

## Heather Muller

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**From:** Diana R, Dearmore [diana\_dearmore@yahoo.com]  
**Sent:** Thursday, July 05, 2012 3:05 PM  
**To:** Heather Muller  
**Subject:** Friends' board retreat tonight

Hi Heather,

The Friends are having their annual offsite board retreat tonight and will be reviewing and approving a budget and calendar for next year. I have solicited and received goals from all the board members.

In an effort to increase revenue (always a good thing), it's been proposed that we start holding a "Second Saturday" book sale. The hours that we would be open will be from 9am - noon. This wouldn't start until September 8th (which is the Stroll weekend and we would be having a Saturday sale anyway). The second Saturday will also coincide nicely with the Christmas parade. This will be a regular monthly event.

I know many of our members are unable to make in to the after work sales, especially if they work out of town.

I wanted to run this idea by you to see if it would be a problem with the time/dates of the sales. I am of the understanding that there is normally someone there by 8:30am on Saturday, but wanted to check and see if this would have any negative impact on your staff. The only thing we would require would be the door to the back book area be opened and our lights turned on. As with the Thursday night book sales, the doorway to the hallway will be kept locked.

We are also planning several exciting events for next year and want to increase the community speakers around current events in the city (e.g. a Scottish writer/historian around the time of the Scottish Games). I'm really excited to have a new and enthusiastic board member willing to help coordinate this effort and am looking forward to accomplishing a lot next year.

Please let me know what you think about the second Sat. sales and I'll report back to you after tonight to let you know who, what, where, when and how of the upcoming year's projects.

Thanks,  
Diana

Diana Adams  
Harken Sheppard

Resignation

\*Backpacks & Kids\*  
donation location

## Heather Muller

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**From:** nls-directors-bounces+heather.muller=cityofwoodland.org@lists.sonic.net on behalf of Crowe, Linda [crowe@plsinfo.org]  
**Sent:** Wednesday, July 11, 2012 8:53 AM  
**To:** Council NLS (nls-directors@lists.sonic.net)  
**Subject:** [Nls-directors] Good News  
**Attachments:** ATT00001.txt

Yesterday we received notification that the CLSA systems will receive funding for FY 2012/13. The amount for NorthNet is \$428,970. This will obviously be a topic for the August 27<sup>th</sup> retreat. The System will need to redo the Plan of Service, but we have not gotten any information on the specifics.

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Measure E Spending Plan - 2012  
7/3/12

	MSE Annual Revenue	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	Totals	% of Total
	\$ 18,335,818	\$ 3,895,434	\$ 4,088,438	\$ 4,277,509	\$ 4,463,072	\$ 4,655,954	\$ 4,847,303	\$ 4,992,722	\$ 1,285,626	\$ 50,841,876	
<b>Roads</b>											
Kentucky Avenue Widening & Recon Grant Match	\$ -	\$ -	\$ 100,000	\$ -	\$ 450,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E. Main St & SR25 Grant Match	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grant Match	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -
O&M Road Maintenance - In House	\$ -	\$ -	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ -	\$ -	\$ -
Road Program Management	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -
Contract Pavement Maintenance	\$ -	\$ -	\$ -	\$ 750,000	\$ 750,000	\$ 1,500,000	\$ -	\$ 1,700,000	\$ -	\$ -	\$ -
<b>Subtotal for Roads</b>	\$ 4,764,349	\$ 1,704,850	\$ 550,000	\$ 2,250,000	\$ 1,750,000	\$ 2,050,000	\$ 1,350,000	\$ 2,250,000	\$ -	\$ 16,669,199	34%
Opera House	\$ 577,793	\$ 275,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 852,793	2%
Library	\$ 273,688	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Literacy Center	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300,000	\$ 300,000	\$ -	\$ -	\$ 873,688	2%
<b>Subtotal for Library</b>	\$ 273,688	\$ -	\$ -	\$ -	\$ -	\$ 300,000	\$ 300,000	\$ -	\$ -	\$ 873,688	2%
<b>Facilities/City Hall</b>	\$ 279,455	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
City Hall Renovation/ADA Improvements	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000	1%
<b>Subtotal for City Hall &amp; Facilities</b>	\$ 279,455	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000	1%
<b>Community Senior Center/Sports Park Debt Service</b>	\$ 4,563,428	\$ 390,000	\$ 390,000	\$ 390,000	\$ 390,000	\$ 390,000	\$ 390,000	\$ 390,000	\$ 97,457	\$ 11,294,905	23%
Addition of the 6th Sports Field	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 325,000	\$ 325,000	\$ -	\$ -	\$ -	\$ -
Misc. Park Improvements	\$ 1,313,975	\$ 394,106	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Park Irrigation Phase 3 & 4	\$ -	\$ -	\$ 430,479	\$ 262,460	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Rehabilitation of Brooks Swim Center	\$ -	\$ -	\$ 188,000	\$ 290,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Clark Field Improvements	\$ -	\$ -	\$ 15,000	\$ 300,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	\$ -	\$ -
<b>Subtotal for Community Center/Sports Park/Park Maint.</b>	\$ -	\$ -	\$ 15,000	\$ 300,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	\$ 11,294,905	23%
Overhead Allocation	\$ 356,296	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 30,000	\$ 806,296	2%
Long Term loan for Debt Service on the CCS/Sports Park*	\$ 4,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ -	\$ 18,000,000	37%
Total Expenditures	\$ 16,128,984	\$ 4,873,956	\$ 3,633,479	\$ 5,552,460	\$ 4,215,000	\$ 5,140,000	\$ 4,440,000	\$ 4,715,000	\$ 127,457	\$ 48,826,336	
MSE Fund Balance	\$ 2,206,834	\$ 1,228,312	\$ 1,683,271	\$ 408,320	\$ 656,392	\$ 172,346	\$ 579,649	\$ 857,371	\$ 2,015,540	\$ -	\$ -
MSE Reserve Target	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ -	\$ -
Variance	\$ 206,834	\$ (771,688)	\$ (316,729)	\$ (1,591,680)	\$ (1,343,608)	\$ (1,827,654)	\$ (1,420,351)	\$ (1,142,629)	\$ 15,540	\$ -	\$ -

\* The repayment of the loan of MSE to the Park Development Fund to pay for debt service related to the Community & Senior Center/Sports Park will be available in the future to program towards other projects that fall within the advisory measures.

# Woodland Public Library Board of Trustees

## Mission

The Woodland Public Library endeavors to serve as the primary information resource for all residents and the community by providing a current and comprehensive variety of printed and electronic materials along with professional librarian guidance and assistance in order to ensure free and efficient access to information, to support and stimulate education, and to increase community awareness, integration and interaction.

## Governing Board (not advisory)

- Final authority and responsibility for the library and its services
- Legal & fiduciary responsibility
- Hires/fires the library director (who reports to the Board of Trustees)
- Sets policies
- Determines mission
- Directly accountable to the public

## Funds

- 101 – Library General fund
- 570 – Library Developers/Development funds (current and pre-paid fees)
- 917 –Library Trust fund/Foundation (rolls over each fiscal year)
- 301 –Literacy (rolls over each fiscal year) ALMOST TOTALLY GRANT SUPPORTED

## Code

The Code of the City of Woodland, California. Chapter 2-Administration. Article VII. – Boards, Commissions and Committees. Part K. – Library Board.

<http://www.cityofwoodland.org/gov/cityhall/clerk/code.asp>

Title 1. General Education Code Provision. Division 1. General Education Code Provisions. Part 11. Libraries. Chapters 1.5-13. §18010-20091.

[http://www.leginfo.ca.gov/.html/edc\\_table\\_of\\_contents.html](http://www.leginfo.ca.gov/.html/edc_table_of_contents.html)

## Brown Act

<http://oag.ca.gov/sites/all/files/pdfs/publications/brownAct2003.pdf>

City will have Brown Act and ethics training this fall. Board members and staff will be invited.

**CALTAC** is a resource for present and former public library trustees, commissioners, system advisory board members, and supporters. You will be enrolled in December 2012.

**TITLE 1. GENERAL EDUCATION CODE PROVISIONS**  
**DIVISION 1. GENERAL EDUCATION CODE PROVISIONS**  
**PART 11. LIBRARIES**

<u>CHAPTER 1.5. PUBLIC LIBRARY FINANCE</u>	
Article 1. General Provisions .....	<u>18010-18013</u>
Article 2. Definitions .....	<u>18015</u>
Article 3. Funding .....	<u>18020-18026</u>
Article 4. Services .....	<u>18030-18032</u>
<u>CHAPTER 2. SCHOOL LIBRARIES</u>	
Article 1. Establishment and Maintenance .....	<u>18100-18104</u>
Article 2. Books .....	<u>18110-18111</u>
Article 3. Management .....	<u>18120-18122</u>
Article 4. Affiliation With County and City Libraries .....	<u>18130-18139</u>
Article 5. Use of Library Fund .....	<u>18170-18172</u>
Article 8. California Classroom Library Materials Act of 1999 .....	<u>18202-18203</u>
<u>CHAPTER 3. UNIFIED SCHOOL DISTRICTS AND UNION HIGH SCHOOL DISTRICTS PUBLIC LIBRARIES</u>	
Article 1. Definitions .....	<u>18300-18301</u>
Article 2. Unified School Districts .....	<u>18310-18312</u>
Article 3. Establishment .....	<u>18320-18322</u>
Article 4. Formation of District .....	<u>18330-18343</u>
Article 5. Dissolution of Districts .....	<u>18370-18373</u>
Article 6. Meetings of Boards of Trustees .....	<u>18380-18385</u>
Article 7. Powers of Boards of Trustees .....	<u>18400-18411</u>
Article 8. Library Commission .....	<u>18440-18452</u>
Article 9. Estimates of Funds Needed .....	<u>18480</u>
Article 10. Tax Levy .....	<u>18493-18494</u>
Article 11. Claims .....	<u>18500</u>
Article 12. Election for Issuance of Bonds .....	<u>18510-18518</u>
Article 13. Issuance and Sale of Bonds .....	<u>18530-18536</u>
Article 14. Cancellation of Bonds .....	<u>18550-18553</u>
Article 14.5. Sale of Unsold Bonds .....	<u>18555-18558</u>
Article 15. Tax for Interest and Redemption of Bonds .....	<u>18560-18562</u>
Article 16. Payment of Interest and Bonds .....	<u>18570-18571</u>
<u>CHAPTER 4. CALIFORNIA LIBRARY SERVICES ACT</u>	
Article 1. General Provisions .....	<u>18700-18703</u>
Article 2. Definitions .....	<u>18710</u>
Article 3. Administration .....	<u>18720-18726</u>
Article 4. Local Public Library Services .....	<u>18730-18732</u>
Article 5. Library System Services .....	<u>18740-18751</u>
Article 6. Statewide Services .....	<u>18760-18767</u>
<u>CHAPTER 4.5. LIBRARY OF CALIFORNIA ACT</u>	
Article 1. General Provisions .....	<u>18800-18802</u>
Article 2. Definitions .....	<u>18810</u>
Article 3. Administration .....	<u>18820-18822</u>
Article 4. Eligible Libraries .....	<u>18830-18831</u>
Article 5. Regional Library Network Services .....	<u>18840-18849</u>
Article 6. Statewide Services .....	<u>18850-18859</u>
Article 7. State Funding .....	<u>18860-18866</u>
Article 8. Transition .....	<u>18870</u>
<u>CHAPTER 4.6. CALIFORNIA LIBRARY LITERACY AND ENGLISH ACQUISITION SERVICES PROGRAM</u>	
	<u>18880-18884</u>
<u>CHAPTER 5. MUNICIPAL LIBRARIES</u>	
Article 1. Establishment .....	<u>18900-18901</u>
Article 2. Trustees .....	<u>18910-18927</u>
Article 3. Support of Libraries .....	<u>18951-18953</u>

Article 4. Government .....	<a href="#">18960-18965</a>
<u>CHAPTER 6. COUNTY FREE LIBRARIES</u>	
Article 1. Establishment .....	<a href="#">19100-19116</a>
Article 2. County Librarian .....	<a href="#">19140-19150</a>
Article 3. Government .....	<a href="#">19160-19180</a>
<u>CHAPTER 7. STATE LIBRARY</u>	
Article 1. Division of Libraries in Department of Education	<a href="#">19300-19306</a>
Article 2. Powers and Duties .....	<a href="#">19320-19328</a>
Article 3. Books .....	<a href="#">19330-19334</a>
Article 4. Reading Initiative Program .....	<a href="#">19335-19336</a>
<u>CHAPTER 8. LIBRARY DISTRICTS</u>	
Article 1. Formation, Annexation, Dissolution .....	<a href="#">19400-19407</a>
Article 2. Trustees .....	<a href="#">19420-19432</a>
Article 3. Powers .....	<a href="#">19460-19483</a>
Article 4. Claims .....	<a href="#">19500</a>
Article 5. Biennial Election of Trustees .....	<a href="#">19510-19515</a>
Article 6. Bonds .....	<a href="#">19520-19532</a>
<u>CHAPTER 9. LIBRARY DISTRICTS AND MUSEUMS IN UNINCORPORATED TOWNS AND VILLAGES</u>	
Article 1. Formation .....	<a href="#">19600-19614</a>
Article 2. Powers .....	<a href="#">19640-19664</a>
Article 2.5. Museums .....	<a href="#">19670-19685</a>
Article 3. Claims .....	<a href="#">19690</a>
Article 4. Biennial Election of Trustees .....	<a href="#">19700-19702</a>
Article 5. Bonds .....	<a href="#">19720-19734</a>
<u>CHAPTER 11. MISCELLANEOUS PROVISIONS</u>	
Article 1. Deposit of Newspapers in Libraries .....	<a href="#">19900-19902</a>
Article 2. Offenses Against Libraries .....	<a href="#">19910-19911</a>
<u>CHAPTER 11. CALIFORNIA LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 1988</u>	
Article 1. General Provisions .....	<a href="#">19950-19952</a>
Article 2. California Library Construction and Renovation Program .....	<a href="#">19955-19967</a>
Article 3. Fiscal Provisions .....	<a href="#">19970-19981</a>
<u>CHAPTER 12. CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000</u>	
Article 1. General Provisions .....	<a href="#">19985-19986</a>
Article 2. Program Provisions .....	<a href="#">19987-19999</a>
Article 3. Fiscal Provisions .....	<a href="#">20000-20011</a>
<u>CHAPTER 13. CALIFORNIA CULTURAL AND HISTORICAL ENDOWMENT ACT</u>	
Article 1. General Provisions .....	<a href="#">20050-20052.5</a>
Article 2. Creation and Powers of the Endowment .....	<a href="#">20053-20060</a>
Article 3. Grants and Loans .....	<a href="#">20070-20074</a>
Article 4. Cultural and Historical Policy .....	<a href="#">20080-20082</a>
Article 5. Museum and Cultural Resources Program .....	<a href="#">20090-20091</a>

## CHAPTER 5. MUNICIPAL LIBRARIES §18900-18965

18900. The common council, board of trustees, or other legislative body of any city in the state may, and upon being requested to do so by one-fourth of the electors of the municipal corporation in the manner provided in this article, shall, by ordinance, establish in and for the municipality a public library if there is none already established therein.

18901. The request may be by a single petition, or by several petitions. The several petitions shall be substantially in the same form. The single petition, or several petitions in the aggregate, shall have, the signatures of the requisite number of electors.

18910. The public library shall be managed by a board of library trustees, consisting of five members, to be appointed by the mayor, president of the board of trustees, or other executive head of the municipality, with the consent of the legislative body of the municipality.

18911. The trustees shall hold office for three years. The members of the first board appointed shall so classify themselves by lot that one of their number shall go out of office at the end of the current fiscal year, two at the end of one year thereafter, and two at the end of two years thereafter. The legislative body of the municipality may, by ordinance, provide for the compensation of such trustees; provided that the respective compensation for such trustees shall not exceed fifty dollars (\$50) per month.

18912. Men and women are equally eligible to appointment as trustees.

18913. Vacancies shall be filled by appointment for the unexpired term in the same manner as the original appointments are made.

18914. Boards of library trustees shall meet at least once a month at such times and places as they may fix by resolution.

18915. Meetings of the board are governed by the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

18916. A majority of the board shall constitute a quorum for the transaction of business.

18917. The board shall appoint one of its number president, who shall serve for one year and until his successor is appointed, and in his absence shall select a president pro tem.

18918. The board shall cause a proper record of its proceedings to be kept.

18919. The board of library trustees may make and enforce all rules, regulations, and bylaws necessary for the administration, government, and protection of the libraries under its management, and all property belonging thereto.

18920. The board of library trustees may administer any trust declared or created for the library, and receive by gift, devise, or bequest and hold in trust or otherwise, property situated in this state or elsewhere, and where not otherwise provided, dispose of the property for the benefit of the library.

18921. The board of library trustees may prescribe the duties and powers of the librarian, secretary, and other officers and employees of the library; determine the number of and appoint all officers and employees, and fix their compensation. The officers and employees shall hold their offices or positions at the pleasure of the board.

18922. The board of library trustees may purchase necessary books, journals, publications, and other personal property.

18923. The board of library trustees may purchase real property, and erect or rent and equip, such buildings or rooms, as may be necessary, when in its judgment a suitable building, or portion thereof, has not been provided by the legislative body of the municipality for the library.

18924. The board of library trustees may request the appropriate state officials to furnish the library with copies of any and all reports, laws, and other publications of the state not otherwise disposed of by law.

18925. The board of library trustees may borrow books from, lend books to, and exchange books with other libraries, and may allow nonresidents to borrow books upon such conditions as the board may prescribe.

18926. The board of library trustees may do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter.

18927. The board of library trustees, or if there is no board of trustees, then the administrative head of the library shall, on or before August 31st, in each year, report to the legislative body of the municipality and to the 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 of trustees or administrative head of the library, contain such statistical and other information as is deemed desirable by the State Librarian. For this purpose the State Librarian may send to the several boards of trustees or administrative heads of the library instructions or question blanks so as to obtain the material for a comparative study of library conditions in the state.

18951. All money acquired by gift, devise, bequest, or otherwise, for the purposes of the library, shall be apportioned to a fund to be designated the library fund, and shall be applied to the purposes authorized in this chapter.

18952. If payment into the treasury is inconsistent with the conditions or terms of any gift, devise, or bequest, the board shall provide for the safety and preservation of the fund, and the application thereof to the use of the library, in accordance with the terms and conditions of the gift, devise, or bequest.

18953. Payments from the fund shall be made upon warrants issued after due audit by, and an order from, the library trustees. The warrants shall be signed by the president and secretary of the board of library trustees. The treasurer of the municipality shall pay such warrants without any further order or warrant from any other authority. 18960. Every library established pursuant to this chapter shall be forever free to the inhabitants and nonresident taxpayers of the municipality, subject always to such rules, regulations, and bylaws as may be made by boards of library trustees. Any person who violates any rule, regulations, or bylaw may be fined or excluded from the privileges of the library.

18961. The board of library trustees and the legislative body of any neighboring municipality or the board of supervisors of the county in which the public library is situated, may contract for lending the books of the library to residents of the county or neighboring municipality, upon a reasonable compensation to be paid by the county or neighboring municipality.

18962. The title to all property acquired for the purposes of the library, when not inconsistent with the terms of its acquisition, or otherwise designated, vests in the municipality in which the library is situated, and in the name of the municipal corporation may be sued for and defended by action at law or otherwise.

18963. Any municipal library which was established and existed on June 11, 1909, under the provisions of an act entitled "An act to establish free public libraries and reading rooms," approved April 26, 1880, is continued under the provisions of this chapter and shall be considered the same as if established under the provisions of this chapter. This chapter has no application to any library established or governed by a city charter, and any city charter is in no manner affected by this chapter.

18964. Any ordinance establishing a library adopted pursuant to this chapter shall be repealed by the body which adopted it upon being requested to do so by 51 percent of the electors of the municipal corporation, as shown by the great register. Upon the repeal of the ordinance the library is disestablished in the municipal corporation.

18965. Whenever the governing bodies of two or more cities or counties consolidate their existing public library services, as a joint exercise of powers under Chapter 5 (commencing with Section 6500), Division 7, Title 1 of the Government Code, and the ownership or management of the cities' and counties' library facilities and other library assets are turned over to a newly formed joint agency, any boards of public library trustees existing prior to the consolidation, may be dissolved by ordinance.

Woodland, California, Code of Ordinances >> - THE CODE OF THE CITY OF WOODLAND, CALIFORNIA  
>> **CHAPTER 2. - ADMINISTRATION.** >> **Article VII. - Boards, Commissions and Committees.** >> **Part K.**  
**- Library Board.** >>

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## **Part K. - Library Board.**

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Sec. 2-7-54. - Creation.

Sec. 2-7-55. - Appointment of board of trustees.

Sec. 2-7-56. - Term of office and compensation.

Sec. 2-7-57. - Termination for absences.

Sec. 2-7-58. - Vacancies.

Sec. 2-7-59. - Monthly meetings.

Sec. 2-7-60. - Special meetings.

Sec. 2-7-61. - Quorum.

Sec. 2-7-62. - President.

Sec. 2-7-63. - Record of proceedings.

Sec. 2-7-64. - Rules, regulations and by-laws.

Sec. 2-7-65. - Administration of trusts and property.

Sec. 2-7-66. - Officers and employees.

Sec. 2-7-67. - Purchase of personal property.

Sec. 2-7-68. - Purchase of real property and construction and rental of equipment and buildings.

Sec. 2-7-69. - State publications.

Sec. 2-7-70. - Borrowing.

Sec. 2-7-71. - Incidental powers of board.

Sec. 2-7-72. - Annual report to city council and state librarian.

Sec. 2-7-73. - Library fund.

Sec. 2-7-74. - Funds not payable into treasury.

Sec. 2-7-75. - Payments from the library fund.

Sec. 2-7-76. - Free library subject to library rules, regulations or by-laws.

Sec. 2-7-77. - Contracts with neighboring city or county.

Sec. 2-7-78. - Title to property.

Sec. 2-7-79. - Application of Education Code provisions.

Sec. 2-7-80. - Disestablishment of library.

### **Sec. 2-7-54. - Creation.**

Pursuant to authority of Education Code Section 18910, et seq., as amended from time to time, there is created a city library board of trustees.

*(Ord. No. 1044, § 2 (part).)*

### **Sec. 2-7-55. - Appointment of board of trustees.**

The public library shall be managed by a board of library trustees, consisting of five members, to be appointed by the mayor with the consent of the city council.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-56. - Term of office and compensation.**

Each trustee shall hold office for three years beginning July 1st and ending on June 30th, or when a trustee's successor is appointed and qualified, whichever occurs last. The members of the first board so appointed shall so classify themselves by lot that one of their number shall go out [of] office at the end of the current fiscal year, two at the end of one year thereafter, and three at the end of two years thereafter. Each trustee shall serve without compensation unless the city council, by ordinance, otherwise provides for compensation which shall not exceed fifty dollars per month.

*(Ord. No. 1044, § 2 (part).)*

*(Ord. No. 1519, § 5, 5-18-10)*

**Sec. 2-7-57. - Termination for absences.**

- (a) The appointment of any trustee absent from three consecutive regular or special meetings without approval of the library board of trustees, confirmed by majority vote of the board, shall be terminated and the city clerk notified thereof.
- (b) The city clerk then shall notify any member whose appointment has been terminated and report to the city council that a vacancy exists on said board and that an appointment should be made for the unexpired term.
- (c) A trustee may be granted a leave of absence by the city council, and a temporary vacancy shall thereupon exist for the period of such leave of absence. During the period of such temporary vacancy, the council may fill such vacancy by a temporary appointment to said board, provided, however, that the period of such temporary appointment shall not exceed the period of the temporary vacancy. At the expiration of a leave of absence so granted, the member shall automatically resume full and permanent membership on said board.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-58. - Vacancies.**

Vacancies shall be filled by appointment by the mayor with the consent of the city council for the unexpired term in the same manner as the original appointments are made.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-59. - Monthly meetings.**

The board of library trustees shall meet at least once a month at such times and places as may be fixed by resolution.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-60. - Special meetings.**

Special meetings may be called at any time by three trustees, by written notice served upon each member at least three hours before the time specified for the proposed meeting.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-61. - Quorum.**

A majority of the board shall constitute a quorum for the transaction of business.

*(Ord. No. 1044, § 2 (part).)*

#### **Sec. 2-7-62. - President.**

The board shall appoint one of its number president, who shall serve for one year and until his successor is appointed, and in his absence shall select a president pro tem.

*(Ord. No. 1044, § 2 (part).)*

#### **Sec. 2-7-63. - Record of proceedings.**

The board shall cause a proper record of its proceedings to be kept.

*(Ord. No. 1044, § 2 (part).)*

#### **Sec. 2-7-64. - Rules, regulations and by-laws.**

Pursuant to the provisions of Education Code Section 18910, et seq., as amended from time to time, the board of library trustees may make and enforce all rules, regulations, and by-laws necessary for the administration, government, and protection of the libraries under its management, and all property belonging thereto.

*(Ord. No. 1044, § 2 (part).)*

#### **Sec. 2-7-65. - Administration of trusts and property.**

The board of library trustees may administer any trust declared or created for the library, and receive by gift, devise, or bequest and hold in trust or otherwise, property situated in this state or elsewhere, and where not otherwise provided, dispose of the property for the benefit of the library.

*(Ord. No. 1044, § 2 (part).)*

#### **Sec. 2-7-66. - Officers and employees.**

The board of library trustees may prescribe the duties and powers of the librarian, secretary, and other officers and employees of the library. Pursuant to Government Code Section 45007 and Education Code Section 18921, the city librarian shall be appointed by the board and shall serve at its pleasure. Pursuant to Government Code Section 45005, all library employees other than the city librarian shall be appointed by the city manager and shall serve subject to the personnel rules of the city. The number of, and the compensation for, library employees shall be fixed by resolution of the city council. The compensation for the library services director shall be fixed by resolution of the board within the fiscal limitations previously established by the city council.

*(Ord. No. 1044, § 2 (part).)*

#### **Sec. 2-7-67. - Purchase of personal property.**

The board of library trustees may purchase necessary books, journals, publications, and other personal property.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-68. - Purchase of real property and construction and rental of equipment and buildings.**

The board of library trustees may purchase real property and erect or rent and equip, such buildings or rooms, as may be necessary, when in its judgment a suitable building, or portion thereof, has not been provided by the city council for the library.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-69. - State publications.**

The board of library trustees may request the appropriate state officials to furnish the library with copies of any and all reports, laws, and other publications of the state not otherwise disposed of by law.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-70. - Borrowing.**

The board of library trustees may borrow library materials from, lend library materials to, and exchange library materials with other libraries, and may allow nonresidents to borrow library materials upon such conditions as the board may prescribe.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-71. - Incidental powers of board.**

The board of library trustees may do and perform any and all other acts and things necessary or proper to carry out the provisions of Education Code Sections 18900 through 18965, as the same may be amended from time to time.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-72. - Annual report to city council and state librarian.**

The board of library trustees shall on or before August 31st, in each year, report to the city council and to the State Librarian on the condition of the library, for the year ending the thirtieth day of June preceding. The reports shall, in addition to other matters deemed expedient by the board of trustees, contain such statistical and other information as is deemed desirable by the State Librarian. For this purpose the State Librarian may send to the board of trustees instructions or question blanks so as to obtain the material for a comparative study of library conditions in the state.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-73. - Library fund.**

All money acquired by gift, devise, bequest or otherwise, for the purposes of the library, shall be apportioned to a fund to be designated the library fund, and shall be applied to the purposes authorized by Education Code Sections 18900, et seq., as the same may be amended from time to time.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-74. - Funds not payable into treasury.**

If payment into the treasury is inconsistent with the conditions or the terms of any gift, devise, or bequest, the board shall provide for the safety and preservation of the fund, and the application thereof to the use of the library, in accordance with the terms and conditions of the gift, devise, or bequest.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-75. - Payments from the library fund.**

Payments from the library fund shall be made as provided under Education Code Section 18953, as amended from time to time.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-76. - Free library subject to library rules, regulations or by-laws.**

The library shall be forever free to the inhabitants and nonresident taxpayers of the city, subject always to such rules, regulations, and by-laws as may be made by the board of library trustees. Any person who violates any rule, regulation, or by-law may be fined or excluded from the privileges of the library.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-77. - Contracts with neighboring city or county.**

The board of library trustees and the city council of any neighboring city or the board of supervisors of the county in which the library is situated, may contract for lending library materials of the library to residents of the county or neighboring city, upon a reasonable compensation to be paid by the county or neighboring city.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-78. - Title to property.**

The title to all property acquired for the purposes of the library, when not inconsistent with the terms of its acquisition, or otherwise designated, vest in the city in which the library is situated, and in the name of the city may be sued for and defended by action at law or otherwise.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-79. - Application of Education Code provisions.**

The library was established and existed on June 11, 1909, under the provisions of an act entitled "An Act to Establish Free Public Libraries and Reading Rooms," approved April 26, 1880, and is continued under the provisions of Education Code Sections 18900, et seq., as the same may be amended from time to time, and the library shall be considered the same as if originally established under the provisions of Education Code Sections 18900, et seq., as the same may be amended from time to time.

*(Ord. No. 1044, § 2 (part).)*

**Sec. 2-7-80. - Disestablishment of library.**

The ordinance mentioned in Section 2-7-79 establishing the library shall be repealed by the city council upon being requested to do so by fifty-one percent of the electors of the city, as shown by the great register. Upon the repeal of the ordinance the library is disestablished in the city.

*(Ord. No. 1044, § 2 (part).)*

# TRAPS FOR THE UNWARY: AVOIDING INADVERTANT VIOLATIONS OF THE BROWN ACT AND THE MASS MAILING RULES

Presented by  
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*A Law Firm focusing on:* POLITICAL LAW

LITIGATION

REPORTING SERVICES

SOCIAL SECURITY

PUBLIC RETIREMENT LAW

So, it's not a meeting unless we're all in the same place at the same time, right?

- ***The “Serial Meeting” trap:***
- A “serial meeting” is a series of communications through direct communication, writings, personal intermediaries, e-mail or other technological devices to develop a “collective concurrence” as to a proposed action or decision. (§ 54952.2 (b).)
- Serial meeting test:
  1. Was there a series of communications between members?
  2. Were these communications used to develop a concurrence as to action to be taken?

# E-Mail and Other Member Communications

- Members can receive one-way communications from members of the public and from staff, including e-mail, on agenda matters.
- Board staff can communicate separately with board members regarding a matter if staff does not communicate to members the comments or position of any other member of the board. (Section 54952.2 (b))
- As a general rule, two-way communications, including replies to e-mail, give rise to “serial meeting” questions.
- “Reply All” is a no-no.

## TELECONFERENCE MEETINGS

- Meetings may be held by teleconference as long as all other Brown Act provisions are met, and:
  - As long as the meeting is audible to the public at all locations where members are present;
  - Agendas include the location where members will be present to teleconference and agendas are posted at each location;
  - Members of the public are able to address all members of the body at each location; and
  - All votes taken are by roll-call.

# Items Not on The Agenda

(§ 54954.2 (b).)

- Items not on the agenda may not be discussed unless they relate to:
  - A response to a statement made by a member of the public exercising their public testimony rights;
  - An emergency situation;
  - Brief questions, announcements or reports on a member's activities; or,
  - A purely procedural matter.

## Items Not on The Agenda (cont.)

- A additional exception to the rule against discussion of non-agendized items relates to “immediate action” items. (§ 54954.2 (b).)
  - “Immediate action” items are those that meet all of the following:
    - Require immediate action by the body;
    - Came to the attention of the body after posting the agenda; and
    - Are approved by two-thirds of the present members of the body.

# The Right to Public Participation and Comment

(§ 54954.3.)

- The public has a right to criticize the policies, procedures, programs, and services of the local body; the local body may not prohibit this kind of public input.
- Public comments or testimony must be allowed on all agenda items before the body takes action.

# The Right to Public Participation and Comment-(cont.)

- The public has a right to require that the body deliberate on its actions in public.
- Members of the public have a right to access to documents distributed to members of the body in connection with discussion or consideration of agenda items, unless such documents are exempt under the Public Records Act.

# Matters of General Interest

(§ 54954.3.)

- Members of the public may address the body on matters of general interest.
  - However, the agency may not take official action on any item raised by the public at the same meeting at which it was raised.
  - The agency may limit the amount of time a person may speak and limit the subject of public comments to topics within the jurisdiction of the body, as long as the limitations are reasonable.