MEETING DATE: Thursday, November 17, 2011
AGENDA ITEM #: 6
ITEM: APPROVAL OF MINUTES
RECOMMENDED ACTION:
The By-laws Committee of the Library Commission will approve or amend the minutes from the October 25, 2011 By-laws Committee meeting.
MEETING OF THE LIBRARY COMMISSION'S BY-LAWS COMMITTEE

MINUTES

DATE:

Tuesday, October 25, 2011

1. CALL THE MEETING TO ORDER
   Commissioner Alan Smith (District IV), Library Commission’s By-laws Committee Chair, called the
   meeting to order at 5:00 p.m.

2. ROLL CALL

<table>
<thead>
<tr>
<th>LASTNAME</th>
<th>FIRSTNAME</th>
<th>TITLE</th>
<th>REPRESENTING</th>
<th>PRESENT</th>
<th>ABSENT</th>
<th>EXCUSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enholm</td>
<td>Greg</td>
<td>By-laws Committee member of the Library Commission</td>
<td>CCC District V</td>
<td>X</td>
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<tr>
<td>Fuller</td>
<td>Kathy</td>
<td>By-laws Committee member of the Library Commission</td>
<td>City of Martinez</td>
<td>X</td>
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<tr>
<td>Smith</td>
<td>Alan</td>
<td>By-laws Committee member of the Library Commission</td>
<td>CCC District IV</td>
<td>X</td>
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<tr>
<td>Tumin</td>
<td>Cindy</td>
<td>By-laws Committee member of the Library Commission</td>
<td>City of Oakley</td>
<td>X</td>
<td></td>
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</tbody>
</table>

   Total By-laws Committee Members: 4
   Commissioners present: 4
   With -4- By-laws Committee of the Library Commission members present, a quorum was established.

3. INTRODUCTIONS
   Barbara Flynn, County Librarian.

4. ITEMS FROM THE PUBLIC
   None.

5. APPROVAL OF AGENDA
   The By-laws Committee of the Library Commission approved the October 25, 2011 meeting agenda.

6. APPROVAL OF MINUTES
   Corinne Kelly, Executive Secretary, read suggested changes to the June 21, 2011 By-laws Committee
   minutes:
   - On page two, under Membership, change the “a” to “as” at the second hollow bullet.
   - On page two, large paragraph, fifth line down, change the period to a comma and make the capital
     “T” to a small one so that the sentence makes sense.
   - Same paragraph, change the spelling to “rescind” in the same paragraph, rather than “resend”

   The minutes were approved with the changes noted above.

7. OLD BUSINESS
   REVIEW BY-LAWS
   The By-laws Committee of the Library Commission reviewed the changes to the Library Commission
   By-laws.

   The Committee appreciated the redline copy of the Draft By-laws, which made it easier to identify
   recommended changes.

   Commissioner Smith distributed “Suggested Revisions - prepared by Alan B. Smith.” (attachment to
   the minutes)

   Committee agreed to use “city/town” in each place that “city” appears.

   Committee agreed to consistently use “Chair” and “Vice-chair”, and not “Chairperson, Chairman, etc.”

   Committee agreed to add “and County Librarian” on page IV, D.
Committee agreed to change “nominate” to “appoint” in V. F., as the Board of Supervisors is the only agency that appoints.

Committee agreed to add a “;” in the last sentence after “however”, on item V. G.

Committee agreed to add “is called” following “any such extension” on item VI. A.

Committee agreed to add the word “standard” to VI. B., between the words “The” and “term”

Smith suggested adding the words “or appointing organization” after the word “Board” on VII. C. The Committee decided that the word “entity” is clearer.

Smith’s handout suggested changing the “five” Special Representatives to “three” on Page 9, however further discussion determined that this section was stricken in the final draft By-laws, because there is no longer a steering committee. The “five” Special Representatives is covered on item XI. Voting.

Committee agreed to add “shall be determined by drawing lots” and delete each place that “who” appears under XI. A.

Committee agreed to add back “for a term of one year and may succeed themselves for one additional consecutive term.” To IX. E.

Commissioner Smith said that Superintendent Dr. Ovick approached him at a recent event, and suggested that the Committee reconsider V.E. Ovick told him that someone from The Office of Education represents the kids as a member of the Library Commission, and it shouldn’t matter whether they are an elected official or not.

Smith contacted former County Librarians Cain and Gold, who were instrumental when the Library Commission was created. Smith read their comments to Smith’s inquiry:

“well we didn’t come up with much. The reason for adding representatives from business, labor, education, etc. was to broaden participation to include other stakeholders in addition to the cities. Neither of us remembers any discussion about an elected official representing the County Office of Education - sorry I can’t be more helpful.”

The Committee concurred with Dr. Ovick’s rational for continuing the prior policy for the Office of Education. Therefore the Committee deleted V.E. from the revised By-laws and replaced it with “The appointment made by the Contra Costa Community College District must be of someone other than a member of that district’s board.”

A redline copy is attached highlighting changes from this meeting.

The By-laws Committee will review the minutes from this meeting at a meeting on November 17, 2011 at 6:30 p.m., which is prior to the regularly scheduled Library Commission meeting that begins at 7:00 p.m.

8. ADJOURNMENT to the REGULAR SCHEDULED NOVEMBER 17, 2011 LIBRARY COMMISSION MEETING
   The By-laws Committee of the Library Commission meeting adjourned at 5:30 p.m.

Submitted by Corinne Kelly
Executive Secretary
Contra Costa County Library
CONTRA COSTA COUNTY LIBRARY COMMISSION - BYLAWS COMMITTEE
SUGGESTED REVISIONS
PREPARED BY ALAN B. SMITH
OCTOBER 25, 2011


2. Page 4. D should be "approve" vs. "nominate".

3. Page 5, Delete "E".

4. Page 5 F, change "nominate" to "nominate/appoint".

5. Page 5, G. Add "appoint" both places.

6. Page 5, Duration. A. Add is "is called" after "any such extension".

7. Page 5. B. Add "standard" between "the" and "term".


10. Page 8. Add to A, "shall draw lots".

FROM CAROL BROWN

11. Page 3, D. Add "and county librarian".

12. Through out, "cities" s/b "cities/towns" since Moraag and Danville are "towns".

13. Page 4. G. Add ";," in last sentence after "however".


15. Page 6, voting. Delete "who" twice. To make a statement vs. an incomplete thought.
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 are 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 appointees 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 nominations 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.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 nominated appointed by the Superintendent of Schools
iv. One member nominated appointed by the Contra Costa Central Labor Council
v. One member nominated appointed by the Contra Costa Council
vi. One member nominated appointed by the Friends Council
vii. One member nominated 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. Nominations 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. Nominations made by the Special Representatives must be of someone other than a publically elected member of the Special Representative; however, any such Special Representative who holds a publically elected office as of the date of the adoption of these revised By laws may remain on the Commission until that special Representative leaves his/her publically elected office. 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 nominate 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.

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 Chairperson 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 Chairperson and Vice-Chairperson. The County Librarian will be the Secretary.

B. The Chairperson 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-Chairperson shall, in the absence or inability of the Chairperson to act, exercise all the powers and perform all the duties of the Chairperson. 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 Chairperson, 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 Chairperson and Vice-Chairperson 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 Chairperson 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 who will be associated with the city/town representatives for voting purposes and the two Special Representatives who 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 Chairperson, or in the Chairperson's absence, by the Vice-Chairperson, or in the Vice-Chairperson's absence, by a Commission member designated for that purpose by the Chairperson or Vice-Chairperson.

C. Public comment at all meetings shall be as provided for under applicable law.
XIII. COMMITEES

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].