

RESOLUTION NO. 23-R-49

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE REVISED BYLAWS OF THE SCHERTZ LIBRARY ADVISORY BOARD, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Schertz Library Advisory Board met on June 5, 2023 and voted affirmatively to make the submitted revisions to the Schertz Library Advisory Bylaws; and

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City approve the revised Bylaws of the Schertz Library Advisory Board, as shown in “Exhibit A”; and

WHEREAS, the City Council has determined that it is in the best interest of the City to approve the revised Bylaws of the Schertz Library Advisory Board;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the revised bylaws of the Schertz Library Advisory Board.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this _____ of _____, 2023.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(CITY SEAL)

EXHIBIT A

SCHERTZ PUBLIC LIBRARY ADVISORY BOARD BY-LAWS

Revision approved by Library Advisory Board 6/5/2023

By Resolution #78-R-1 dated January 3, 1978, the Schertz City Council created a City Library to be known as the Schertz Public Library. The object and purpose of the Library Advisory Board is to act as an advisory, policy-recommending board to the City Council, City Manager and Library Management relating to the establishment and usage of the library, the nature of services rendered or to be rendered by the library, the manner in which the library service may be coordinated with the other municipal services and other such matters as the City Council, City Manager and Library Management may deem beneficial to the City of Schertz. The following are hereby adopted as the by-laws of the Library Advisory Board of the Schertz Public Library.

ARTICLE I. MEETINGS OF THE BOARD

Section 1. Regular Meetings. The regular meetings of the Library Advisory Board of the Schertz Public Library shall be held each month, the date and hour to be set by the Board. A Board member will inform the Chair or Library Management if the member will be absent from a meeting. Any Board member absent for three (3) consecutive meetings without advance notification and/or sufficient reason shall be considered resigned and shall be notified in writing of said resignation.

Section 2. Special Meetings. Special meetings may be called in writing or by telephone by the Chair, or by any four members of the Board, for the transaction of business stated in the call for the meeting.

Section 3. Notices. Notice of all special meetings shall be emailed or telephoned by the Secretary to all members of the Board. No notice of regular meetings shall be required.

Section 4. Place. Meetings of the Board shall be held in a designated city facility.

Section 5. Quorum. A quorum for the transaction of business shall consist of a majority of members, and the action of the majority of those present shall constitute the action of the Board.

Section 6. Order of Business. The order of business at regular meetings shall be as follows:

- Call to Order
- Hearing of Residents
- Minutes
- Treasurer's Report
- Librarian's Report
- Bookstore Report
- Committee Report (if a committee has been called)
- Discussion and Possible Action
- Announcements
- Adjournment

The order of the agenda may be altered by a vote of the majority of members present at any meeting.

ARTICLE II. DUTIES OF THE BOARD

The duties of the Library Advisory Board shall be to:

Section 1. Hold meetings as it deems necessary in accordance with the Open Meetings Laws of the State of Texas.

Section 2. Make periodic reports to the City Council and City Manager concerning the work of the Board; submit meeting minutes to the City Secretary's office, and make such reports as may be requested by the City Council and City Manager.

Section 3. The Board shall have no power to obligate the City of Schertz in any manner whatsoever. Library finances shall be handled in the same manner as any department of the City government.

ARTICLE III. BOARD MEMBERS/OFFICERS

Section 1. Board Members. The Library Advisory Board shall consist of up to twelve (12) members, ten (10) of whom must be residents of the City of Schertz, Texas; and up to two (2) of whom may be chosen from areas outside the city limits of Schertz which are served by the Library. An alternate six (6) and six (6) shall be appointed each year by the Schertz City Council for the term of two years.

Section 2. Alternate Members. Two alternate members shall be appointed by the City Council and shall be designated as Alternate No. 1 and Alternate No. 2. They shall be entitled to receive notice of all Board meetings and may comment on matters coming before the Board in the same manner that regular members may comment. They shall have no authority to vote unless serving in place of an absent regular member and shall not be considered in determining the presence of a quorum. In the absence from a meeting of the Board of up to two regular members, alternate members who are present (in alternating order if there is only one regular member absent) shall, for such meeting, be counted toward a quorum, vote, and have all other rights of the absent regular members (except any absent regular member's office on the Board). If the regular member for whom an alternate member is serving subsequently arrives at the meeting, the regular member shall not participate in such meeting, and the alternate member shall continue to serve until the conclusion of such meeting. Alternate members' terms are for two years.

