

## **Article 1 - Name**

The organization shall be called "The Board of Trustees of the Contra Costa County Public Law Library", existing by virtue of the provisions of Chapter 5 of the Business and Professions Code, Sections 6300-6365, of the Laws of the State of California.

## **Article 2 - Members**

**Section 1.** The members of the Board shall be appointed according to the California Business and Professions Code, §§6301, 6302 & 6305. The full membership of the Board is seven.

**Section 2.** Members of the Board from the Superior Court shall serve a term of two years and will be appointed by the Presiding Judge.

**Section 3.** The Law Library Director shall serve as Recording Secretary to the Board in an ex-officio capacity and is not a member of the Board.

**Section 4.** In accordance with California Business and Professions Code, §6305, the Board may remove any Trustee, except an ex-officio Trustee, who fails to attend meetings regularly, which is herein defined as attendance at two-thirds of all duly noticed meetings on an annual basis. The Board may fill all vacancies that occur from any cause.

**Section 5.** The Recording Secretary shall notify the proper appointing authority of any vacancies and impending vacancies in a timely manner.

**Section 6.** In accordance with statute, the Board of Trustees may appoint a person to serve in the capacity of a trustee when there is an unfilled position on the Board. When the appointing authority acts to make an appointment in the regular manner, the term of a trustee appointed under this bylaw shall come to an end.

## **Article 3 - Officers**

**Section 1.** The officers shall be a President, Vice-President, and a Secretary elected annually from among the appointed trustees. Nomination of officers will be during the January meeting. Officers shall be elected to serve terms of one year or until such time as a successor is elected.

**Section 2.** The President of the Board of Trustees shall call to order and preside at all meetings of the Board. The President also authorizes calls for any special meetings, appoints all committee members, and executes all documents authorized by the Board.

**Section 3.** The Vice-President shall perform the duties of the President in the event of the absence or disability of the President.

**Section 4.** The Secretary shall record the minutes for the executive sessions and in the absence of the Recording Secretary.

**Section 5.** The Recording Secretary shall record and keep a true and accurate record of all meetings of the Board, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with that office.

## Article 4 - Committees

**Section 1.** The President shall appoint ad-hoc committees of one or more members each for such specific purposes as the Board may require from time to time. The committee shall be considered to be discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Board. Ad-hoc committees can consist of a Budget/Audit Committee, Personnel Committee, Bok and Online Committee or Library Materials Committee, Technology Committee, and others depending on need.

**Section 2.** All committees shall make progress reports to the Board at meetings.

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

## Article 5 - Meetings

**Section 1.** The regular meetings shall be held the first Monday of each month at 1 p.m. in the law library. Changes in the time and date for future meetings may be made at any regular or special meeting of the Board. (The Board by resolution can determine the appropriate meeting time for its regularly scheduled monthly meetings, in accordance with the Business and Professions Code, Sections 6304 and Government Code, Section 54954.) Meeting dates may be adjusted by the Board based on need, such as holidays occurring on or near the first Monday of the month.

**Section 2.** On or before each December, the Recording Secretary shall establish a calendar for the subsequent year creating a regularly scheduled meeting each month, in accordance with the Board Bylaws. The Recording Secretary may vary the schedule slightly in order to avoid conflict with holidays.

**Section 3.** Four members shall constitute a quorum for the transaction of business in any meeting of the Board. However, in the event of two or more vacancies on the Board, three members shall constitute a quorum for the transaction of business in any meeting of the Board.

If a Board meeting fails to achieve a quorum, but the Board desires to decide an action in an emergency situation or because of time requirement, then the Board may use a messenger, email, or phone ballot in the following manner:

**Discussion on the item shall be appropriate at the meeting.**

**A resolution calling for a Special Meeting may be passed by a majority of the members present at the meeting.**

**Section 4.** Meetings may be accessed by Zoom or other teleconferencing methods, pursuant to the Ralph M. Brown Act, Government Code 54953(a) et seq.

**Section 5.** Special meetings may be called by the Recording Secretary at the direction of the President, or at the request of three members. All items allowed for discussion or action at a special meeting must be stated in an agenda accompanying the message calling for a special meeting. No items of business not stated in an agenda shall be brought up at the special meeting. Items decided at a special meeting are subject at the next regularly scheduled meeting to a motion for review by any Board member who did not attend the special meeting.

**Section 6.** Notice of an agenda containing the time and place of all meetings of the Board of Trustees shall be sent to each Trustee and posted in a public location, at least 96 hours (four days) before the date of the proposed meeting in compliance with the provisions of the Contra Costa County Better Government Ordinance, Section 25.2-206(a), and the Ralph M. Brown Act (Open Meetings Law, California Government Code, Section 94594.2). If an item is not specified on the advance notice agenda, the Board may not act on or discuss that item, or add that item to the agenda as an urgency item.

**Section 7.** At least 96 hours in advance of a regular scheduled meeting, all staff reports and other materials prepared or forwarded by staff that provide background information and recommendations on agenda items must be made available to public and to members of the Board.

**Section 8.** The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstances will permit:

**Call to order**

**Approval of consent agenda**

**Unfinished business**

**Law Library Director and Auditor's financial report**

**New Business**

**Committee Reports**

**Law Library Director's Report**

**Information items**

**Open forum**

**Adjournment**

**Executive Committee meeting (if required)**

**Section 9.** Meetings shall be conducted in conformity with the Ralph M. Brown Act (Open Meeting Law), Government Code Section 54950-54962. Conduct of meetings shall be governed by Robert's Rules of Order, latest edition.

**Section 10.** The meeting in the month of July shall be designated the Annual Meeting. The Annual Report shall be presented in writing, by the Law Library Director, for approval of the Board prior to October 15, and transmittal to the Board of Supervisors. A copy of the report shall be filed with the Auditor of the county.

## **Article 6 - 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 President may vote upon and may move or second a proposal before the Board.

**Section 2.** The bylaws may be amended by the majority vote of all members of the Board provided written notice of the proposed amendment shall have been mailed to all members at least ten days prior to the meeting at which such action is proposed to be taken.

**Section 3.** The Board should keep constantly aware of law library standards, technologies, trends, regulations, and legislation.

## **Article 7 - Law Library Director and Staff**

**Section 1.** The Board shall appoint a Law Library Director who shall be the executive and administrative officer of the library on behalf of the Board.

**Section 2.** The Law Library Director serves at the discretion of the Board with compensation approved by the Board.

**Section 3.** The Law Library Director shall appoint and specify the duties of other employees and shall be responsible for the proper direction and supervision of the staff and delegation of duties to it. The Law Library Director and the staff shall be responsible for the care and maintenance of the library property, for an adequate selection of books and other materials in keeping with the stated acquisitions policy, for the efficiency of library service to the public, for the continued technological progress of the library and for its financial operation within the limitations of the budgeted appropriation.

## **Article 8 - Financial Rules**

**Section 1.** The fiscal year shall be July 1 to June 30.

**Section 2.** The annual budget shall be approved by the Board prior to the beginning of the fiscal year. The Board may alter the budget during the fiscal year.

**Section 3.** The Law Library Director and staff shall endeavor to stay within the budget established by the Board. The Law Library Director shall report all instances when expenses go beyond the amount budgeted to the Board during the regularly scheduled financial report.

**Section 4.** There shall be maintained a commercial bank account revolving fund designated the "Contra Costa County Public Law Library Revolving Fund", in an amount not to exceed \$50,000, upon which the Law Library Director shall draw checks for purposes which The Law Library Revolving Fund may lawfully be expended not in excess of \$10,000 each in compliance with California Business and Professions Code, Section 6326. All disbursements from the revolving account shall be signed by the Law Library Director and countersigned by a second staff employee as designated on the account's authorized signature card.

**Section 5.** Payroll and all disbursements by warrants made to the County Auditor to be drawn from the "Law Library Trust Fund", that is held by the treasurer of the county in compliance with California Business and Professions Code, Section 6320, shall be signed by two trustees.

**Section 6.** At each regularly scheduled meeting, bills will be approved for payment as itemized on Payment Orders. In the event a meeting is canceled, Payment Orders are signed by two trustees and submitted for payment, with ratification at the next Board meeting. All Payment Orders must be either ratified or approved during a regular Board meeting in the consent agenda.

## **Article 9 - Errors and Omissions**

**Section 1.** Trustees shall be covered by errors and omissions insurance of not less than \$2,000,000 per occurrence.

Approved: 12/16/20