

LIBRARY COMMISSION BYLAWS

(RESOLUTION NO. _____, ADOPTED ____)



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ARTICLE I. THE LIBRARY COMMISSION

SECTION 1. NAME.

The name of this Organization shall be the City Library Commission of the City of Watsonville, California; hereinafter referred to as “the Library Commission” or “the Commission.”

SECTION 2. LIBRARY COMMISSION POWERS AND DUTIES

The Library Commission shall perform the following functions in accordance with the city charter:

- (a) Act in an advisory capacity to the City Council and City Manager in all matters pertaining to City libraries and make and enforce such by-laws, rules and regulations as may be necessary therefore;
- (b) Consider the annual budget for library purposes during the process of its preparation and make recommendations with respect thereto to the Council and the City Manager;
- (c) Recommend and set policy for acquisition of books, journals, maps, publications and other supplies peculiar to the needs of the library, subject, however, to the limitations of the budget for such purposes. The expenditure and disbursement of funds for such purchases shall be made and approved as elsewhere in the Charter provided;
- (d) Accept money, personal property or real estate donated to the City for library purposes, subject to the approval of the Council and City Manager;
- (e) Contract with schools, county or other governmental agencies to render or receive library services or facilities, subject to the approval of the Council; and
- (f) Perform such other duties relating to library matters as may be prescribed by the Council not inconsistent with the provisions of this Charter.

ARTICLE II. MEMBERS

SECTION 1. COMPOSITION

The Library Commission shall be comprised of seven (7) individuals appointed by the City Council, which will serve at the pleasure of the City Council.

SECTION 2. MEMBERSHIP REQUIREMENTS

In order to be eligible for appointment to any commission, a person shall be a resident of the City.

SECTION 3. COMPENSATION OF MEMBERS

The members of the Library Commission shall serve without receiving compensation.

SECTION 4. TERMS OF MEMBERSHIP

The members thereof shall serve for a term of four (4) years and until their respective successors are appointed and qualified. no person shall serve more than two (2) consecutive full terms on the same commission. No person who has served two (2) consecutive full terms on any commission shall be eligible for reappointment to the same commission until four years after the expiration of

their second term. For purposes of this section, a full term shall include one-half or more of any term. Should a commissioner find it necessary to resign their appointment, the Commissioner is to notify the appointing Council member and submit a letter of resignation to the Commission Secretary and/or City Clerk.

SECTION 5. REMOVAL OF MEMBERS

The members of each commission shall be subject to removal by resolution of the City Council adopted by at least four (4) affirmative votes. If a member of the Library Commission is absent from three (3) consecutive regular meetings, unless, with the permission of the Library Commission expressed in its official minutes, that office shall become vacant and shall be so declared by the City Council.

SECTION 6. FILLING OF VACANCIES

Any vacancies on the Library Commission, from whatever cause arising, shall be filled by appointment by the Council. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term.

ARTICLE III. OFFICERS

SECTION 1. OFFICERS AND DUTIES

The officers of the Library Commission shall consist of a Chairperson and a Vice Chairperson and shall be elected in the manner set forth in Article IV of these Bylaws. The Chair shall preside at all regular and special meetings and hearings. The Chair shall decide on all points of order and procedure during the meetings, and his or her decisions shall be final unless overruled by a majority of the members present. The Chair shall sign all official copies of minutes. The Vice-Chair shall assume all duties of the Chair in his or her absence or disability. If both the Chair and Vice-Chair are absent from any meeting, a temporary Chair shall be elected from among the members present to preside over that meeting as set forth in Article IV of these Bylaws.

SECTION 2. NOMINATION PROCEDURES AND TIME OF ELECTIONS

The Chairperson and Vice Chairperson shall annually be elected by a majority of the members of the Library Commission from among the members of the Commission. In accordance with Watsonville City Charter Section 904 the Commission shall, as soon as practical following the first day of January, elect from among their members a Chairperson and Vice-Chairperson. The term of office shall be for one year.

SECTION 3. TERM OF OFFICE

The terms of the Chairperson and Vice Chairperson shall be one year or until their successors are elected, and their term of office shall begin at the close of the first meeting at which they are elected.

SECTION 3. FILLING OF VACANCIES

Should the office of the Chairperson become vacant, the Vice Chairperson shall automatically assume the role of Chair for the remainder of the unexpired term of said office. Should the office of the Vice Chairperson become vacant, the Commission shall elect a successor from among the

Commission members at the next regular or special meeting, and such office shall be held for the remainder of the unexpired term of said office.

ARTICLE IV. ELECTION OF OFFICERS

SECTION 1. ELECTION PROCEDURES

- (a) During the election of the Chair and Vice Chair, the Secretary of the Commission shall act as the Chair of the Commission. Once a chair is elected, the Secretary shall return the responsibility to the newly elected Chair and Vice Chair.
- (b) Any member may nominate a candidate from the Commissioners for the position of Chair or Vice-Chair; nominations need to be seconded.
- (c) A member may withdraw his or her name if placed in nomination announcing that, if elected, he or she would not be able to serve in that capacity.
- (d) Once the nominations are concluded, any member may move that the nominations be closed; a second is required.
- (e) The Secretary acting as Chair then declares the nomination period closed and proceeds to the election.
- (f) The election is conducted by a roll call vote. Each nominee will be voted on once at a time in the order in which the nominations were cast.
- (g) The candidate who receives a majority of the votes in favor is then declared to be legally elected to fill the office of Chair. If the first nominee is elected Chair, then all other nominees forfeit the opportunity.
- (h) The same procedure is followed for the election of the vice-chair.
- (i) If both the Chair and Vice Chair are absent from a meeting, the same procedure should be followed to elect a Temporary Chair.

ARTICLE V. LIBRARY COMMISSION STAFF

SECTION 1. STAFF OF THE COMMISSION

The Library Commission shall be served by professional staff within the Library Department. Assigned staff include the Library Director, which shall serve as the Commission Secretary, and a Recording Secretary which shall be appointed by the Commission Secretary. Staff of the Library department shall prepare reports, studies and recommendations as may be necessary to assist the Commission in the conduct of its business.

SECTION 2. STAFF DUTIES

Library Commission staff will prepare an agenda for each regular, special, or adjourned meeting. The agenda and supporting documentation shall be provided to the Library Commission at least three (3) calendar days prior to the date of a regular meeting at which such agenda is to be considered or in the case of a special meeting, at least twenty-four (24) hours in advance of the meeting and/or in accordance with the provisions of the "Ralph M. Brown Act" (Section 54590 et seq., of the Government Code of the State of California). The meeting shall be recorded and minutes prepared for approval by the Library Commission at the next regularly held meeting. The

Secretary shall receive and record all exhibits, petitions, documents or other materials presented to the Commission in support of or in opposition to any questions before the Commission. The Secretary shall sign all notices prepared in connection with Commission business and shall attest to such records of actions, transmittals, and referrals as may be necessary or required by law. Agendas, minutes, and any resolutions or decrees shall be available to the public and filed with the City Clerk.

ARTICLE VI. MEETINGS

SECTION 1. REGULAR MEETINGS

The Library Commission shall hold at least one regular meeting monthly on the third Thursday of each calendar month, which shall commence no earlier than 6:00 p.m. in the Watsonville Public Library Main Branch or the City Council Chambers, or City Hall, or a public building within the City of Watsonville. The Commission may schedule meetings to begin earlier as determined during a prior meeting or due to Commission or Staff need. If the first Monday is a holiday or it has been determined that a quorum will not be present, then the Secretary shall determine the next available meeting date. The agenda for each regular meeting shall be posted by City staff at the meeting site and on the City's website, in accordance with the Ralph M. Brown Act.

If there are no items scheduled for the Library Commission's consideration, staff may advise the Chairperson that there are no items for consideration and suggest cancellation of the meeting. If a majority of the membership deems it necessary or desirable, a scheduled regular meeting may be cancelled or rescheduled at the preceding regular meeting. Said cancellation of a meeting shall be posted by City staff at the meeting location and on the City's website. Staff shall announce that the regularly scheduled meeting of the Library Commission has been adjourned to the next regularly scheduled meeting.

All meetings shall be held and conducted in accordance with the provisions of the "Ralph M. Brown Act" (Section 54590 et seq., of the Government Code of the State of California). All meetings of the Library Commission are open to the general public.

SECTION 2. ADJOURNED MEETINGS

Any meeting of the Library Commission may be adjourned to an adjourned meeting without the need for additional notice or agenda, provided that the adjournment indicates the date, time and place of the adjourned meeting, and provided that the adjourned meeting occurs at the regularly scheduled meeting after the meeting for which notice, and agenda requirements were met.

Library Commission members absent from the meeting at which the adjournment decision is made shall be notified by the Commission Secretary.

SECTION 3. SPECIAL MEETINGS

A special meeting may be called by the Chair of the Commission or by a majority of the membership at a time, place and date as specified in the call. The agenda for each special meeting shall be posted at least 24 hours prior to the meeting by City staff at the meeting site and on the City's website, in accordance with the Ralph M. Brown Act.

SECTION 4. QUORUM

A quorum shall consist of four (4) members of the Library Commission for all matters. In the absence of a quorum at any meeting, such meeting shall be adjourned to the next regular meeting date by any member present; or, if no member is present, by the Secretary of the Commission; or, if the Secretary is absent, by the Recording Secretary.

SECTION 5. ALL MEETINGS TO BE OPEN AND PUBLIC

All meetings of the Library Commission shall be open and public to the extent required by law. All persons shall be permitted to attend any such meetings except as otherwise provided by law.

SECTION 6. ABSENCES

A member's absence shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Commission Secretary of the Library Commission of intent to be absent and the reasons therefore. At each meeting, after the roll has been called, the Commission Secretary shall report to the Library Commission the name of any member who has so notified of their intent to be absent and the reason for such absence. The Library Commission shall approve or disapprove such reasons for excused absences via motion and vote.

SECTION 6. CONFLICTS OF INTEREST

Whenever a Commissioner has a conflict of interest in any matter or question placed before the Commission, including the presentation of any Resolution, such special interest or conflict of interest shall be disclosed in an open meeting and the Commissioner so concerned shall withdraw from the discussions held in consideration of such in accordance with State Law. A commissioner abstaining from a vote shall step down and join the audience for the duration of the hearing and/or discussion.

SECTION 7. ORDER OF BUSINESS

The following shall be the order of business at meetings of the Library Commission:

- (a) Call to Order/Roll Call
- (b) Pledge of Allegiance
- (c) Oral Communications (Commission and Public)
- (d) Consent Agenda (Includes Minutes from Previous Agenda)
- (e) Unfinished Business
- (f) New Business
- (g) Reports to the Commission
- (h) Adjournment

The order of business may be revised by the Chair with the concurrence of the Commission.

SECTION 7. PLACING ITEMS ON THE AGENDA

Items may be placed on the Board's agenda by staff, or by the Board in consultation with the Library Director and Board Chair. Commonly, Library staff place items on the agenda in accordance with the department's mission and City of Watsonville's Strategic Plan. All

Commission Agenda items must be noticed in the print media 72 hours prior to the meeting in accordance with the requirements of the Brown Act, to be discussed. Commissioners may place an item on the Commission's agenda by making a request:

The order for consideration of applications and petitions shall follow the following order:

- (a) At a commission meeting under Oral Communications, briefly describing their reason for the request. The item will be placed on the Commission's next regular meeting.
- (b) Of the Commission Chair who shall then advise the Commission Secretary to place the item on the agenda.

It is suggested that if an issue of a policy nature needs to be raised and discussed, that item should be placed on the Commission Agenda to allow full Commission input on the importance of studying or further discussing the issue in relation to the overall work program of the Department and City of Watsonville Strategic Plan. Commissioners are encouraged to discuss policy issues with the Department Director prior to placing the item on the agenda.

SECTION 8 MOTIONS

The Chair or any Commissioner may bring an agenda item for vote before the Commission by making a motion. Before the matter can be further considered or discussed, it shall be seconded. The Chair, or such other Commissioner as may be presiding, may move, second, and debate in accordance with the procedural rules of order and shall not be deprived of any right or privilege by reason of acting as a presiding officer. Once the motion has been properly made and seconded, the matter shall be open for further discussion. The moving party shall be offered the first opportunity to speak to the motion and, thereafter, any Commissioner properly recognized by the Chair. Once the matter has been fully debated and the Chair calls for a vote, no further discussion will be allowed; provided, however, Commissioners may be allowed to explain their vote.

SECTION 9 PROCEDURAL RULES OF ORDER

Once a main motion is properly placed on the floor, several related motions may be employed in addressing the main motion, which shall take precedence over the main motion and, if properly made and seconded, shall be disposed of before the main motion can be acted upon.

The following motions are appropriate and may be made by the Chair or any Commissioner at any appropriate time during the discussion of the main motion. They are listed in order of precedence. The first three (3) subsidiary motions are nondebatable; the last four (4) are debatable:

- (a) Subsidiary motions.
 - (1) Lay on the table. Any Commissioner member may move to lay the matter under discussion on the table. Such motion temporarily suspends any further discussion of the pending motion without setting a certain time to resume debate. It shall be moved, seconded, and passed by a majority vote. A motion to take from the table may be made at the same meeting at which the motion was placed on the table.

The agenda item which was tabled shall die, although it can be placed on a subsequent meeting agenda by any Commissioner, at which meeting a Commissioner shall move that the matter be taken from the table and seconded and passed by a majority of Commission members present. The matter may then be further considered.

- (2) Move previous question. Any Commissioner may move to immediately bring the question being debated by the Commission to a vote, suspending any further debate. The motion shall be made and seconded without interrupting one who already has the floor. A majority vote of Commission members present shall be required for passage.
 - (3) Limit or extend limits of debate. Any Commissioner may move to put limits on the length of debate. The motion shall be made and seconded and shall require a two-thirds (2/3) vote of the full Commission to pass.
 - (4) Postpone to a time certain. Any Commission member may move to postpone the pending question to a certain time. Such motion continues the pending main motion to a future date as determined by the Commission at the time the motion is passed. The motion shall be seconded and shall require a majority vote of the Commission members present for passage.
 - (5) Refer. Any Commissioner may move that the matter being discussed should be referred to the staff, a committee, or commission for further study. The motion shall be seconded and shall require a majority vote of the Commission present for passage. The motion may contain directions for the referral, as well as a date upon which the matter will be returned to the Commission agenda. Any Commissioner may move at any time to require the item be returned to the agenda. The motion shall be seconded and shall require a majority vote of the Commissioners present for passage.
 - (6) Amend. Any Commissioner may amend the main motion or any amendment made to the main motion. Before the main motion may be acted upon, all amendments and amendments to amendments shall first be acted upon. A motion to amend shall be seconded and shall require a majority vote of the full Commission for passage. An amendment shall be related to the main motion or amendment to which it is directed. Any amendment which substitutes a new motion rather than amending the existing motion shall be out of **order** and may be so declared by the Chair.
 - (7) Postpone indefinitely. Any Commissioner may move to postpone indefinitely the motion on the floor, thus avoiding a direct vote on the pending motion and suspending any further action on the matter. The motion shall be seconded and shall require a majority vote of the full Commission for passage.
- (b) Motions of privilege, order, and convenience. The following actions by the Commission are to ensure the orderly conduct of meetings and for the convenience of the Chair and Commissioners. Such motions shall take precedence over any pending main or subsidiary motion and may or may not be debated as noted.
- (1) Call for orders of the day. The Chair may take matters out of order to accommodate members of the public attending the meeting. Any Commissioner may demand that the agenda be followed in the order stated therein. No second shall be required, and the Chair shall comply, unless the Commission, by a majority vote of the Commissioners present, sets aside the orders of the day.
 - (2) Questions of privilege. Any Commissioner, at any time during the meeting, may make a request of the Chair to accommodate the needs of the Commission or personal needs of a Commissioner for such things as reducing noise or adjusting

air-conditioning, ventilation, lighting, and the like. Admissibility of the question shall be ruled on by the Chair.

- (3) Recess. The Chair may order a recess, and any Commissioners may move for a recess. The motion shall be seconded, and a majority vote of the Commissioners present shall be required for passage. The motion shall be debatable.
- (4) Adjourn. Any Commissioner may move to adjourn at any time, even though business is pending. The motion shall be seconded, and a majority vote of the Commissioners present shall be required for passage. The motion shall not be debatable.
- (5) Points of order. Any Commissioner may require the Chair to enforce the rules of the Commission by raising a point of order. The point of order shall be ruled upon by the Chair.
- (6) Appeals. Should any Commissioner be dissatisfied with a ruling from the Chair, such Commissioner may move to appeal the ruling to the full Commission. The motion shall be seconded to put it before the Commission. A majority vote in the negative or a tie vote shall sustain the ruling of the Chair. The motion shall be debatable, and the Chair may participate in the debate.
- (7) Division of questions. Any Commissioner may move to divide the subject matter of a motion which is made up of several parts in order to vote separately on each part. The motion shall require a second and a majority vote of the Commissioners present for passage. Such motion may also be applied to complex ordinances or resolutions.
- (8) Reconsider. A motion to reconsider any action taken by the Commission may be made on the day such action was taken. Such a motion may be made either immediately during the same session or at an adjourned session thereof provided the matter is properly placed on the agenda. Such a motion shall be made by one of the prevailing side but may be seconded by any Commissioner. The motion shall be debatable. The provisions of this subsection shall not be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission provided the matter is properly placed on the agenda.
- (9) Rescind, repeal, or annul. The Commission may rescind, repeal, or annul any prior action taken with reference to any legislative or administrative matter so long as the action to rescind, repeal, or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements or unless otherwise specified by law, and does not rescind a vested right.

SECTION 10. VOTING

- (a) All questions shall be resolved by roll call vote, except that the Chair may at his or her discretion call for a voice vote on these matters not requiring a resolution. Should any member request a roll call vote either before or immediately after a voice vote, a roll call vote shall be taken without further discussion.
- (b) Upon acceptance of a motion and completion of discussion thereon, the Chair shall instruct the Secretary to read the motion and to poll the membership for the vote.

- (c) All votes shall be verbally stated by each member as “AYE” or “NO,” and shall be so entered into the minutes. Should he or she so desire, a member shall be given an opportunity to state the reasons for his or her vote, which reasons shall also be entered into the minutes of the meeting.
- (d) Whenever a member of the Commission has stepped down due to a conflict of interest, a vote of abstention shall be recorded by the Secretary. In all other cases, whenever a member refuses to vote, the Secretary shall thereupon cast a vote of “Yes” for such member.

ARTICLE VII. SUBCOMMITTEES

SECTION 1. ESTABLISHMENT

The Library Commission shall have the authority to, and may, establish subcommittees as necessary to accomplish the purposes set forth in Article I, Section 2 of these Bylaws.

SECTION 2. MEMBERSHIP

Each subcommittee shall be composed of no more than three (3) members of the Library Commission.

SECTION 3. APPOINTMENT OF MEMBERS

Members on a subcommittee shall be appointed by the Chairperson of the Library Commission with the approval of the Library Commission.

SECTION 4. OFFICERS AND MEETINGS

Subcommittee chairpersons shall be designated by the Chairperson of the Library Commission from among the Library Commission members appointed to the subcommittee. Each subcommittee shall establish the date, time and place for meetings to conduct the subcommittee’s business. In the event that any subcommittee meets on more than two (2) occasions, then all further meetings of the subcommittee shall comply with the meeting requirements set forth in Article V.

SECTION 5. SUBCOMMITTEE REPORTS

From time to time, the subcommittee shall submit reports to the Library Commission, which reports summarize the subcommittee’s activities, findings and/or recommendations on matters for which the subcommittee was established.

SECTION 6. ABSENCES

A member’s absence shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Commission Secretary to the Library Commission of intent to be absent and the reasons, therefore. At each meeting, after the roll has been called, the Commission Secretary shall report to the Library Commission the name of any member who has so notified of their intent to be absent and the reason for such absence. The Library Commission shall approve or disapprove such reasons for excused absences via motion and vote.

SECTION 6. CONFLICTS OF INTEREST

Whenever a Commissioner has a conflict of interest in any matter or question placed before the

Commission, including the presentation of any Resolution, such special interest or conflict of interest shall be disclosed in an open meeting and the Commissioner so concerned shall withdraw from the discussions held in consideration of such in accordance with State Law. A commissioner abstaining from a vote shall step down and join the audience for the duration of the hearing and/or discussion.

ARTICLE VIII. AMENDMENT OF BYLAWS

SECTION 1. AMENDMENT AUTHORITY

The bylaws of the Library Commission may be amended upon the affirmative vote of two-thirds vote of the Library Commission.

Adopted February 18, 1999

Revised January 15, 2004

Revised April 15, 2021

Revised May 20, 2021