

BYLAWS  
BOARD OF LIBRARY TRUSTEES  
OF THE  
PALM SPRINGS PUBLIC LIBRARY SYSTEM

**Article I**

**IDENTIFICATION & AUTHORITY**

**Section I. Name**

The name of this board shall be the **Board of Library Trustees** of the City of Palm Springs Public Library System, located in Palm Springs, California ("City"), and is a Charter Board as provided for by the City of Palm Springs Charter ("Charter") §609 and the Palm Springs Municipal Code ("PSMC") §2.32.010 et seq.

**Section II. Authority**

As a Charter Board, the Board of Library Trustees ("Board") shall have the powers, duties and authorities, now or hereafter from time to time provided for, and shall be administered pursuant to, the provisions of the general laws of the State of California governing Municipal Libraries (as set forth in California Education Code §18900-18965), unless otherwise provided for by the Charter.

**Article II**

**TRUSTEES**

**Section I. Appointment**

The Board of Library Trustees shall consist of five (5) members and shall be appointed by and with the consent of the Palm Springs City Council in accordance with California Education Code §18910 and PSMC §2.32.030.

**Section II. Eligibility**

All Trustees must either live, work, or go to school within the City of Palm Springs. During their term of service, Trustees may not hold any other city office or employment.

**Section III. Terms of Office**

Appointments, terms and vacancies shall comply with PSMC §2.06. Trustees shall hold office for a term of three years and may be re-appointed for one (1) additional consecutive term. Trustees appointed to fill out the unexpired term of another member are eligible for additional reappointments, provided that the total number of consecutive years on the Board shall not exceed seven (7) years.

## **Article III**

### **OFFICERS**

#### **Section I. Officers**

The officers shall be the Chair, Vice Chair, and Treasurer, elected from among the appointed Trustees at the Annual Meeting of the Board. No member shall hold more than one office at a time. Vacancies of an office shall be filled by vote at the next regular meeting of the Board after said vacancy occurs.

#### **Section II. Nominations**

The Nominating Committee shall be appointed by the Chair one month prior to the Annual Meeting of the Board. The Nominating Committee shall present a slate of officers at the Annual Meeting of the Board. Additional nominations may be made from the floor at that time.

## **Article IV**

### **RESPONSIBILITIES**

#### **Section I. Chair**

The Chair shall preside at meetings of the Board, authorize calls for special meetings, appoint all committees and liaisons through a resolution at the annual meeting in accordance with the Charter and the bylaws, execute all documents authorized by the Board, serve as ex-officio voting member of all committees, except the Nominating Committee. The Chair shall co-sign all contracts or agreements authorizing the use of funds held by the Palm Springs Public Library Trust Fund ("Library Trust Fund"), and generally perform all duties associated with the office of Chair.

#### **Section II. Vice Chair**

The Vice Chair, in the event of absence of the Chair, or of a vacancy in that office, shall assume and perform the duties and functions of the Chair.

#### **Section III. Treasurer**

In the absence of the Chair, the Treasurer shall co-sign all contracts or agreements authorizing the use of funds held by the Library Trust Fund and perform such duties as are generally associated with the office of Treasurer. The Treasurer shall make monthly reports to the Board showing in detail the amount and investment of, and income and disbursements from, the funds in his or her charge. The Treasurer shall serve as the chair of the budget committee.

#### **Section IV. Secretary**

The Director of Library Services for Palm Springs shall serve as the city librarian in accordance with Charter §609. The Director of Library Services shall act as the recording secretary to the Board and shall perform all other duties of the office of Secretary. The Director of Library Services shall keep a true and accurate record of all

meetings of the Board, issue notice of all regular and special meetings, and perform such other duties as are generally associated with the office of Secretary.

The Director of Library Services shall also be considered the executive officer of the library and subject to the policies established by the Board. The Director shall act as technical advisor to the Board and attend all Board meetings (but may be excused from closed sessions) and shall have no vote. The City sets forth additional duties for the Director of Library Services in accordance with Charter §609.

The Board shall advise the City Manager with respect to the selection and appointment of a properly certified and competent Director of Library Services.

### **Section V. Attendance**

The Trustees are expected to attend all scheduled meetings. Prior notification of absence should be made to the President or the Director of Library Services. In event of an absence, after having received a meeting packet and minutes from the missed meeting, it is the Trustee's responsibility to have questions answered and/or obtain needed information from the Chair. Three consecutive absences will be considered an automatic resignation. Any Board removals or vacancies will be handled in accordance with Charter §605.

In the event a Trustee finds that he or she is unable to continue serving actively, he or she shall submit a letter to request a leave of absence for a specified amount of time sent to the Chair or the Director of Library Services. The request will be voted on by the Board and the Trustee will be notified. If a Trustee finds that he or she is unable to continue serving actively, he or she shall submit a letter of resignation to the City Council, along with a copy to the Chair, for appropriate action by the City Council.

## **Article V**

### **MEETINGS AND MINUTES**

#### **Section I. Agendas and Notices**

Meeting agendas and notices shall be delivered or mailed to the Board no less than seventy-two (72) hours before a regular meeting, delivered to the City Clerk and City Manager, and posted in a spot freely accessible to the public in accordance with the Brown Act. Said notice shall indicate time, date and place of the meeting, and all subject matters intended for consideration and discussion at the meeting.

The order of business shall be as outlined in the Agenda as prepared by the Director of Library Services. Items may not be taken out of order except with majority consent of the Board. No action shall be taken on any item not appearing on the posted agenda except as provided for in accordance with California Government Code §54954.

## **Section II. Regular Meetings**

Regular meetings shall be held each month as required by the California Education Code §18914, the date and hour to be set by the Board at its annual meeting. The Board may cancel any Regular Meeting by a motion that is approved by a majority of its members, in accordance with Article V, Section V of the bylaws, and entered in the Minutes of the Board.

## **Section III. Annual Meeting**

An Annual Meeting of the Board, which shall be for the purpose of the election of officers, shall be held on and at the time of the first Regular Meeting after June 30<sup>th</sup> of each year, unless otherwise specified.

## **Section IV. Special Meetings**

Special meetings may be called at the direction of the Chair, or majority of the Board, as set forth in accordance with California Government Code §54956 for transaction of business as stated in the call for the meeting. Only matters contained in the notice may be considered at said Special Meeting. Except in cases of emergency, at least twenty-four (24) hours' notice shall be given.

## **Section V. Quorum**

A quorum for the transaction of business at any meeting shall consist of three (3) members of the Board present in person. To ensure a majority endorses an action, the number of affirmative votes needed to pass a motion is the same number that constitutes a quorum. If there is no affirmative vote on an action by quorum, the item is considered tabled for discussion and action until the next regular, or special, meeting of the Board.

## **Section VI. Open Meetings Law Compliance**

In accordance with California Education Code §18915, meetings of the Board are governed by the Ralph M. Brown Act as stated in California Government Code §54950 et seq.

## **Section VII. Parliamentary Authority**

The rules contained in Rosenberg's Rules of Order, latest revised edition, shall govern the parliamentary procedure of all meetings. However, failure to follow the Rules of Order shall not invalidate any action taken by the Board.

## **Section VIII. Action**

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 and may move or second a proposal before the Board.

## **Section IX. Minutes**

Minutes of all meetings must be kept by the Secretary as the official record of the activities of the Board. Additions and corrections may be made only in Regular

Meetings, with the approval of the Board. Minutes shall be bound annually and kept on file at the Palm Springs Public Library. A set of minutes shall also be sent to the Palm Springs City Clerk, City Manager, and/or any Library Liaisons from the City Council.

## **Article VI**

### **COMMITTEES & LIAISONS**

#### **Section I. Standing Committees**

The Chair may establish whatever standing committees deemed prudent for the conduct of the Board's business, with the approval of the Board. The Chair shall appoint all committee members. The Chair may dissolve standing committees, with the approval of the Board.

#### **Section II. Nominating Committee**

A Nominating Committee shall be appointed in accordance with Article III, Section II of the Bylaws. The Nominating Committee shall be responsible for drafting a slate of candidates for the officers of the board for the Annual Meeting of the Board.

#### **Section III. Ad Hoc Committees**

The Chair may establish ad hoc committees for the study of special problems or the design and execution of special projects, with the approval of the Board. Ad hoc committees shall serve until they present a final report to the board, immediately after which they shall be discharged by the Chair. The Chair shall appoint all members of ad hoc committees. Members must include two Trustees and may also include City Staff, members of the general public, and outside experts.

#### **Section IV. Authority**

Except for the Nominating Committee, no other committee shall have powers other than advisory powers.

#### **Section V. Liaisons**

The Chair shall, as desired by the Board, appoint a Liaison to the Friends of the Palm Springs Public Library and to the Palm Springs Public Library Foundation, as well as any other organizations associated with or supportive of the Palm Springs Public Library.

## **Article VII**

### **DUTIES**

#### **Section I. City Council Mandate**

In accordance with City Council Resolution 17288, adopted October 3<sup>rd</sup>, 1990, the Board of Trustees holds the following authority over the Palm Springs Public Library:

- A. The Library Board shall manage and control the Library Trust Fund.
- B. The Library Board shall establish and amend library policies and procedures as required.
- C. The Library Board shall establish, amend, and periodically review all library fines, fees, and charges, and ensure that such charges are incorporated into the City's Master Fee Schedule.
- D. The Library Board shall manage the approval of all library purchases from the Library Fund (subsequent to the City Council's approval of the library budget) and the Library Trust Fund.
- E. The Library Board shall develop and amend long and short-range library plans.
- F. The Library Board shall manage all library facilities.
- G. The Library Board shall consult with the City Manager with regard to evaluation and appointments of City Librarians.

#### **Section II. Rules, Regulations and Bylaws**

The Board may make and enforce all rules, regulations, and bylaws necessary for the administration, government, and protection of the City of Palm Springs Public Library System, and all property belonging thereto.

#### **Section III. Budget**

The Board may review and make recommendations for the operating budget of the library, prior to its approval by City Council, ensuring that adequate funds are provided to finance the approved budget.

#### **Section IV. Trust Fund**

The Board shall administer any trust declared or created for the library, and received by gift, devise, or bequest, and hold in trust, property situated in California or elsewhere, and where not otherwise provided, dispose of the property for the benefit of the library.

The Board shall utilize a uniform procurement procedure for the use of Library Trust Fund related to the awarding of contracts or purchase orders, in accordance with the procurement and contracting procedures set forth in PSMC Chapter 7.01 et seq.

#### **Section V. Purchase of Materials and Property**

The Board may purchase necessary books, journals, publications, and other library materials. In addition, the Board may purchase real property, and erect or rent and equip, such buildings as may be necessary.

**Section VI. Buildings**

The Board shall advise the City Council on the maintenance of all library buildings and grounds, as well as regularly review various physical and building needs in order to ensure that they meet the requirements of the library program.

**Section VII. Legislation**

The Board shall study and support legislation that will bring about the greatest good to the greatest number of library users.

**Section VIII. Incidental Powers**

The Board may do and perform any and all other acts and things necessary or proper to provide library services to the City of Palm Springs, California.

**Section IX. Annual Report**

There shall be an annual report to the City Council and to the California State Librarian on the condition of the library, for the year ending the 30th day of June preceding. The reports shall, in addition to other matters deemed expedient by the Board or Director of Library Services, contain such statistical and other information as is deemed desirable by either the City Council and/or the California State Librarian.

**Article VIII**

**CONFLICT OF INTEREST**

**Section I. Political Reform Act**

All Board members must abide by the rules and regulations of the California Political Reform Act as set forth in California Government Code §87100 et seq.

**Section II. Statement of Economic Interests**

All Board members must submit a California Fair Political Practices Commission Form 700 Statement of Economic Interests, as may be required from time to time to comply with applicable law.

## **Article IX**

### **GENERAL**

#### **Section I. Amendments**

Amendments to these Bylaws may be proposed at any Regular Meeting of the Board by majority vote of all members of the Board, provided written notice of the proposed amendment shall have been provided to all members prior to the meeting at which such action is proposed to be taken. In the event any word, phrase, clause or sentence of these rules shall be deemed invalid for any reason, the balance hereof shall nevertheless be applicable until duly modified or repealed.

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Adopted by The Board of Library Trustees of the Palm Springs Public Library System on the 24<sup>th</sup> day of June, 2011.

Amended and Adopted by The Board of Library Trustees of the Palm Springs Public Library System on 25<sup>th</sup> day of September, 2014.

Amended and Adopted by The Board of Library Trustees of the Palm Springs Public Library System on 22<sup>nd</sup> day of October, 2015.

Amended and Adopted by The Board of Library Trustees of the Palm Springs Public Library System on 28<sup>th</sup> day of June, 2018.

Amended and Adopted by The Board of Library Trustees of the Palm Springs Public Library System on 1<sup>st</sup> day of December, 2021.