

Fiscal Year 2019-20

	FY 19-20 YTD Actual	Projected Ending Balance	FY 19-20 Budget	Amended FY Amendments	Amended FY 19/20 Budget
Utilities					
Utilities	14,880	29,760	28,000	-	28,000
Communications	6,204	12,407	12,000	-	12,000
Total Utilities	21,083	42,167	40,000	-	40,000
TOTAL EXPENDITURES	379,003	748,097	940,921	(22,427)	918,600
CAPITAL OUTLAY					
Structure/Improvement	-	-	-	50,000	50,000
Grants for Capital Projects	-	-	-	-	-
Furniture/Equipment	-	-	-	-	-
TOTAL CAPITAL OUTLAY	-	-	-	50,000	50,000
TOTAL ANNUAL BUDGET	379,003	748,097	940,921	27,679	968,600
NET INCOME/(LOSS)	\$ 32,711	\$ 257,954	\$ 35,501		\$ 15,200



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**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting Date: February 12, 2020
By: Kevin Lee, District Director

Exhibit 14.4

TITLE:

Amendments to Policy No. 5010 Employee Status

DISCUSSION:

Banning Library District is an at-will employer. The policy needs to reflect that.

An introductory period is a training period and a time to get acquainted. Completion of introductory period does not guarantee employment. Employee still has the right to resign anytime and employer still has the right to terminate the employment at any time, with or without cause.

RECOMMENDATION:

That the Board approve and adopt amendments to Policy No. 5010 Employee Status.

BOARD ACTION

Motion: _____ Little___ Geronimo___ Ajigbotafe___ Cousar___ Lara___

Second: _____

- Approved as Recommended Approved as Amended Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary

Banning Library District

POLICY MANUAL

POLICY TITLE: Employee Status
POLICY NUMBER: 5010

5010.1 A "Regular" employee is ~~one who~~ *an at-will employee who* has been hired to fill a regular position in any job classification and has completed his/her ~~probationary~~ *introductory* period, *if one is required by the District Director*. Regular employees may be full-time or part-time.

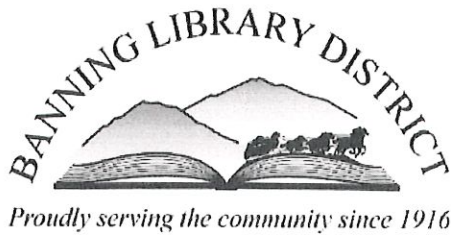
5010.1.1 A "Full-time" employee is one who is regularly scheduled to work 36 hours or more per week.

5010.1.2 A "Part-time" employee is one who is regularly scheduled to work less than 36 hours per week. ~~Employees must be regularly scheduled to work a minimum of 22 hours per week in order to be eligible to receive any benefits.~~

~~**5010.2** Probation can be set by the Director or designee from six to twelve months depending on title, job classification, and the difficulty to attract qualified employment candidates. Upon successful completion of the probationary period employee is granted regular status.~~

5010.2 *There is a 90-day introductory period for employees. An employee will learn his or her responsibilities during this introductory period. Upon successful completion of the introductory period an employee is granted regular status. Regular status employees are still considered at-will employees after successful completion of the introductory period.*

5010.3 A "Temporary or Contracted" employee is one who is hired to work within any job classification, but whose position is not regular in nature.



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**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting Date: February 12, 2020
By: Kevin Lee, District Director

Exhibit 14.5

TITLE:

Amendments to Policy No. 5110 Holidays

DISCUSSION:

There is no pro rata allocation if holiday pay only applies to full-time employees (Section 5110.3). An employee will "request a day off during the month of the holiday." Management finds that it is in the best interest of the District to able to reschedule employees to the needs of our library and community (Section 5110.4).

New sections.

An employee should not be charged for authorized vacation leave if the holiday occurs (Section 5110.6).

Some special district libraries and agencies offer Personal Holiday benefit for its employees. The District would provide two personal holidays for full-time employees and four hours of personal holidays for part-time employees (Section 5110.7).

RECOMMENDATION:

Approve and adopt amendments to Policy No. 5110 Holidays

BOARD ACTION

Motion: _____ Little ___ Geronimo ___ Ajigbotafe ___ Cousar ___ Lara ___

Second: _____

Approved as
Recommended

Approved as
Amended

Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary

Banning Library District

POLICY MANUAL

POLICY TITLE: Holidays

POLICY NUMBER: 5110

5110.1 This policy will only apply to all regular full-time employees defined under Employee Status, 5010.1, describing Full-time employee status, *except for 5110.7, which applies to full-time and part-time employees.*

5110.2 The following days will be recognized and observed as paid holidays:

New Year's Day	Martin Luther King Jr. Day
President's Day	Memorial Day
Independence Day	Labor Day
Veteran's Day	Thanksgiving Day
Day After Thanksgiving Day	Christmas Eve
Christmas Day	New Year's Eve

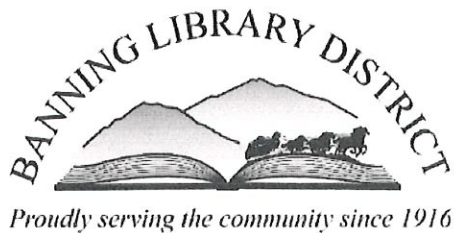
5110.3 All regular work will be suspended and employees will receive one day's pay ~~based on a pro-rata allocation of regular hours worked,~~ for each of the holidays listed above. An employee is eligible for any paid holiday if he/she works his/her last regularly scheduled workday before and his/her first regularly scheduled workday after said holiday. Eligibility is also granted if the employee is on vacation or has notified his/her supervisor and the ~~Library District~~ Director and received permission to be absent from work on that specific day or days.

5110.4 When a holiday falls on a full-time employee's day off, the employee will ~~request a day off during the month of the holiday be rescheduled to work at another day during that work week, approved by his/her scheduling supervisor, to compensate for this holiday.~~

5110.5 If any employee works on any of the holidays listed above, he/she will be paid for all hours worked at the rate of time and one-half (1½) his/her regular rate of pay, or as otherwise specified under Policy #5100, "Hours of Work, Overtime and Compensation Time."

5110.6 *When an employee is taking an authorized leave with pay when a holiday occurs, said holiday shall not be charged against said leave with pay.*

5110.7 *Regular full-time employees qualify for two personal holidays per calendar year. Regular part-time employees qualify for 4 hours of personal holidays per calendar year. Employee must request which two personal holidays they wish to designate their personal holidays before January 15th of each year. Personal holidays do not accumulate. Any unused personal holidays will be forfeited at the end of each calendar year. Personal holiday must be tied to a date or a specific event. Personal holidays must be approved by the District Director. Employees do not receive pay for unused personal holidays upon termination of employment.*



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**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting Date: February 12, 2020
By: Kevin Lee, District Director

Exhibit 14.6

TITLE:

Amendments to Policy No. 5125 Sick Leave

DISCUSSION:

To comply with Healthy Workplaces, Healthy Families Act of 2014, the policy needs to be revised. First, definition of a "Family member" needs to include everyone mentioned in the draft. Second, an employee must be authorized to use sick leave for illness and preventative care. Under certain circumstances, an employee may use sick leave if he or she is a victim of domestic violence, sexual assault, or stalking. Third, an employee must have worked for the same employer for 30 or more days within a year from the start of his or her employment to be entitled to paid sick leave.

Research shows that some special libraries offer regular full-time employees to receive 96 sick leave hours per calendar year; and regular part-time and temporary employees to earn one sick hour of paid sick leave for every 30 hours worked.

5125.4 in the draft requires employees to submit a leave request form for documentation.

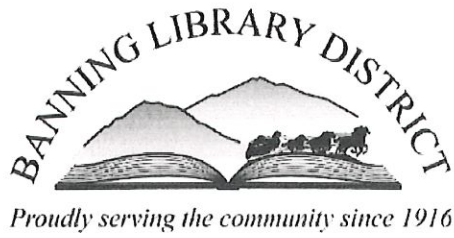
5125.5 in the draft requires when and what kind of modified work an employee could do when they return to work after being released by his or her doctor.

5126.6 in the draft changes "probationary period" to "introductory period" to be consistent with the District's at-will status.

5125.7 allows employees to accumulate 480 hours or 60 days of sick leave. This is uncommon. This needs to be changed.

5125.7.1 needs to be in place in order for the District to "buy back" unused sick hours if 5125.7 is approved.

5125.9 allows the District to charge minimum increments of one hour of sick time.



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RECOMMENDATION:

Approve and adopt amendments to Policy No. 5125 Sick Leave

BOARD ACTION

Motion: _____ Little___ Geronimo___ Ajigbotafe___ Cousar___ Lara___

Second: _____

Approved as
Recommended

Approved as
Amended

Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary

Banning Library District

POLICY MANUAL

POLICY TITLE: Sick Leave
POLICY NUMBER: 5125

5125.1 Sick leave is defined as absence from work due to illness or injury which is not a result of or related to work activities. Sick leave may be authorized for illness *or preventative care* of the employee or his/her spouse, child, ~~or~~ parent, *grandparent, grandchild, sibling, registered domestic partner, or child of a registered domestic partner.* Employee may also use sick leave for certain, specified purposes if the employee is a victim of domestic violence, sexual assault, or stalking. Sick leave benefits are not to be used for purposes of leisure, social or personal time, or to extend holidays, vacation time, or weekends.

5125.2 *All employees who have worked in California for the same employer for 30 or more days within a year from the start of their employment is entitled to paid sick time. All regular Full time employees will earn sick leave at a rate of 80 96 hours per calendar year, ~~or 3.076923 hours per month.~~ All Regular part-time and temporary employees will receive a pro-rated allocation of sick leave. ~~are eligible to earn sick leave at the rate of one hour of paid sick time for every 30 hours worked.~~*

5125.3 Sick leave is accrued hourly.

5125.4 In order to receive compensation while on sick leave, employees must notify ~~their supervisor~~ *the District Director and submit a leave request form* prior to the time for beginning their regular work day schedule, or as soon thereafter as possible.

5125.5 A medical release form from a medical practitioner is required for all absences of three or more work days. *Said medical release form must identify when the employee is able to return to work, or if modified work is needed.*

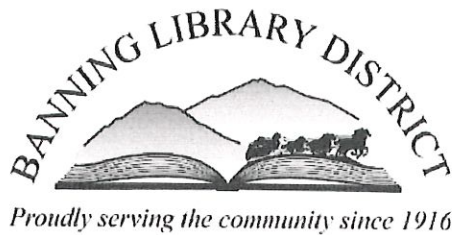
5125.6 Paid sick leave is accrued from an employee's date of hire, but may not be used until the ~~3-month probationary~~ *90-day introductory period* has passed.

5125.7 Sick leave may be accumulated to a maximum of ~~480~~ 96 hours for full-time employees ~~pro-rated for part-time employees.~~ *and 24 hours for part-time employees.*

5125.7.1 *Unused sick hours may be "bought back" by the District at a rate of one-third of the employee's pay. Said buy back shall be limited only to time over and above 96 hours of accrued sick leave.*

5125.8 Accumulated sick leave will not be paid upon termination or separation.

5125.9 Sick time may be used in minimum increments of one hour.



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**BOARD OF TRUSTEES
DIRECTOR'S REPORT**

Meeting Date: February 12, 2020
By: Kevin Lee, District Director

Exhibit 14.7

TITLE:

Amendments to Policy No. 5120 Vacation Leave

DISCUSSION:

Some of our employees work twenty hours per week. There are times when the District needs to give them extra hours (i.e. when someone calls in sick, big event, etc.), but this is difficult because of Section 5120.1. Said section allows the District to only give one (1) hour in order to not pass the twenty-two (22) hours threshold that qualifies employees to earn vacation leave. It would benefit and help the Library if that twenty-two threshold is increased to twenty-six hours.

"Probationary period" needs to be changed to "introductory period" to be consistent with the District's at-will status.

New section

5120.9 ensures that an employee will not lose his or her approved vacation time if the holiday happens to fall under during that vacation period.

RECOMMENDATION:

Approve and adopt amendments to Policy No. 5120 Vacation Leave

BOARD ACTION

Motion: _____ Little ___ Geronimo ___ Ajigbotafe ___ Cousar ___ Lara ___

Second: _____

Approved as
Recommended

Approved as
Amended

Other: _____

Passed, approved, and adopted on _____, 2020.

Alex Geronimo, Board Secretary

Banning Library District

POLICY MANUAL

POLICY TITLE: Vacation Leave

POLICY NUMBER: 5120

5120.1 This policy will apply to employees who are regularly scheduled to work a minimum of *twenty six (26)* ~~twenty two (22)~~ hours per week.

5120.2 Paid vacations will be accrued according to the following schedule:

(a) Paid time off accrual is based on a thirty six (36) hour or more work week.

Employees working less than thirty six (36) hours per week, but working *twenty six (26)* ~~twenty two (22)~~ or more regularly scheduled hours per week, will receive a pro-rata allocation. ~~Library pages will not receive paid vacation leave.~~

(b) ~~Library District~~ Director will receive 160 hours paid leave per year or 0.0769 hours per pay period.

(c) Employees with up through 5 years of service will receive 80 hours paid leave per year or 0.0385 per pay period.

(d) Employees with 6-10 years of service will receive 120 hours per year or 0.0577 hours per pay period.

(e) Employees with over 10 years of service will receive 160 hours per year or 0.0769 hours per pay period.

5120.3 Employees who have completed *their three months in regular status 90-day introductory period* may take their accumulated vacation time. Any employee whose employment is terminated during the ~~probationary introductory period~~ will not receive payment for accrued vacation leave. Once regular status has been granted at the end of the ~~three-month probationary period~~ *90-day introductory period*, vacation leave will be credited retroactively to the initial date of employment.

5120.4 Vacation time is credited at each pay period.

5120.5 Vacation time may be accumulated. The total accumulated vacation time will not exceed an employee's yearly allowed accrual plus five days. Any days accumulated over this amount will be forfeited.

5120.6 At termination of employment, employees who have at least one year of accumulated service will be compensated for accumulated vacation time.

5120.7 Vacations may be scheduled at any time throughout the year by filling out a leave request form *online* which must be approved by the ~~employee's immediate supervisor and the Library District Director~~ *District Director*.

5120.8 Vacation time may be used in minimum increments of one hour.

5120.9 If a holiday falls on a workday during a regular full-time employee's vacation period, that day shall be considered as a paid holiday and not vacation time.