



**Agenda Item C.4**  
**DISCUSSION/ACTION ITEM**  
**Meeting Date: June 19, 2018**

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**TO:** Mayor and Councilmembers

**FROM:** Carmen Nichols, Deputy City Manager

**CONTACT:** Dana Grossi, Management Analyst

**SUBJECT:** Amendments to Library Board of Trustees By-Laws and Guidelines

**RECOMMENDATION:**

Adopt Resolution No. 18-\_\_ entitled, "A Resolution of the City Council of the City of Goleta, California, Establishing a Library Board of Trustees Stipend and Adoption of By-Laws and rescinding Resolution No. 17-55."

**BACKGROUND:**

On December 19, 2017, City Council adopted Resolution No. 17-55 which established a Library Board of Trustees stipend and by-laws. The adopted by-laws are intended to guide the administration, government, and protection of the Goleta Library by serving as the operating manual used to define the Board of Trustees' organization, roles, duties, and appointments of offices. Section 2.1 of the Library Board of Trustees By-Laws and Guidelines (by-laws) titled "Members" specifies that the Library Board of Trustees shall be comprised of five members appointed by the Mayor with the consent of the City Council.

Based on prior input from the County of Santa Barbara, Section 2.1 also states the Mayor will always appoint, and the City Council will always consent to, two members suggested by the County Board of Supervisors (BOS). Allowing the County BOS to suggest appointments for two members of the five-member Library Board of Trustees (Board of Trustees) ensures the body's makeup is representative of the geographic area that the Goleta Library serves, which extends beyond the City of Goleta's boundaries to include various communities within Santa Barbara County.

In addition, on April 3, 2018, the County BOS passed a motion formally approving of the new Goleta Library Zone 4 service area, which the Goleta City Council previously adopted on August 15, 2017. The new Zone 4 includes the following areas: incorporated City of Goleta boundaries, Eastern Goleta Valley, Community Service Area 3, Isla Vista and Hope Ranch.

## DISCUSSION:

As currently written, the second paragraph of Section 2.1 (Members) of the by-laws (included as Attachment 1) states:

*The Mayor will always appoint, and the City Council will always consent to two members suggested by the County Board of Supervisors. These members must be residents of the unincorporated service area of the Goleta Valley (CSA 3).*

*The remaining three members must be residents of the City of Goleta.*

CSA 3 refers to a geographical area called County Service Area 3, which includes some but not all unincorporated areas of the County that are considered part of Goleta Library's service area. The City's Ad Hoc Library Committee (Committee) met on May 23, 2018 and recommends omitting the above reference in parenthesis to CSA 3; otherwise, the County's suggested appointments to the Board of Trustees would be unnecessarily limited to a geographic area that does not cover all unincorporated areas considered part of Zone 4.

In addition, during the BOS meeting on April 3, 2018, the Supervisors discussed a concern that the County should have the ability to appoint three members, rather than two members, to the Board of Trustees. The Committee discussed the County's concern at their May 23, 2018 meeting and is recommending to the City Council that the by-laws be amended to meet the County's request. The Committee is making this recommendation in light of the fact that Goleta's Board of Trustees will be advisory in nature and thus the final decision-making power on all library issues that get discussed among the Board of Trustees ultimately rests with the City Council. Additionally, the Committee agreed that it would be fair and representative for the County to appoint three of the five members because roughly two-thirds of Goleta Library's service area population lies in the unincorporated areas outside the City's boundaries.

City staff have also been in communication with the General Manager of the Isla Vista Community Services District (CSD). The General Manager has expressed an interest in having the CSD Board select a member that would serve on Goleta's Library Board of Trustees. In recognition of the City's planned efforts to improve library services to the Isla Vista community, the Committee agreed that having representation from Isla Vista on the Board of Trustees is important. For this reason, the Committee is also recommending that one of the three County-suggested appointments must be a resident of Isla Vista. The three County appointments including the Isla Vista appointment would then be formally approved by Goleta's Mayor, as all appointments to the Board of Trustees are required to be appointed by the mayor.

To address all of the above considerations, the Committee is recommending amending the second paragraph of Section 2.1 of the by-laws to read:

*The Mayor will always appoint, and the City Council will always consent to three members suggested by the County Board of Supervisors. These members must be*

*residents of the unincorporated service area of the Goleta Valley, and one of those three members must be a member of the Isla Vista community.*

*The remaining two members must be residents of the City of Goleta.*

One final change to the by-laws recommended by the Committee pertains to Section 2.4 (Quorum), which currently reads:

*Three (3) members shall constitute a quorum.*

The Committee recommends amending this section to include an additional sentence, so that the section reads:

*Three (3) members shall constitute a quorum. At least one of the three members shall be a member residing in the City of Goleta.*

The Committee is recommending this change to provide the two Goleta members a stronger voice in the Board of Trustees's decision-making. This change would protect the City by helping to offset the minority representation the City of Goleta otherwise has on the Board of Trustees. However, one consideration and possible drawback to this change are challenges that could arise in getting motions passed. For example, if all three County-represented members wish to pass a motion, that would not be possible without at least one Goleta-represented member also in agreement on passing the motion; in effect, such a motion would require four members to agree before the motion can pass.

The adopted by-laws also mistakenly contained a duplicate Section called "Quorum." Thus, one of the duplicate sections is proposed to be removed (as shown in Attachment 1).

Exhibit A of Attachment 1 shows the existing by-laws and the Committee's proposed changes in redline.

#### **FISCAL IMPACTS:**

There is no fiscal impact associated with this item.

#### **ALTERNATIVES:**

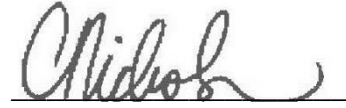
City Council could choose to accept only some, or reject all, of the proposed changes to the Library Board of Trustees By-Laws and Guidelines. However, keeping the by-laws as currently written would limit the geographic area of the Board of Trustees' representation to the City of Goleta boundaries and CSA 3, thereby preventing representation from other areas the Goleta Library serves. The City Council may also choose to keep the existing by-laws language that allows Goleta to make three of the five Board of Trustee appointments within the City's boundaries. However, issues

concerning fairness of representation on the Board of Trustees could become a topic of political contention with the County.

**Reviewed By:**

**Legal Review By:**

**Approved By:**



Carmen Nichols  
Deputy City Manager



Michael Jenkins  
City Attorney



Michelle Greene  
City Manager

**ATTACHMENTS:**

1. Resolution No. 18-\_\_ "A Resolution of the City Council of the City of Goleta, California Establishing a Library Board of Trustees Stipend and Adoption of By-Laws and rescinding Resolution No. 17-55."

## **ATTACHMENT 1**

Resolution No. 18-\_\_ "A Resolution of the City Council of the City of Goleta, California  
Establishing a Library Board of Trustees Stipend and Adoption of By-Laws and  
rescinding Resolution No. 17-55"



## **RESOLUTION NO. 18-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ESTABLISHING A LIBRARY BOARD OF TRUSTEES STIPEND AND ADOPTION OF BY-LAWS AND RESCINDING RESOLUTION NO. 17-55**

**WHEREAS**, on March 7, 2017, the Council adopted Ordinance No. 17-01 establishing a municipal library and creation of a Library Board of Trustees (codified at Goleta Municipal Code ("GMC") sections 2.13.010- 2.13.090); and

**WHEREAS**, GMC Section 2.13.090 provides for the establishment of a stipend by resolution to compensate members of the Library Board of Trustees; and

**WHEREAS**, Education Code section 18911 limits the stipend of each Trustee to \$50 per month; and

**WHEREAS**, an ongoing stipend of \$50 per month would assist in defraying personal expenses in conducting their duties; and

**WHEREAS**, GMC section 2.13.06 allows for the adoption of by- laws, rules and regulations as necessary for the administration, government and protection of the libraries under its management and all property belonging to the libraries, subject to approval by the City Council, and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA, AS FOLLOWS:**

#### **SECTION 1. Action to establish a Library Board of Trustees stipend.**

The City Council hereby adopts a stipend of \$50 per month for each attending member of the Library Board of Trustees.

#### **SECTION 2. Adoption of By-Laws.**

The City Council hereby adopts the originating by-laws of the Library Board of Trustees.

**SECTION 3.**

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH S. LOPEZ  
CITY CLERK

\_\_\_\_\_  
MICHAEL JENKINS  
CITY ATTORNEY



STATE OF CALIFORNIA                    )  
COUNTY OF SANTA BARBARA        )       ss.  
CITY OF GOLETA                        )

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO  
HEREBY CERTIFY that the foregoing Resolution No. 18-\_\_ was duly adopted  
by the City Council of the City of Goleta at a regular meeting held on the 19 day  
of June, 2018 by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

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DEBORAH S. LOPEZ  
CITY CLERK

CITY OF GOLETA

LIBRARY BOARD OF TRUSTEES BYLAWS  
AND GUIDELINES

Revisions Subject to Approval June 19, 2018

## **SECTION 1.0 INTRODUCTION**

### **1.1 PURPOSE**

The purpose of the Library Board of Trustees is an advisory library board composed of five (5) members. The role of the board is to advise the City Council and increase citizen participation in library issues by analyzing needs, considering goals, anticipating future needs and problems, acting as a liaison, acting as a sounding board, and to help develop consensus for advisement to the City Council.

These bylaws and guidelines establish the rules and procedures that govern both the Board of Trustees and the Library Board of Trustees meetings in order to ensure uniformity of procedure, fairness to the public and interested parties, and compliance with legal requirements in matters heard by the Board.

### **1.2 AUTHORITY**

The Goleta City Council established the Library Board of Trustees in March of 2017 (Ordinance No.17-01; Codified at Goleta Municipal Code sections 2.13.010-2.13.090).

### **1.3 DUTIES**

The Board shall have the powers and duties specified in the Ordinance, and the power and duty to act in an advisory capacity to the City Council in matters pertaining to the management, administration, operation, development, improvement and maintenance of libraries with the Goleta library system, including but not limited to:

- 1) Reviewing contracts for library services, acquisitions and equipment, and making recommendations on those contracts to the City Council consistent with Goleta Municipal Code 3.05, Purchasing System;
- 2) Recommending and implementing library goals and objectives, as well as policies and procedures necessary to provide library services;
- 3) Submitting an annual report on the condition of the library to the City Council and State Librarian on or before August 31, pursuant to Education Code 18927;
- 4) Reviewing the bi-annual budget in order to make recommendations to the City Council;
- 5) Performing such other duties as may be requested from time to time by the City Council or as may be required by law.

## **SECTION 2.0 COMPOSITION**

### **2.1 MEMBERS**

The Library Board of Trustees shall be composed of five (5) members appointed by the Mayor with the consent of the City Council.

The Mayor will always appoint, and the City Council will always consent to ~~two~~ three members suggested by the County Board of Supervisors. These members must be residents of the unincorporated service area of the Goleta Valley, and one of the three members must be a resident of the Isla Vista community. ~~(CSA 3).~~

The remaining ~~three~~ two members must be residents of the City of Goleta.

### **2.2 TERM OF OFFICE, APPOINTMENT OF MEMBERS, VACANCIES AND REMOVAL OF MEMBERS**

The members of the first appointed board shall so classify themselves by lot that one of their number shall go out of office at the end of the current fiscal year (June 30, 2018), two at the end of the one year thereafter (June 30, 2019), and two at the end of two years thereafter (June 30, 2020).

Terms shall be for three years, with no limit on the numbers of terms to which members may be appointed.

