



# The City of Oakland Library Commission Bylaws

## Article I: NAME AND PURPOSE

### Section 1: Name

The City of Oakland Library Commission. (See Ordinance No. 13757 C.M.S., renaming the “Library Advisory Commission” to the “Library Commission”.)

### Section 2: Purpose

Pursuant to section 601 of the Oakland Charter, the Library Commission was established to make recommendations to the Oakland City Council, provide citizen oversight of library funding parcel tax funds, and advocate on behalf of Library programs and services. The purposes of the Library Commission are detailed in Ordinance No. 8064, as amended over time, and as amended and reenacted most recently in Ordinance No. 13757 C.M.S.

### Section 3: Statutory Requirements and Other Laws and Policies

The Library Commission shall comply with all applicable laws, including but not limited to:

- Oakland City Charter
- Oakland Sunshine Ordinance (OMC Chapter 2.20)
- The Ralph M. Brown Act (Government Code sections 54950 et. seq)
- The Political Reform Act of 1974 (Government Code sections 81000 et. seq)
- The Public Records Act (Government Code sections 6250 et. seq)
- Oakland Conflict of Interest Code (OMC Chapter 3.16)
- Ordinance No. 8064 C.M.S., as amended and reenacted over time
- These bylaws and other policies adopted by the Library Commission.

If any conflict exists between any of the foregoing laws and these bylaws or Library Commission policies, the applicable Law shall take precedence.

## Article II - MEMBERSHIP

### Section 1: Board Membership Composition

- a) Members of the Library Commission shall be appointed by the Mayor and confirmed by the City Council in accordance with the City Charter Section 601.
- b) To the extent practicable, appointments to the Library Commission shall be made in accordance with the City’s affirmative action policies.
- c) To the extent practicable, appointments to the Library Commission shall reflect the geographical diversity of the City.
  - a. The Commission may work with the Mayor and/or Councilmembers to recommend that there be

two residents of each of the seven City Council districts, and that in the event that a district does not have a member representative, recruitment efforts will be conducted to find a candidate residing in the underrepresented district to fill a vacancy.

- b. The Commission may work with the Mayor and/or Councilmembers to recommend that there be one member who shall be an at-large representative member, whose residency may be in any one of the seven City Council districts.
  
- d) In making appointments to the Library Commission, the Mayor shall accept for consideration recommendations for appointments offered by each Councilmember. Councilmembers must submit recommendations to the Mayor for consideration at least 30 days prior to the expiration of an existing Commission member's term.

## **Section 2: Number of Members and Appointment**

- a) The Library Commission shall consist of fifteen (15) members.
  
- b) Mentoring. A newly appointed member may be paired with an experienced member, ideally of the same district residency, for mentoring. The Commission may work with the Mayor and/or Councilmembers on appointments and may recommend that two members representing a district shall be appointed on staggered terms, to provide for continuity and a smooth transition.
  
- c) Length of Terms. All terms shall be for a period of three (3) years, except that an appointment to fill a vacancy shall be for the unexpired portion of the term only. Terms shall commence upon the date following the expiration of the prior term.
  
- d) Limit on Consecutive Terms. No person shall be appointed to serve more than two (2) consecutive terms as a member of the Library Commission.
  
- e) Holdover. In the event an appointment to fill a vacancy has not occurred by the conclusion of a Commission member's term, that member may continue to serve as a member of the Commission during the following term in a holdover capacity for a period not to exceed one year, to allow for the appointment of a new Commission member.

## **Section 3: Oath of Office**

Acceptance of the Oath of Public Office constitutes a Library Commission member's sworn responsibility of public trust. Members are required to serve well and to faithfully discharge their duties and responsibilities diligently, and consistent with the laws of the City of Oakland, and all pertinent state and federal laws.

## **Section 4: Removal and Filling Vacancies**

- a) **Removal.** To assure participation of Commission members, attendance by the members of the Commission to all regularly scheduled and special meetings of the Commission shall be recorded, and such records shall be provided semi-annually to the Office of the Mayor for review. A member may be removed pursuant to Section 601 of the City Charter and following the Guidelines in the Oakland Handbook for Board and Commission Members.

Among other things, conviction of a felony, misconduct, incompetency, inattention to or inability to perform duties, or absence from three consecutive regular meetings except on account of illness or when absent from the City by permission of the Commission, shall constitute cause for removal. Attendance standards are based on a monthly meeting schedule and apply to regular meetings only, and not to special meetings of the Commission. Commissioners are expected not to have, in a calendar year, four or more excused absences, three or more unexcused absences, or three or more consecutive absences. A Commissioner may request permission to be absent from a meeting by notifying staff to the Commission at least 24 hours in advance.

- b) **Filling Vacancies.** Any vacancy shall be filled pursuant to the procedures outlined by City Charter Section 601.

## **Section 5: Library Director and Commission Staff**

- a) **Library Director:** The Library Director shall have the duties and powers which are set forth in the Charter and Ordinances of the City of Oakland. As the Executive Director of the department, the Library Director or a designee may attend all meetings of the Commission and may report to the Commission on all matters which concern the operation of the department, and which may call for its attention.
- b) **Commission Staff/Executive Assistant to the Library Director:** The City Administrator, or designees, may provide the Commission with staff assistance as necessary to enable the Commission to fulfill its functions and duties. The Commission Staff or designee may attend all meetings of the Commission and any Standing Committees, and may be responsible for the proper recording and distribution of all Commission actions, correspondence, agendas, meeting notice requirements, recording minutes, and other duties as may be requested by the Commission and delegated by the City Administrator, including: research, assisting Committee chairs and officers, making recommendations on assigned projects, answering questions from the public about Commission activities and procedures, helping library staff prepare for presentations before the Commission, and be a liaison to the Commission, as appropriate. The Commission Staff may also serve as the parliamentarian, maintaining a knowledge of adopted rules and procedures and also of the Commission's obligations under the laws and ordinances referenced herein, or other regulations which may apply to how the Commission conducts business.

## **Article III: OFFICERS**

### **Section 1: Elections**

- a) At its first regular meeting of each new calendar year, the Commission shall elect a Chair and a Vice Chair from among its members.
- b) If more than one Commissioner is nominated or volunteers to be nominated for an office, each nominee may speak regarding their qualifications and willingness to serve and answer questions of Commissioners or the public.
- c) The Commission may discuss the nominations and, when the vote is called, each Commissioner may cast a single vote for each office.
- d) Officers are elected by the affirmative vote of a majority of Library Commission members present.

### **Section 2: Officer Terms of Service**

- a) Each elected officer will serve a one-year term. Elected officers can serve up to three (3) one-year terms in a single officer position.

### **Section 3: Officer Duties**

- a) Chair:
  - The Chair shall preside at all regular meetings of the Commission.
  - Commission Staff, working with the Chair and Library Director, shall prepare the agenda for all regular meetings.
  - The Chair works with Commission Staff and Library Director to develop the annual report to the Life Enrichment Committee of the Oakland City Council.
  - The Chair actively engages Commissioners regarding all things related to their ongoing membership. This includes eliciting feedback and answering questions.
  - The Chair initiates discussions about participation on committees/ad hoc groups and attendance at meetings.
- b) Vice Chair
  - Vice Chair performs the duties and responsibilities that may be delegated by the Chair.
  - In the absence of the Chair, the Vice Chair will perform the duties and responsibilities of the Chair.

## **Article IV: MEETINGS**

## **Section 1: Regular Meetings**

Regular Library Commission meetings shall be held at least once every other month, on the last Monday of the month at 5:45 p.m. or as otherwise set forth in the published calendar and posted on the internet with proper notice. Meetings shall be held at the Main Library in the Bradley Walters Community Room. All Library Commission meetings shall be audio recorded. Regular Library Commission meetings will not be held during the months of August and December.

## **Section 2: Public Input**

The Commission shall hold meetings open to the public and encourage the participation of interested persons. Each person wishing to speak on an item before the Commission shall be permitted to be heard for up to two minutes per agenda item, subject to the discretion of the presiding officer. Each agenda for regular meetings shall also provide an opportunity for members of the public to directly address the Commission on items of interest to the public that are within the Commission's jurisdiction. This opportunity for General Public Comment shall typically appear as the first item on the agenda. For agenda items, the Chair will ask those who desire to speak to sign up on a sheet provided by the Commission Staff. Speakers will be called for comment in the order in which they signed the sheet. Members of the public who do not elect to sign up, may give comment after those who did sign have had an opportunity to comment.

## **Section 3: Identification of Speakers**

Speakers addressing the Library Commission or standing committees may state their names and the organization they are representing, if any. They shall confine their remarks to the subject under discussion unless they are speaking during the Open Forum portion of the agenda.

## **Section 4: Minutes**

Meeting Minutes shall be taken at every regular and special Library Commission meeting. The Minutes shall be recorded by Library Commission staff. A draft of the minutes will be available for inspection and copying upon request no later than 10 days after the meeting. Minutes of a meeting shall be approved, whenever practicable, at the next meeting of the body. The officially adopted minutes shall be available for inspection and copying upon request no later than five days after the meeting at which the minutes are adopted.

Meeting minutes, at minimum, should include the start time of the meeting, the names of the members attending the meeting, a one-sentence summary of, and the roll call vote on, each matter considered at the meeting, the start and end time of any closed session, those members of the public who spoke on each matter if the speakers identified themselves, and the time the meeting was adjourned.

## **Section 5: Notice and Conduct of Special Meetings**

Special Meetings are Library Commission meetings scheduled for a date, time or place other than the date, time or place set out in Section 1. Regular Meetings.

Special Library Commission or Committee meetings may be called at any time by the Chair or by a majority of the Library Commission members or standing committee members or standing Library Commission members. Notice of all special meetings shall comply with the Oakland Sunshine Ordinance and the Brown Act.

## **Section 6: Ad Hoc and Standing Committees**

Two (2) standing committees of the Library Commission have been established. City Council approval must be obtained prior to the creation of more than two standing committees of the Library Commission. A proposal to create a standing committee of the Library Commission, beyond the two created by the Library Commission, must include information regarding the costs associated with staffing the standing committee, and the costs of complying with noticing and reporting requirements resulting from the establishment of any such standing committee of the Commission.

Standing committees shall endeavor to meet once every other month or at the call of their chairs, or as deemed necessary by a majority of the standing committee membership. Commission Staff shall be responsible for audio recording the meetings and shall make the recordings available upon request.

The Library Commission at its discretion may establish an ad hoc committee to address issues within the Commission's jurisdiction for a limited duration of time. An ad hoc committee established to nominate Commission officers may not consider one of its own members for nomination. Individuals can volunteer or shall be appointed to ad hoc committees and shall serve for the period specified by the ad hoc committee chair. Once the work of the ad hoc committee is complete, the committee shall dissolve. The Brown Act and/or Sunshine Ordinance does not apply to ad hoc or temporary advisory committees composed of less than a majority of the board.

## Article V: VOTING AND QUORUM

### **Section 1: Majority Vote Requirement**

An affirmative vote of a majority of the members present is required for any action by the Commission.

### **Section 2: Voting by Proxy**

Voting by proxy is prohibited.

### **Section 3: Quorum**

A majority of appointed members shall constitute a quorum for the Library Commission but in no case shall quorum be fewer than five (5) members.

A majority of appointed standing or ad hoc committee members shall constitute quorum, unless otherwise specified in the Library Commission action establishing and appointing the committees.

## Article VI: PARLIAMENTARY PROCEDURE

The business of the Library Commission and its committees shall be conducted, to the extent possible, in accordance with parliamentary rules as contained in Robert's Rules of Order, except as modified by these rules and local open meeting laws, including the Oakland Sunshine Ordinance.

## Article VII: REPRESENTATION OF THE LIBRARY COMMISSION

Whenever a Library Commission member communicates with the news media or others, or appears at a public hearing or before another City Agency or Department to discuss existing or proposed legislation or policy, the Library Commission member shall make every reasonable effort to specify that the Library Commission member is expressing a personal opinion, view or position, unless speaking on a topic the full Commission has approved.

## Article VIII: LIBRARY COMMISSION CITY OF OAKLAND DEPARTMENT ROLES

### **Section 1: Legal Advisor**

The City Attorney is the Library Commission's legal advisor. The Library Commission may seek legal advice from the City Attorney through Library Commission Staff. Requests for legal assistance on behalf of the Library Commission should be authorized by the Chair or by a majority vote of the Library Commission.

### **Section 2: Other City of Oakland Departments**

Any requests for reports or information pertaining to the Library Commission requested by the Library Commission shall be made via Library Commission Staff.

## Article IX: BYLAWS

These Bylaws shall be reviewed annually or as necessary. The Library Commission may adopt Bylaws amendments at any regular meeting of the Library Commission by a vote of two-thirds of the Library Commission members present. The Library Commission shall transmit proposed Bylaws amendments to the City Clerk within seven (7) calendar days of adoption by the Library Commission.

### *History and Revision*

Created by members of the Bylaws Ad Hoc Committee of the 2023-2024 Library Commission: Mary Forte, Chiye Azuma, Library Director Jamie Turbak, and Executive Assistant Kere Gonzales  
Revised 4/29/24; Approved 6/24/24

### *Attachments:*

City of Oakland [Board and Commission Handbook 2019](#)

City of Oakland [Library Ordinance 2023-0629](#)