AGENDA

REGULAR MEETING OF THE BOARD OF TRUSTEES
Wednesday, March 6, 2019
Banning Library Conference Room

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. **CLOSED SESSION 4:00 P.M.**

   1.1 Conference with Legal Counsel – Existing Litigation
       Butler vs. Banning Library District (Pursuant to Govt. Code Section 54956.9(d)(1)

   1.2 Employee Appointment - Interim Library Director (Pursuant to Govt. Code Section 54957(b)(1)

2. **OPEN SESSION—CALL TO ORDER 4:30 P.M.**

3. **PLEDGE OF ALLEGIANCE—Kathy Little, Board President**

4. **ROLL CALL AND ESTABLISHMENT OF QUORUM**

5. **REPORT FROM CLOSED SESSION**

6. **COMMUNITY COMMENT**

   6.1 Report from the Friends of the Banning Library Verbal

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/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.) (PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.)

7. **APPROVAL OF MINUTES**

   7.1 Adopt minutes from December 5, 2018, Regular Board Meeting Attached
7.2 Adopt minutes from January 2, 2018, Regular Board Meeting Attached
7.3 Adopt minutes from February 6, 2019, Regular Board Meeting Attached

8. **CONSENT CALENDAR**

8.1 Upcoming Board of Trustees Conference and Training—March, April, May Exhibit A
8.2 Upcoming Conference and Training for Interim Director—March, April, May Exhibit A
8.3 Recommendation to accept the Value of Libraries grant of $3,000 Exhibit B

9. **BOARD ITEMS—DISCUSSION/ACTION**

9.1 Second Reading: Modification: Budget Preparation, Policy No. 3020 Exhibit C
9.2 Second Reading: Modification: Employee Status, Policy No. 5010 Exhibit D
9.3 Second Reading: Modification: Holiday, Policy No. 5110 Exhibit E
9.4 Consideration of Setting Regular Meeting Time Verbal

10. **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*)

11. **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*)

12. **LAST MINUTE ACTION ITEMS**
13. **PENDING ITEMS FOR NEXT MEETING**

- Development of a Fee for Rental of Library Space(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
  - Flood on Northside of Library Entrance
  - CIPA Compliant for Children and Teens Computer Areas
  - Fire inspection & Building Occupant Load Analysis

14. **NEXT THREE MONTHS SCHEDULED REGULAR BOARD MEETING CALENDAR**

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

15. **ADJOURNMENT**
1. **Closed Session.**  
   No Closed Session.

2. **Open Session**  
   4:07 P.M.  
   Victoria Hatch

3. **Pledge of Allegiance**

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

   Board Members Present: V. Hatch, K. Little, M. Rose, J. Santa-Cruz Alonso  
   Absent: D. Harrington  
   Staff Present: Bill Bell - Historian, Kevin Lee - Librarian, Eddie Duque - Interim Library Director  
   Legal Counsel Present: Andrew Jared

5. **Community Comment**

   Bill Bell, local historian, handed out his November Local History Report, and briefly spoke to the Board. After six months of all his research and interviews concerning the Eastside School, he is finished and an article is to be published in the Record Gazette. He hopes that the issues of segregation within the report have been handled in the right balance. The Poston Internment Camp scrapbook was safely delivered to its’ new home in San Jose at the Japanese American National Museum. Two hours previous to the meeting, Bell received a phone call from a Riverside hazmat employee working on the old Beaumont Railroad Depot. They had found an 8 inch pipe full of “something”. They asked for photos to help pin down what the substance could possibly be and he referred to Mike Rose, a local railroad expert. Rose said it was likely diesel fuel even though the trains were steam at that time. Bell stated he is reducing his hours for December due to some other writing commitments. He has requested to meet with Duque and the new Board Members sometime in January to discuss the direction the library wants to take with local history and what Bell can
contribute. Meanwhile he is organizing his office area to be able to share the resources with the new librarian.

Board member, Little, asked the status of the future Library Board Members. Duque spoke to the Registrar of Voters and they indicated they have not affirmed all the appointees. New Board Members are to start their term on December 7, 2018. The Registrars have suggested two other appointees, neither of which have received any documentation supporting their appointment. Duque was promised by the Registrar of Voters that the Oath of Office can take place at the library. Jared, legal counsel, stated that if no appointees were in office as of December 7, 2018, the current Board would have to continue on until qualified successors took up office. One of the new Board Members, Melanie Lara, was present. She, her parents, her husband’s grandmother, and Lara’s children all grew up in Banning and are longtime residents.

6. Board Meeting Minutes for Approval
Motion to accept Minutes from November 7, 2018. M/S Little/Rose. Motion passed unanimously.

7. Consent Calendar
The way the consent calendar works, if the items contained within them are approved by a consensus of the Board, all items could be approved with one motion. Items within the consent calendar can also be pulled out and put on the regular agenda to be discussed or tabled to a future date.

7.1 First Reading of Job Description for Librarian Position
7.2 First Reading of Job Description for Library Operations Manager Position

None of the Board Members disapproved of the above two items. Motion to accept consent calendar. M/S Rose/Little. Motion passed unanimously.

8. Board Items – Discussion / Action
8.1 Authorize Execution of Agreement with Management Partners, Inc. for Financial and Human Resources Management Consulting
Last month in Closed Session, the topic of accounting compliance issues was discussed. Duque is recommending Management Partners, Inc. to work with these issues and provide recommendations. Little asked if it was in the Library policy to provide several bids. Duque answered that for professional services, no formal bidding process is required. The Board is being asked to give Duque the authority to sign an agreement with this vendor, affirm the cost, and negotiate a full legal contract. Motion to move forward with an agreement with Management Partners, Inc. M/S Little/Rose. Motion passed unanimously.

