

ORDINANCE NO. 1433

AN ORDINANCE OF THE CITY OF SIERRA MADRE, CALIFORNIA AMENDING CHAPTER 2.16 (LIBRARY BOARD OF TRUSTEES) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE SIERRA MADRE MUNICIPAL CODE TO CONFORM TO THE STATE MUNICIPAL LIBRARIES LAW

WHEREAS, the Sierra Madre Public Library (“Library”) can trace its origins back to the Sierra Madre Library Association, founded in 1886, 21 years before the incorporation of the City;

WHEREAS, in or around 1933, the City Council adopted Sierra Madre Municipal Code (“SMMC”) Chapter 2.16 (Library Board of Trustees) establishing the modern Library based on the State Municipal Libraries Law of 1901; and

WHEREAS, in 1976, the modern Municipal Libraries Law was adopted (Education Code, § 18900 et seq.), replacing the 1901 law; and

WHEREAS, at its June 24 2020, the Library Board of Directors voted to assume more of their responsibilities under the Municipal Libraries Law.

**THEREFORE, CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. Recitals. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. Amendment. Chapter 2.16 (Library Board of Trustees) of Title 2 (Administration and Personnel) of the Sierra Madre Municipal Code is amended to read as follows, with underlined text denoting additions and ~~striketrough~~ text denoting deletions.

Chapter 2.16 – LIBRARY BOARD OF TRUSTEES

2.16.010 – Established

A free public library for the use and benefit of the city is hereby established under California Education Code section 18900 et seq.

2.16.020 – Powers and duties

The board of library trustees shall have such duties and responsibilities as may be established under California Educational Code section 18900 et seq, except as specifically provided in this code.

2.16.030 – Appointments and terms

The board of library trustees will be appointed according to and serve for the terms indentified in section 2.04.070 of this code.

2.16.040 – Rules, regulations and by-laws

Under Education Code section 18919, the board of library trustees may make and enforce all rules, regulations and bylaws necessary for the administration, government, and protection of the libraries under its management, and all property belonging thereto, including setting library hours of operation and adopting procedures regarding library property.

2.16.050 – Personnel

The board of library trustees will only have advisory authority over any personnel policy, human resources, or library staffing matters.

2.16.060 – Library budget

The board of library trustees will recommend an annual budget to the city council for its review and approval.

2.16.070 – Donations, gifts, devises, or bequests

The board of library trustees may accept and administer any donation, gift, devise, or bequest for the benefit of the public library, subject to the approval of the city council.

2.16.080 – Annual report

Under Education Code section 18927, the board of library trustees, on or before August 31st of each year, will report to the city council and to the State Librarian on the condition of the library, for the year ending the 30th day of June preceding. The reports shall, in addition to other matters deemed expedient by the board of trustees, contain such statistical and other information as is deemed desirable by the State Librarian.

SECTION 4. Severability. If any sections, subsections, subdivisions, paragraph, sentence, clause or phrase of this Ordinance or any part hereof or exhibit hereto is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Ordinance or any part thereof or exhibit thereto. The City Council hereby

declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraph, sentences, clauses or phrases be declared invalid.

SECTION 5. Publication. The City Clerk shall cause this Ordinance to be published or posted in accordance with California Government Code Section 36933, shall certify to the adoption of this Ordinance and his/her certification, together with proof of the publication, to be entered in the book of Ordinances of the City Council.

SECTION 6. Effective Date. This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code Section 36937.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2020.

John Capoccia, Mayor

ATTEST:

APPROVED AS TO FORM:

Sue Spears, City Clerk

Teresa L. Highsmith, City Attorney

I HEREBY CERTIFY that the foregoing Ordinance was duly adopted by the City Council of the City of Sierra Madre, California, at a regular meeting held on the ____ day of _____ 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED: