

**BY LAWS
OF THE
SAINT PAUL PUBLIC LIBRARY AGENCY
OF THE CITY OF SAINT PAUL, MINNESOTA**

ARTICLE I.

THE AGENCY

Section 1. Name of Agency. The name of the Agency shall be the Saint Paul Public Library Agency of the City of Saint Paul, Minnesota.

Section 2. Office of Agency; Place of Meeting. The office of the Agency shall be at the Administrative offices of the Central Library, 90 West Fourth St. in the City of Saint Paul, Minnesota. Regular and special meetings of the Agency shall be open to the public, except as provided by law, and shall be held in the City Council Chambers in City Hall, 15 West Kellogg Boulevard, Saint Paul, Minnesota; provided, however, that upon written notice to the Commissioners pursuant to Chapter 15 of the Saint Paul Administrative Code, any regular or special meeting may be held at such other place within the City of Saint Paul, Minnesota, as the Notice shall designate

Section 3. Library Board. The Library Board consists of seven commissioners who, according to Minn. Laws 2002, Chapter 390, s. 36 are the members of the City Council of the City of St. Paul, Minnesota and shall constitute its Board of Commissioners.

ARTICLE II.

OFFICERS

Section 1. Officers. The officers of the Board shall be a Chairperson, a Vice-Chairperson and a Secretary/Treasurer and such others as from time to time are provided by official action of the Board. A Commissioner shall not hold more than one of the above named offices at the same time.

Section 2. Chairperson. The Chairperson shall preside at all meetings of the Board if he or she is present. At each meeting, he or she shall make such reports to the Board as he or she may deem necessary or as may be required of him or her, and perform such other duties as are incident to his or her office or that may be required of him or her by the Board. The Chairperson shall sign the official minutes of proceedings of the Board of Commissioners.

Section 3. Vice Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in his or her absence or incapacity and/or because of resignation or death of the Chairperson, until a new Chairperson is elected.

Section 4. Secretary/Treasurer.

A) As Secretary, he or she shall perform the duties of the office of Secretary to the Board of Commissioners of the Agency. The Secretary shall convene meetings of the Board in the absence of the Chairperson and Vice-Chairperson for the purpose of electing a presiding officer for the particular meeting from among the Commissioners in attendance. A staff member shall perform the duties of Recording Secretary to the Board of Commissioners.

B) As Treasurer, he or she shall cause to be kept full and accurate records and accounts in books

belonging to the Agency of all monies and securities of the Agency. Funds of the Agency shall be deposited in banks together with other City funds, and shall be separately accounted for. The Treasurer shall annually make a full report of the financial condition of the Agency and make such other reports as may be required of him or her by the Agency. The investments policy for the Library Agency shall comply with the City's investments policy.

Section 5. Execution of Instruments.

- A) The provisions of Saint Paul Administrative Code Chapter 86 as it applies to the signing of contracts shall control the manner of execution of contracts for the Library Agency.
- B) All bond issues shall be coordinated by the City's Treasurer, as a member of the Joint Debt Advisory Board, in accordance with Laws of Minnesota 2002, §390, section 38 .
- C) All contracts, deeds, leases and other on behalf of the Agency shall be approved as to form by the City Attorney, which approval as to form shall constitute the City Attorney's advice that the contract is in proper form and that all of the requirements of the laws of the state and ordinances of the City of Saint Paul have been complied with. The approval by the City Attorney as provided in this section shall not apply to contracts in an amount of Two Thousand Five Hundred Dollars (\$2,500.00) or less.

ARTICLE III.

TERMS OF OFFICERS

All officers of the Agency shall be elected at each organizational meeting of the Agency and shall serve for a two-year term.

ARTICLE IV.

VACANCIES

Should the office of Chairperson, Vice Chairperson, and /or Secretary/Treasurer become vacant, the Board shall elect a successor at the next regular meeting of the Board and such election shall be for the unexpired term.

ARTICLE V.

DIRECTOR

The Director of the Agency shall be appointed by the Mayor, and approved by the City Council. The Director shall report to the Mayor and serves at the pleasure of the Mayor. The Director shall designate a member of the Agency staff to serve as Acting Director in the absence or disability of the Director, subject to approval by the Mayor.

ARTICLE VI.

ADDITIONAL PERSONNEL

The employees of the Saint Paul Public Library shall be employees of the City of Saint Paul, and shall be entitled to all of the rights and benefits of such employment.

ARTICLE VII.

ORGANIZATIONAL MEETINGS

The organizational meeting of the Board shall be held immediately preceding the first regular meeting in January of the year following municipal elections.

ARTICLE VIII.

REGULAR MEETINGS

Regular meetings of the Board shall be held on the third Wednesday of each month at 2:00 p.m., and notice shall be as provided in Chapter 15 of the Saint Paul Administrative Code.

ARTICLE IX.

SPECIAL MEETINGS

Special meetings of the Board may be held pursuant to Chapter 15 of the Saint Paul Administrative Code upon notice given in the manner provided in Section 15.03 of said Chapter 15.

ARTICLE X.

RULES OF PROCEDURE

The powers of the Board shall be vested in the Commissioners thereof in office at any one time and the proceedings of the Board shall be governed by the Rules of Procedure established herein.

Rule 1. Parliamentary authority.

The rules of parliamentary practice set forth in Robert's Rules of Order shall govern the Board on any question or point not contained in these rules of procedure.

Rule 2. Suspension of rules.

Any of the rules may be suspended by the affirmative vote of two-thirds of the commissioners present. Rules relating to the priority of business or to business procedure may be suspended by the Chairperson requesting general consent; provided that if such consent cannot be obtained, suspension may occur by majority vote of the commissioners present.

Rule 3. Quorum.

A majority of the commissioners shall constitute a quorum, but a smaller number may adjourn from time to time and compel the attendance of absent members under such terms and penalties as the board may prescribe.

Rule 4. Attendance at meetings.

Unless excused, all members of the Board shall take their respective seats at the hour designated for convening the Board for all regular or special meetings. No member shall leave the board meeting while in session without permission of the presiding officer.

Rule 5. Convening the board.

The presiding officer shall convene each meeting and the order of business shall be as follows:

- (a) roll call;
- (b) consent agenda;
- (c) approval of the minutes if not on the consent agenda;
- (d) official communications from the mayor;
- (d) applications and communications if not on the agenda;
- (f) new business - resolutions if not on the consent agenda;
- (g) committee reports;
- (h) public hearings;
- (i) miscellaneous;
- (j) adjournment.

Rule 6. Conduct of business.

- (a) All members of the board, including the presiding officer, shall, during the business conducted, restrict their discussion to comments germane to the business before the board.
- (b) Any ruling of the presiding officer may be appealed by any member and, upon request of any member, a roll call vote shall be taken thereon. The vote of at least a majority of the members present shall be required to overrule the presiding officer.
- (c) Only one citizen shall be heard at one time before the board, and those appearing and waiting opportunity to be heard on any matter shall remain seated until the person speaking shall have finished his argument or statement and has seated himself. Each person appearing before the council, before commencing his argument or statement, shall take a position at the foot of the board table, shall state his name, address and the subject matter to be discussed and shall continue in such position until he shall have concluded his argument or statement.

Rule 7. Proceedings and motions.

- (a) Roll call votes. All votes upon final adoptions shall be by roll call vote, with the presiding officer voting last. A roll call vote shall not be interrupted, but a member may, prior to the calling of the roll, make comment or explain his vote. All motions and resolutions shall be final upon board approval.
- (b) Motions during debate. Any commissioner shall have the right to bring any motion before the board without a second. After a motion is made by a commissioner, the presiding officer shall restate such motion and it shall be in the possession of the board, but it may be withdrawn at any time before amendment or action taken thereon by the commissioner requesting the motion. All motions and amendments thereto shall be entered at large upon the minutes and the vote thereon, whether they be adopted or

rejected.

