

# **SAN FRANCISCO PUBLIC LIBRARY COMMISSION BYLAWS**

## **ARTICLE I - Identification**

### Section 1: Name

The San Francisco Public Library Commission.

### Section 2: Office

The San Francisco Public Library system is comprised of the Main located in the Civic Center, San Francisco, CA 94102 and branch libraries located throughout the City and County of San Francisco.

### Section 3: Compliance with applicable laws

The Commission shall comply with all applicable laws, including but not limited to the San Francisco Charter, the Ralph M. Brown Act, the Public Records Act, San Francisco's Sunshine Ordinance and the Political Reform Act of 1974.

## **ARTICLE II - Mission Statement**

The San Francisco Public Library system is dedicated to free and equal access to information, knowledge, independent learning, and the joys of reading for our diverse community.

## **ARTICLE III - Library Commission**

### Section 1: Number

The Library Commission is part of the executive branch of the government of the City and County of San Francisco. Seven Library Commissioners are appointed by and serve at the pleasure of the Mayor.

### Section 2: Term of Appointment

Commissioners serve staggered terms of four years. In some instances, members are appointed to serve out the remainder of an unexpired term.

### Section 3: Compensation

Unless the Board of Supervisors decides to enact an ordinance that provides for compensation of Commissioners in accordance with Section A8.400 of the San Francisco Charter, Commissioners shall serve without compensation. Commissioners, as officers of the City and County of San Francisco, shall be entitled to health benefits in accordance with Section A8.420 of the Charter.

### Section 4: Oath of Public Office

Swearing to the Oath of Public Office constitutes the Commissioner's sworn responsibility to the public trust.

## Section 5: Function

The Library Commission formulates, evaluates and approves goals, objectives, plans and programs and sets policies for the Library consistent with the overall objectives of the City and County; develops and keeps current an Annual Statement of Purpose outlining its areas of jurisdiction, authorities, purpose and goals; approves (after public hearing) Library budgets or any budget modifications or fund transfers requiring the approval of the Board of Supervisors; recommends to the Mayor rates, fees and similar charges with respect to Library items; nominates qualified applicants for the position of City Librarian for appointment by the Mayor; monitors the performance of the City Librarian who serves at the pleasure of the Commission; investigates any aspect of governmental operations within the Library; exercises other powers and duties prescribed by the Board of Supervisors; and appoints an executive secretary who serves at the pleasure of the Commission to manage the affairs and operations of the Commission.

The Commission shall evaluate the performance of the City Librarian and the Secretary to the Library Commission at least once a year.

## Section 6: Excused Absences

Prior notification of absence from Commission meetings constitutes an excused absence. ~~If a Commissioner misses more than four regularly scheduled, consecutive Library Commission meetings whether the absence is excused for any reason other than illness or is unexcused, the Commission President shall notify the Commission and the Mayor of the Commissioner's lack of attendance.~~ **An absence due to unforeseen circumstances such as illness or emergency shall also qualify as an excused absence where the member reports such absence to the Commission Secretary as soon as reasonably possible. The Commission Secretary shall record all unexcused absences involving neither advance notice nor unforeseen circumstances.**

**The Commission Secretary shall report all instances of unexcused absences as well as any of three consecutive absences of a member from regular meetings in a fiscal year to the Mayor's Commission Liaison and the Commission.**

## ARTICLE IV - Officers

### Section 1: Officers

The Officers of the Commission are a President and a Vice-president. The President and Vice-president shall serve at the pleasure of the Commission.

### Section 2: Term of office

The term of each office is one year.

### Section 3: General Duties and Responsibilities

The President shall preside at all meetings of the Commission. The Commission Secretary working with the President and the City Librarian prepares the agenda for all meetings. The President serves as ex-officio member of other department/agency Committees as requested.

At the end of the fiscal year the President along with the City Librarian shall submit a written annual report to the members summarizing the activities and accomplishments of the Commission during the term of office and file such report with the Mayor and the Clerk of the Board of Supervisors.

In the absence of the President, the Vice-president shall act. The Vice-president shall perform such duties of the President as may be delegated by the President.

## **ARTICLE V - Commission Staff**

### Section 1: City Librarian

The City Librarian shall have the duties and powers which are set forth in the Charter and Ordinances of the City and County of San Francisco. As the Executive Director of the department, the City Librarian or a designee shall attend all meetings of the Commission and shall report to the Commission on all matters which concern the operation of the department and which may call for its attention.

The Commission shall deal with administrative matters solely through the City Librarian or his or her designees, and any dictation, suggestion or interference herein prohibited on the part of any member of the Commission shall constitute official misconduct; provided, however, that nothing herein contained shall restrict the Commission's powers of hearing and inquiry as provided in the Charter.

