



## BOARD OF TRUSTEES BYLAWS

### 01.02.01 Board of Trustees Bylaws

#### Article I - Name

The name of this organization is the Board of Trustees of the Pueblo Library District, Pueblo, Colorado. The Board shall have those duties and responsibilities authorized by the Colorado Revised Statutes.

The Pueblo Library District, serving the City and County of Pueblo, was formed under Colorado Revised Statutes, on July 15, 1968, by joint resolution of the Pueblo City Council and the Pueblo Board of County Commissioners.

#### Article II - Membership and Responsibilities

1. The Board of Trustees shall be comprised of seven (7) trustees appointed and ratified in accordance with Colorado Revised Statutes applicable at the time of appointment. Appointees to the Library Board of Trustees shall be chosen from the residents within the service area of the library. At least one member of the Library Board of Trustees shall reside outside the City of Pueblo.

2. The term of office shall be five years. There shall be no limit to the number of terms a Trustee can serve on the Board. *(Revised February 23, 2006)*

(a) Six months prior to the completion of a trustee term, the President of the Board shall notify appropriate County and City officials of the approaching vacancy and request that they begin the process necessary for filling the vacancy in a manner by which trustees are regularly chosen so as to minimize the impact of the vacancy on the work of the Board. *(Revised February 23, 2006)*

(b) When a Board vacancy occurs prior to the anticipated expiration date of the position, the President of the Board shall notify appropriate County and City officials as soon as possible and request that they fill the remainder of the unexpired term as soon as possible in a manner by which trustees are regularly chosen so as to minimize the impact of the vacancy on the work of the Board. *(Revised February 23, 2006)*

3. Trustees in the capacity of trust upon them, shall observe ethical standards with absolute truth, integrity and honor. Individual members of the Board of Trustees shall annually sign the Ethics Statement adopted by the Board of Trustees. *(Revised July 26, 2012)*

4. A Trustee may be removed only by a majority vote of the appointing authority and only upon a showing of good cause as defined in, but not limited to, the bylaws adopted by the Board. (C.R.S. 24-90-108(5)) For the purpose of these bylaws, for cause shall be shown if a Trustee:

- (a) Fails to attend any combination of seven regular scheduled Board meetings or regular scheduled work sessions in a calendar year. *(Revised May 28, 2009)*
- (b) Is found guilty of gross neglect of duties;
- (c) Is convicted of a crime involving moral turpitude;
- (d) Violates a statute or ordinance which results, or could result, in serious damage to the Pueblo Library District's property or interests.
- (e) Refuses to sign the Ethics Statement. *(Revised July 26, 2012)*
- (f) Should a member of the Board meet any requirements "for cause" prescribed in subsections (a)-(e), upon majority vote of the Board, a written request will be made by the President of the Board to the appointing authority to remove the Trustee and declare the seat vacant, and begin their process of filling the seat so as to minimize any disruptions to the productivity of the Board. *(Revised May 28, 2009)*

5. A Trustee shall receive no salary or other compensation for services as a Trustee, but necessary traveling and subsistence expenses actually incurred may be paid from the library budget. C.R.S. 24-90-108(4)

6. All members of the Board shall participate in at least one continuing education activity annually. This may be part of a regularly scheduled Board meeting with a presentation provided or attendance at continuing education activities sponsored by various continuing education providers. Trustees who participate in continuing education shall be offered reimbursement in the same manner and at the same rate as the library staff. *(Adopted Dec. 14, 2010)*

7. The Board shall retain a qualified Executive Director, who has at least a Masters of Library Science or equivalent degree from an ALA-accredited institution, and who shall have the responsibility to employ, direct, and supervise staff members and present to the Board for approval all terminations, new hires and changes in employment status in his/her monthly Director's Report; prepare required reports and budgets; recommend policies, develop procedures consistent with those policies, administer policies adopted by the Board; and promote effective library service. *(Revised July 24, 2014)*

8. The powers and duties of the Board of Trustees shall include, but not be limited to, the following. The Board of Trustees shall:

- (a) Adopt such bylaws, rules, and regulations for its own guidance and for the government of the library as it deems appropriate. The bylaws shall include, but not be limited to, provisions for the definition of cause to be applied in the removal of a Trustee pursuant to C.R.S. 24-90-108(5); designation of those officers to be appointed or elected and the manner of such appointment or election; rules and regulations for conducting meetings; rules for public participation in meetings; and procedures for amending the bylaws. The bylaws shall further provide for the length and number of terms of Board members. A copy of the bylaws shall be filed with the legislative body of each participating governmental unit;
- (b) Supervise, care for, and have custody of all property of the library, including rooms or buildings constructed, leased, or set apart therefore;
- (c) Submit annually a budget as required by law and certify to the Pueblo Board of County Commissioners and Pueblo City Council the sums necessary to maintain and operate the library during the ensuing year *(Revised July 26, 2012)*;

- (d) Adopt a budget and make appropriations for the ensuing fiscal year as set forth in part 1 of article 1 of title 29, C.R.S., and have exclusive control and spending authority over the disbursement of library funds as set forth in C.R.S. 24-90-112(2)(a);
- (e) Accept such gifts of money or property for library purposes as it deems appropriate;
- (f) Acquire and hold land by gift, lease, or purchase for library purposes;
- (g) Lease, purchase, or erect any appropriate building for library purposes and acquire such other property as may be needed therefore;
- (h) Sell, assign, transfer, or convey any property of the library, whether real or personal, which may not be needed within the foreseeable future for any purpose authorized by law, upon such terms and conditions as it may approve. The Trustees may lease such property, pending sale thereof, under an agreement of lease, with or without an option to purchase the same. The Board, prior to the conveyance of such property, shall make a finding that the property will not be needed within the foreseeable future for library purposes, but no such finding shall be necessary if the property is sold or conveyed to a state agency or political subdivision of this state;
- (i) Borrow funds for library purposes by means of a contractual short-term loan when monies are not currently available but will be in the future. Such loan shall not exceed the amount of immediately anticipated revenues, and such loan shall be liquidated within six months (*Revised July 26, 2012*);
- (j) Authorize the bonding of persons entrusted with library funds;
- (k) Conduct an annual audit of the financial statements of the district and submit those to the Pueblo Board of County Commissioners and Pueblo City Council (*Revised July 26, 2012*);
- (l) Authorize the purchase of library materials and equipment on the recommendation of the Executive Director;
- (m) Hold title to property given to or for the use or benefit of the library, to be used according to the terms of the gift;
- (n) Perform all other acts necessary for the orderly and efficient management and control of the library;
- (o) Have the authority to enter into contracts;
- (p) At the close of each calendar year, the Board of Trustees shall submit a report to the Pueblo Board of County Commissioners and Pueblo City Council showing the condition of its trust during the year, the sums of money expended, and the purposes of the expenditures and such other statistics and information as the Board of Trustees deems to be of public interest. C.R.S. 24-90-109(2) (*Revised July 26, 2012*);
- (q) At the close of each calendar year, the Board of Trustees of every public library shall make a report to the state library in the form of a response to a survey to be designed and administered by the state library. The report shall contain such other statistics and information as may be required by the state library. C.R.S. 24-90-109(2.5) (*Revised July 26, 2012*)

- (r) Under such rules and regulations as it may deem necessary and upon such terms and conditions as may be agreed upon, the Board may allow non-residents of Pueblo County to use library materials and equipment and may make exchanges of books and other materials with any other library, either permanently or temporarily (C.R.S. 24-90-109(3));
- (s) Shall have the authority to request of the Pueblo Board of County Commissioners that an election be held to alter the maximum tax levied to support the library district, pursuant to C.R.S. 24-90-112(1)(b)(III). (C.R.S. 24-90-109(4))

### Article III - Officers and Duties

1. The officers of the Board shall be President and Vice-President. The Board may name such other officers as it deems necessary.
2. The President shall preside at all **regular and special** meetings of the Board of Trustees, and shall perform all acts usually incident to said officer. The President shall serve as the official spokesperson for the Board with regard to Board action or may designate the Executive Director to serve as the spokesperson as the President deems necessary. (**Revised August 27, 2015** ~~May 25, 2006~~)
3. The Vice-President shall perform the duties of the President in the absence of the President or in the event the President is unable to perform the duties of the office, **and shall preside at work sessions. The President shall preside at work sessions when the Vice President is not available.** (**Revised August 27, 2015**)
4. The President shall, to the extent possible serve a term of two years. It shall be the practice of the Board, to the extent possible, for the Vice-President to become the President following the expiration of the President's term. (*Revised February 24, 2005*)
5. The Secretary to the Executive Director shall be the Secretary to the Board of Trustees. The Secretary shall keep the minutes of the Board of Trustees and shall give notice of the meetings and shall perform such duties as are assigned by the Board.
6. The officers shall remain in office until their successors are elected.

### Article IV - Meetings

1. There shall be 12 regular meetings as well as 12 regular work sessions, to be set on a specified day of the week one week prior to the regular monthly meeting, held monthly at the main library, a branch library or at another location in the Pueblo community determined by the Board. The date, hour, and location of the meetings and work sessions shall be set by the Board at its annual meeting and used in calculating Board member attendance. The purpose of the regular work sessions will be to allow Board members to become more familiar with the month's meeting agenda including, but not limited to, hearing reports, discussing any new or old business and/or action items without pressure of immediate formal actions so as to foster and build a more well informed Board; whereas, the purposes of the Board meetings are to conduct the official business of the Library, to give and receive reports, to allow for public input into the operation of the Library, and to disseminate information to the community at large regarding the operation of the Library. The Board shall abide by all requirements of Colorado law regarding open meetings and notification. (*Revised July 24, 2008*)
2. The annual meeting shall be held at the time of the regular meeting in January. Officers shall be elected at the annual meeting.
3. Special meetings may be held at any time when called by the President, the Executive Director, or at the request of three (3) Trustees. All Trustees must be notified at least 24 hours in advance of a special meeting. Only items on the announced agenda may be considered at a special meeting.

