

**Monica Badillo**

**From:** Michael Fisher [mfisher@weslacopl.us]  
**Sent:** Thursday, April 30, 2009 1:19 PM  
**To:** Monica Badillo  
**Cc:** Jesus Campos; nicole@hidalgo.lib.tx.us  
**Subject:** HCLS Bylaws: Current, Revised and revised with annotations  
**Attachments:** HCLS Bylaws - current and unrevised heading.htm; HCLS Bylaws - proposed 4-28.htm; HCLS Bylaws - proposed 4-28 - annotated version.htm

Monica –

Yes, we are finally ready to do the bylaws. Attached are our current bylaws, our proposed bylaws, and our proposed bylaws with explanatory notes.

Thanks for your patience. Let me know if you and yours have any questions.

Michael.

# **Current and Unrevised Hidalgo County Library System Bylaws as of 2/19/09**

## **HIDALGO COUNTY LIBRARY SYSTEM**

### **BYLAWS OF THE HIDALGO COUNTY LIBRARY SYSTEM**

#### **ARTICLE I – NAME, AUTHORITY AND DEFINITIONS**

**Section 1. NAME.** The name of the organization shall be the Hidalgo County Library System.

**Section 2. AUTHORITY.** The County of Hidalgo shall provide a County Free Library System to its citizens as set forth in Local Government Code Chapter 323

**Section 3. DEFINITION.** The *Hidalgo County Library System* consists of the organized public libraries within Hidalgo County.

**Section 4. DEFINITION.** The *Hidalgo County Library System Board* is comprised of the library directors of the member public libraries, one member from each county precinct and one member at large.

#### **ARTICLE II –PURPOSE**

**Section 1. PURPOSE.** The purpose of the Hidalgo County Library System shall be to promote, coordinate and support full and free library services to all residents of Hidalgo County.

**Section 2. GENERAL POWERS AND OBJECTIVES.** The Hidalgo County Library System governed by the Hidalgo County Commissioners' Court, through the Hidalgo County Library System Board, shall have, at least, the following objectives:

- a. To engage in cooperative efforts among member and associate member libraries;
- b. To make resources of the member and associate member libraries equally accessible throughout Hidalgo County;
- c. To research and implement resources for services and programs which meet the informational, educational, recreational and cultural needs of Hidalgo County residents;
- d. To support the goals and objectives of the American Library Association and the Texas Library Association

#### **ARTICLE III – MEMBERSHIP**

**Section 1. ELIGIBILITY.**

a. Membership in the Hidalgo County Library System shall be available to each legally established public library in Hidalgo County which is an accredited member or eligible to become an accredited member of the Texas Library System in accordance with the rules and regulations for the current biennium of the Texas Library System Act.

b. Provisional Membership is available to those libraries who have not been members in the past and who are a legally established public library in Hidalgo County but not yet an accredited member or eligible to become an accredited member of the Texas Library System in accordance with the rules and regulations for the current biennium of the Texas Library System Act. Provisional Members are treated as regular members approved on the first year of "probationary" status starting the 1<sup>st</sup> of January after their approval. Provisional Members may request and be approved "probationary" status from the Hidalgo County Library System Board annually for no more than three consecutive years. All Costs for participation in our Card Catalog/Circulation system, initial connection with and annual services provided by our Internet Service Provider, monthly Telecom (T1) services, and annual participation in the TExpress delivery service will be the responsibility of the Provisional Member until funding is provided for these expenses within the regular budget of the Hidalgo County Library System.

**Section 2. APPLICATION.** A public library that is eligible for membership in the Hidalgo County Library System shall submit a letter of application for membership, signed by the mayor or city manager of that city, to the Hidalgo County Library System Board for consideration. The letter of application shall include the ordinance or a resolution of the governing body establishing the public library (Texas Library Systems Act, §1.73 ).

**Section 3. APPROVAL.** Final approval for system membership shall rest with the Hidalgo County Commissioners' Court upon the Board' s recommendation.

**Section 4. WITHDRAWAL.** After a municipality has been a part of the county library system for two years, the governing body of the municipality may withdraw from the system by giving notice at least six months before the withdrawal. Voluntary withdrawal from the System shall be by written notice to the Hidalgo County Library System Board. Hidalgo County Commissioners' Court will be informed of any member library's withdrawal. (Local Government Code § 323.008 c.)

**Section 5. PROVISIONAL AND/OR PROBATIONARY STATUS.**

A member library that fails to meet the membership requirements of the Texas Library Systems Act, for any reason, is eligible for and may request probationary status from the Hidalgo County Library System Board annually for no more than three consecutive years. While on probationary status, a library shall continue to participate in the activities of the Hidalgo County Library System. This section also applies to any new established or reconstituted public library that has been legally established by its parent city, where such library is not able to meet accreditation standards in effect during the current biennium of the Texas State Library Systems Act.

**Section 6. TERMINATION.** Membership in the Hidalgo County Library System may be terminated if the member library ceases to meet membership requirements of the Texas Library Systems Act and is not granted Hidalgo County Library System probationary status. Hidalgo County Commissioners' Court will be informed of any member library's termination.

**Section 7. ASSOCIATE MEMBERS.** Other libraries serving the residents of Hidalgo County which agree to share their resources with members of the Hidalgo County Library System may be admitted to Associate Membership in HCLS in accordance with the procedures set forth in Section 2. The letter of application shall be signed by an authorized representative of the library's governing body.

**Section 8. HCLS EQUIPMENT.** If the Hidalgo County Library System membership is terminated or is withdrawn, the Hidalgo County Library System shall call in all Hidalgo County Library System owned equipment and materials.

**ARTICLE IV - BOARD OF DIRECTORS**

**Section 1. NUMBER AND QUALIFICATIONS.**

a. **BOARD MEMBERS:** There shall be one board member representing each member public library. This Board member shall be the director of the member public library. In addition there shall be one lay member appointed from each county precinct and one member appointed at large. Lay members will serve staggered terms of two years for no more than 3 consecutive terms.

b. **ALTERNATES:** There shall also be one alternate for each Board member of the System. An alternate member is entitled to all rights and privileges of full membership in the absence of his/her representative and in the absence of that representative shall be prepared to assume the duties of a full voting member.

**Section 2. DUTIES.**

a. To evaluate the program of the Hidalgo County Library System and to develop policies to promote the purpose of that System.

b. To prepare and approve an annual budget and plan of service to be submitted in sufficient time to meet the requirements of the Hidalgo County Judge, chief fiscal officer for the County.

c. To take actions, make recommendations, and formulate policy on any matters which will best affect and carry out the purpose and functions for which the Hidalgo County Library System is created and as outlined in the

bylaws.

d. To elect from its membership the officers of the Hidalgo County Library System Board. The officers of the Board shall consist of a President, Vice-President, Secretary, and a Treasurer. The board member elected as President shall have a valid Grade I County Librarian's Certificate. The Board President will be presented to the County Commissioner's Court for confirmation as the County Librarian and Coordinator for the Hidalgo County Library System. (Local Government Code §323.005).

e. To act upon requests for admission to the System and to act upon requests for probation.

#### **ARTICLE V – OFFICERS**

**Section 1. NUMBER AND ELECTION.** The officers of the Hidalgo County Library System Board shall be a President, Vice-President, Secretary, and a Treasurer, who shall be elected by the Board from public library director members in November of every second year, and take office the following January.

**Section 2. TERM.** The term of office of all elected officials shall be two years.

**Section 3. RE-ELECTION.** No member of the Board shall serve in the same office for more than three consecutive terms.

**Section 4. VACANCY.** In the event of a vacancy, other than that of the President/County Librarian, the position shall be filled by election of a new officer who shall complete the term. This election shall take place within 60 days of the notification that the position is vacant. A vacancy of the President/County Librarian will be filled in accordance with Article IV, Section 1, d. above.

#### **ARTICLE VI - DUTIES OF OFFICERS**

**Section 1. PRESIDENT/COUNTY LIBRARIAN.** The president shall preside at meetings of the Board, as County Librarian/HCLS Coordinator he/she will assist the members in all library related activities, be liaison to the County Judge and Commissioner's Court, and perform such other duties of the office as may be prescribed by the Board.

**Section 2. VICE-PRESIDENT.** The Vice-president shall perform all duties as may be assigned by the President or Board. In the absence or resignation of the President, the vice-president, shall perform the duties of the president.

**Section 3. SECRETARY.** The secretary shall record and sign the minutes of the meetings, and shall perform all duties as may be assigned by the President or Board.

**Section 4. TREASURER.** The treasurer shall account for all funds received by the System and authorize all invoices presented by member libraries, or received on behalf of member libraries, to be paid. The Treasurer shall present monthly financial statements at regularly scheduled Board meetings.

#### **ARTICLE VII - COMMITTEE**

**Section 1. GENERAL.** Committees shall be appointed by the President as the need arises, or on the request of a majority of the Hidalgo County Library System Board.

**Section 2. STANDING COMMITTEES.** There shall be two standing committees appointed by the President of the Board who shall be an ex officio member of both committees:

a. **BUDGET COMMITTEE:** The members shall be appointed by the president at the second meeting of the fiscal year. The Committee shall be composed of the President, at least two other members of the Board. The Budget Committee shall work with the President/County Librarian in the preparation of the budget.

b. **SYSTEMS STUDY COMMITTEE:** The members shall be appointed by the president at the second meeting of the fiscal year. The committee shall be composed of the President and at least one additional member of the Board, and the chairman of the Budget Committee. The purpose of the committee shall be to propose a plan of service for implementation through the budget year. This committee shall also establish long-term goals

for the System.

