

# **CONTRA COSTA COUNTY LIBRARY COMMISSION**

## **BY-LAWS**

**SEPTEMBER 1991**  
**AMENDED SEPTEMBER 1992**  
**AMENDED JANUARY 1999**  
**AMENDED \_\_\_\_\_ 20xx**

**BY-LAWS OF THE**  
**CONTRA COSTA COUNTY LIBRARY COMMISSION**  
**As Amended \_\_\_\_\_ 20xx**

**I: NAME**

The name of the commission is the Contra Costa County Library Commission ("the Commission").

**II: AUTHORITY**

The Commission is organized and exists as an advisory board to the Board of Supervisors of Contra Costa County (the "Board") and the County Librarian pursuant to an Order of the Board dated March 12, 1991.

**III: PURPOSE**

The Commission is created for the following purposes:

- A. To serve in an advisory capacity to the Board of Supervisors and the County Librarian.
- B. To provide a link between the community and the County Library.
- C. To provide a forum for the public to express its views regarding the goals and operations of the County Library.
- D. To assist the Board of Supervisors and the County Librarian in providing library services based on assessed public need.
- E. To make recommendations to the Board and the County Librarian for the betterment of the County Library, including, but not limited to, ways to ensure stable and adequate funding for libraries in the County.

**IV: DUTIES**

The Commission shall perform the following advisory functions:

- A. Participate in short and long range planning activities for libraries.
- B. Hold hearings that permit the public to express its views on matters related to the County Library.
- C. Monitor progress made in achieving goals set forth in plans adopted by the Board. Report and make recommendations to the Board and the County Librarian in this regard.

- D. If the Commission has concerns or questions regarding the library budget, the Commission may make recommendations to the Board and County Librarian.
- E. Assist in the development of policies that the Commission and the County Librarian determine will improve the operations of, and services available through, the County Library.
- F. Advocate and recommend the levels of funding necessary to provide each level of service proposed by the Commission, the Board, or the County Librarian, as the case may be. Explore alternative methods of establishing stable and adequate funding for each level. Report the Commission's findings, along with any related recommendations, to the Board of Supervisors and the County Librarian.
- G. Perform other tasks and assignments that are referred to the Commission by the Board or County Librarian.
- H. Submit reports to the Board and County Librarian when the Commission deems such reports to be timely and appropriate.
- I. Oversee the actions of standing and ad hoc committees of the Commission.
- J. Discuss and vote on major policy issues.
- K. Provide community input for the County Library.

Note: The Library Commission is specifically prohibited from undertaking any inquiry or investigation into the (i) personnel policies and practices, and (ii) day-to-day administrative operations of the County Library.

## **V. MEMBERSHIP**

- A. All Board of Supervisors' district nominees are approved by the Board. Other representatives are appointed and approved by their community's local government body.
- B. The Commission consists of up to twenty-nine members. The members who are appointed by the Superintendent of Schools, the Contra Costa Central Labor Council, the Contra Costa Council, the Friends Council, or the Contra Costa Community College District are the "Special Representatives." All appointments are to be made as follows:
  - i. One member nominated by each of the five (5) members of the Board.
  - ii. One member appointed by each of the nineteen (19) cities in the County of Contra Costa.<sup>1</sup>

1. The nineteen (19) cities are: Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek.

- iii. One member appointed by the Superintendent of Schools
  - iv. One member appointed by the Contra Costa Central Labor Council
  - v. One member appointed by the Contra Costa Council
  - vi. One member appointed by the Friends Council
  - vii. One member appointed by the Contra Costa Community College District.
- C. Nominations made by a member of the Board must be of someone other than a member of the Board.
  - D. Appointments made by a City/Town Council must be of someone other than a member of that city's/town's City/Town Council.
  - E. The appointment made by the Contra Costa Community College District must be of someone other than a member of the district's board.
  - F. When a vacancy occurs, the Board member or entity represented by the vacant seat may appoint a replacement representative.
  - G. Each board member or entity eligible to nominate/appointment a member to the Commission may also nominate/appointment an alternate to attend meetings in the absence of the regular member. The Secretary must be given notice prior to a meeting that the alternate will be attending the meeting. Commission alternates may attend meetings; however Commission alternates only vote in the absence of the regular member.

## **VI. DURATION AND TERM**

- A. The Commission terminates on June 30, 2016, unless extended by the Board with the approval of the Mayors' Conference (any such extension is called, a "Reinstatement.")
- B. The standard term of each member's appointment is two years. An appointment made to fill a vacancy will be for the term remaining for the vacated seat.

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## **VII. ATTENDANCE REQUIREMENTS**

- A. Regular attendance at meetings of the Commission is required. An unexcused absence from three regularly scheduled consecutive meetings will be considered grounds for the Commission to recommend to the Board that the absentee member's appointment be rescinded by the Board. Excused absences will be granted for the following reasons: illness of self, member of immediate family, or close friend; death of member of immediate family or close friend; requirements of the member's job or elected/appointed position; vacation. A member must contact the Secretary prior to the meeting to be excused from a meeting.
- B. The Chair will notify any member at risk of having his or her appointment rescinded before

recommending rescission to the Board.

- C. Rescission of an appointment to the Commission may only be effected by an action of the Board or appointing entity.

## **VIII. OPEN MEETINGS AND CONFLICT OF INTEREST**

The Commission meetings shall be conducted open to the public in accordance with the Ralph M. Brown Act, (Gov. Code 54950 et seq.) and the Contra Costa County Better Government Ordinance. Commission members shall adhere to the principles and rules of the Political Reform Act of 1974 (Gov. Code 81000 et seq.).

## **IX. OFFICERS**

- A. The Commission shall elect its own Chair and Vice-Chair. The County Librarian will be the Secretary.
- B. The Chair shall (1) preside at all business meetings, (2) set the agenda and review minutes for all meetings in consultation with the Secretary, (3) have general supervision over all Commission business, and (4) have such other powers and duties as may be assigned to him/her by the Commission.
- C. The Vice-Chair shall, in the absence or inability of the Chair to act, exercise all the powers and perform all the duties of the Chair. He/she shall also have such other powers and shall perform such other duties as may be assigned to him/her by the Commission.
- D. The Secretary will keep the minutes of the meetings of the Commission. In consultation with the Chair, he/she shall prepare all agendas. He/she shall distribute all agendas, act as custodian of the Commission's records, keep a register of the contact information of each member, which will be furnished to the Secretary by each member and, in general, perform all duties incident to the office of Secretary.
- E. The Chair and Vice-Chair shall be elected annually at the regular November meeting for a term of one year and may succeed themselves for one additional consecutive term. Majority votes of both city/town and County members present constituting a quorum are required to elect officers to the Commission.

## **X. MEETINGS**

- A. The regular meetings of this Commission shall be held at least quarterly at 7:00 p.m. at the Contra Costa County Library Headquarters, 1750 Oak Park Blvd., Pleasant Hill, or other designated location. Ninety-six hours' notice must be given for all regular meetings.
- B. A special meeting may be called at any time by the Chair or by a majority of the

Commission.

- C. A quorum for all meetings shall be one more than half of the total authorized seats of the Commission.
- D. A copy of the agenda and minutes of each meeting shall be mailed to each member, the Board of Supervisors, and any additional persons as authorized by the Commission. Other persons requesting the minutes of a meeting must do so in writing to the Secretary and pay the prevailing copying and mailing rates.

## **XI. VOTING**

- A. At the first regular meeting that follows a Reinstatement, the five Special Representatives will be associated with the city/town representatives for voting purposes and the two Special Representatives will be associated with the County representatives for voting purposes shall be determined by drawing lots.
- B. The work of the Commission shall proceed by consensus whenever there is no objection from a member to proceeding in this manner. On any matter where any member requests a recorded vote on a matter, approval of the matter shall require a majority vote by the city/town representatives and the Special Representatives associated with them. (For example, on a 29 member Commission with all members present, approval of an item would require at least 12 "aye" votes from the 22 city/town representatives and four "aye" votes from the 7 County representatives.)
- C. Proxy voting is not permitted.

## **XII. CONDUCT OF BUSINESS**

- A. No business shall be transacted at any meeting of the Commission other than on those matters named in the publicly posted agenda.
- B. All meetings of the Commission shall be called to order by the Chair, or in the Chair's absence, by the Vice-Chair, or in the Vice-Chair's absence, by a Commission member designated for that purpose by the Chair or Vice-Chair.
- C. Public comment at all meetings shall be as provided for under applicable law.

## **XIII. COMMITTEES**

- A. The Commission shall appoint committees of two or more members for such specific purposes as appropriate for the conduct of the business of the Commission. Committees may either be standing or ad hoc.

- B. All committees shall make progress reports to the Commission at each of the Commission's regular meetings.
- C. All committees are encouraged to contain a mix of County, city/town, and special members.
- D. All committee meetings shall be conducted under the same policies governing meetings of the Commission.

#### **XIV. AMENDMENTS TO THE BY-LAWS**

- A. These By-Laws may be amended by two-thirds vote of both city/town and County members of the Commission on advance written notice. All amendments that alter the provisions of the March 7, 1991 Board Order that established the Commission must be approved by the Board.
- B. Notice of proposed By-Law amendments shall be presented in writing at a regular meeting of the Commission for discussion. The Commission shall vote on the proposed amendments at the next regular meeting of the Commission. The agenda for the meeting at which the proposed amendments are to be voted upon shall contain an item entitled "Proposed By-Law Amendment."

#### **XV. PUBLIC ACCESS TO COMMISSION RECORDS**

The Commission shall make available to the general public all records as required by law.

*Adopted by the Contra Costa County Library Commission on September 26, 1991.*  
*Amended by the Contra Costa County Library Commission on September 24, 1992.*  
*Amended by the Contra Costa County Library Commission on January 28, 1999.*  
*Amended by the Contra Costa County Library Commission on [ xxxxxx, xx, 20xx].*