Section 3. Board Officers. The Library Advisory Board will operate with five officers who will be elected annually at the October meeting of the Board. The five officers are Chair, Vice-Chair, Treasurer, Secretary and Book Store Manager.

Section 4. Duties of the Officers.

The duties and responsibilities of the Chair shall be to:

- A. Preside over the meetings of the Library Advisory Board.
- B. Vote in case of a tie.
- C. Sign all acts or orders necessary to carry out the will of the Board.
- D. Act as representative of the Board to outside persons or other organized bodies whenever necessary.
- E. Appoint committees.
- F. Serve as an ex-officio member of any appointed committees.

The duties and responsibilities of the Vice-Chair shall be to:

- A. Preside in the absence of the Chair.
- B. Assume the duties and responsibilities of the Chair in the case of absence or incapacity of the Chair.
- C. Assist the Chair as assigned.

The duties and responsibilities of the Treasurer shall be to:

- A. Keep an accurate record of the source of all monies deposited to the Library Fund.
- B. Keep an accurate record of payment of all bills paid from the Library Fund.
- C. Be responsible for verifying the monthly financial reports from the City.
- D. Give a monthly report to the Board.
- E. Keep records of monies from Book Store sales.

The duties and responsibilities of the Secretary shall be to:

- A. Keep minutes of the meetings of the Library Advisory Board.
- B. Provide a signed copy of the minutes which has been approved by the Board to the City Secretary's office.
- C. File a signed copy of the minutes which has been approved by the Board at the library.
- D. Prepare or respond to Library Advisory Board correspondence at the direction of the Board.

The duties and responsibilities of the Book Store Manager shall be to:

- A. Recruit, schedule, train, and coordinate the efforts of the book store volunteers.
- B. Operate book store in accordance with book store policy.
- C. Suggest modifications to operations and policy as needed.
- D. Present a report to the Library Advisory Board at the monthly meeting.

Section 5. Vacancy in Office. A vacancy in the office of Chair shall be filled by the Vice-Chair. A vacancy in the office of Vice-Chair, Treasurer, Secretary, or Book Store Manager shall be filled by the election of another person to serve until the next annual officer election. In the event of the death, resignation, or removal of a regular member, the person holding the Alternate No. 1 position will move into the vacant position, with the person holding Alternate No. 2 position then moving to Alternate No. 1 position. Both persons will

serve the remainder of the term of the member being replaced. The City Council shall appoint a replacement member for any remaining vacancies who will then serve for the remainder of the vacant position's term. The new member(s) shall be notified of their appointment following City Council approval. When Board members resign in good faith, a letter of appreciation will be sent to the resignee by the Library Advisory Board.

Section 6. Terms Served. There shall be no limit on the number of terms an individual may serve on the Board as a regular or alternate member.

Section 7. New Officers. A new Board office may be created by the affirmative vote of a majority of the Board and a member elected to serve as officer. Newly elected officers will take office immediately and serve in that capacity until the next annual officer election.

Section 8. Death of Board Member. If a Board member dies while serving on the Library Advisory Board, a memorial donation will be made to the Schertz Library Foundation or directly to the Schertz Public Library.

ARTICLE IV. COMMITTEES

Section 1. Committees. Committees for the study and investigation of special problems or for other special purposes may be appointed by the Chairman as needed. Such committees will serve until the completion of the work for which they are appointed.

Section 2. Powers of Committees. No committee nor member of any committee shall have or exercise any authority to take any action other than to investigate, and to report and recommend to the Board, except when and to the extent that they may be specifically authorized in advance by the Board in a particular case.

ARTICLE V. AMENDMENTS

These by-laws may be amended by the affirmative vote of a majority of the members of the Library Advisory Board. However, it shall be necessary that notice of a proposed amendment in writing or by telephone be made to the members of the Library Advisory Board.

Revised:

January 1979

March 1980

February 1982

February 1984

February 1997

November 2006

February 2010

May 2011

October 2013

August 2015

June 2023