

BOARD OF LIBRARY TRUSTEES

AUTHORIZATION:

Article VII, Section 708, of the Charter of the City of Newport Beach.

MEMBERSHIP:

Members (5) (Appointed by the City Council)

TERM:

Four Years

PURPOSE & RESPONSIBILITIES:

Set forth in the By-Laws of the Newport Beach Board of Library Trustees adopted November 21, 1972
By-Laws (Attached)

11-21-72

Adopted November 21, 1972
Amended May 19, 1981
June 20, 1982
June 17, 1986
July 22, 1986
November 17, 1987
May 17, 2011 - Amended by the Board of Library Trustees
June 14, 2011 – Amendments Approved by City Council
October 1, 2012 – Amended by the Board of Library Trustees

**NEWPORT BEACH PUBLIC LIBRARY
BOARD OF LIBRARY TRUSTEES BY-LAWS
ARTICLE I
NAME AND AUTHORITY**

This organization shall be called "The Board of Library Trustees" of the City of Newport Beach existing by virtue of the provisions of Article VII, Section 708, of the CHARTER OF THE CITY OF NEWPORT BEACH, and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute, which provides as follows:

Section 708. Board of Library Trustees. Powers and Duties.

There shall be a Board of Library Trustees consisting of five members which shall have the power and duty to:

(a) Have charge of the administration of City libraries and make and enforce such by-laws, rules and regulations as may be necessary therefor.

(b) Designate its own secretary.

(c) Consider the annual budget for library purposes during the process of its preparation and make recommendations with respect thereto to the City Council and City Manager.

(d) Purchase and acquire 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 this Charter provided.

(e) Approve or disapprove the appointment, suspension or removal of the Librarian who shall be the department head.

(f) Accept money, personal property or real estate donated to the City for library purposes, subject to the approval of the City Council.

(g) Contract with schools, county or other governmental agencies to render or receive library services or facilities subject to the approval of the City Council.

ARTICLE II MEMBERSHIP

Section 1. Membership of the Board shall be restricted to five.

Section 2. Members of the Board shall be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government.

Section 3. They shall be subject to removal by motion of the City Council by at least four affirmative votes.

Section 4. The members shall serve for a term of four years and until their respective successors are appointed and qualified. The terms are on a staggered basis.

Section 5. Members shall serve without compensation for their services as such but may receive reimbursement for necessary travel and other expenses incurred on official duties when such expenditures have received authorization of the City Council (either specifically or through inclusion in an approved budget).

Section 6. A vacancy resulting from any cause shall be filled by appointment by the City Council. The appointment shall be for the unexpired term.

Section 7. No member of the Board shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party and which comes before the Board for approval or other official action or which pertains to the Library. Any contract, sale or transaction in which there shall be such an interest shall become void at the election of the City when so declared by resolution of the City Council. No member of the Board shall be deemed to be financially interested within the meaning of the foregoing provisions, in any contract made with a corporation where his only interest in the corporation is that of a stockholder and the stock owned by him shall amount to less than three percent of all the stock of such corporation issued and outstanding. If any member of the Board shall be financially interested as aforesaid, upon conviction thereof, he shall forfeit his office in addition to any other penalty which may be imposed for such violation of the City Charter.

Section 8. If a member absents himself from three consecutive regular meetings of the Board, unless by permission of the Board reflected in the Board minutes, or ceases to be a qualified elector of the City, his office shall become vacant and shall be so declared by the City Council.

ARTICLE III OFFICERS

Section 1. The officers shall be a Chair, Vice-Chair, and a Secretary. They shall be elected at the first meeting in each fiscal year, which for this purpose shall be designated a regular meeting.

Section 2. Officers shall serve a term of one fiscal year and until their successors are duly elected.

Section 3. The Chair shall preside at all meetings of the Board, appoint all committees, execute all documents authorized by the Board, serve as an ex officio voting member of all committees and perform all duties generally associated with the office. He shall appoint committee members.

Section 4. The Vice-Chair in the absence of the Chair or his inability to act shall preside at all meetings and perform all other duties of the Chair.

Section 5. The Secretary shall be responsible for the recording of minutes of all Board meetings, keep a record of its proceedings and transactions, issue notices of all regular and special meetings and shall perform all other duties generally associated with the office.

ARTICLE IV MEETINGS

Section 1. The regular meetings shall be held on the ~~first~~ **third** Monday of each month commencing at 5:00 p.m. at the Central Library **or at a specified branch library**, unless noticed otherwise. In the event the first Monday of the month is a holiday observed by the City, such regular meeting shall be held on the next business day commencing at 5:00 p.m. at the Central Library unless noticed otherwise. Special meetings may also be held subject to compliance with the provisions of the Ralph M. Brown Act.

Section 2. The regular July meeting is designated the first meeting of the fiscal year, unless otherwise determined by the Board.

Section 3. The order of business for regular meetings shall include but not be limited to the following items which shall be covered in the sequence as far as circumstances permit:

- (a) Call to Order and Roll Call
- (b) Approval of Minutes
- (c) Public Comments
- (d) Action Items
- (e) Discussion Items
- (f) Communications
- (g) Monthly Reports
- (h) Trustee Reports
- (i) Adjournment

Section 4. Study sessions, **if necessary, may shall** be held ~~on the first Monday of each month if necessary at the Central Library, prior to the regularly scheduled board meeting,~~ for the purpose of discussing administrative reports, hearing staff presentations, gathering information, reviewing, discussing and debating matters of interest to the Library. No official action shall be taken at a study session. Study sessions shall be held subject to compliance with the provisions of the Ralph M. Brown Act.

Section 5. All scheduled and special meetings of the Board shall be publicly announced and the proceedings of same shall be open to the public.

Section 6. Special meetings may be called at the direction of the Chair or at the request of three members, for the transaction of business as stated in the call for the meeting.

Section 7. The Chair of the Board may request the attendance at Board meetings of any officer or employee of the City to assist the Board in its deliberations in an advisory capacity.

Section 8. A quorum for transaction of business at any scheduled or special meeting shall consist of three members of the Board present in person.

Section 9. All regular and special meetings shall be conducted subject to compliance with the provisions of the Ralph M. Brown Act.

Section 10. Conduct and proceedings of all meetings shall be governed by the current edition of "Robert's RULES OF ORDER."

ARTICLE V LIBRARY SERVICES DIRECTOR

Section 1. The City Librarian shall be the Library Services Director and is appointed by the City Manager who in turn retains the power to suspend or remove the Library Services Director, subject to the provisions of Section 708(e) of the City Charter, set forth in Article I hereof.

Section 2. The Library Services Director is a non-voting ex officio member of the Board, and prepares the agenda for all meetings in concurrence with the presiding officer, and is responsible for the execution and implementation of Board Policy.

Section 2.1. The Library Services Director is responsible for hiring and for giving proper direction and supervision to the staff.

Section 2.2. The Library Services Director is responsible for the care and maintenance of the Library property.

Section 2.3. The Library Services Director is responsible for an adequate and proper selection of Library materials in keeping with the stated policies of the Board.

Section 2.4. The Library Services Director is responsible for efficient Library service to the public.

Section 2.5. The Library Services Director is responsible for preparing the annual budget and for effectively operating the Library within the limitations of the budget as accepted by the City Council and the City Manager and approved by the Board.

Section 2.6. The Library Services Director prepares and presents the annual budget to the Board, reports the needs of the Library and the status of its service, and reviews with the Board matters involving the type and level of service.

Section 2.7. The Library Services Director represents the Board and the Library at professional meetings and at community relations programs unless a Board member has been assigned by the Chairman to this responsibility.

ARTICLE VI POWERS AND DUTIES OF THE BOARD

Section 1. The Board shall have those powers and duties described in Article I hereof.

Section 2. The Board shall have the same power as the City Council to compel the attendance of witnesses, to examine them under oath, to compel the production of evidence before it and to administer oaths and affirmations.

ARTICLE VII COMMITTEES

Section 1. The Chair shall appoint committees of one or more members each for such specific purposes as the business of the Board may require from time to time. The committee shall be considered to be discharged upon completion of the purpose for which it was appointed and after the final report is made to the Board.

Section 2. All committees shall make a progress report to the Board at each meeting.

Section 3. No committee shall have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.

ARTICLE VIII GENERAL

Section 1. An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action before the Board. The Chair may vote upon any motion before the Board.

Section 2. The By-Laws may be amended, in accordance with the City Charter, by the majority vote of all members of the Board provided written notice of the proposed amendment shall have been distributed to all members at least ten (10) days prior to the meeting at which such action is proposed to be taken.