**Section 3. NOMINATING COMMITTEE.** At the September board meeting of every second year, the president shall appoint a nominating committee to report to the Board in November.

#### **ARTICLE VIII - MEETINGS**

**Section 1. REGULAR MEETINGS.** The Hidalgo County Library System Board shall meet monthly.

**Section 2. NOTICE.** Notice of each board meeting shall be sent to the representatives and the Hidalgo County Commissioners' Court, at least three days prior to the Board meetings. Such notice shall state the time, place, and agenda of the meeting and business to be transacted.

**Section 3. PARLIAMENTARY PROCEDURE.** All meetings shall be conducted in accordance with the latest edition of Scott, Foresman, *Robert's Rules of Order*.

**Section 4. SPECIAL MEETINGS.** Special meetings for any purpose may be called by the President or any three members of the Board by notifying each of the Board members and the Hidalgo County Commissioners' Court at least three days prior to such meetings. Such notice shall state time, place, and business to be transacted.

**Section 5. QUORUM.** A majority of the members of the Board shall constitute a quorum for the transaction of business. When a quorum is present at any meeting, a majority vote of the Board members present shall decide any questions under consideration.

#### **ARTICLE IX - FISCAL YEAR**

The fiscal year of the System shall be the same as that of the County of Hidalgo.

#### **ARTICLE X - RECORDS AND FINANCIAL ACCOUNTING**

**Section 1. FILE LOCATION.** All records of the System and Board, including copies of financial transactions, shall be maintained by the Secretary.

**Section 2. REPORTS.** Copies of the Board minutes and financial reports shall be sent to each member library and the Commissioners' Court.

**Section 3. FINANCIAL ACCOUNTING.** Financial records and activities shall be maintained in accordance with generally accepted accounting principles.

#### **ARTICLE XI - AMENDMENT OF BYLAWS**

**Section 1. PROCEDURE.** These bylaws may be altered, amended, or expanded by the procedures set forth as follows:

a. A notice containing a full statement of the existing and proposed amendment(s) and the date, time and location of the meeting shall be sent to Board representatives and alternates at least ten days prior to the meeting.

b. At such meeting, after proper notice has been given and a quorum established, the Board may adopt the proposed amendment(s) by a 2/3 majority vote of the members present.

**Section 2. APPROVAL.** These bylaws and subsequent changes will be submitted to the Hidalgo County Commissioners' Court for approval.

*Initial Establishment:*

Commissioners' Court appointed the County Library Board, August 9, 1971.  
The first Hidalgo County Library Board bylaws were approved with the initial terms of Board Members starting on January 1, 1972.

*Most Recent Revisions:*

Bylaws approved by the Hidalgo County Library System, April 22, 1986.  
Revisions approved July 28, 1987.

Bylaws approved by Hidalgo County Commissioners' Court, June 9, 1986.  
Revisions approved September 8, 1987.

Revisions approved by Hidalgo County Library System, July 28, 1998.  
Revisions approved by Hidalgo County Commissioners' Court, August 10, 1998.

Bylaws Approved by the HCLS Advisory Council (HCLS Library Directors) on 9/21/2000.  
Approved by the HCLS Board on 10/10/2000.  
Approved by Hidalgo County Commissioners' Court, and effective as of January 1<sup>st</sup> 2001.

This revision/addition was approved by the Hidalgo County Library System Board on April 18<sup>th</sup> 2002.  
Approved by Hidalgo County Commissioners' Court on May 28<sup>th</sup> 2002.

# Hidalgo County Library System Bylaws

## ARTICLE I – NAME, AUTHORITY AND DEFINITIONS

**Section 1. NAME.** The name of the organization shall be the Hidalgo County Library System (HCLS).

**Section 2. AUTHORITY.** The County of Hidalgo shall provide a County Free Library System to its citizens as set forth in Local Government Code Chapter 323.

**Section 3. DEFINITION.** HCLS shall consist of the organized public libraries within Hidalgo County.

**Section 4. DEFINITION.** The Hidalgo County Library System Board shall consist of the directors of the member public libraries, one lay member from each county precinct, and one lay member at-large.

## ARTICLE II –PURPOSE

**Section 1. PURPOSE.** The Hidalgo County Library System mission shall promote, coordinate and support full and free library services to all residents of Hidalgo County.

**Section 2. GENERAL POWERS AND OBJECTIVES.** The Hidalgo County Library System shall be governed by the Hidalgo County Commissioners' Court, through the Hidalgo County Library System Board. Its objectives are:

a. Cooperation among member libraries; and with other libraries and library systems to the furtherance of Hidalgo County library services;

b. To make member library resources equally accessible throughout Hidalgo County;

c. To research, implement and evaluate services and programs which meet the informational, educational, recreational and cultural needs of Hidalgo County residents;

d. To support the goals and objectives of the American Library Association and the Texas Library Association.

## ARTICLE III – MEMBERSHIP

**Section 1. ELIGIBILITY.** Membership shall be available to each legally established public library in Hidalgo County which is an accredited member or eligible for accreditation in the Texas Library System, according to the rules and regulations in effect for the current biennium of the Texas Library System Act.

Provisional membership is available to libraries who have not been members in the past, who are a legally established public library in Hidalgo County, but who are not yet an accredited member or eligible for accreditation in accordance with the rules and regulations under the current biennium of the Texas Library Systems Act. Provisional members are treated as regular members approved on the first year of "probationary" status beginning from January 1 in the year following their approval. Provisional members may request "probationary" status from the Hidalgo County Library System Board for no more than three consecutive years.

**Section 2. APPLICATION.** Eligible public libraries membership shall submit a letter of application for membership to the Hidalgo County Library System Board for consideration. This letter shall be signed by their City Mayor or City Manager. It shall include the ordinance or resolution of the governing body establishing the library (Texas Library Systems Act, §1.73).

**Section 3. APPROVAL.** Final approval for System membership shall rest with the Hidalgo County Commissioners' Court upon the Board's recommendation.

**Section 4. WITHDRAWAL.** After a city has been a part of the County library system for two years, the governing body of the city may withdraw from the system by giving a minimum of six months advance notice, in writing, to the Hidalgo County Library System Board. The Hidalgo County Commissioners' Court shall be informed of any member library's withdrawal. (Local Government Code, § 323.008 (c))

**Section 5. PROBATION.** A member library that fails to meet the membership requirements of the Texas Library Systems Act for any reason is eligible for, and may request, probationary status from the Hidalgo County Library System Board. It may do so annually for up to three consecutive years. While on probationary status, a library may continue to participate in the activities of the Hidalgo County Library System.

**Section 6. TERMINATION.** Library membership in the Hidalgo County Library System may be terminated if a member library ceases to meet membership requirements of the Texas Library Systems Act, and is not granted Hidalgo County Library System probationary status. The Hidalgo County Commissioners' Court shall be informed of any termination.

#### **ARTICLE IV - BOARD OF DIRECTORS**

##### **Section 1. NUMBER AND QUALIFICATIONS.**

a. **BOARD MEMBERS AND VOTING:** Each member library shall be represented by their director as their Board member. In addition, the County shall appoint one lay member for each precinct, and one lay member at large. Lay members shall serve staggered terms of two years each. Each member shall have one vote.

Lay members missing more than three consecutive meetings without reason shall be considered to have resigned. The HCLS President will inform the Commissioners' Court of any resignation, whether by lay member action or by nonattendance.

No lay member shall serve more than three consecutive terms.

b. **ALTERNATES:** Each Board member shall appoint one alternate. Each library shall notify the Board of its alternate, or any changes in alternate status. Alternates shall be entitled to all rights and privileges of full membership in the absence of their library's representative; and shall assume the duties of a full voting member.

##### **Section 2. DUTIES.**

Board duties shall consist of the following:

a. To evaluate Hidalgo County Library System programs and services; and to develop policies to carry out the Hidalgo County Library System mission and purpose.

b. To prepare and approve an annual budget and service plan. These shall be submitted in sufficient time to meet the requirements of the Hidalgo County Judge, who serves as the County's chief fiscal officer.

c. To take action, make recommendations and formulate policy on any matter pertinent to the mission of the Hidalgo County Library System as outlined in these Bylaws.

d. To act on all requests for admission to the System and to act on all requests for probationary status;

e. To elect officers of the Hidalgo County Library System Board. Board officers shall consist of a President, Vice-President and Secretary; and other officers the Board may see fit to create to better fulfill the HCLS mission. The Board President shall be presented to the County Commissioners' Court for confirmation as the County Librarian and Coordinator for the Hidalgo County Library System. (Local Government Code §323.005).

#### **ARTICLE V - OFFICERS**

**Section 1. NUMBER AND ELECTION.** The permanent officers of the Hidalgo County Library System Board shall be a President, Vice-President and Secretary.

The President shall be elected by the Board from the public library directors of the Board. S/he shall be elected in

November of every second year and shall take office the following January.

The Vice-President and Secretary may be elected from other member library staff, with the consent of the director of the library affected, and upon majority approval of the HCLS Board.

**Section 2. TERMS.** All officers shall serve terms of two years.

**Section 3. TERM LIMITS.** No Board member shall serve in the same office for more than three consecutive terms.

**Section 4. VACANCY OF PERMANENT OFFICERS.** In case of vacancy of the President, Vice-President or Secretary, the position shall be filled by election of a new officer who shall complete the term. Elections shall take place within 60 days of notification of vacancy. The Board shall then present its slate, or the replacement name in case of vacancy, to the County Commissioners Court for approval.

#### **ARTICLE VI - DUTIES OF OFFICERS**

**Section 1. PRESIDENT / COUNTY LIBRARIAN.** The President shall preside at Board meetings. The President shall account for all funds received by the System; authorize all invoices presented by member libraries, or received on their behalf for payment; and present monthly financial statements at Board meetings. As County Librarian, the President assists members in all library-related activities, serves as the HCLS representative with the Commissioners' Court, and performs other duties as prescribed by the Board.

**Section 2. VICE-PRESIDENT.** The Vice-President shall perform all duties as may be assigned by the President or Board. In the absence or resignation of the President, the Vice-President shall serve as interim President until selection of a new President per these Bylaws.

**Section 3. SECRETARY.** The secretary shall record and sign meeting minutes, and shall perform other duties as assigned by the President or Board.

#### **ARTICLE VII – COMMITTEES AND OTHER POSITIONS**

**Section 1. GENERAL.** Committees and other positions may be appointed by the President as the need arises, or on the request of a majority of the Hidalgo County Library System Board.

**Section 2. STANDING COMMITTEES.** There shall be two standing committees, which shall be appointed by the President. The President shall be an ex officio member of both.

a. **BUDGET COMMITTEE:** The members shall be appointed by the president at the second meeting of the fiscal year. The Committee shall be composed of the President, at least two other members of the Board. The Budget Committee shall work with the President/County Librarian in the preparation of the budget.

b. **SYSTEMS STUDY COMMITTEE:** Members shall be appointed by the president at the second meeting of the fiscal year. The committee shall be composed of the President and at least one additional member of the Board, and the chairman of the Budget Committee. The purpose of the committee shall be to propose a plan of service for implementation through the budget year. This committee shall also establish long-term goals for the System.

**Section 3. NOMINATING COMMITTEE.** At the September board meeting of every second year, the president shall appoint a nominating committee to report to the Board in November.

#### **ARTICLE VIII - MEETINGS**

**Section 1. REGULAR MEETINGS.** The Hidalgo County Library System Board shall normally meet every third Thursday of each month. Meetings may be changed with due notice because of holiday schedules; to take advantage of regional library meetings and workshops, such as South Texas Library System geographical

meetings; or other reason.

**Section 2. MEETING NOTICE.** Notice of each board meeting shall be sent to member libraries and the Hidalgo County Commissioners' Court, at least three days prior to the Board meetings. Such notice shall state the time, place, and agenda of the meeting and business to be transacted.

**Section 3. PARLIAMENTARY PROCEDURE.** All meetings shall be conducted in accordance with the latest edition of *Robert's Rules of Order*.

**Section 4. SPECIAL MEETINGS.** Special meetings for any purpose may be called by the President or any three members of the Board. These meetings shall be called by notifying each of the Board members and the Hidalgo County Commissioners' Court at least three days beforehand. Notice of special meetings shall state the time, place, and business to be transacted.

**Section 5. QUORUM.** A majority of Board members shall constitute a quorum for business. When a quorum is present at any meeting, a majority vote of the Board members present shall decide any questions under consideration.

#### **ARTICLE IX - FISCAL YEAR**

The fiscal year of the System shall be that of the County of Hidalgo.

#### **ARTICLE X - RECORDS AND FINANCIAL ACCOUNTING**

**Section 1. FILE LOCATION.** All records of the System and Board, including copies of financial transactions, shall be maintained by the Secretary.

**Section 2. REPORTS.** Copies of the Board minutes shall be sent to each member library and the Commissioners' Court. Copies of financial reports and disbursements shall be distributed to each library following County fund disbursements.

**Section 3. FINANCIAL ACCOUNTING.** The County Commissioner's Court maintains records of all financial disbursements and transactions. These are the official financial records. The Hidalgo County Library System may request records for verification, state reports and for other reasonable and lawful disclosure.

#### **ARTICLE XI - AMENDMENT OF BYLAWS**

**Section 1. PROCEDURES.** These bylaws may be altered, amended, or expanded by the procedures set forth below:

- a. A notice containing a full statement of the existing and proposed amendment(s) and the date, time and location of the meeting shall be sent to Board representatives and alternates at least ten days prior to the meeting.
- b. At such meeting, after proper notice has been given and a quorum established, the Board may adopt the proposed amendment(s) by a 2/3 majority vote of the members present.

**Section 2. APPROVAL.** These bylaws and subsequent changes shall be submitted to the Hidalgo County Commissioners' Court for approval.

##### *Initial Establishment:*

The Hidalgo County Commissioners' Court first appointed the County Library Board August 9, 1971. The Hidalgo County Library Board bylaws were approved with the initial terms of Board Members starting on January 1, 1972.

##### *Most Recent Revisions (in reverse chronological order):*

Bylaw revision/addition approved by the Hidalgo County Library System Board on January 22, 2009  
Approved by the Hidalgo County Commissioners' Court on [DATE]

Bylaw revision/addition approved by the Hidalgo County Library System Board on April 18, 2002.  
Approved by Hidalgo County Commissioners' Court on May 28, 2002.

