

**BOARD OF LIBRARY TRUSTEES
RULES OF PROCEDURE / BYLAWS**

July 20, 2016

A. OFFICERS

A-1 PRESIDENT AND SECRETARY

The Board of Library Trustees shall, by majority vote, select a new President every year at its first meeting in January. Unless otherwise appointed by the Board, the Secretary shall be the Library Director or designee, and shall not be a voting member of the Board.

A-2 PRESIDENT TO PRESIDE

The President shall be the Presiding Officer at all meetings of the Board of Library Trustees. In the absence of the President, the Vice President of the Board of Library Trustees shall call the meeting to order and preside over the proceedings.

A-3 DURATION OF TERM

The term of the President shall be one (1) year. Two (2) consecutive terms may be served at the pleasure of the Board. However, every effort should be made to allow other Board Members to serve during their term as President provided they have served on the Board of Library Trustees at least one (1) year, and they so desire. The Board may elect a member desirous of being President/Vice President and not having at least one (1) year experience on a six-sevenths (6/7) vote.

A-4 POWERS AND DUTIES OF PRESIDING OFFICER

1. Participation

The Presiding Officer may move, second, debate, and vote on any matter before the Board. He/She shall not be deprived of any of the rights and privileges of a Board member by reason of his/her acting as Presiding Officer.

2. Questions to be stated

The Presiding Officer, or such member of the City staff as he/she may designate, may verbally restate each question immediately prior to calling for the vote. Following the vote the Secretary to the Board shall announce whether the question carried or was defeated. The Presiding Officer in his/her discretion may publicly explain the effect of a vote for the audience or he/she may direct the Secretary to do so before proceeding to the next item of business.

B. MEETINGS

B-1 REGULAR MEETINGS

The Board shall *meet no less than quarterly*. The meetings shall generally be on *the third Wednesday of the month at 5:00 p.m.* in the Library's Public Conference Room, 625 S. Garey Avenue, Pomona, CA. A special meeting (see Section B-3) may be called to transact urgent business.

B-2 ADJOURNED MEETINGS

Any regular or adjourned meeting may be adjourned to a time, place, and date specified in the order of adjournment but not beyond the next regular meeting. If no time is stated in the order of adjournment, it shall be the same time as for regular meeting. Once adjourned, the meeting may not be reconvened. An adjourned regular meeting is a regular meeting for all purposes.

B-3 SPECIAL MEETINGS

Special meetings may be called at any time by the President or Secretary of the Board. Noticing for such meetings must follow the California Open Meetings Law (the Ralph M. Brown Act), and must specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings.

B-4 MEETINGS TO BE PUBLIC

All regular, adjourned, and special meetings of the Board of Library Trustees shall be open to the public, except that the Board of Library Trustees may hold closed sessions from which the public may be excluded for the consideration of matters permitted by the Ralph M. Brown Act.

Public participation at regular, adjourned and special meetings shall be limited to the "Public Comment" section of the agenda and at the time specific action items listed on the agenda are discussed by the Board.

B-5 ATTENDANCE

Board members are expected to diligently attend and participate in all meetings of the Board. Requests for excused absences shall be received by the Secretary to the Board. Four (4) unexcused absences may be considered grounds for removal from office by the City Council.

B-6 QUORUM

The Board of Library Trustees consists of seven (7) members -- one (1) of whom is the President. Four (4) members of the Board shall constitute a quorum and shall be sufficient to transact regular business. If less than four (4) Board members appear at a regular meeting, or the lack of a quorum is recognized in advance due to member excused absence and/or vacant position(s) on the Board, the President or Secretary of the Board of Library Trustees, or his/her designee, shall cancel the meeting and notify the City Clerk of said cancellation.

B-7 FORMATION OF COMMITTEES AND SUBCOMMITTEES

The Presiding Officer or any member of the Board of Library Trustees may make a motion to create a committee or subcommittee comprised of three (3) or fewer Board members to study an issue. Committees or subcommittees shall not have any decision-making authority, but shall report its findings to the main body of the Board of Library Trustees for further discussion and disposition. A Chair may be elected by and from among the committee or subcommittee members. The Presiding Officer of the Board of Library Trustees may serve on Board of Library Trustees committees or subcommittees as would any other Board member.

C. AGENDA

C-1 PREPARATION OF AGENDA

An agenda shall be prepared for each regular meeting containing the specific items of business to be transacted and the order thereof. Items of business may be placed on the agenda by any Board member, the City Manager or designee, Library Director or designee, or the City Attorney or designee. City staff shall prepare the agenda. Whenever feasible, each item on the agenda shall contain a staff report and recommendation and the specific action requested to be taken by the Board. No matters other than those listed on the agenda shall be acted upon by the Board.

C-2 ORDER AND CONDUCT OF BUSINESS

At the time set for each regular meeting, the Board of Library Trustees, Library Director or his/her designee, and Department representatives who have been requested to be present shall take their regular places in the meeting room. The President shall call the meeting to order and the business of the Board shall be taken up for consideration and disposition in the order set forth in Section C-4, except that with the consent of a majority of the Board members present, items may be taken out of order. *Robert's Rules of Order, Newly Revised*, shall govern the conduct of the meetings.

C-3 POSTING OF AGENDA

The agenda of the Board of Library Trustees shall be posted at least seventy-two (72) hours prior to the meeting in the following public places:

- The bulletin board in the front of the Council Chambers, 505 S. Garey Ave.
- The public notice board inside the Pomona Public Library, 625 S. Garey Ave.

C-4 CONTENTS OF AGENDA

The agenda shall contain the title headings and shall be conducted in substantially the order and manner as set forth below:

CALL TO ORDER AND FLAG SALUTE

ROLL CALL

The Secretary shall call the roll of the Board members, and the names of those present shall be entered in the minutes.

BOARD COMMUNICATION

The Board may discuss any such other matters as may be brought to it by a Board member. If action needs to be taken, the items must be properly scheduled on the agenda prior to such action under the rules stipulated by the Ralph M. Brown Act.

PUBLIC COMMENT

The Board shall hear anyone in the audience desiring to address the Board of Library Trustees on any matter not on the meeting agenda. Anyone desiring to address the Board is limited to three (3) minutes, unless extended by a majority vote of the Board. The maximum total time to be devoted to this section of the agenda is thirty (30) minutes, unless extended by a majority vote of the Board.

APPROVAL OF THE MINUTES AND CONSENT AGENDA

The Board shall review and approve the minutes of the previous meeting. Any changes and amendments to the draft minutes may be made by a majority vote of the Board. Additional items for the Consent Agenda may include various reports of a routine nature.

OLD AND/OR NEW BUSINESS

The Board may continue discussion of any items carried over from previous meetings, or discuss new action items on the agenda. These items include all matters properly brought before the Board which require action. Anyone in the audience desiring to address the Board on a specific agenda item is limited to three (3) minutes, unless extended by a majority vote of the Board.

STAFF AND FRIENDS COMMUNICATION

The Board shall consider all verbal or written communication from staff and/or the Friends of the Pomona Public Library. If action needs to be taken, the items must be properly scheduled on the agenda prior to such action under the rules stipulated by the Ralph M. Brown Act, or placed on the agenda for a future Board meeting.

ADJOURNMENT

The meeting shall be adjourned to a certain time and date certain after a motion to adjourn has been made and carried.

D. ADDRESSING THE BOARD

D-1 WRITTEN CORRESPONDENCE

The City Manager and Library Director or designee is authorized to receive and open all mail addressed to the Board of Library Trustees, and he/she shall give it immediate attention. Any communication requiring Board action shall be placed upon the agenda, together with a report and recommendation by the City staff. All correspondence requiring same shall be answered or acknowledged as soon as practical.

D-2 RIGHT TO ADDRESS BOARD OF LIBRARY TRUSTEES

Subject to the provisions of Section D-3, D-4, and E-8, interested persons shall have the absolute right to address the Board during consideration of items under the following headings of business:

1. Public Comment

Interested persons or their authorized representatives may address the Board by oral communication on any matter not on the agenda concerning municipal business over which the Board has influence or control during the "Public Comment" portion of the agenda.

2. Old and/or New Business

Interested persons or their authorized representatives may address the Board while a matter is open to the public, in regard to remarks or questions relevant to the matter under consideration.

D-3 MANNER OF ADDRESSING BOARD

Any person desiring to address the Board shall stand and wait to be recognized by the Presiding Officer. After being recognized, he/she shall stand in a conveniently visible location, state his/her name and address for the record, and proceed to address the

Board. All remarks and questions shall be addressed to the Board as a whole and not to any individual member or City staff.

D-4 TIME LIMITATION

Every person addressing the Board shall limit his/her address to three (3) minutes or such reasonable time as is granted by the majority of the Board. When any group of persons wishes to address the Board on the same subject matter, it shall be proper for the Presiding Officer to request that a spokesperson be chosen to represent the group to avoid unnecessary repetition.

E. DEBATE AND DECORUM

E-1 GETTING THE FLOOR

Every Board member desiring to speak shall first address the President, gain recognition by the Presiding Officer, and shall confine himself/herself to the question under debate.

E-2 QUESTIONS TO STAFF

Every Board member desiring to question the City staff shall, after recognition by the Presiding Officer, address his/her questions to the Library Director or designee. In the case of the Director, he/she shall be entitled either to answer the inquiry himself/herself or to designate another member of the staff for that purpose.

E-3 INTERRUPTIONS

A Board member, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, unless a point of order or personal privilege is raised by another Board member, or unless the speaker chooses to yield to a question by another Board member. If a Board member is called to order while speaking, he/she shall cease speaking until the question or order is determined. If it is determined to be in order, he/she may proceed. After recognition by the Presiding Officer, members of the City staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

E-4 POINTS OF ORDER

The Presiding Officer shall determine all points of order subject to the right of any Board member to appeal to the Board. He/she may request an opinion of the City Attorney or designee in making such determination. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" Board decision shall conclusively determine such question of order.

E-5 POINT OF PERSONAL PRIVILEGE

The right of a Board member to address the Board on a question of personal privilege shall be limited to cases in which his/her integrity, character or motives are questioned or in an instance in which the welfare of the Board is concerned. A Board member raising a point of personal privilege may interrupt another Board member who has the floor subject only to the power of the Presiding Officer to call him/her out of order.

E-6 REMARKS OF BOARD MEMBERS AND SYNOPSIS OF DEBATE

Any Board member shall have the right of having an abstract of his/her statement and/or a synopsis of the debate on any subject under consideration by the Board entered in the minutes. This right shall be exercised by specific direction to the Secretary at the Board meeting.

E-7 DECORUM AND ORDER; BOARD AND CITY STAFF

While the Board is in session, the Board members and City staff shall preserve order and decorum. A member shall neither by conversation or other action delay or interrupt the proceedings or the peace of the Board nor disturb any member while speaking or refuse to obey the directives of the Presiding Officer.

E-8 DECORUM AND ORDER; AUDIENCE

Public members attending Board meetings shall observe the same rules of order and decorum applicable to the Board and staff. Any person making irrelevant, impertinent, or profane remarks or who becomes boisterous while addressing the Board or while attending the Board meeting shall be removed from the room if the City Staff is so directed by the Presiding Officer, and such person may be barred from further audience before the Board at that meeting. Unauthorized remarks from the audience, stamping of feet, whistling, shouting and similar demonstrations shall not be permitted by the Presiding Officer, who shall direct the Staff to remove such offenders from the room.

F. MOTIONS

F-1 PRESENTATION OF MOTIONS

A motion is the formal statement of a proposal or question to the Board for consideration and action. The Presiding Officer and each Board member have the right to present a motion.

F-2 SECOND REQUIRED

A motion by any Board member shall not be considered by the Board and voted on unless it receives a second. Once the motion has been properly made and seconded, the Presiding Officer shall open the matter for debate offering the first opportunity to debate to the moving party and, thereafter, to any Board of Library Trustees member properly recognized by the Presiding Officer. Once the motion has been fully debated and the Presiding Officer calls for a vote, no further debate will be allowed. Board of Library Trustees members, however, may be allowed to explain their vote.

F-3 PROCEDURAL RULES OF ORDER (Per *Robert's Rules of Order, Newly Revised*)

Once the main motion is properly placed on the floor, several related motions may be employed in addressing the main motion, and if properly made and seconded, must be disposed of before the main motion can be Acted upon. The following motions are appropriate and may be made by the Presiding Officer or any Board of Library Trustees member at any appropriate time during the discussion of the main motion. They are listed in order of precedence.

1. Subsidiary Motions.

The first three (3) subsidiary motions are non-debatable; the last four (4) are debatable.

a. *Lay on the Table*

Any Board of Library Trustees member may move to lay the matter under discussion on the table. This motion temporarily suspends any further discussion of the pending motion without setting a time certain to resume debate. In order to bring the matter back before the Board of Library Trustees, a motion must be adopted that the matter be taken from the table. A motion to take from the table must be made at the same meeting at which it was placed on the table or at the next regular meeting of the Board of Library Trustees. Otherwise the motion that was tabled dies, although it can be raised later as a new motion.

b. Move Previous Question

Any Board of Library Trustees member may move to immediately bring the question being debated by the Board of Library Trustees to a vote, suspending any further debate. The motion must be made and seconded without interrupting one who already has the floor. A two-thirds (2/3) vote of the quorum present is required for passage.

c. Limit or Extend Limits of Debate

Any Board of Library Trustees member may move to put limits on the length of the debate. The motion must be made and seconded and requires a two-thirds (2/3) vote of the quorum present to pass.

d. Postpone to a Time Certain

Any Board of Library Trustees member may move to postpone debate and action on the motion to a date and time certain.

e. Commit or Refer

Any Board of Library Trustees member may move that the matter being discussed should be referred to staff, a committee or a subcommittee for further study. The motion may contain directions for the staff, committee or subcommittee, as well as a date upon which the matter will be returned to the Board of Library Trustees' agenda. If no date is set for returning the item to the Board of Library Trustees agenda, any Board of Library Trustees member may move, at any time, to require the item to be returned to the agenda.

f. Amend

Any Board of Library Trustees member may amend the main motion or any amendment made to the main motion, after the main motion is seconded. Before the main motion may be acted upon, all amendments and amendments to amendments must first be acted upon. An amendment must 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 is out of order and may be so declared by the Presiding Officer.

g. Postpone Indefinitely

Any Board of Library Trustees member 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.

2. Motions of Privilege, Order and Convenience

The following actions by the Board of Library Trustees are to ensure orderly conduct of meetings and are for the convenience of the Presiding Officer and Board of Library Trustees members. These motions take precedence over any pending main or subsidiary motion and may be debated except as noted.

a. Call for Orders of the Day

Any Board of Library Trustees member may demand that the agenda be followed in the order stated herein. No second is required and the Presiding Officer must comply unless the Board of Library Trustees sets aside the agenda order of the day. This motion is not debatable.

b. Question of Privilege

Any Board of Library Trustees member, at any time during the meeting, may make a request of the President to accommodate the needs of the Board of Library Trustees or his/her personal needs for such things as reducing noise, adjusting air conditioning, ventilation, lighting, etc. The validity of the question is ruled on by the Presiding Officer.

c. Recess

Any Board of Library Trustees member may move for a recess.

d. Adjourn

Any Board of Library Trustees member may move to adjourn at any time, even if there is business pending. The motion is not debatable.

e. Point of Order

Any Board of Library Trustees member may require the Presiding Officer to enforce the rules of the Board of Library Trustees by raising a point of order. The point of order shall be ruled upon by the Presiding Officer.

f. Appeal

Should any Board of Library Trustees member be dissatisfied with a ruling from the Presiding Officer, he/she may move to appeal the ruling to the full Board of Library Trustees.

g. *Suspend the Rules*

Any Board of Library Trustees member may move to suspend the rules if necessary to accomplish a matter that would otherwise violate the rules.

h. *Division of Question*

Any Board of Library Trustees member 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.