8.2 Authorize Execution Agreement with Sage Intacct, Inc. for Core Financial System
Duque spoke about the purchase and implementation of an internal financial system that is GAA compliant, and true fund accounting based which the library district does not currently have and QuickBooks does not cover. This system is Cloud based, providing a permanent backup, and has no need for an additional server. Internal controls could be expanded. All the core financials are covered. Grant funds can be segregated out which is critically important. The company is based in San Jose and is compatible with Management Partners. The agreement will include software license fees, maintenance, iCloud storage and security, employee training and full-implementation not to exceed $25,000. After initial implementation, the negotiable annual fee is $13,868 which is much less that a part-time bookkeeper. Duque consulted with two other vendors that were not only much more costly, but not part of their (Special Districts) market.
Sage Intacct, Inc. is the preferred vendor of the AICPA, and highly rated with other library users when references were checked. Another plus is that they will be able to integrate with the new payroll system. Little asked how much down time and debugging they could expect and Duque thought it would be minimal since there is no data to convert, just setting up the General Ledger accounts, starting out fresh. He was also pleased that this system has performance indicators, which allows a master view of results, helping to establish future goals. Motion to move ahead with Sage Intacct, Inc. M/S Little/Rose. Motion passed unanimously.

Duque wanted to go on record to say that he would work with legal counsel, Jared, with the final legal document preparations for the above two items, 8.1 and 8.2. and he would not continue forward if any red flags occurred.

8.3 **Authorize Execution Agreement James Marta & Company LLP for Audit of Financial Statements for Fiscal Year Ending June 30, 2018**

This is the proposed new Auditor Company with wide experience of special districts. Usually an Auditor looks at the prior year’s Financial Statements and makes recommendations during the summer months. This did not happen with the previous Auditor and needs to be wrapped up ASAP. The cost of the proposed new Auditor is not to exceed $16,360. Motion to move forward with James Marta & Company. M/S Rose/Cruz. Motion passed unanimously.

8.4 **Urgency: District policy Modification: Budget Preparation, No. 3020**

The Library Budget preparation policy needs modification because of a typo suggesting it be the done the month of July when really it needs to be approved in June. Duque suggested that the draft budget be presented in April which gives the Board time to discuss, and follow through on first and second readings of proposed annual budget. Motion to modify both these district policies as a first reading. M/S Little/Rose. Motion passed unanimously.

8.5 **Urgency: District Policy Modification: Employee Status, No. 5010**

Currently the probation period is set at three months for a district employee. This policy needs to be updated and extended to a 9-12 month probationary period set in place by the Library Director. Probation time is based on the employee’s title, job classifications, and difficulty to fill said position. Motion to approve proposed employee probation extension. M/S Rose/Cruz. Motion passed unanimously.

8.6 **Urgency: District Policy Modification: Holiday, No. 5110**

Currently part-time employees (less than 22 hours a week) receive fulltime employees benefits for holiday pay even though they work less hours. Most employers do not provide holiday pay for part-time employees. This item is urgent because the new payroll system will be starting next month in January. Motion to approve district modification regarding holiday pay. M/S Little/Rose. Motion passed unanimously.

9. **Interim Directors’ Report & Comments**

Eddie Duque started his report by asking if we noticed how friendly and welcoming the main lobby of the library was due to two Christmas trees donated by the Friends of the Library. The annual Gingerbread House event will take place on December 18, 2018, along with gift books and Ruby’s
coupons distributed. He welcomed and introduced Kevin Lee, the new Librarian, to the Board. New Wednesday hours at the library will return to the 9:30-6pm hours of the past.

10. **Board Member Comments**
As this could be the last Board Meeting with the current Board Members each was asked to give their last thoughts. Mike Rose said he was interested in the city of Banning to continue looking at the local history, and to maintain and strengthen historical functions at this library. He stressed that to strengthen the future, the Pass history needs to be kept alive. He stated that no one else out there is pursuing local history except for the Banning Library District, and that it is his hope that Bill Bell or someone similar would continue to be on staff. Hatch mentioned that the library was the perfect place to save historical information and that it was important to this community.

Jessica Santa-Cruz Alonso expressed that being on the Board has been a great experience, taught her a lot, and wishes that the Banning Library succeed, grow and strengthen, and become better and better.

Kathy Little thanked Rose and Cruz for serving on the Board of Trustees. Little really hopes for the day a flagpole is installed outside the library. The Rotary Club has offered to pay for it, and it will need to go before the Planning Commission before put in place.

Victoria Hatch, Board President, promised to write a letter to the Registrar of Voters to help resolve the future board appointments.

11. **Last Minute Action Items**
Victoria Hatch proposed that the Library employ Eddie Duque, Interim Library Director, for a minimum of two more months. Motion to continue employment of Interim Library Director, Eddie Duque. M/S Rose/Little. Motion passed unanimously.

12. **Next Three Month Regular Board Meeting Dates Scheduled**
1) January 2, 2019       2) February 6, 2019       3) March 6, 2019

13. **Adjournment**    5:07 P.M.
MINUTES

MEETING OF THE BOARD OF TRUSTEES
Wednesday January 2, 2019
Banning Library Conference Room
21 W. Nicolet
Banning, CA 92220

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1. **Closed Session**
   No Session.

2. **Open Session – Call to Order** 4:15 P.M.  
   Victoria Hatch

3. **Pledge of Allegiance**
   3.1 **Moment of Silence**
   Silence was offered up for an employee of the library whose relative died this week due to a gunshot wound.