Bylaws Approved by the HCLS Advisory Council (HCLS Library Directors) on 9/21/2000.  
Approved by the HCLS Board on 10/10/2000.  
Approved by Hidalgo County Commissioners' Court and effective January 1, 2001.

Revisions approved by Hidalgo County Library System, July 28, 1998.  
Revisions approved by Hidalgo County Commissioners' Court, August 10, 1998.

Bylaws approved by Hidalgo County Commissioners' Court, June 9, 1986.  
Revisions approved September 8, 1987.

Bylaws approved by the Hidalgo County Library System, April 22, 1986.  
Revisions approved July 28, 1987.

# Hidalgo County Library System Bylaws *Simplified wording*

## ARTICLE I – NAME, AUTHORITY AND DEFINITIONS

**Section 1. NAME.** The name of the organization shall be the Hidalgo County Library System (HCLS). *To reference abbreviation.*

**Section 2. AUTHORITY.** The County of Hidalgo shall provide a County Free Library System to its citizens as set forth in Local Government Code Chapter 323. *No change.*

**Section 3. DEFINITION.** HCLS shall consist of the organized public libraries within Hidalgo County. *Use of abbreviation to save space.*

**Section 4. DEFINITION.** The Hidalgo County Library System Board shall consist of the directors of the member public libraries, one lay member from each county precinct, and one lay member at-large. *Simplified wording.*

## ARTICLE II –PURPOSE

**Section 1. PURPOSE.** The Hidalgo County Library System mission shall promote, coordinate and support full and free library services to all residents of Hidalgo County. *Simplified wording.*

**Section 2. GENERAL POWERS AND OBJECTIVES.** The Hidalgo County Library System shall be governed by the Hidalgo County Commissioners' Court, through the Hidalgo County Library System Board. Its objectives are: *Simplified wording. Line spacing added for readability and appearance.*

a. Cooperation among member libraries; and with other libraries and library systems to the furtherance of Hidalgo County library services; *Simplified wording. There are no longer associate members (school libraries were formerly associate members).*

b. To make member library resources equally accessible throughout Hidalgo County; *Simplified wording. There are no longer associate members.*

c. To research, implement and evaluate services and programs which meet the informational, educational, recreational and cultural needs of Hidalgo County residents; *No change in wording.*

d. To support the goals and objectives of the American Library Association and the Texas Library Association. *No change in wording.*

## ARTICLE III – MEMBERSHIP

**Section 1. ELIGIBILITY.** Membership shall be available to each legally established public library in Hidalgo County which is an accredited member or eligible for accredited membership in the Texas Library System, according to the rules and regulations in effect for the current biennium of the Texas Library System Act. *Clarified wording.*

Provisional membership is available to libraries who have not been members in the past, who are a legally established public library in Hidalgo County, but who are not yet an accredited member or eligible for accreditation in accordance with the rules and regulations under the current biennium of the Texas Library Systems Act. Provisional members are treated as regular members approved on the first year of "probationary" status beginning from January 1 in the year following their approval. Provisional members may request "probationary" status from the Hidalgo County Library System Board for no more than three consecutive years. *Simplified wording for clarity.*

**Section 2. APPLICATION.** Eligible public libraries membership shall submit a letter of application for membership to the Hidalgo County Library System Board for consideration. This letter shall be signed by their City Mayor or City Manager. It shall include the ordinance or resolution of the governing body establishing the library (Texas Library Systems Act, §1.73). *Simplified wording for clarity.*

**Section 3. APPROVAL.** Final approval for System membership shall rest with the Hidalgo County Commissioners' Court upon the Board's recommendation. No change.

**Section 4. WITHDRAWAL.** After a city has been a part of the County library system for two years, the governing body of the city may withdraw from the system by giving a minimum of six months advance notice, in writing, to the Hidalgo County Library System Board. The Hidalgo County Commissioners' Court shall be informed of any member library's withdrawal. (Local Government Code, § 323.008 (c)) Simplified wording for clarity.

**Section 5. PROBATION.** A member library that fails to meet the membership requirements of the Texas Library Systems Act for any reason is eligible for, and may request, probationary status from the Hidalgo County Library System Board. It may do so annually for up to three consecutive years. While on probationary status, a library may continue to participate in the activities of the Hidalgo County Library System. There is no longer provisional status. Merged with probationary status. Wording simplified for clarity.

**Section 6. TERMINATION.** Library membership in the Hidalgo County Library System may be terminated if a member library ceases to meet membership requirements of the Texas Library Systems Act, and is not granted Hidalgo County Library System probationary status. The Hidalgo County Commissioners' Court shall be informed of any termination. Wording simplified for clarity and brevity.