Members shall serve until their successor has been appointed by the City Council.

Vacancies, other than by expiration of a term, shall be filled by appointment for the unexpired portion of the term by the same method as for the original appointment.

A member of the Library Board of Trustees is automatically removed from office if the member is absent from three regular meetings of the Board in any fiscal year, unless excused by the President, with such action recorded in the minutes of the meeting.

Excuse for the absence of the President shall be made by the President Pro Tempore. Excused absences shall be recorded in the minutes of the meeting. The President shall promptly notify the trustee of this or her removal due to unexcused absences, or the present Pro Tempore shall inform the president of such removal, as appropriate.

## **2.3 COMPENSATION**

The Library Board of Trustees shall receive compensation as determined by the City Council, established by Resolution.

## **2.4 QUORUM**

Three members shall constitute a quorum. At least one of the three members shall be a member residing in the City of Goleta.

## **2.5 ORGANIZATION**

The Board may appoint standing or ad hoc subcommittees from its membership and, with the consent of the city council, may appoint advisory committees comprised of non- trustees.

The Board may adopt by-laws, rules and regulations as necessary for the administration, government and protection of the libraries under its management and all property belonging to the libraries, subject to approval by the City Council.

The city manager, or his or her designee, shall serve as the staff liaison to the Board.

## **~~2.6. QUORUM~~**

~~Three members shall constitute a quorum.~~

## **SECTION 3.0 GENERAL INFORMATION**

### **3.1 MEETING DATES AND LOCATION**

The Library Board of Trustees shall hold a minimum of one regular meeting each month in City Council Chambers. A special meeting may be called at any time by the Board President or by a majority of the members. If a holiday falls on a normal meeting date, the meeting will be held on the same day the following week or at the discretion of the Board. Dates, times and locations of meetings shall be posted in the usual manner in accordance with Government Code§ 54950 et seq. (the Ralph M. Brown Act).

### **3.2 AGENDA ORGANIZATION**

Agendas shall generally be organized as follows:

1. Public Comment
2. Consent Calendar
3. Discussion/Action

#### 4. Future Agenda Items

Agendas for current meetings, as well for past meetings and minutes are available on the Internet at [www.cityofgoleta.org](http://www.cityofgoleta.org).

### **SECTION 4.0 MEETING CONDUCT**

#### **4.1 MEETING CONDUCT**

The rules of order which govern the Library Board of Trustees meetings shall be the same as those used by the City Council unless otherwise provided herein.

#### **4.2 BROWN ACT**

Pursuant to the Ralph M. Brown Act (Government Code § 54950 et seq.), all meetings, including study sessions and workshops, must be open and public. This means that a quorum of Board members shall only discuss related business in a public meeting. Furthermore, meeting agendas shall be posted in a public place at least 72 hours in advance of the hearing and topics shall be limited to those on the agenda.

#### **4.3 PUBLIC COMMENT**

A public comment period is available to all members of the public to discuss issues of concern with the Library Board of Trustees regarding items not on the agenda. However, such issues should be within the jurisdiction of the Board.

#### **4.4 DISCUSSIONS OUTSIDE OF REGULARLY NOTICED MEETINGS**

Private discussions between applicants and individual members, or groups of members, do not reflect the consensus of the entire Board and may not be construed as an interpretation of the board policies. Members shall disclose any such discussions at regularly scheduled meetings. Such discussions may not involve a quorum of the board members.

#### **4.5 AGENDA MANAGEMENT**

The primary role of the President is to conduct the meeting so that the work of the Board may reasonably be completed within the allotted time. To this end, the President should to limit the number of items scheduled for particular agendas in order to manage the length of the meeting.

#### **4.6 CONFLICT OF INTEREST**

Members must comply with all regulations prohibiting participation by officials with conflicts of interest. If a member has a conflict of interest for item that is

before the Board, the member must step down and not participate in the review nor be counted for purposes of a quorum.