4. **Roll Call and Establishment of Quorum**
   Staff Present: Eddie Duque - Interim Library Director, Andrew Jared - Legal Counsel via phone

4.1 **Oath of Office for Board Appointees (in alphabetical order):**
   - Wemida J. Ayo-Thompson (Short-Term, 2020)
   - Loretta Cousar (Full-Term, 2022)
   - Alejandro Geronimo (Full-Term, 2022)
   - Melanie Lara (Short-Term, 2020)
   - Kathy Little (Full-Term, 2022)

The Oath of Office was given by Victoria Hatch, past Board President. All four Board members stood up and stated their names, and then recited the oath collectively. Fernando Morales, library staff, witnessed as Notary. Little had already taken the oath previously when first becoming a Board trustee. Afterwards, a new President and Secretary were nominated from the other Board members. Kathy Little will take over as Board President and Alejandro Geronimo will become the Secretary. Little then thanked Victoria Hatch for her twelve years serving on the Board.
7. **Community Comment - Friends of the Library**
Tonya McKarwich spoke and invited those present to become members of the FOL. Their purpose is to be an advocate for the library and to create a relationship with the community. She then discussed what the FOLs have accomplished the last two years. They have hosted two fundraisers, obtained two grants one of which funded the ABA doors, hosted two history programs, and one “Meet the Author” program. Last year was the debut of their Antiquity Sale. They have purchased a sound system, shelving, two annual Christmas trees, Christmas gifts and lunch for the employees. They have given books to the local Head Start graduates, baby’s first books to newborns born at San Gorgonio Hospital (34 last month!). Membership is $15 per year. Linda Page handed out their Proclamation and Mission statement. As of last year, the FOL is an item on the Agenda for each Board meeting. Little complimented them for the amazing things they do and especially the books for babies.

Before members of the community spoke, Little reminded the Board that they could only listen and not respond to any of the remarks forthcoming. Also, each speaker would be allotted five minutes.

Tracy Wells, a past Board Member spoke in response to the local historian Bill Bell being let go from the library. She let the Board know how well known Bill was throughout Southern California and parts of Arizona, always willing to speak at civic events. She requested that his job be reinstated as he was a good resource of local history, and had built up the Local History collection at the library.

Betty Meltzer who had been an English teacher and worked as Librarian at Banning High School for thirty years, thought that Bill was invaluable. When she and another author, Louis Doody, wanted to write a book on the local Indian tribes of the area, they came right to the library where there was a depository of information thanks to Bill. Two books were published from this research: “Losing Ground: The Displacement of San Gorgonio Pass Cahuilla People in the 19th Century” 2007, and “Glimpses of History in the San Gorgonio Pass” 2011. She described him as a treasure trove for the Beaumont, Banning and the Pass area. He organized, added to, and lead people to use the historical archives.

Pat Merklin who has been a patron of the Banning library since 1984, stated that the library represents the identity of the community. She noted that they were fortunate to have an archive expert in-house due to a healthy budget. Bill had worked on grants for the library, researched the estimates on two old paintings which then sold for 37,000. Thanks to Bill, people can view history through photos on their website. She called him an everyday hero, helping children and others, all the way up to the global level. She asked where it was listed on the December 2018 Board Meeting Agenda to discuss ending Bill’s post.

John Garside, a documentary filmmaker and the new Media Specialist for the City of Banning, commented that he looked Bill up two days after starting his job. Bill and he had been working on some video projects. He thought that losing Bill was a tragedy and hoped that nothing would happen to the amazing local history collection housed at the library.
Gloria Bell, Bill’s wife, explained that his position as Local Historian and Archivist was created over forty years ago from a grant by the Barker family to help preserve the rich history of the Pass area. The family has continued to fund this interest through recent grants. Wrongfully terminated by Duque, Interim Library Director, less than ninety days in his position, said that after being on the library staff for twenty-five years, she was shocked that Bill’s firing had not gone before the Board inasmuch he was originally hired by them. As an Independent Contractor he should have received his last pay check on his last day of employment. Victoria Hatch, past President of the Library Board, on December 23, 2018, had said she would take care of the check issue but as yet it had still not arrived. Hatch had said she was shocked to hear of Bill’s termination and that Duque had acted out of authority. Only the Board could terminate someone hired by the Board, and it would need to be on the Agenda at the Board meeting, and the action would need to be reviewed. Gloria requested that the following items be placed and reviewed on the February 6, 2019 Board Meeting Agenda: reinstate Bill and compensate him for time lost per Brown Act #54960, and that Board members follow procedure with all hiring and firing, and it must be on the Board of Trustees Agenda. At the November 7, 2018 Board meeting, Bill’s Historian report had been moved to the Community Comments item. Bill had always been an item on the Board’s Agenda, he had always reported to the Board of Trustees directly as he worked under them. Gloria stated that because the Board of Trustees had shown gross negligence resulting in numerous lawsuits and not acting in the best interests of the community, she requested 1) a copy of Duque’s contract 2) the application that Muniltemp submitted that lead to his hiring 3) who interviewed Duque 4) who authorized his appointment as Interim Director. Gloria reiterated that the new Board must have control of the Library.

Damon Alexander speaking on behalf of new board member Loretta Cousar, his mother-in-law, introduced her family to those present, then gave her a bouquet of flowers.

Sean Balingit, President of the San Gorgonio Historical Society and committee member of the Launa May Foundation, warned that as the Pass area grows, local history could get lost. He entreated the Board members past and present to preserve the Local History collection. The Banning Library has been active in the cultivation and preserving the local history, thanks to Bill’s assistance in putting it all together. He offered that the Historical Pass Society would be available to the community in any way they could to continue this preservation.

Bob Rochelle, rock and gem collector, patron and longtime friend of Bill and Bud Matheson, wondered how taking away the access to the local history collection and films we could solve the past. He asked why anyone would want to destroy and do away with history. He called Bill a genius of a man.

Mary Sartene said that considering that Bill was an Independent Contractor, who was hired by the Board of Trustees, and answered to the Board, was unlawfully terminated. She praised Bill’s book as being all inclusive of Banning’s diverse races, and nobody could replace his knowledge. Mary encouraged anyone who had not read Bill’s book, “Banning, California: A Pictorial History Through the Decades” or watched his DVD on the Poston Japanese internment camp to do so. She asked that nothing be discarded from the library Local History collection and that the Board members was legally responsible for protecting the archives. She warned the new Board members to make sure they are getting accurate information.

At this time the thirty minutes allotted for Community Comments was up. Someone in the audience suggested that the Board could extend the time. The Board agreed to hear the last four speakers.
Mark Hendon, a member of the Riverside Historical Society and of the Pass, discussed how he didn’t like the removal, distortion or inaccurate history. There are priceless artifacts that are being housed at the Banning library, and Beaumont library has lost most of their collection. These artifacts belong to the Banning community, not the library. He stated that it was incumbent that the Board assure the integrity of the Library, its historical artifacts, and that the community is properly served. Without a sense of community, there is no community, and history binds us together. History must be maintained.

Patrick Stephens, a Beaumont resident, and formerly employed at the City of Banning for eight and a half years, thought that as a newcomer to the Pass area, one would interested in the history of the area. Bill helped him immeasurably with his knowledge and musical gift to help put together Banning’s Centennial event which was also a hundred year mark for the library. Before Stephens left his position at the City of Banning, he made sure a fulltime Media Specialist position was available, so that the Pass area’s history could visually expand.

Paul Bradford, from Bear Creek pottery, spoke about how instrumental Bill is to the community and wanted to know the procedures that were taken to let Bill go.

Bernie Howlett, longtime patron and historian since 1987 stated that the library needed a historical archivist. If not Bill, he felt that it needed to be someone who knows and loves this community. He said he will miss Bill and hoped he would be able to come back.

7. **Board Meeting Minutes for Approval**
   7.1 Minutes from December 5, 2018.
   The Board decided to table this item until the next Board meeting pending review of the tape recording from the last Board meeting. Victoria Hatch remembered requesting that Bill Bell be on the January Board meeting’s Agenda. Little and Lara concurred.

8. **Consent Calendar**
   No Items.

9. **Board Items – Discussion/Action**
   9.1 Reauthorize Library Director and Signatory Board Member(s) for Dual-Signatory Transactions for Accounts Payable and Banking Operational Procedures.
   Duque explained that with the changing of the Board, two board members, or the Director and one Board member needed to be able to sign checks. An alternate Board member would be needed as backup. Little had concerns as Duque is interim but noted that Hatch needed to be dropped from the bank account and Geronimo should be the second signee. Motion to authorize the Board President Little, and Secretary Geronimo as dual-signatory for Accounts Payable. M/S Lara/Ayo-Thompson. Motion passed unanimously.

10. **Interim Director’s Report & Comments**
    Duque decided not to report at this time.

11. **Board Member Comments**
    Ayo-Thompson expressed her wish to see the Children’s area focus on volunteer and outreach programs to teach social skills and the love of reading. Cousar said she was excited and could see the challenges ahead, looking forward to working together. Geronimo said he volunteered to serve on
the Board because of his children, and experiencing the library programs they went to last summer. He is looking forward to contributing to the decision making within the Library. Lara said she was excited and liked to see that the community was present. She has lived in Banning all her life, and her children as well. She remembers coming to the library as a child, then later her children. Little thanked the community for sharing their concerns. She thanked the new Board members from the bottom of her heart that they applied and then were approved to serve. She thought it would behoove the newcomers to have Brown Act training and guidance on how to conduct a meeting. She suggested they set up a special meeting the next Wednesday January 9, 2019 at 4:00 p.m. for the training and possibly to discuss the library’s contract with Munitemp from which Duque was hired. Geronimo requested that they discuss an alternate meeting time for the Board.

Jared verified that two items would be discussed at the special meeting, the Brown Act and procedure training and the Munitemp contract. Someone from the audience asked if the contract would have to be discussed at a regular meeting. Jared confirmed that it was okay to discuss it at a special meeting.

Little asked if the new Board members had paperwork to sign, which they then moved to the Library office where Morales notarized their Oath of Office, and formalized what the Registrar of Voters required.

12. **Last Minute Action Items**
   No last minute action items.

13. **Next Three Month Regular Board Meeting Dates Scheduled**
    February 6, 2019  March 6, 2019  April 3, 2019

14. **Adjournment**  5:33 P.M.
MINUTES
MEETING OF THE BOARD OF TRUSTEES
Wednesday – February 6, 2019
Banning Library Conference Room
21 W. Nicolet
Banning, CA 92220

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1. Closed Session 4:00 – 4:30 P.M.
   1.1 Conference with Legal Counsel – Existing Litigation
       Butler vs. Banning Library District (Pursuant to Govt. Code Section 54956.9(d)(1)

2. Open Session – Call to Order 4:41 P.M.  
   Kathy Little

3. Pledge of Allegiance  
   Kathy Little, Board President

4. Roll Call and Establishment of Quorum  
   Board Present: K. Little, W. Ayo-Thompson, L. Cousar, A. Geronimo, M. Lara  
   Staff Present: Eddy Duque - Interim Library Director, Andrew Jared – Legal Counsel

5. Report from Closed Session  
   Direction given, no action taken.

6. Community Comment

6.1 Friends of the Library  
   Gae Rusk, Vice President of the Friends of the Library, announced a Meet and Greet Event on Friday April 12, 2019 from 4-6 p.m. during National Library Week. She encouraged the new Board members, staff and FOL members to attend. There will be a brief membership meeting to elect or re-elect FOL board members, food, and music. The winner of the Friends first Essay Contest for 9-12th grade at Banning High School and Horizon students will be announced. Cash prizes will be given ($750, $500, $250). She mentioned that the library used to have one weekday in which the library was open until 7 p.m. and special events could be held with commuters attending. That opportunity has been lost.

   Linda Page, Treasurer of the Friends of the Library, spoke about the Banning Library as being classified as a Special District (13 in all of California) formed and governed by
local control. She felt this has been lost due to the last few groups of Board of Trustees. She asked that the new Board educate themselves. She questioned why Riverside County was still appointing their Board Members. Also mentioned was that the Legal Counsel and Interim Director are not from this community, were not held accountable, and have no interest in the community. She stated that the public has been kept in the dark, as the last four Board Meeting Minutes have not been posted, nor the Financials. The community room must now be only used by groups with 501C status that have an appointment to use the room because of liability issues. Her opinion was that a member of the Board should attend the FOL meetings and vice versa, with a yearly meeting between them to discuss concerns. Furthermore, the FOL must be kept up to date by the Library Director.

An audience member asked if they could address the Board during other Items on the Agenda. Jared answered that this was the time to speak on Items NOT on the Agenda, but if they wanted to comments on other Items to note so on the comment cards.

At 4:48, nine members of the community wished to address the Board, so five minutes were allotted each speaker.

Nick Parra started out saying that in order that solve the problems (between community and the Board) everyone needed to move ahead in a constructive manner. He has been hearing a lot of passion, good ideas, and talk of the historical collection which he hopes will be taken care of in a respectful way. He stated if we work together, communicate, not accusing each other or using hostile language, he thought we’d all get a lot further.

Gene Haver was concerned about Bill Bell’s recent termination and wanted to know the circumstances. He asked what elements he had to provide as a citizen to make a formal complaint. His main concern was how Bill’s termination fit in with the preservation of local artifacts and if this was the vision of this Library. If so, how would we do this without Bill? He restated he was concerned about the change of vision for what’s important to this Library and the community. In closing, he said he regards Bill as a local treasure.

Leonard Hernandez had just read Bill’s article in the Record Gazette about the local Eastside School and wondered if there would be more articles on that subject. It was important to him as he had gone to Eastside and a lot of people in his family. He asked if eventually he could get an answer to his question. Little answered “yes”.

Supanas Bowden asked what’s going to happen to the Historical Collection in the Library. So far, she has not heard from the Board about the plan. It is not on the Agenda, nor is there an explanation. So, she wonders why? At the last Board Meeting there was a lot of discussion, she has looked for the Minutes, and yet this subject is not on this Board Meeting’s Agenda.

Gloria Bell handed out papers to the Board then said that at the January 2, 2019 Board Meeting there had been an incredible turnout of people in support of Bill Bell and yet there was nothing on today’s Agenda. She was surprised that the Board had chosen to ignore that fact. What happened to all the complaints? She felt that Jared and the new Interim Director seemed to be in control, seeing the small lies will become big lies and eventually the library would be in a bad place. Bill’s last paycheck was picked up by her on January 3, 2019 after receiving a phone call in which the delay has been explained as
not having the right size envelope to be mailed out. She addressed Madame President Little and her chair, Board Members, asking that Duque’s temporary position be terminated immediately.

Don Smith a patron for sixty years said he was there because of things he’s read on the web and newspapers, and the Historian position. When he was Vice President of Banning’s 2013 Centennial Committee, he wanted to create a memorial with everyone in Banning who had lost a family member from serving in the military. He came to Bill Bell who went through the Record Gazette articles and produced two boxes of research of Banning’s involvement in WWII. His opinion was that the Library have someone that knows what’s in the “secret room”, and the Board needs to fulfill that function. He added that Bill has also found “stuff” of monetary value that benefited the Library. Another important part of the Centennial was Bill’s book “100 Years of Banning”.

Bernie Howlett, a Banning resident since 1982, became an amateur historian because he loves this town! He has found out a lot of history with the aid of Bill’s help and the Historian before him. Bernie helped the previous administration update their historical archives by providing special sleeves for the Barker notebook. With Bill gone, he has nobody in the Library that’s knowledgeable about what’s in the “secret room” and finding where the answer is located. He was a Commissioner of the Banning Library when they separated from the School Board in 2006, so he was one of the first Trustees. At that time, the Trustees told the Director what he/she could do and may not do.

Sean Balingit, President of the San Gorgonio Pass Historical Society, had sent letters out to all the Board of Trustees and Duque. He decided to read it publically. In the letter he asks that the historical collection be given to the SG Pass Historical Society where it will continue to be preserved and be kept safe. Of most importance is the Bud Matheson tapes (@3,000), the historical photo collection, phone book collection, 100+ years of Record Gazettes and the Barker family archives. The society has the space and resolve to care for the collection. He has seen a resurgence of interest in local history due to the influx of new people moving into the area. He asked the Board for a definitive answer about what will become of the historical collection. He prefer it to be housed at the Library where it will be cultivated, maintained and publically available. Again he asked, will the collection be maintained or discontinued? He requested that the issue be put on next month’s Agenda and asked the process as a local citizen to have items agenized. In closing, he stated that it was a detriment to the Library that Bill was no longer an associate, that he was an asset, and that the Board should reconsider getting that asset back.

Mary Sartin spoke about it being an honor to be one of the thirteen district libraries in California, but without historical archives, it could not be a district library. At the January 9, 2019 special meeting she sited that Jared has said there had not been any Brown Act violations, but there had been a lot of them i.e.: the firing of Bill, no public comments, no agenda items, Duque asking the FOL to leave the library, public record requests that have not been received, and the October 9, 2019 meeting when Duque was hired. She asked who hired him? Why were there no Minutes of that meeting? Duque answered that no Minutes were available of that meeting. Sartin then asked Little if she had been present at the October 9, 2019 meeting. Little answered “yes” but they were unable to find the Minutes, however all meetings are tape recorded. Jared had said at the October 9th meeting that Bill would be on the regular Board meeting Agenda, and yet he wasn’t. Sartin asked if the Board looked at the Agenda before the meeting time, so they could
comment if an item had been missed. Although the Board is legally responsible, she felt they were being led by Duque and Jared, when the two should be helping. Sartin stated she wanted the historical collection saved, or Banning wouldn’t have a district library.

Mike Rose, a Banning resident since 1963, and retired History teacher from Banning High School, remarked that when planning the Centennial event, all the records they needed were at the library. He lamented that Duque and the new Librarian, Kevin Lee, showed no interest in history, and have both indicated they’d like it out of the way because they need the space. Local History belongs at the local library and assessable. The most recent book written about Banning was written by Bill Bell. He asked that the Board save the historical collection, bring Bill back, and honor the Historian position as it should be.

Bernie Howlett asked for a few more seconds to speak. He thought in regards to the collection going to the Historical Society a great idea, but they are not open 5-6 days a week like the library.

Linda Page recited this from the ALA “Special Library Districts preserve local history”. Gae Rusk talked about her casual survey she has conducted within the last month throughout the city. She reported that 100% of the people questioned wanted local control returned to their local library. They were sick of people from other regions, who come and go, running the library. Rusk said it’s been an eight year problem, out-of-towners who take their salaries, but have not engaged with the community, and that think our local history is not important.

Little thanked all present for their concerns and comments. Jared suggested it was time for the Board to address the community. Geronimo stated he has heard of the reoccurring concerns and thought they should keep the historical collection and discuss the Historian position. He said he hears their plight. He felt the community has failed as a whole in that when it was time for the new Board elections, no one had applied except for Little. The new Board volunteered to be appointed to their positions. He had felt responsible because his children come to the library and its programs. He promised that they would get up to speed and address things in a timely manner. Little denied she has ever heard of the historical collection leaving the library, and as far as she knows, it is staying. The Board had just received Balingit’s letter just before the meeting and she thanked him for sharing it with everyone. Jared wanted to clarify the Board appointment process. The city council does not have the authority to appoint the Board, as the district goes beyond city limits, so are elected by those in the district. Four years ago there had been a dispute between the District and the County under California Law as to who made the Board appointments. They went to the Attorney General’s office, and Kamala Harris made a ruling that when there were vacancies, the Board made the appointments. In August 2018 a unique situation arose when all five Board seats were up for election. Only Little wanted to run again for office. Under the Elections code, Little was appointed and the other four appointments defaulted to the County. In September 2019 Board members made recommendations after interviewing the candidates. In December 2018 the Board of Supervisors picked the rest.

John Gramble from Management Partners introduced himself. He has been employed in local government for 45 years and served as City Manager in four California cities. He specializes in finances, personnel, and has worked with councils to develop priorities and policies. He is working at the Banning Library to help create a budget that the Board
understands, showing a historical record of their budget. His goal is to give documents to
direct the staff so as to have true control over the financial information received. Since
there were no questions, he asked the Board if he could meet with them sometime and
discuss their goals, which he would incorporate into his research.

7. Consent Calendar
7.1 Board Regular Meeting Minutes – January 2, 2019
Since the Minutes had not been posted on the Library website, it was suggested that
copies be made, then reviewed. Motion to table the Minutes until they could be reviewed.
M/S Lara/Cousar. Motion passed unanimously.

A member of the audience asked about the Minutes from the Special Meeting of January
9, 2019. Little said they would be available at the March Regular Meeting.

8. Board Items – Discussion/Action

8.1 Request for Board Action – Policy: Budget Fiscal Year, No. 3020
Correcting and affirming accounting fiscal year period for District budget.
This item was brought up at the December meeting, as the old Board wanted to move this
item forward because the timeline impacts the new Board. It asks for a correction to
Policy 3020.1 to state that the district fiscal year starts July 1 and ends on June 30 of the
following calendar year. In addition, another correction to Policy 3020.2 in which a draft
budget needs to be presented to the Library Board in April. The final draft budget must
be proposed as first and second readings prior to June 30. Policy 3020.4 needs correcting
to say that the Board Approved and Adopted Fiscal Year Budget must be submitted to
federal, state, and county agencies as required. Motion that this be the first reading as
introduced. M/S Ayo-Thompson/Cousar. Motion passed unanimously.

8.2 First Reading of Job Description for Library District Director Position
New job description for inclusion into policy after future Second Reading.
Geronimo asked about the hourly wage, as part time seemed high compared to other
administration positions. He asked to see job descriptions and salaries comparable to
other Directors statewide. Cousar thought it was just a recommendation, agreed the salary
high, and asked when they make changes to it. Little answered “now”. Geronimo
thought that the ten years’ experience seemed to be too much and would exclude people
in the community. Little concurred. Geronimo questioned the words “flexible schedule”
wondering if that was workable. He thought with the salary they were offering it should
be a fulltime position. Little responded by saying this was a new position, still
in the works. Lara asked if they could see a copy of the Librarian position. She had
looked at other Districts and noted that most Directors hold a MLS degree. The Board
wanted the Head Librarian position brought back for discussion so they could compare it
side by side, with the Director’s position, to decide if they need both positions. Duque
offered that he could bring an explanation on the hourly range but Little clarified that
they wanted to see other examples. Gloria Bell asked if the public could give input into
the job description, and Little answered in the affirmative. She suggested a study session
with members of the community. Janelle Fuller, audience member, criticized the Interim
Director and Counsel for not helping the new Board members better understand. She said
they should have a study session that is not an action item, ask for the information
needed, and the information is brought back. The Board has the full power. She stated
they do not have to vote on the first reading, only the second. Jared disagreed, saying that
they do vote on the first reading, so there is certainty it will be brought back for a second
reading. He also clarified that in the last four years the Head Librarians didn’t have the Special District experience, with the exception of Dan Rodriguez, previous Interim Director. The last six months the Board has been talking about splitting the Director position so the Head Librarian could focus mainly on library issues.

Sean Balingit, apologized for the interruption, and asked how many hours before the Board meetings do the packets need to be available? Duque answered 72 hours. The Library are looking to have a public portal available soon, but anyone could come into the library and ask for a copy of the packet. Balingit who has served on many different public and private boards, said that although the new Board Members were maybe not familiar with parliamentary, rules or requirements of the position, all would be okay if they erred on the side of transparency, and that the community was there to help.

Don Smith complimented the new Board, and felt that Jared has given them good advice. The purpose of the Brown Act is to allow the public to have a meaningful ability to give input prior to the Board meeting. He personally found it difficult to pick up a packet beforehand, and commented that most public institutions have the Agenda and packet on their website.

8.3 Board Discussion – Board of Trustees – Bylaws Draft
Review of draft District Bylaws prior to future First and Second Reading.
Motion to table the Bylaws so everyone could review them. M/S Ayo-Geronimo. Motion passed unanimously. Little commented that the last set of Bylaws were from 1997. Bernice Howlett said they redid the Bylaws in 2006 when they separated from the School District and hoped he still had them at home. Little said she’d love to see a copy of them as they’ve been unable to locate them.

9. Interim Director’s Report & Comments
Duque reported that the new Payroll system is in the final testing stages. The staff has worked very hard since the end of October setting it up. He said a new Auditor David Becker has been hired, a CPA from Martha & Company. They also have been working on a new project called “Making History Come Alive” to exhibit books that have been hidden from the public to be displayed in newly purchased locked cases. Check out parameters are still being developed. About 150 books are to be looked at, cataloged, security tags inserted, and some will need to be repaired. Geronimo asked about the timeline for these to be in place and Duque thought two months as whole book collections would need to be moved to create room for the new bookcases. There are another 300 historical books to be looked at after this first group. Kevin Lee, new Librarian will be talking with Sean Balingit to discuss the whole historical collection. Currently the books are being stored in the history (secret) office. Bernie Howlett remarked that many of those books were irreplaceable. Mary Sartin was concerned that Lee had no history knowledge, and his degree had been in Library management. Lee spoke on the scavenger hunt that he is planning with members of the Morongo tribe. They’ll come up with local historical questions for students to research and then given prizes after they’ve submitted their answers.

10. Board Member Comments
Little complimented the Library staff for the Black History month display in the front of the Library. She assured the community that she would look into a study session. She voiced that the December
Minutes were not on the Agenda, but as revisions were to be made, they need to be on the next Board meetings' Agenda. She thanked the audience for coming out again, following the rules, being so pleasant and passionate for the Library.

11. **Last Minute Action Items**  
No last minute action items.

12. **Next Regular Board Meeting Tentative Dates Scheduled**  
   1) March 6, 2019  
   2) April 3, 2019  
   3) May 1, 2019

13. **Adjournment**  6:27 P.M.

14. **Closed Session**  6:40

   14.1 Conference with Legal Counsel – Exposure – Two Matters  
       (Pursuant to Govt. Code Section 54957(d)(2))

   14.2 Employee Appointment, Evaluation, Dismissal – Library Director  
       (Pursuant to Govt. Code Section 54957(b)(1))
March 6, 2019

SUBJECT: Upcoming Board of Trustees and Interim Director Conference and Training

RECOMMENDATION:

That the Board of Trustees attend one or more training listed here. That the Interim Director attend all courses listed here.

FINDINGS:

1. New Trustees will understand all of the essential best practices of servicing as a board trustee of a special district.

2. New Interim Director will continue with education to meet today’s expectations of a special district library.

Prepared by: Kevin Lee, Interim Director
## BANNING LIBRARY DISTRICT
### STAFF REPORT

**Exhibit A**

### Schedule

#### Interim Director Training

### March
- Policy and Procedure Writing  
  - Date: 3/13/2019  
  - Location: Victorville  
  - Fee: free
- Ethics Law for Public Officials  
  - Date: 3/19/2019  
  - Location: Webinar  
  - Fee: $65

### April
- Legislative Round-Up  
  - Date: 4/11/2019  
  - Location: Webinar  
  - Fee: free
- Resources for General Managers  
  - Date: 4/12/2019  
  - Location: Webinar  
  - Fee: free
- Employee Privacy—Is there such a thing  
  - Date: 4/23/2019  
  - Location: Webinar  
  - Fee: $65
- Human Resources Boot Camp for Special Districts  
  - Date: 4/24/2019  
  - Location: Simi Valley  
  - Fee: $225+
- Financial Management for Special Districts  
  - Date: 4/25/2019  
  - Location: Simi Valley  
  - Fee: $225+

### May
- How Social Should Special Districts Be?  
  - Date: 5/7/2019  
  - Location: Webinar  
  - Fee: $65
- Do You Have the Evidence? Employment Documentation  
  - Date: 5/9/2019  
  - Location: Webinar  
  - Fee: $65

### Recommended Board of Trustees Training

#### March
- Board Member Best Practices  
  - Date: 3/7/2019  
  - Location: Goleta  
  - Fee: $50
- Board Member Best Practices  
  - Date: 3/14/2019  
  - Location: Bakersfield  
  - Fee: $50
- Board Member Best Practices  
  - Date: 3/28/2019  
  - Location: Corning  
  - Fee: $50

#### April
- Board Member Best Practices  
  - Date: 4/4/2019  
  - Location: Cupertino  
  - Fee: $50
- 2019 Special District Leadership Academy San Diego  
  - Date: 4/7–10/2019  
  - Location: San Diego  
  - Fee: $600+
- Board Member Best Practices  
  - Date: 4/18/2019  
  - Location: Byron  
  - Fee: $50

#### May
- Resources for Board Secretaries  
  - Date: 5/30/2019  
  - Location: Webinar  
  - Fee: free

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Prepared by: Kevin Lee, Interim Director
March 6, 2019

SUBJECT: Recommendation to Accept the Value of Libraries grant of $3,000

RECOMMENDATION:

That the Board of Trustees accept the Value of the Libraries grant of $3,000.

FINDINGS:

1. This grant will allow the District to implement a library program that helps Banning residents understand how the job hiring process works—resumes, job applications, and mock interviews with local hiring managers.

Prepared by: Kevin Lee, Interim Director
March 6, 2019

SUBJECT: Second Reading: Modification: Budget Preparation, Policy No. 3020

RECOMMENDATION:

That the Board of Trustees:

1. Approve to add second sentence to 3020.1 to identify “District Fiscal Year is July 1st to June 30th of following calendar year.”

2. Modify 3020.2 so it reads “A draft budget for the next fiscal year will be presented to the Library Board in April.”

3. Delete current sentences under 3020.3 and 3020.4.

4. Change 3020.3 to reflect—“A final draft budget for the following fiscal year will be proposed as official First and Second Readings prior to June 30th. Official Board Action must affirm no later than June 30th to pass Extension of the Budget Approval and Adoption past June 30th into the next fiscal year.”

5. Delete current sentence in 3020.4 and add to read—“Board Approved and Adopted Fiscal Year Budget must be submitted to federal, state, and county agencies as required.”

FINDINGS:

1. It is critical the approved fiscal year of the District be clearly understood as July 1st to June 30th of the following calendar year.

2. Proposed modifications allow for earlier action and responsiveness prior to fiscal year close.

Prepared by: Kevin Lee, Interim Director
Banning Library District

POLICY MANUAL

POLICY TITLE:    Budget Preparation
POLICY NUMBER:  3020

3020.1 An annual budget proposal will be prepared by the Library Director.

3020.2 A preliminary budget estimate will be presented to the Library Board of Trustees prior to the June board meeting.

3020.3 The proposed annual budget will be reviewed and adopted as a first reading by the Board at its regular meeting in June and set for approval at the July meeting.

3020.4 The proposed annual budget as amended by the Board during its review will be adopted at its regular meeting in July and submitted to the county auditor/controller by deadline.
March 6, 2019

SUBJECT: Second Reading: Modification: Employee Status, Policy No. 5010

RECOMMENDATION:

That the Board of Trustees:

1. Approve deletion of current sentence under 5010.2.

2. Add, using the same number: “Probation can be set by 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.”

FINDINGS:

1. This will allow appropriate time to evaluate new recruitments before granted regular status.

Prepared by: Kevin Lee, Interim Director
Banning Library District

POLICY MANUAL

POLICY TITLE: Employee Status
POLICY NUMBER: 5010

5010.1 A "Regular" employee is one who has been hired to fill a regular position in any job classification and has completed his/her probationary period. 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 A "Probationary" employee is one who has been hired to fill a regular position in any job classification and has less than three continuous months of service with the District. Upon successful completion of three months of continuous service with the District in said classification, and upon the Library Director's decision, said employee will be granted regular employee status.

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.
March 6, 2019

SUBJECT: Second Reading: Modification: Holiday, Policy No. 5110

RECOMMENDATION:

That the Board of Trustees:

1. Approve deletion of current sentence under 5110.1.

2. Add new sentence “This policy will only apply to all regular full-time employees defined under Employee Status, 5010.1, describing Full-time employee status.”

FINDINGS:

1. Part-time employees are currently getting full-time employee benefits for less hours worked on those holidays recognized under 5110.2.

2. Part-time employees do not generally get holiday pay in public agencies.

Prepared by: Kevin Lee, Interim Director
5110.1 This policy will apply to all non-exempt regular full-time and part-time employees who work twenty-two hours or more per week.

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 Day

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 work day before and his/her first regularly scheduled work day after said holiday. Eligibility is also granted if the employee is on vacation or has notified his/her supervisor and the Library 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, 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."