- (c) Precedence. When a question is under debate, no motion shall be considered except one of the following, which motions shall take precedence in the order stated and said motion shall be carried by a majority of those present:

- (1) To adjourn or recess.
- (2) To lay on the table.
- (3) For the previous question.
- (4) To postpone to a time certain.
- (5) To refer to a committee.
- (6) To amend.
- (7) To postpone indefinitely.

When a question is under consideration, a motion to amend and a motion to amend that amendment shall be in order until the disposition of the previous motion.

- (d) Previous question:

- (1) The previous question shall be put in this form: "Shall the main question now be put?" It may be ordered by the affirmative vote of five (5) members of the council and its effect shall be to put an end to all debate and bring the council to a direct vote upon amendments, if any, and then upon the main question.
- (2) If the question before the board contains several points, any commissioner, upon request, may have it divided and a separate vote taken on each point.

- (e) Motion to adjourn. A motion to adjourn or recess shall be in order except:

- (1) When a member is speaking;
- (2) While the same item of business is pending during which such a previous motion is defeated; or
- (3) During a roll call.

A motion to recess shall take precedence over a motion to adjourn.

Rule 8. Stages of consideration.

(a) Initiation of resolutions:

- (1) A resolution is initiated when the original is submitted to the secretary of the council in proper form before 4:30 p.m. of the day before four (4) business days preceding the meeting at which it is intended to be considered.
- (2) The resolution shall be initiated by any one (1) member of the board signing the original copy.

(b) Introduction of resolutions:

- (1) Every resolution shall be presented in writing and read in full before a vote is taken unless the reading of the resolution is dispensed with by unanimous consent. Resolutions shall require an affirmative vote of at least four (4) members, unless a member of the Board is required to abstain from voting by any provision of law or ordinance, in which case the number of votes required to pass a resolution under this section shall be a simple majority of those present.

(c) Effective date of resolutions:

Unless otherwise required by law, resolutions shall become effective upon passage by the board and approval by the mayor or board override of a mayoral veto. Every resolution

adopted by the Board shall be presented to the mayor as soon as practicable, but not later than five (5) business days after its passage, for the mayor's approval or rejection. Within five (5) business days after presentation, the mayor shall either sign the measure or return it to the Board with a communication in writing stating the disapproval and the reasons therefor. If the mayor neither signs nor vetoes the measure within five (5) business days, it shall be deemed approved.

(d) Withdrawal. Any member of the board introducing a resolution may, at any time prior to the vote for final adoption, withdraw said resolution on his or her own motion.

(3) A resolution may be recalled at any time by an affirmative vote of five (5) or more members of the board.

(e) Public hearings. Whenever any matter is such that by law a notice of hearing must be published for a hearing held before the entire board, the city clerk shall advertise once in the official newspaper the date of hearing set by the presiding officer and the secretary shall place the matter on the agenda for that meeting under the order of business "public hearings" in the order of introduction.

(f) Consideration for final adoption. After stating the question on final adoption, the presiding officer shall first recognize the commissioner introducing the resolution or ordinance, if there be one. After he/she has spoken or declined to speak, any commissioner may be recognized for debate or other matter properly in order.

(g) Reconsideration. When a question has been voted upon it shall be in order for any member who voted on the prevailing side to move a reconsideration at the same or the next following regular board meeting occurring thereafter.

ARTICLE XI.

AMENDMENTS

The By Laws of the Agency shall be amended by a commissioner giving notice to the secretary of the board seven (7) days prior to the submission of an amending By Law, which notice shall contain the specifics of the proposed amendment and the reasons therefor. Any such amendment shall be adopted by resolution. Approval of an amendment shall require affirmative vote by four commissioners.

Adopted November 19, 2003