

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Library

BOARD AGENDA:5.B.1
AGENDA DATE: March 7, 2023

SUBJECT:

Approval to Amend the Library Advisory Board By-Laws

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2023-0094

On motion of Supervisor B. Condit Seconded by Supervisor Chiesa
and approved by the following vote,

Ayes: Supervisors: B. Condit, Chiesa, Withrow, Grewal, and Chairman C. Condit

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

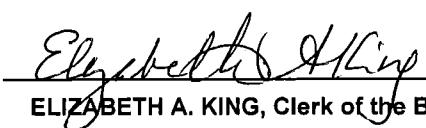
1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:


ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Library

BOARD AGENDA:5.B.1
AGENDA DATE: March 7, 2023

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval to Amend the Library Advisory Board By-Laws

STAFF RECOMMENDATION:

1. Approve and amend the Library Advisory Board by-laws as proposed.

DISCUSSION:

Prior to 1992, a library commission with 16 members, appointed by the Board of Supervisors, provided public oversight of the library system. In 1992, HBW Associates, Inc. conducted a study funded by the County and the City of Modesto that created a Master Plan for library services and recommended the formation of a library advisory board.

The present Library Advisory Board structure was approved on March 23, 1993 by the Board of Supervisors and by-laws were approved on August 17, 1993. The Library Advisory Board's purpose at that time was to explore and evaluate multiple funding options to ensure the library could continue to provide core services and programs to the public. The appointed members were selected to serve as ambassadors in the community and to increase community awareness on the core mission and services provided by the Library.

The Library provides educational and recreational opportunities to the community, including access to reference and reader's advisory services, story times and other learning opportunities at all 13 branches, and children's programs throughout the year. Adult literacy tutoring and access to computers and high-speed wireless are available in the Library, while the library's website and application provide 24-7 access to e-books, streaming media, and a wide range of databases and resource ranging from homework help, career support, personal growth and enrichment.

The Library Advisory Board is an invaluable resource and works cooperatively with the County Librarian providing feedback on these activities. The legal purpose of the Library Advisory Board is to advise the Board of Supervisors on library matters; it also provides independent citizen oversight of the Stanislaus County Library Tax, as required most recently by Measure S.

The Library Advisory Board by-laws were amended on June 9, 1998 to allow a youth advisory member to fill the ninth chair in a non-voting capacity, and on August 17, 1999

to allow an exception to the two-term membership limit. On May 7, 2013, the Board of Supervisors approved additional amendments to the by-laws, updating the role of the secretary to provide the minutes but not read them publicly; reflecting the staggering of Library Advisory Board members' terms based on original appointment date; and reflecting the Library Advisory Board's quarterly meeting schedule. The proposed amendments to the bylaws were proposed at the January 27, 2022 Library Advisory Board meeting. Staffing shortages and competing priorities resulted in the delay of the preparation of the board item. The current recommended amendments to the by-laws include:

1. Amend the purpose of the Library Advisory Board to reflect the Library Advisory Board's responsibility to act as the independent citizen oversight committee to oversee the handling of the Stanislaus County Library dedicated sales tax, as required by Measure S.
2. Replace the Youth Advisor member-at-large seat with a Youth Advocacy member-at-large seat, with full voting privileges, selected on the same basis as other at-large seats.
3. Remove language regarding term limits. (Historically, Library Advisory Board seats have been difficult to fill. At times seats are vacant for years when a board member leaves. Removing term limits will provide the opportunity for incumbent Library Advisory Board members to retain their seats in the event there are no other available candidates for a particular seat.)
4. Remove language related to staggered terms.
5. Replace the title "Chairman" and "Chairperson" with "Chair."
6. Specify the Secretary of the Library Advisory Board will be a Library staff member assigned by the Librarian.
7. Update the definition of a quorum to "a majority of voting members."

POLICY ISSUE:

The Board of Supervisors may appoint advisory committees to advise the Board of Supervisors regarding county service areas and facilities as authorized by Government Code Section 25212.4.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD OF SUPERVISORS' PRIORITY:

The recommended action supports the Stanislaus County Board of Supervisors' priority of *Promoting Lifelong Learning*. The Library Advisory Board provides advice, analysis on issues, community relations and advocacy relating to the library.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Sarah Dentan, County Librarian 209-558-7801

ATTACHMENT(S):

1. Library Advisory Board By-Laws Proposed
2. Library Advisory Board By-Laws Proposed - Edits Displayed

STANISLAUS COUNTY FREE LIBRARY ADVISORY BOARD BY-LAWS

Approved by the Board of Supervisors on August 17, 1993

Revised April 12, 1996, June 9, 1998, August 17, 1999, April 11, 2013,

March 7, 2023

I. NAME

This group will be known as the Stanislaus County Free Library Advisory Board. Whenever the word Board is used in these by-laws, it will mean the Stanislaus County Free Library Advisory Board.

II. PURPOSE

This Board will advise the Stanislaus County Board of Supervisors on matters pertaining to the county library. The Board will work in cooperation with the County Librarian. The Board will act as the independent oversight committee to oversee local administration of the Stanislaus County Library dedicated sales tax.

III. MEMBERSHIP

1. The Board will be composed of nine members.
2. One member will be appointed by the Board of Supervisors from each supervisorial district. Four at-large members, from the constituencies of education, business, agriculture, and youth engagement will be chosen by a majority vote of the Supervisor- appointed members.
3. Terms of membership will be for three years. Supervisors may appoint seated members to additional terms. At-large members may serve additional terms as approved by a majority vote of the Supervisor-appointed members. There are no term limits.
4. Members will be removed if they missed more than three meetings in a row, or were absent from 50% or more of the meetings in a year, or if they moved from their district or otherwise lost the status which qualified them for membership.
5. The County Librarian will serve as ex-officio member of the Board in a non-voting capacity.
6. Vacancies on the Board will be filled in the same manner in which the departing member was appointed.

Officers and Duties

- a) The Board will, at its first official meeting, and at each first official meeting of every calendar year thereafter, nominate and elect a chair and a vice chair. The Secretary position will be filled by a member of the Stanislaus County Library Staff as assigned by the County Librarian.

- b) The duties of the chair will be:
 - i. Prepare an agenda for each meeting.
 - ii. Call each meeting to order.
 - iii. Enumerate the business of the meeting and the order in which it is to be acted upon.
 - iv. Recognize members who are entitled to the floor.
 - v. State and put to a vote all questions which are properly moved.
 - vi. Maintain order throughout the meeting.
- c) The duties of the vice-chair are to assume the duties of the chair when s/he is absent.
- d) The duties of the secretary are:
 - i. Record the minutes of all meetings of the Board, and provide the minutes of the previous meeting.
 - ii. Maintain a register of those who attend each meeting of the Board.

IV. MEETINGS

1. Regular meetings of the Board shall be held at least on a quarterly basis at such time and place as the Board may determine.
2. Notice of all regular and special meetings will be posted in a conspicuous location at the Stanislaus County Free Library, in county library branches, and on the Library Web site. In addition, written or email notice will also be given to all members of the Library Advisory Board.
3. Special meetings of the Library Advisory Board may be called by the Chair of the Library Advisory Board, or if the Chair is not available by the Vice-Chair. The notice calling for a special meeting will specify the time and place of the special meeting and the business to be considered at that meeting. In addition, each member of the Library Advisory Board must be notified in writing of all special meetings, and the business to be transacted at any such special meeting, unless a waiver of such notice is given by a Board member.
4. A majority of voting members shall constitute a quorum for the transaction of business. Only an action or decision, done or made, by a majority of the members present at a meeting at which a quorum is present shall be regarded as the action or decision of the Board.

V. PARLIAMENTARY RULES

Conduct of Meetings

Notwithstanding anything to the contrary herein, the meetings of the Board will be conducted in accordance with the most current published edition of Robert's Rules of Order, and the Brown Act.

VI. AMENDMENT

These By-Laws are subject to amendment in accordance with Robert's Rules of Order. The By-Laws may be amended by a two-thirds (2/3) vote of a quorum of the Board and subsequent approval by the Board of Supervisors provided that fifteen (15) days prior to the meeting, the full Board is notified of the language of such changes.

STANISLAUS COUNTY FREE LIBRARY ADVISORY BOARD BY-LAWS

Approved by the Board of Supervisors on August 17, 1993
Revised April 12, 1996, June 9, 1998, August 17, 1999, April 11, 2013

Amendments Proposed January 27, 2022

I. NAME

This group will be known as the Stanislaus County Free Library Advisory Board. Whenever the word Board is used in these by-laws, it will mean the Stanislaus County Free Library Advisory Board.

II. PURPOSE

This Board will advise the Stanislaus County Board of Supervisors on matters pertaining to the county library. The Board will work in cooperation with the County Librarian. The Board will act as the independent oversight committee to oversee local administration of the Stanislaus County Library dedicated sales tax.

III. MEMBERSHIP

4. 1. The Board will be composed of nine members.
2. 2. One member will be appointed by the Board of Supervisors from each supervisorial district. Four at-large members, from the constituencies of education, business, ~~and~~ agriculture and youth engagement will be chosen by a majority vote of the original five Supervisor-appointed members. ~~One of these at-large members may be a member of the library's Youth Advisory Council, chosen by that group to represent them on the Library Advisory Board. Any Youth Advisory Council member will be non-voting.~~
3. 3. Terms of membership will be for three years. ~~No member will~~ Supervisors may appoint seated members to additional terms. At-large members may serve more than two terms, but after one year off the board, additional terms as approved by a member may return for another term. An exception will be made if the Board member ending his/her final term is the only member who can provide the history and continuity majority vote of the Board for a new incoming County Librarian. This Board member will be allowed to serve a third term. Supervisor-appointed members. There are no term limits.
4. 4. Members ~~would~~ will be removed if they missed more than 3 meetings in a row, or were absent from 50% or more of the meetings in a year, or if they moved from their district or otherwise lost the status which qualified them for membership.
5. 5. The County Librarian will serve as ex-officio member of the Board in a non-voting

capacity.

6. 6. Vacancies on the Board will be filled in the same manner in which the departing member was appointed.

~~7. Initial Board members served staggered terms commencing their terms in three consecutive years. Thereafter, Board members shall serve three-year terms with no more than three Board members with terms expiring in the same year. Each Board member shall hold office until the annual meeting when his/her term expires and until his/her successor has been elected and qualified.~~

Officers and Duties

a) The Board will, at its first official meeting, and at each first official meeting of every calendar year thereafter, nominate and elect a ~~chairperson, chair and~~ a vice-~~chairperson, and a secretary~~ chair. The Secretary position will be filled by a member of the Stanislaus County Library Staff as assigned by the County Librarian.

b) The duties of the ~~chairperson~~ chair will be:

i. Prepare an agenda for each meeting.

ii. Call each meeting to order.

iii. Enumerate the business of the meeting and the order in which it is to be acted upon.

iv. Recognize members who are entitled to the floor.

v. State and put to a vote all questions which are properly moved.

vi. Maintain order throughout the meeting.

c) The duties of the vice-~~chairperson~~ chair are to assume the duties of the ~~chairperson~~ chair when s/he is absent.

d) The duties of the secretary are:

i. Record the minutes of all meetings of the Board, and provide the minutes of the previous meeting.

ii. Maintain a register of those who attend each meeting of the Board.

IV. MEETINGS

~~4.~~ 1. Regular meetings of the Board shall be held at least on a quarterly basis at such

time and place as the Board may determine.

2. 2. Notice of all regular and special meetings will be posted in a conspicuous location at the Stanislaus County Free Library, in county library branches, and on the Library Web site. In addition, written or email notice will also be given to all members of the Library Advisory Board.
3. 3. Special meetings of the Library Advisory Board may be called by the ~~Chairman~~Chair of the Library Advisory Board, or if the ~~Chairman~~Chair is not available by the Vice-~~Chairman~~Chair. The notice calling for a special meeting will specify the time and place of the special meeting and the business to be considered at that meeting. In addition, each member of the Library Advisory Board must be notified in writing of all special meetings, and the business to be transacted at any such special meeting, unless a waiver of such notice is given by a Board member.

~~4. Five members will constitute a quorum.~~

4. A majority of voting members shall constitute a quorum for the transaction of business. Only an action or decision, done or made, by a majority of the members present at a meeting at which a quorum is present shall be regarded as the action or decision of the Board.

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