i. *Reconsider*

Except for votes regarding matters which are quasi-judicial in nature or matters which require a noticed public hearing, the Board of Library Trustees may reconsider any vote taken at the same meeting, but no later than the same or next meeting, to correct inadvertent or precipitant errors, or consider new information not available at the time of the vote. The motion to reconsider must be made by a Board of Library Trustees member who voted on the prevailing side, must be seconded and requires a majority vote of the quorum for passage, regardless of the vote reconsidered. If the motion to reconsider is successful, the matter to be reconsidered takes no special preference over other pending matters and any special voting requirements related thereto shall still apply. Except pursuant to a motion to reconsider, once a matter has been determined and voted upon, the same matter cannot be brought up again at the same meeting.

j. *Rescind, Repeal or Annul*

The Board of Library Trustees may rescind, repeal or annul any prior action taken with reference to any legislative 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.

G. VOTING

G-1 VOTING PROCEDURE

All Board of Library Trustees members present at a meeting when a motion question comes up for a vote shall vote for or against the motion or shall abstain. The Secretary shall declare the result and note for the record all “yes” votes and all “no” votes. The Board of Library Trustees may also vote by roll call vote, ballot or voting machine. Regardless of the manner of voting, the results reflecting all “yes” and “no” votes must be clearly set forth for the record. In order to be adopted, a motion requires the “yes” vote of a majority of the quorum present, unless the vote of three (3) Board members is

required by statute, ordinance or resolution. An abstention shall not be counted as a “yes” or a “no” vote but the Board of Library Trustees member abstaining shall be counted for the purpose of determining the quorum.

G-2 ORDER OF VOTING

The Secretary shall take roll call votes in the following order:

- First, the Board member making the motion.
- Second, the Board member seconding the motion.
- Followed by the balance of the Board members in any order.

G-3 CHANGE OF VOTE

A member may change his/her vote only if he/she makes a timely request to do so immediately following the announcement of the vote by the President and prior to the time that the next item in the order of business is taken up.

G-4 FAILURE TO VOTE

Every member should vote unless disqualified for cause except by vote of the Board or by opinion of the City Attorney or designee. Self-disqualification, without approval, which results in a tie vote, shall be avoided, but no Board member shall be forced to vote. A Board member who abstains shall in effect consent that a majority of the quorum may act for him.

G-5 CONFLICT OF INTEREST

Board members shall not vote if private or personal interests are likely to conflict with the general public interest. The State Fair Political Practices Act shall apply to every Board member.

G-6 LOST MOTIONS

A lost motion is one that fails to receive the necessary number of votes to carry. Tie votes result in a lost motion. Lost motions may be renewed at any subsequent Board meeting. To revive a lost motion at the same meeting, the proper action is a motion to reconsider, as discussed above.

G-7 RECORDATION OF VOTES

Voting results of the Board of Library Trustees shall be recorded in the minutes and shall include by Board member’s name, “yes” votes, “no” votes, abstentions, and absences.

H. MINUTES

H-1 PREPARATION OF MINUTES

The Secretary of the Board of Library Trustees shall have exclusive responsibility for preparation of the minutes, and any directions for changes in the minutes shall be made only by action of the Board. The President of the Board of Library Trustees shall attest and sign the official copy of the minutes as passed by the Board.

I. AMENDMENTS

These Bylaws may be amended by two-thirds (2/3) majority vote of the Board of Library Trustees, provided the proposed amendment has been presented at one (1) prior regular meeting before the action is taken. Failure of the Board to follow the Bylaws established herein shall not invalidate or otherwise affect any action of the Board.

Certification by Board Secretary

I, the undersigned Board of Library Trustees Secretary, hereby certify that these Bylaws have been adopted by the Board of Library Trustees for the City of Pomona to take immediate effect upon a vote of the majority of the members of said Board to adopt these Bylaws, as follows:

Voted :

Board member Veronica Michalowski, Mayor

Board member Eunice Russell, District 1

Board member Jacqueline Macias, District 2

Board member Mike Suarez, District 3

Board member Diana E. Butcher, District 4

Board member Lucy Mendoza, District 5

Board member Carole Pelton, District 6

Board Secretary

Date