#### **ARTICLE IV - BOARD OF DIRECTORS**

##### **Section 1. NUMBER AND QUALIFICATIONS.**

a. **BOARD MEMBERS AND VOTING:** Each member library shall be represented by their director as their Board member. In addition, the County shall appoint one lay member for each precinct, and one lay member at large. Lay members shall serve staggered terms of two years each. Each member shall have one vote. Revised for clarity.

Lay members missing more than three consecutive meetings without reason shall be considered to have resigned. The HCLS President will inform the Commissioners' Court of any resignation, whether by lay member action or by nonattendance. Added clause for attendance.

No lay member shall serve more than three consecutive terms. Added – new clause.

b. **ALTERNATES:** Each Board member shall appoint one alternate. Each library shall notify the Board of its alternate, or any changes in alternate status. Alternates shall be entitled to all rights and privileges of full membership in the absence of their library's representative; and shall assume the duties of a full voting member. Added for short-term continuity of representation.

##### **Section 2. DUTIES.**

Board duties shall consist of the following: Added phrase for readability.

a. To evaluate Hidalgo County Library System programs and services; and to develop policies to carry out the Hidalgo County Library System mission and purpose. Simplified for clarity.

b. To prepare and approve an annual budget and service plan. These shall be submitted in sufficient time to meet the requirements of the Hidalgo County Judge, who serves as the County's chief fiscal officer. Revised for clarity.

c. To take action, make recommendations and formulate policy on any matter pertinent to the mission of the Hidalgo County Library System as outlined in these Bylaws. Simplified for clarity.

d. To act on all requests for admission to the System and to act on all requests for probationary status; Simplified for clarity..

e. To elect officers of the Hidalgo County Library System Board. Board officers shall consist of a President, Vice-President and Secretary; and other officers the Board may see fit to create to better fulfill the HCLS mission. The Board President shall be presented to the County Commissioners' Court for confirmation as the County Librarian and Coordinator for the Hidalgo County Library System. (Local

Government Code §323.005). *Revised for clarity and to allow for additional officers and functions, e.g., a parliamentarian. Revised to remove the position of treasurer, as funds are not directly administered by HCLS.*

#### **ARTICLE V – OFFICERS**

**Section 1. NUMBER AND ELECTION.** The permanent officers of the Hidalgo County Library System Board shall be a President, Vice-President and Secretary. *Revised. Distinction made between permanent officers and those appointed as needed. No treasurer, since the Board does not handle funds directly.*

The President shall be elected by the Board from the public library directors of the Board. S/he shall be elected in November of every second year and shall take office the following January. *The Presidency still resides with the directors. The MLS requirement has been removed to widen the field of eligible candidates.*

The Vice-President and Secretary may be elected from other member library staff, with the consent of the director of the library affected, and upon majority approval of the HCLS Board. *Expanded to increase the pool of other qualified candidates.*

**Section 2. TERMS.** All officers shall serve terms of two years. *Wording simplified for clarity.*

**Section 3. TERM LIMITS.** No Board member shall serve in the same office for more than three consecutive terms. *Wording simplified for clarity.*

**Section 4. VACANCY OF PERMANENT OFFICERS.** In case of vacancy of the President, Vice-President or Secretary, the position shall be filled by election of a new officer who shall complete the term. Elections shall take place within 60 days of notification of vacancy. The Board shall then present its slate, or the replacement name in case of vacancy, to the County Commissioners Court for approval. *Revised for easier filling of vacancies between terms.*

#### **ARTICLE VI - DUTIES OF OFFICERS**

**Section 1. PRESIDENT / COUNTY LIBRARIAN.** The President shall preside at Board meetings. The President shall account for all funds received by the System; authorize all invoices presented by member libraries, or received on their behalf for payment; and present monthly financial statements at Board meetings. As County Librarian, the President assists members in all library-related activities, serves as the HCLS representative with the Commissioners' Court, and performs other duties as prescribed by the Board. *Some treasurer functions merged with the presidency for accountability. The position of treasurer has been eliminated.*

**Section 2. VICE-PRESIDENT.** The Vice-President shall perform all duties as may be assigned by the President or Board. In the absence or resignation of the President, the Vice-President shall serve as interim President until selection of a new President per these Bylaws. *Revised for clarity.*

**Section 3. SECRETARY.** The secretary shall record and sign meeting minutes, and shall perform other duties as assigned by the President or Board. *No substantive changes.*

#### **ARTICLE VII – COMMITTEES AND OTHER POSITIONS**

**Section 1. GENERAL.** Committees and other positions may be appointed by the President as the need arises, or on the request of a majority of the Hidalgo County Library System Board. *Revised to add other positions, e.g., an automation consultant.*

**Section 2. STANDING COMMITTEES.** There shall be two standing committees, which shall be appointed by the President. The President shall be an ex officio member of both. *No substantive change.*

a. **BUDGET COMMITTEE:** The members shall be appointed by the president at the second meeting of the fiscal year. The Committee shall be composed of the President, at least two other members of the Board. The Budget Committee shall work with the President/County Librarian in the preparation of the budget. *No substantive change.*

b. **SYSTEMS STUDY COMMITTEE:** Members shall be appointed by the president at the second meeting of the fiscal year. The committee shall be composed of the President and at least one additional member of the Board, and the chairman of the Budget Committee. The purpose of the committee shall be to propose a plan of service for implementation through the budget year. This committee shall also establish long-term goals for the System. No substantive change.

