

ORDINANCE NO. 747

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA, CALIFORNIA, AMENDING TITLE 2 OF THE
CARPINTERIA MUNICIPAL CODE BY MODIFYING CHAPTER 2.20, CITY
DEPARTMENTS, ADDING A NEW LIBRARY DIVISION TO THE PARKS,
RECREATION & PUBLIC FACILITIES DEPARTMENT, AND ADDING
CHAPTER 2.38, MUNICIPAL LIBRARY**

WHEREAS, Carpinteria Municipal Code ("CMC") Chapter 2.20 establishes Departments and divisions of the City for carrying out programs under the direction and supervision of the City Manager; and,

WHEREAS, the City Manager is recommending changes to certain titles, divisions, and programs in order to support the effective and efficient delivery of necessary and desired programs to the Carpinteria community via the City organization; and,

WHEREAS, the City Council has initiated a process to establish a Municipal Library consistent with provisions of the Education Code Sections 18910 et seq., which requires that, among other things, a Library Board of Trustees be established; and,

WHEREAS, the City Council has considered the recommendations of the City Manager at a duly noticed public meeting.

**THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES ORDAIN AS
FOLLOWS:**

SECTION 1. INCORPORATION OF RECITALS

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. CMC Section 2.20.080, Parks, recreation and public facilities, is amended to read as follows (additions shown in underline):

2.20.080 Parks, recreation and public facilities.

Divisions: Parks & public facilities.

Programs: Department administration;
Parks and facilities improvement and
maintenance.

Recreation.

Programs: Community pool services;

Ocean beach services;
special events;
Municipal Library
Programs: Collections; learning; community programs &
events.

SECTION 3. ADDITION OF CHAPTER 2.38 TO THE CMC.

Chapter 2.38, entitled, "Municipal Library," is hereby added to Title 2, "Administration and Personnel" of the CMC to read as follows:

"Chapter 2.38 Municipal Library

Sections:

- 2.38.010 Municipal library established
- 2.38.020 Governance and operation of library
- 2.38.030 Library board of trustees created
- 2.38.040 Meetings

2.38.010 – Municipal library established.

A public municipal library is hereby established to be maintained in all respects in accordance with the provisions of Education Code sections 18900 *et seq.*, as it may be amended.

2.38.020 - Governance and operation of library.

The Carpinteria public library will be governed and operated in accordance with the Municipal Public Library Act (Educ. Code §§ 18900 *et seq.*), and such additional rules and regulations as may be adopted by the City Council.

2.38.030 – Library board of trustees created.

The library board of trustees shall consist of five members appointed by the Mayor with the consent of the City Council, and unless appointed otherwise, shall be the same members as the current membership of the City Council. Except as provided below, each trustee will hold office for a term of three years. If a city council member also sits on the board, the term of office for that trustee will automatically expire upon the expiration or termination of their term of office as a city council member. Vacancies on the board will be filled by appointment for the unexpired term in the same manner as the original appointments are made.

2.38.040 - Meetings.

The library board of trustees shall meet at least once a month at such time and place as the board may fix by resolution. Meetings of the board are governed by the Ralph M. Brown Act (commencing with Government Code section 54950). A majority of the board

will constitute a quorum for the transaction of business. The board must cause a proper record of its proceedings to be kept.

2.38.050 - Annual report.

The board must, on or before August 31st, of each year, cause a report to be prepared on the condition of the library for the fiscal year ending the June 30. The reports must, in addition to other matters deemed expedient by the board, contain such statistical and other information as is deemed desirable by the state librarian. The board must provide a copy of the annual report to the state librarian.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect and be in force and effect thirty (30) days from and after its passage; and before the expiration of fifteen (15) days of its passage shall be published once with the names of the members of the City Council voting for and against the same in the Coastal View, a newspaper of general circulation, published in the City of Carpinteria, County of Santa Barbara adoption pursuant to California Government Code section 36937.

SECTION 5: SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 6: CEQA EXEMPTION

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines §15060(c)(3) (this activity is not a "project" as defined in §15378).

SECTION 7. CERTIFICATION

The City Clerk shall certify to the passage and adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED on June 14, 2021, by the following vote:

AYES: COUNCILMEMBER(S): ALARCON, CARTY, LEE, CLARK, NOMURA.

NOES: COUNCILMEMBER(S): NONE

ABSENT: COUNCILMEMBER(S): NONE

ABSTAIN: COUNCILMEMBER(S): NONE



Mayor, City of Carpinteria


ATTEST:


Interim City Clerk, City of Carpinteria

I hereby certify that the foregoing ordinance was adopted after second reading at a regular meeting of the City Council of the City of Carpinteria held on June 14, 2021.


Interim City Clerk, City of Carpinteria

APPROVED AS TO FORM:


Peter Brown, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria