

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: The Honorable City Council

FROM: Mary Lindley, Parks, Recreation & Community Services Director 

DATE: September 11, 2006 (Meeting of September 20, 2006)

SUBJECT: Consider Adoption of an Ordinance Establishing the Moorpark City Library

DISCUSSION

On August 16, 2006, the Council adopted Resolution 2508, stating its intent to adopt an Ordinance on September 20, 2006, establishing the Moorpark City Library as set forth in the California Education Code §18900, including provisions for regulation and maintenance of a public library system. Consistent with the adopted Resolution, the City Council is being asked to consider the adoption of the attached Ordinance, establishing the Moorpark City Library, effective January 1, 2007.

The Ordinance adoption is important for participation in a Cooperative Library Service and to receive future state (PLF) and federal library funds. Library cooperatives facilitate book loans between library systems and provide other services to their member agencies. The City is seeking membership to the Metropolitan Cooperative Library Services (MCLS) and City staff will be attending the MCLS Board meeting on September 28.

Education Code Section 18900 et. seq., requires that a public library establish a library board. Based on the Council's previous discussion, the City Council will serve as the Library Board and at a future meeting, the Council will consider the establishment of the library commission or committee to serve in an advisory capacity.

The City Attorney has reviewed the attached draft ordinance.

STAFF RECOMMENDATION (Roll Call Vote)

Introduce Ordinance No. _____, for first reading and direct staff to schedule second reading for October 4, 2006.

Attachment A – Ordinance No. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADDING CHAPTER 2.70, MOORPARK CITY LIBRARY, OF TITLE 2, TO THE MOORPARK MUNICIPAL CODE ESTABLISHING A PUBLIC MUNICIPAL LIBRARY

WHEREAS, the City Council wishes to establish a municipal public library; and

WHEREAS, the City of Moorpark has the authority to establish a public municipal library pursuant to the California Education Code § 18900 *et seq.* and the requirements therein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES ORDAIN AS FOLLOWS:

SECTION 1. That the Moorpark Municipal Code is hereby amended by adding Chapter 2.70, Moorpark City Library, of Title 2, Administration and Personnel, to read as follows:

2.70.010 Library System Established.

The City Council of the City of Moorpark hereby establishes the Moorpark City Library and adopts the provisions of an act of the legislature of the State of California entitled "Municipal Libraries" as set forth in Education Code Section 18900 *et. seq.* regarding the regulation and maintenance of a public library system. The establishment of the Moorpark City Library shall be effective January 1, 2007.

2.70.020 Library Board.

The Moorpark City Library shall be managed by the Moorpark Library Board. The members of the Moorpark City Council shall serve as the library board and shall comprise the entire Moorpark Library Board. The Moorpark Library Board may establish an advisory library committee or commission.

SECTION 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any

one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 3. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published once in the Moorpark Star, a newspaper of general circulation, as defined in Section 6008 of the Government Code, for the City of Moorpark, and which is hereby designated for that purpose.

PASSED AND ADOPTED this ___ day of October, 2006.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk