

**BY-LAWS
OF THE
LIBRARY JOINT POWERS BOARD
OF THE**

SANTA CRUZ CITY COUNTY LIBRARY SYSTEM

Adopted under authority of applicable statutes of the State of California and of the Joint Powers Agreement Relating to Library Services between the City of Santa Cruz and the County of Santa Cruz and the Cities of Capitola and Scotts Valley of May, 1996.

Adopted this 5th day of May, 1997; Revised 13th day of February, 2013.

ARTICLE I

NAME

1. The name of this organization shall be the Library Joint Powers Board.

ARTICLE II

POWERS AND DUTIES

1. The Library Joint Powers Board shall oversee the operations of the Santa Cruz City County Library System, setting policies and exercising such responsibilities as are delegated to it in the Agreement of May, 1996. These are:
 - a. Adopt an annual budget based upon revenue allocated by the Library Financing Authority, using the procedure specified in the Agreement;
 - b. Authorize submission of applications for federal, state, local, and private grants, and approve acceptance of such grants as are received;
 - c. Review statistical, financial, and other reports of library service;
 - d. Adopt and oversee the enforcement of such rules, regulations, and policies as may be necessary for the day-to-day conduct and administration of the library system, ensuring that such rules, regulations and policies are consistent with the adopted annual budget and with provisions of law;
 - e. Set hours and levels of service for operation of the library system;

- f. Develop performance measures for and evaluate the quality of library service, periodically reviewing and making recommendations for updating the Library System's Long Range and Strategic Plans;
- g. Advise the City Manager concerning the job performance of the Director of Libraries and any modification or renewal of the contract of the Director of Libraries, or concerning any operational problems of the Library System;
- h. Act in an advisory capacity to each City Council and the Board of Supervisors in all matters pertaining to public library services and the services of the City-County Library System;
- i. Consult with the Friends of the Santa Cruz Public Libraries, Inc., other support groups, and citizens on the development and delivery of library services;
- j. Appoint such committees as are required for the conduct of the Board business;
- k. Recommend acceptance of contributions of money or property to the Library System, and make recommendations in accordance with any limitations imposed by the contributors, on the appropriate distribution and use of such gifts;
- l. At its discretion, seek independent legal advice to assist the Board in formulating and adopting library policy;
- m. Exercise any other powers or responsibilities delegated to it jointly by the cities and the county.

ARTICLE III

MEMBERSHIP AND TERM OF OFFICE

1. The Library Joint Powers Board consists of nine members: two appointed by the Santa Cruz City Council from among its members, two appointed by the Santa Cruz County Board of Supervisors from among its members, one appointed by the Capitola City Council from among its members, and one from the Scotts Valley City Council from among its members. The appointing body may also designate an alternate from among its members.

Three At-Large Citizens are appointed by majority vote of the Board from the qualified electors of the Library Service Area and representing the geographic diversity of the area.

2. The representatives of the City Councils and the Board of Supervisors shall serve at the pleasure of their respective appointing bodies.
3. The At-Large Citizen Members shall each serve four-year terms, commencing from the January meeting closest to their appointment date. Notwithstanding the foregoing, an At-Large Citizen Member shall continue to serve until a replacement has been appointed if a replacement has not been appointed as of the date of the At-Large Member's January term expiration.
4. The Library Joint Powers Board shall appoint the initial At-Large Citizen Members within thirty (30) days of its first meeting.
5. Applicants for At-Large Citizen Membership shall be solicited via a public information process that commences no less than sixty (60) days prior to the expected vacancy.
6. The Board shall fill regular vacancies in an At-Large Citizen Member position as soon as is practicable following the first day of January, but no later than the regular March meeting.
7. In the case of a mid-term vacancy in an At-Large Citizen Member position, a public information process of at least sixty shall commence immediately, and the Board shall appoint a replacement within ninety (90) days, who shall serve for the remainder of the unexpired term.
8. An At-Large Citizen Member is subject to removal by a majority vote of at least six of the remaining Board members.
9. At-Large members may serve no more than two consecutive terms.
10. An At-Large member who is eligible for reappointment must notify the Board in writing whether or not S/he wishes to be reappointed three months prior to the term expiration date. The Board will then decide whether to reappoint the member immediately or conduct a public information process to solicit other candidates.

ARTICLE IV

OFFICERS

1. As soon as is practicable following the first day of January every year, but no later than the regular March meeting, there shall be elected from among the membership of the Board a Chair and a Vice Chair.
2. The Director of Libraries shall designate a Library System employee to act as Clerk of the Library Joint Powers Board.
3. Should a vacancy occur in the office of Chair or Vice Chair prior to the next Annual election of officers, the Board shall fill that office for the duration of the unexpired term not later than the second regular meeting following the creation of the vacancy.

ARTICLE V

ELECTION OF OFFICERS

1. Any member may nominate a candidate from the membership for the Position of Chair or Vice-Chair; nominations need not be seconded.
2. A member may withdraw her/his name, if placed in nomination.
3. Once the nominations are completed, any member may move that the nominations be closed; a second is required
4. The Chair then declares that it has been moved and seconded, and, upon a majority vote of those present, the nominations shall be closed.
5. The voting may be by public written ballot or voice vote.
6. The candidate who receives a majority of the votes cast is then declared to be legally elected to fill the office of Chair.
7. The same procedure is followed for the election of Vice Chair.
8. New officers shall assume office at the next meeting.

ARTICLE VI

DUTIES OF OFFICERS

1. The Chair shall preside at all regular meetings and shall call special meetings of the Library Joint Powers Board.
2. The Chair shall decide on all points of order and procedure during the meetings; and her/his decision shall be final unless overruled by a majority of members present.
3. The Chair shall sign all official minutes of meetings upon Board approval.
4. The Chair shall meet with the Director of Libraries to prepare the agenda, and shall approve the agenda for all regular and special meetings prior to posting.
5. The Vice Chair shall assume all duties of the Chair in her/his absence or disability.
6. In case of the absence of both the Chair and the Vice Chair from any meeting, an Acting Chair shall be elected from among the members present.
7. The Clerk shall receive and record all exhibits, petitions, documents, or Other materials presented to the Board in support of, or in opposition to, any question before the Board.
8. The Clerk shall sign all notices prepared in connection with Board business, and shall attest to such records of actions, transmittals, and referrals as may be necessary or required by law.

ARTICLE VII

STAFF

1. The Director of Libraries shall prepare such reports, studies, and recommendations as may be requested by the Board to assist it in the conduct of business.
2. The Director of Libraries shall be responsible for the maintenance of proper records and files pertaining to Board business.
3. The Library Joint Powers Board's relations with staff of the Library System shall be governed by the provisions of the Joint Powers Agreement Relating to Library Services of May, 1996, as the same may be amended.

ARTICLE VIII

MEETINGS

1. All regular, work session, special, and adjourned meetings shall be open meetings to which the public and press shall be admitted. All meetings shall be conducted in compliance with the Ralph M. Brown Act, including noticing, agenda posting, and opportunities for public comment. The Board may consider personnel matters, including, without limitation, evaluations, recommendations related to collective bargaining issues, promotions, terminations, matters related to the acquisition of interests in real property, and matters related to the initiation, prosecution or defense of litigation in closed session in accordance with said Act.
2. A quorum of the Board shall consist of a majority of its members and shall be necessary for the conduct of business. A majority vote of all members shall be required to approve any motion.
3. The Library Joint Powers Board shall meet at least quarterly, at such time and location as specified by annual resolution of the Board at its regular January meeting.
4. In the event that the scheduled date of a regular meeting falls on a holiday, such meeting may be rescheduled; the exact date and time of such rescheduled meeting shall be determined at the preceding regular meeting.

ARTICLE IX

CONDUCT OF MEETINGS

1. At the time and place established for a meeting, and with a quorum present, the Chair shall call the meeting to order.
2. The order of business may be revised by the Chair with the concurrence of the Board.
3. The public shall have an opportunity to speak on any agenda item. Therefore, at the beginning of the "Other Business" section of the agenda, the Chair will announce that persons in the audience will have an opportunity to speak on any item in that section. At the beginning of each item, the Chair, with concurrence of the Board, may set parameters for the nature and length of any comments.
4. Action may be taken on items not appearing on the posted agenda in

Compliance with provisions of the Ralph M. Brown Act.

5. Rules of procedure not governed by these bylaws may be adopted and amended by motion of the Board.

ARTICLE X

MOTIONS

1. Upon conclusion of discussion on a matter, or at such time as any member may feel that all points have been sufficiently reviewed, the Chair may call for a motion or one may be offered by a member. In the event no motion is offered, the Chair may offer a motion.
2. The Chair shall receive all motions and shall call for a second to the Motion if none has been made.
3. If, after a reasonable time, no second has been offered, the motion, shall fail for lack of second, and this shall be so stated by the Chair.
4. After a motion has been made and seconded, the Chair shall call for discussion on the question. All discussion shall be limited to that of the motion only. At the close of discussion, the Chair shall put the matter to a vote.
5. The Chair may, at her/his discretion, limit debate on any motion, except that each member shall have the opportunity to speak at least twice on a motion.
6. Should a motion fail to pass, the Chair shall so state and call for a new motion on the matter.

ARTICLE XI

VOTING

1. Except as otherwise provided herein, all questions shall be resolved by voice vote to be recorded in the minutes of the meeting. The Chair or any member may call for a roll call vote.
2. All roll call votes shall be verbally stated by each member by answering "Aye" or "No", and shall be so entered in the minutes.

3. A member shall abstain from discussion or voting when s/he has a conflict of interest in the matter, and s/he shall state her/his disqualification upon call of the matter on the agenda. If a member becomes aware of a conflict of interest during the hearing of the matter, s/he shall immediately disqualify her/himself.
4. Unless a different rule is expressly provided herein or in the Joint Powers Agreement Relating to Library Services of May, 1996, as amended, adoption of a motion shall be by a simple majority if the members present and voting, except that the final Library Budget for the upcoming fiscal year must be approved by six (6) affirmative votes of the nine members of the Board.
5. The Chair shall vote on all matters, except where s/he has a disqualifying interest.
6. A tie vote shall defeat the motion. Should a subsequent motion to continue the item result in a tie vote, the item will automatically be placed on the agenda of the next regular meeting

ARTICLE XII

ADOPTION AND AMENDMENT OF BYLAWS

1. These bylaws shall become in full force and effect upon adoption by a two-thirds majority of the Library Joint Powers Board.
2. These bylaws shall not be considered or construed as superseding any Charter provision, ordinance, or resolution of the Cities or County of Santa Cruz, nor the Brown Act, nor the Agreement between the four parties.
3. Amendments to these bylaws may be proposed in writing by any member at any regular meeting of the Library Joint Powers Board.
4. Any proposed amendment to these bylaws must be delivered to all members of the Board at least (10) days prior to the meeting at which it is to be acted upon.
5. The Library Joint Powers Board shall vote on the proposed amendment at the first regular meeting following the meeting at which the amendment was proposed.

6. The Library Joint Powers Board may, by resolution, request that the cities and County, as signatories to the Joint Powers Agreement Relating to Library Services, consider adopting amendments to the Joint Powers Agreements related to either the Library Financing Authority or the Joint Powers Board, or any other charter provision, ordinance, regulation, or policy having a bearing on the delivery or funding of library services in Santa Cruz County.