

ORDINANCE NO. 2017

**AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING
SECTIONS 2.16.030 THROUGH 2.16.033 OF THE SAN RAFAEL
MUNICIPAL CODE RELATED TO THE BOARD OF LIBRARY
TRUSTEES**

WHEREAS, Article IX, Section 1 of the Charter of the City of San Rafael requires the City Council to appoint a Board of Library Trustees of the City of San Rafael; and

WHEREAS, regulations governing the Board of Library Trustees of the City of San Rafael are located in the San Rafael Municipal Code (SRMC) Sections 2.16.030 through 2.16.033 of Chapter 2.16 (Boards and Commissions); and

WHEREAS, staff recommends amending SRMC Section 2.16.031 (Trustee membership-Compensation) by replacing the provision that members serve without compensation with a provision that authorizes the City Council to establish their compensation by resolution; and

WHEREAS, staff recommends removing the Board's duty to review, and make comments and recommendations regarding the annual operating budget of the library department by deleting the applicable provision from the SRMC Section 2.16.033 (Trustee powers and duties); and

WHEREAS, there are instances throughout the SRMC where masculine language is used, and staff recommends amending the language to be gender-neutral; and

WHEREAS, there are instances throughout the SRMC where the term 'citizen' is used, and staff recommends replacing this term with the terms 'community' or 'patron'; and

WHEREAS, staff recommends repealing Section 2.16.032 of the SRMC (Trustee term of office and removal) in its entirety because it is duplicative of information set forth in Article IX, Section 1 of the San Rafael Charter.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
DOES ORDAIN AS FOLLOWS:**

Division 1. Amendment of Municipal Code.

Sections 2.16.030 through 2.16.033 of Chapter 2.16 (Boards and Commissions) of the San Rafael Municipal Code are hereby amended to read as follows. Additions are shown in underline, and deletions are shown in ~~strike through~~.

2.16.030 - Board of library trustees.

A board of library trustees is created.

(Ord. 889 § 6, 1967).

* Board of library trustees — See San Rafael Charter, Art. IX § 1.

2.16.031 - Trustee membership—Compensation.

The board of library trustees shall consist of five members appointed by the city council, one of whom may be a ~~councilman~~ councilmember. ~~All members shall serve without compensation.~~ The City Council may establish compensation for members of the board of library trustees by resolution.

(Ord. 889 § 7 (part), 1967).

2.16.032 - ~~Trustee term of office and removal.~~ Reserved

~~The members of the board of library trustees shall serve for a term of four years and shall be subject to removal by the affirmative vote of three members of the city council. The terms of office of members of the board of library trustees shall be staggered in the manner provided by resolution of the city council.~~

(Ord. 889 § 7 (part), 1967).

2.16.033 - Trustee powers and duties.

Subject to the direction and control of the city council, as provided in Section 2.04.030 of this code, the powers and duties of the board of library trustees shall be:

To assess and evaluate current and long-range needs of the library; to formulate and adopt policies, rules and regulations with respect to programs and facilities to meet such needs of the community, including recommendations for sites and design of facilities. Such formulations and adoptions shall be made in conjunction with recommendations of the librarian;

~~To review, comment and make recommendations regarding the annual operating budget of the library;~~

To receive, and review periodic reports from the librarian concerning the general operations and functions of the library;

To recommend ways to inform the ~~citizens of San Rafael~~ community as to the various programs, services and assistance which the library affords all ~~its patron~~ citizens;

To promote intergovernmental cooperation in the development of library services, patronage and usage;

To perform such other duties as may be prescribed by the city council.

(Ord. 1131 § 3, 1974: Ord. 889 § 7 (part), 1967).

Division 2. 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 decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares it would have passed and adopted this Ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

Division 3. CEQA Determination.

This Ordinance makes only administrative changes to the operations of a City board and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA) under 14 Cal. Code Regs. §15061(b)(3), the common sense exemption, because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

Division 4. Publication; Effective Date.

This Ordinance shall be published once, in full or in summary form, before its final passage, in a newspaper of general circulation, published, and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage. If published in summary form, the summary shall also be published within fifteen (15) days after the adoption, together with the names of those Councilmembers voting for or against same, in a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

THE FOREGOING ORDINANCE was first read and introduced at a regular meeting of the San Rafael City Council on the 19th day of September 2022, and was passed and adopted at a regular meeting of the San Rafael City Council on the 3rd day of October 2022 by the following vote, to wit:

AYES: Councilmembers: Bushey, Llorens Gulati & Mayor Pro Tem Kertz

NOES: Councilmembers: None

ABSENT: Councilmembers: Hill & Mayor Kate


KATE COLIN, Mayor

Attest:


LINDSAY LARA, City Clerk