

BOARD POLICY COMMITTEE MEETING
Tuesday, October 3, 2017

MINUTES

1.0 PROCEDURAL MATTERS

1.1 Call to Order

The meeting was called to order at 9:14 a.m. by Mr. Larry Labrado. Other members present: Ms. Arianna Barrios and Mr. John Hanna.

Staff present: Ms. Toni Bland, Ms. Debra Gerard, Mr. Manny Pacheco, Mr. Enrique Perez, Dr. Raúl Rodríguez, Mr. Ruben Smith, and Ms. Anita Lucarelli as record keeper.

1.2 Pledge of Allegiance to the United States Flag

The pledge of allegiance was led by Mr. Hanna.

1.3 Public Comment

There were no public comments.

1.4 Approval of Minutes

It was moved by Ms. Barrios and seconded by Mr. Labrado to approve the minutes of May 23, 2017. The motion carried with the following vote: Aye – Ms. Barrios, Mr. Hanna, and Mr. Labrado.

2.0 REVIEW OF BOARD POLICIES & RELATED ITEMS

The committee chose to suspend the rules and consider Item 2.9 at this time.

2.9 Review of Board Policy (BP) 3821 and Administrative Regulation (AR) 3821 Gift Ban Policy

The committee reviewed BP3821 and AR 3821 Gift Ban Policy and made the following recommendations (italics):

Definitions

5. Gift shall have the meaning it is defined to have in the California Political Reform Act, and the regulations issued pursuant to that Act, except that the following shall not be deemed to be gifts:

a. Meals, beverages, and free admission at any event sponsored by, or for the

2.0 REVIEW OF BOARD POLICIES & RELATED ITEMS (contd.)

2.9 Review of Board Policy (BP) 3821 and Administrative Regulation (AR) 3821 Gift Ban Policy (cont.)

benefit of, a bona fide educational, academic, or charitable organization, ~~and commemorative gifts from such organizations with a cumulative value from any single source of fifty dollars (\$50.00) or less during any twelve-month period.~~

~~f. Food and beverages consumed by District officers or designated employees that total less than \$5.00 per occasion.~~

Prohibitions

1. No person who is doing business with or soliciting business from the District shall make any gift to any District officer.
2. No person who is doing business with or soliciting business from the District shall make any gift to any designated employee who, by virtue of his District employment, could make a governmental decision, participate in making a governmental decision, or use his or her official position to influence a governmental decision regarding the pending business of the donor, or who has done any of the above during the twelve (12) months preceding the donation.
3. No District officer shall solicit or accept any gift from any person whom he knows, or has reason to know, is doing business with or soliciting business from the District.
4. No designated employee shall solicit or accept any gift from any person whom he knows, or has reason to know, is doing business with or soliciting business from the District, when such employee, by virtue of his District employment, could make a governmental decision, participate in making a governmental decision, or use his or her official position to influence a governmental decision regarding the pending business of the donor, or has done any of the above during the twelve (12) months preceding the donation.

Violations and Enforcement

4. The Chancellor shall establish an administrative regulation that includes appropriate exempted activities and ensures district employees and officials follow this policy.

After the abovementioned recommendations have been added to the policy, the committee recommended it be forwarded to the board for a first reading.

The committee chose to suspend the rules and consider Item 2.10 at this time.

2.0 REVIEW OF BOARD POLICIES & RELATED ITEMS (contd.)

2.10 Discussion of Guidelines for Board Members in relation to the Public Records Act, the Brown Act and the Conflict of Interest Code

The board discussed recommendations regarding the use of social media and cellular devices under the Public Records Act provided by Ruben Smith and T. Matthew Hansen. It was recommended that board members use a district email account for business correspondence. The committee asked Mr. Smith to develop policy recommendations with guidelines for trustees and employees regarding the use of personal devices for business purposes. In addition, the committee asked the chancellor to ask board members if they have any questions regarding this issue.

2.1 Review of Board Policy (BP) 2745 Board Self Evaluation

The committee reviewed the policy, self-evaluation instrument, list of designated recipients, and the self-evaluation timeline; and recommended the self-evaluation instrument, list of designated recipients, and the self-evaluation timeline be forwarded to the board for approval.

2.2 Review of BP 3310 Records Retention and Destruction

The committee reviewed the policy and recommended it be forwarded to the board for a first reading.

2.3 Review of BP 6330 Purchasing

The committee reviewed the policy and recommended that BP 3821 (Gift Ban Policy) and BP 6330 (Purchasing) compliment one another. In addition, the committee asked that BP 6330 be included as a reference on BP 3821.

2.4 Review of BP 6332 Competitive Bidding, Quotations and Contracts

The committee reviewed the policy and recommended it be forwarded to the board for a first reading.

2.5 Review of BP 6505 Inventory Order Quantity and Storage Controls

The committee reviewed the policy and recommended it be forwarded to the board for a first reading.

2.6 Review of BP 7330 – Communicable Disease

The committee reviewed the policy and recommended it be forwarded to the board for a first reading.

2.0 REVIEW OF BOARD POLICIES & RELATED ITEMS (contd.)

2.7 Review of BP 7340 – Leaves

The committee reviewed the policy and recommended it be forwarded to the board for a first reading.

2.8 Review of BP 7100 Commitment to Diversity and Assembly Bill 847 - Academic Senates: Membership

The committee reviewed the policy and asked staff to create an administrative regulation relating to BP 7100 which would include an annual report on diversity.

2.9 Review of BP 3821 and Administrative Regulation (AR) 3821 Gift Ban Policy

This item was reviewed after Item 1.4 (Approval of Minutes).

2.10 Discussion of Guidelines for Board Members in relation to the Public Records Act, the Brown Act and the Conflict of Interest Code

This item was reviewed before Item 2.1 (BP 2745 Board Self Evaluation).

2.11 Proposal of Future Agenda Items

It was noted that the committee asked Mr. Smith to develop policy recommendations with guidelines for trustees and employees regarding the use of personal devices for business purposes during discussion of Item 2.10 (Discussion of Guidelines for Board Members in relation to the Public Records Act, the Brown Act and the Conflict of Interest Code).

3.0 ADJOURNMENT

Chairperson Labrado declared this meeting adjourned at 10:10 a.m.