

AMENDED AND RESTATED BYLAWS OF THE

**CONTRA COSTA COUNTY LIBRARY COMMISSION**

Adopted ~~BY LAWS~~

SEPTEMBER 1991

April 24, 2018

**AMENDED ~~SEPTEMBER 1992~~ AND RESTATED BYLAWS**

~~AMENDED JANUARY 1999~~

~~AMENDED JANUARY 2012~~



~~BY LAWS OF THE~~  
~~CONTRA COSTA COUNTY~~  
~~LIBRARY COMMISSION~~  
~~As Amended January 2012~~

~~+~~—April 2018

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. The composition of the Commission and certain of its powers were revised pursuant to an Order of the Board dated December 19, 2017, and an Order of the Board dated April 24, 2018.

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.B.~~ To provide a link between the community and linkage to the County Library including, but not limited to, providing regular reports on the activities of the Commission to appointing authorities.

~~C.C.~~ To ~~provide~~serve as a forum for the ~~public~~community to express its views regarding the goals and operations of the County Library.

~~D.D.~~ To assist the Board ~~of Supervisors~~ and the County Librarian in providing library services based on assessed public need.

~~E.To make recommendations~~E. To develop and recommend proposals to the Board and the County Librarian for the betterment of the County Library, including, but not limited to, ways to ensure such efforts as insuring a stable and adequate funding level for the libraries in the County.

IV. ~~IV:—~~DUTIES

The Commission shall perform the following advisory functions:



~~A. Participate in short and long range the planning activities for libraries.~~

~~B.A. Hold hearings that permit the public to express its views on matters related to process, including the Library element of the County General Plan and the Library Strategic Plan.~~

~~B. 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.~~

~~C. If the Commission has concerns or questions regarding the library budget, the Commission may make recommendations to the Board and County Librarian.~~

~~D. Assist in the development review of County Library policies that the Commission and the County Librarian determine will improve the operations of, and services available through, the County Library.~~

~~F.B. Advocate and recommend the levels of funding necessary to provide each level of and 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 to the public.~~

~~G.C. Perform such other tasks and undertake such other assignments that areas may from time to time be referred to the Commission by the Board or the County Librarian.~~

~~H.D. Submit Provide reports to the Board and the County Librarian when the Commission deems such reports to be timely and appropriate.~~

~~X. Oversee the actions of standing and ad hoc committees of the Commission.~~

~~XI. Discuss and vote on major policy issues.~~

~~XII. Provide community input for the County Library.~~

~~Note: The Library Commission is an advisory body and as such is specifically prohibited from (i) undertaking any inquiry or investigation into the (ii) personnel policies and practices, and (iii) of the County Library or the day-to-day administrative operations of the County Library, and, (ii) from taking any action that would imply the County's support or opposition to legislation, in the absence of, or that is inconsistent with, adopted Board positions. Only the Board of Supervisors can send letters on a particular piece of legislation.~~

## ~~V. MEMBERSHIP~~

~~V. All Board of Supervisors' district nominees~~ COMPOSITION

~~A. When all positions are approved by the Board. Other representatives are appointed and approved by their community's local government body.~~

~~B. The filled, the Commission consists will be comprised of up to no fewer than twenty-nine four voting members. The and no more than twenty-eight total 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 (voting and non-voting members are "Members"). The composition of the "Special Representatives." All appointments are to Commission will~~



be ~~made~~ as follows:   

- i. ~~One member nominated by~~ Eighteen city (town) representatives, with each of the five (5)  
~~members of the Board.~~
- ii. ~~One member appointed by each of the nineteen (19)~~ eighteen cities and towns in the  
County ~~of Contra Costa.~~ 1.

~~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~~Library Service Area<sup>1</sup> having one appointment, and with each appointment being (i) other than a member of the Board.

~~D.A. Appointments made by city (town) council, and (ii) a voting Member (each such Member a "City/Town Council must be of someone other than a member of that city's/town's City/Town Council Member").~~

~~E.B. The Five representatives of the County, with each member of the Board having one appointment made by the Contra Costa Community College District must be of someone and each appointment being (i) other than a member of the district's board. Board, and (ii) a voting Member (each such Member, a "County Member").~~

~~C. Four ex officio (non-voting) Members, with (i) each of the following entities having one appointment, and (ii) each to be other than an elected member of the appointing authority's governing body.~~

- Contra Costa County Office of Education
- Contra Costa Friends Council
- East Bay Leadership Council
- Contra Costa Community College District

~~D. One voting Member appointed by the Contra Costa Central Labor Council (the "Labor Council Member").~~

An appointing authority may appoint an alternate member to participate as a Member when the primary Member is absent. When the primary Member is absent, the alternate member will serve as the voting Member for the appointing authority. Alternate members may attend any meeting, but may only vote in the absence of the primary Member.

~~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~~

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<sup>1</sup> The eighteen cities/towns are: Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, San Pablo, San Ramon and Walnut Creek.



~~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. General.

1. Term. Following any applicable Transition Term, as defined below, each Member will serve 4-year term and may be reappointed by their appointing authority. Each Member, including a Member appointed to fill a vacancy, will hold the seat for which they were appointed until the expiration of the term for that seat, or until that Member's earlier resignation or removal in accordance with these bylaws.

### 2. Definitions.

- a) "Class 1" means the group of Members that have a four-year term beginning July 1, 2018.
- b) "Class 2" means the group of Members that have a four-year term beginning July 1, 2019.
- c) "Class 3" means the group of Members that have a four-year term beginning July 1, 2020.
- d) "Class 4" means the group of Members that have a four-year term beginning July 1, 2021.
- e) "Current Term" means the term in effect at the time these bylaws are amended and restated by the Board in 2018.
- f) "Transition Term" means the period of time that begins on the day after the Member's Current Term expires, and ends on (i) June 30, 2018, if the Member is in Class 1, (ii) June 30, 2019, if the Member is in Class 2, (iii) June 30, 2020, if the Member is in Class 3, and (iv) June 30, 2021, if the Member is in Class 4.

3. Class Assignments. Class assignments will be determined by the County Librarian.

~~A. RescissionThe 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.~~



B. . Either the Board or the appointing authority may rescind an appointment to the Commission.

## 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 it rescind the absentee ~~member's~~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~~Member must contact the Secretary prior to the meeting to be excused from a meeting.

B. ~~The~~Before making a recommendation of rescission to the Board, the Chair will notify any ~~member at risk of having his or her~~Member whose appointment ~~rescinded before~~is at risk.



~~1-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~~must 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~~must 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 ~~(4i)~~ preside at all ~~business~~ meetings, ~~(2 of the Commission,~~  
(ii) set the agenda and review minutes for all meetings in consultation with the Secretary, ~~(3iii)~~ have general supervision over all Commission business, and ~~(4iv)~~ have such other powers and duties as may be assigned ~~to him/her~~ by the Commission, provided such powers and duties are consistent with these bylaws.
- 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~~The Vice Chair shall also have such other powers and ~~shall perform such other~~ duties as may be assigned ~~to him/her~~ by the Commission, provided such powers and duties are consistent with these bylaws.
- D. The Secretary will keep the minutes of the meetings of the Commission. In consultation with the Chair, ~~he/she~~the Secretary shall prepare all agendas. ~~He/she~~The Secretary shall distribute all agendas, act as custodian of ~~the Commission's~~Commission records, keep a register of the contact information of each member, which ~~will~~information is to 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. Officer vacancies are to be filled by election at the next regular meeting.~~

## X. MEETINGS

A. The Commission shall hold 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~~ 777 Arnold Drive, Suite 210, Martinez, California 94553, or other designated location. Ninety-six ~~hours~~ 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~~



B. Commission majority.

C. A quorum for all meetings ~~shall be one more than half of the total authorized seats of the Commission~~ is thirteen voting Members.

D. ~~A copy of the~~The agenda and minutes of each meeting ~~shall be mailed~~sent electronically to each member, the Board of Supervisors, and any additional persons ~~as~~ authorized by the Commission. A paper copy of the agenda and minutes of each meeting will be mailed upon request. 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.~~

A. The work of the Commission shall~~may~~ proceed by consensus ~~whenever~~as long as there is no objection from a ~~member~~Member to proceeding in this manner. ~~On~~

B. Except as provided in Section XIV below, on any matter where any member a Member requests a recorded vote on a, the matter, approval may only be approved if it is approved by a majority of the matter shall require County Members present and a majority of the City Members present. For purposes of this section, the vote by the city/town representatives and the Special Representatives associated with them. (For example, one of the Labor Council Member will be counted as 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.)City Member vote.

C. Proxy voting is not permitted.

D. Alternate members may only vote in the absence of the primary Member.

## XII. CONDUCT OF BUSINESS

A. ~~A No~~Only business ~~shall~~that is clearly identified as an item of discussion on the publicly-posted meeting agenda may be transacted at any a meeting of the Commission other than on those matters named in the publicly-posted agenda, except as permitted under the Ralph M. Brown Act and Contra Costa County Better Governance Ordinance.

B. All meetings of the Commission ~~shall~~are to 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 a~~ Member designated for that purpose by the Chair or Vice-Chair Chair. In

the absence of any such designation, the Commission may designate an acting chair by majority vote.

- C. Public comment at all meetings shall ~~is to be as provided for under~~ permitted in accordance with applicable law.

### XIII. COMMITTEES

- A. ~~A~~ The Commission ~~shall~~ may appoint working committees of ~~two or no~~ more ~~member~~ than five 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.~~

B. All working committees shall make progress reports to the Commission at each of the Commission's regular meetings.

C. All working committees are encouraged to contain a representative mix of County, city/town, Members, City Members and ~~special members~~non-voting Members.

~~D. All committee meetings shall be conducted under the same policies governing meetings of the Commission.~~

#### XIV. ~~AMENDMENTS~~AMENDMENTS TO THE ~~BY-LAWS~~BYLAWS

~~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.~~

~~A. B. Notice of~~Only the Board may amend these bylaws. A recommendation to the Board that these bylaws be amended must be approved by an affirmative vote of 60% of the voting Members.

~~B. Any proposed By-Law amendments shall~~amendment to these bylaws is to 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 thesuchmeeting at which the proposed amendments areis to be voted upon shall contain an item entitled "Proposed By-LawBylaws Amendment."

#### XV. PUBLIC ACCESS TO COMMISSION RECORDS

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

of

~~Adopted by the Contra Costa County Library Commission on September 26, 1991. Amended by the Contra Costa County Librmy Commission on September 24, 1992. Amended by the Contra Costa County Library Commission on January 28, 1999 as required by law. Amended by the Contra Costa County Library Commission on January 26, 2012.~~