4. A quorum of the Board consists of four (4) members. A member, with the approval of the President of the Board, may participate fully in the meeting, including voting, by means of a teleconference or a video conference, provided that the member advised the President of his or her intent to participate telephonically or by video conference and sufficient time and means exists for arrangements to be made so that the participation will allow all persons participating to hear each other at the same time and, if by video conference, to see each other as well. Any member may participate in this manner no more than three times in a calendar year. *(Revised September 22, 2005)*

5. An affirmative vote of the majority of all members of the Board present shall be necessary to approve any action before the Board. Any member of the Board of Trustees may request a roll call vote. The President may vote upon and may move or second a proposal before the Board. *(Revised May 25, 2006)*

6. A proposed Agenda for the meeting is established by the Executive Director. The Agenda may be corrected or modified by the Board at its meeting. The order of business for regular meetings shall include, but not be limited to, the following items which shall be covered in the sequence shown so far as circumstance will permit.

- Call to Order and Roll Call
- Corrections and Modifications to the Agenda
- Approval of Minutes
- Reports
- Board Comment
- Public Comment
- Old Business
- New Business
- Adjournment

*(Revised November 20, 2014)*

7. At any regular or special meeting the Board may proceed into executive session as authorized by law. Only those persons invited by the Board may be present. *(Revised May 25, 2006)*

8. The following policy shall govern participation by the public at Board meetings:

- (a) Citizens of the Library District shall have the right and are encouraged to attend Board meetings, observe its deliberations, and participate at appropriate times.
- (b) In the interest of orderly conduct of Board meetings, individuals or organizations desiring to be heard on the Board Agenda shall make their request to the Executive Director ten (10) business days prior to the scheduled meeting, stating name, address, purpose of request, and topic. The Executive Director and/or Board President shall determine whether or not the topic is appropriate to be placed on the Board's proposed Agenda. Individuals may present a matter during Public Comment which the Board may direct to be taken up on the Board Agenda. The Board may agree to hear any individual or organization at any time, notwithstanding the requirements for notice set forth above. *(Revised May 25, 2006)*
- (c) Any person who wishes to speak during Public Comment should sign in at the meeting indicating that they wish to be heard, and the speaker must first be recognized by the President. Should the request to speak be granted, the President may limit the time for presentation, and if there are numerous requests to address the Board on the same subject, the President may select representatives to speak on each side of the issue. Every person who has been recognized to address the Board is requested to state name and address. *(Revised May 25, 2006)*

- (d) These procedures are not designed to restrict the scheduled appearances of citizens who have regular business with the Board and whose presentations are provided for on the agenda.
  - (e) The Board encourages media coverage of its public meetings and shall provide reasonable accommodation for the media in its coverage of Board meetings. No restriction shall be placed on media coverage of Board meetings so long as the coverage does not disrupt the orderly conduct of the meetings. *(Revised May 25, 2006)*
  - (f) The Pueblo City-County Library District has purchased recording equipment for the purpose of recording Library Board Meetings. Occasionally, citizens may wish to request a digital recording of the Board Meeting which is available on a CD. Citizens who wish to obtain a copy of a digital recording of a Board Meeting should present the request together with the date of the Board Meeting and a payment of \$5.00 to the attention of the Executive Director's office. The Library will make every effort to provide the digital recording on CD following such request. At such times that an equipment malfunction or other unforeseeable circumstance prevents the Library from providing the requested recording, the \$5.00 payment will be refunded. Citizens may review Board proceedings free of charge by listening to the CD using the Government Documents computer available in Special Collections. Board Minutes also are available for inspection free of charge at Rawlings, and at each branch, as well as on the Library website following Board approval. *(Revised May 25, 2006)*
8. Copies of the agenda and minutes shall be delivered to Trustees prior to each regular meeting.

9. Meetings shall be conducted in accordance with the rules and procedures set forth in the most recent edition of *Roberts Rules of Order*.

#### **Article V - Committees**

- 1. The Board of Trustees may function as a committee of the whole without appointment of standing committees.
- 2. The Board may establish standing committees, which shall make regular reports.
- 3. Special committees may be authorized and appointed by the President for special, limited purposes and shall serve only until completion of the assignment.

#### **Article VI - General**

Amendments to these bylaws or to any policy documents of the Board may be adopted by a majority vote of members of the Board present at a regular or annual meeting, provided notice of the proposed amendments shall have been given to all members at least five (5) days prior to the meeting at which such action is proposed to be taken.