### Section 2: Commission Secretary

The Secretary or designee shall attend all meetings of the Commission and any Ad-Hoc Committee and is responsible for the proper recording and distribution of all Commission actions, correspondence, agendas, and other duties as may be assigned by the Commission, 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 representing the Commission at public and political gatherings, as appropriate.

The Secretary shall 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 in Article 1, Section 3 of this document, or other regulations which may apply to how the Commission conducts business.

## **ARTICLE VI - Committees**

### Section 1: Ad-Hoc Committee

The Commission at its discretion may establish an Ad-Hoc Committee to address issues within the Commission's jurisdiction. An Ad-Hoc Committee established to nominate commission officers may not consider one of its own members for nomination.

### Section 2: Committee Quorum

A majority of the members of a committee is a quorum. A committee may act through the majority of the quorum.

## **ARTICLE VII - Meetings**

### **Section 1: Quorum**

At all meetings of the full Commission, the presence of a majority of the members shall constitute a quorum for all purposes. The affirmative vote of a majority of the members (i.e., four votes) shall be required for the approval of any matter.

### **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 once for up to three minutes. Each agenda for regular meetings shall 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. The Public Comment opportunity shall appear on the agenda after "New Business," except, at the presiding officer's discretion, Public Comment can be heard earlier in the agenda when a member of the public wants to speak but is unable to attend the entire meeting.

When it appears that an item may elicit considerable public comment, the presiding officer may, at his sole discretion, ask those who desire to speak to sign up on a sheet provided by the Commission Secretary. 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 or do not wish to give their name, may give comment after those who did sign have had an opportunity to comment.

Except for the actions taken at lawful closed sessions, any action taken at other than a public meeting shall be void. Closed sessions may be held in accordance with applicable state statutes and ordinances of the Board of Supervisors.

### **Section 3: Meeting Minutes**

Minutes shall be taken at every Commission meeting and shall comply with the provisions of the San Francisco Sunshine Ordinance. (*See* S.F. Admin. Code §67.16 (Minutes)). Minutes of a meeting shall be approved, whenever practicable, at the next meeting of the body.

### **Section 4. Regular Meetings**

Regular meetings of the Library Commission shall be held on the first Tuesday of each month and on the third Thursday of each month in the Koret Auditorium of the Main Library at 4:00 p.m. or at such other date, time, and/or place as the Commission may, by resolution or motion, designate. A change in the date, time, and/or place of Commission meetings shall not require an amendment of these Bylaws. Regular Meetings and/or Special Meetings may be held at other places, dates or times subject to the provision of appropriate notice.

### **Section 5: Closed Sessions**

The Commission is authorized to hold closed (non-public) meetings for limited purposes, such as the discussion of matters posing a threat to the security of Library buildings or a threat to the public's right of access to Library buildings or services; consideration of the appointment, employment, evaluation of performance or dismissal of department head or

Commission secretary; or pending litigation. Upon consultation with the City Attorney, and determination that a closed session is both authorized and appropriate under the circumstances, the President of the Commission may call a closed session.

#### Section 6: Special Meetings

The President of the Commission may call special meetings to address specific matters.

### **ARTICLE VIII - Agenda Requirements**

#### Section 1: Agenda Preparation

The agenda is prepared through the joint effort of the President, the City Librarian and the Commission Secretary. The Commission Secretary shall work with the Commission President to develop the agenda. The agenda shall consist of items requested by the President, the City Librarian or the Commission.

### **ARTICLE IX - Voting**

#### Section 1: Voting and Abstention

Each member present at a Commission meeting shall vote "yes" or "no" when a question is put, unless excused from voting by a motion adopted by a majority of the members present, or unless the member has a conflict of interest which legally precludes participation in the vote. Whether a Commissioner has a conflict of interest which precludes participation in a vote is determined on a case by case basis, in consultation with the City Attorney.

#### Section 2: Voting by Proxy

Voting by proxy is prohibited.

### **ARTICLE X - Parliamentary Procedures**

At the discretion of the Commission President, except where the Charter or other rules provide required procedure, meetings shall be governed by the most recent edition of Robert's Rules of Order.

### **ARTICLE XI - Bylaws Amendments**

These bylaws may be amended at any meeting of the Library Commission by a majority vote of those present, provided such proposed amendment is circulated in writing at least ten (10) days prior to such meeting.

APPROVED AS TO FORM:

LOUISE H. RENNE  
CITY ATTORNEY

BY \_\_\_\_\_  
Catharine S. Barnes  
Deputy City Attorney

Amended 04/02/96  
Correction 08/06/96  
Amended 11/05/96  
Amended 12/02/96  
Amended 03/24/97  
Amended 05/06/97  
Amended 04/07/98  
Amended 01/02/02  
Amended 12/07/06  
Richard Walsh, Acting Commission Secretary