**Section 3. NOMINATING COMMITTEE.** At the September board meeting of every second year, the president shall appoint a nominating committee to report to the Board in November. No change.

#### **ARTICLE VIII - MEETINGS**

**Section 1. REGULAR MEETINGS.** The Hidalgo County Library System Board shall normally meet every third Thursday of each month. Meetings may be changed with due notice because of holiday schedules; to take advantage of regional library meetings and workshops, such as South Texas Library System geographical meetings; or other reason. Elaborated to conform to existing custom and to allow exceptions.

**Section 2. MEETING NOTICE.** Notice of each board meeting shall be sent to member libraries and the Hidalgo County Commissioners' Court, at least three days prior to the Board meetings. Such notice shall state the time, place, and agenda of the meeting and business to be transacted. No change.

**Section 3. PARLIAMENTARY PROCEDURE.** All meetings shall be conducted in accordance with the latest edition of Robert's Rules of Order. Changed to ensure currency of reference.

**Section 4. SPECIAL MEETINGS.** Special meetings for any purpose may be called by the President or any three members of the Board. These meetings shall be called by notifying each of the Board members and the Hidalgo County Commissioners' Court at least three days beforehand. Notice of special meetings shall state the time, place, and business to be transacted. No change.

**Section 5. QUORUM.** A majority of Board members shall constitute a quorum for business. When a quorum is present at any meeting, a majority vote of the Board members present shall decide any questions under consideration. No change.

#### **ARTICLE IX - FISCAL YEAR**

The fiscal year of the System shall be that of the County of Hidalgo. Simplified for brevity. No substantive change.

#### **ARTICLE X - RECORDS AND FINANCIAL ACCOUNTING**

**Section 1. FILE LOCATION.** All records of the System and Board, including copies of financial transactions, shall be maintained by the Secretary. No change.

**Section 2. REPORTS.** Copies of the Board minutes shall be sent to each member library and the Commissioners' Court. Copies of financial reports and disbursements shall be distributed to each library following County fund disbursements. Revised to report funds and expenditures for transparency.

**Section 3. FINANCIAL ACCOUNTING.** The County Commissioner's Court maintains records of all financial disbursements and transactions. These are the official financial records. The Hidalgo County Library System may request records for verification, state reports and for other reasonable and lawful disclosure. Revised because HCLS no longer handles funds directly.

#### **ARTICLE XI - AMENDMENT OF BYLAWS** No substantive changes to this section.

**Section 1. PROCEDURES.** These bylaws may be altered, amended, or expanded by the procedures set forth below:

- a. A notice containing a full statement of the existing and proposed amendment(s) and the date, time and

location of the meeting shall be sent to Board representatives and alternates at least ten days prior to the meeting.

b. At such meeting, after proper notice has been given and a quorum established, the Board may adopt the proposed amendment(s) by a 2/3 majority vote of the members present.

**Section 2. APPROVAL.** These bylaws and subsequent changes shall be submitted to the Hidalgo County Commissioners' Court for approval. *No substantive changes. Record of bylaw approval presented in reverse chronological order following the initial establishment.*

*Initial Establishment:*

The Hidalgo County Commissioners' Court first appointed the County Library Board August 9, 1971. The Hidalgo County Library Board bylaws were approved with the initial terms of Board Members starting on January 1, 1972.

*Most Recent Revisions (in reverse chronological order):*

Bylaw revision/addition approved by the Hidalgo County Library System Board on January 22, 2009  
Approved by the Hidalgo County Commissioners' Court on [DATE]

Bylaw revision/addition approved by the Hidalgo County Library System Board on April 18, 2002.  
Approved by Hidalgo County Commissioners' Court on May 28, 2002.

Bylaws Approved by the HCLS Advisory Council (HCLS Library Directors) on 9/21/2000.  
Approved by the HCLS Board on 10/10/2000.  
Approved by Hidalgo County Commissioners' Court and effective January 1, 2001.

Revisions approved by Hidalgo County Library System, July 28, 1998.  
Revisions approved by Hidalgo County Commissioners' Court, August 10, 1998.

Bylaws approved by Hidalgo County Commissioners' Court, June 9, 1986.  
Revisions approved September 8, 1987.

Bylaws approved by the Hidalgo County Library System, April 22, 1986.  
Revisions approved July 28, 1987.