

ORDINANCE NO. 3336

AN ORDINANCE OF THE OF THE CITY OF CORONA, CALIFORNIA, AMENDING CHAPTERS 2.35 AND 2.48 OF THE CORONA MUNICIPAL CODE TO CLARIFY PROVISIONS RELATED TO THE CORONA PUBLIC LIBRARY AND TERM LIMITS FOR CERTAIN CITY BOARDS AND COMMISSIONS.

WHEREAS, the powers and duties of the Corona Library Board of Trustees are set forth in the California Education Code, also known as the Municipal Libraries Act (“MLA”), which establishes both mandatory and permissive statutory schemes for the operation and management of municipal libraries; and

WHEREAS, the provisions of Chapter 2.48 of the Corona Municipal Code (“CMC”) govern the Corona Public Library, including listing provisions of the MLA which must be incorporated into the operation of the library, as well as provisions which could have been incorporated; and

WHEREAS, staff has determined that the provisions of CMC Chapter 2.48 should be clarified to accurately reflect the operational practices of the Corona Public Library; and

WHEREAS, CMC Chapter 2.35 governs term limits for certain City boards and commissions; and

WHEREAS, staff has determined that the provisions of CMC 2.35 should also be clarified to coordinate with the noted clarifications to CMC 2.48, as well as to more accurately reflect the intended board and commissions to which the term limits were intended to apply.

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

SECTION 1. Incorporation of Recitals. The City Council finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

SECTION 2. CEQA Findings. This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action makes clarifying changes to the City’s process for appointment to certain City boards and commissions and establishes powers and duties for the Library Board of Trustees commissions, and there is no possibility that adopting this Ordinance will have a significant effect

on the environment. Therefore, no environmental analysis is required.

SECTION 3. Amendment to Chapter 2.35. Chapter 2.35 (Term Limits for Officials Appointed to Certain City Boards and Commissions) is hereby amended in its entirety as provided in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 4. Amendment to Chapter 2.48. Chapter 2.48 (Corona Public Library) is hereby amended in its entirety as provided in Exhibit “B” attached hereto and incorporated herein by reference.

SECTION 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 6. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this 6th day of October, 2021.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California duly held on the 15th day of September, 2021 and thereafter at a regular meeting held on the 6th day of October, 2021, it was duly passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 6th day of October, 2021.

City Clerk of the City of Corona, California

[SEAL]

EXHIBIT "A"

CHAPTER 2.35

TERM LIMITS FOR OFFICIALS APPOINTED TO CERTAIN CITY BOARDS AND COMMISSIONS

Sections

- 2.35.010 Limits on successive terms.
- 2.35.015 Terms concurrent with City Council Members.
- 2.35.020 Reappointment after interval.
- 2.35.030 Appointment to unexpired terms.
- 2.35.040 Application procedures.

2.35.010 Limits on successive terms.

Subject to the terms of this chapter, persons appointed to the following boards and commissions shall serve no more than two successive terms on the same board or commission: (1) park and recreation commission; (2) planning commission; (3) library board of trustees; (4) housing commission; and (5) any other standing board, commission or committee formally created by the City Council and expressly made subject to this chapter.

2.35.015 Terms concurrent with City Council Members.

Subject to the City Council's ability to remove appointees pursuant to applicable provisions of this code, appointees under this chapter shall serve terms concurrently with the City Council Members selecting them for appointment by the City Council. However, appointees to the library board of trustees shall serve three-year terms as required pursuant to California Education Code § 18911 and Corona Municipal Code § 2.48.040.

2.35.020 Reappointment after interval.

After an individual has served two successive terms on the same board or commission, has left office and at least one additional year has elapsed, that individual is eligible for reappointment on the same board or commission.

2.35.030 Appointment to unexpired terms.

An individual appointed to fill the unexpired term of a predecessor may be reappointed to a full term, but consecutive service shall not exceed the equivalent of two full successive terms.

2.35.040 Application procedures.

The City Council shall establish application procedures by resolution for appointments which are subject to this chapter.

EXHIBIT "B"

CHAPTER 2.48 CORONA PUBLIC LIBRARY

Sections

- 2.48.010 Established.
- 2.48.020 Board of Trustees - Appointment.
- 2.48.030 Board of Trustees - Powers.
- 2.48.040 Board of Trustees - Terms.
- 2.48.050 Board of Trustees - Removal.
- 2.48.060 Board of Trustees - Vacancies.
- 2.48.070 Board of Trustees - Organization.
- 2.48.080 Board of Trustees - Compensation.
- 2.48.090 Library regulations.

2.48.010 Established.

A free public library for the benefit of the citizens and residents of the city is established, to be known as the Corona Public Library.

2.48.020 Board of Trustees – Appointment.

The Corona Public Library shall be managed by a Board of five Library Trustees, all of whom shall be residents of the city, not officers or employees thereof, and appointed by the Mayor with the consent of the City Council as required by Education Code § 18910. Each City Council Member shall be entitled to select a person who will be considered for appointment to one position on the Library Board of Trustees. Since state law requires each term of a Library Trustee to be three years, and thus will not run concurrently with the Council Member who selected them for appointment, each of the five Trustee positions shall be informally assigned to a Council District for appointment purposes. Notwithstanding the foregoing, a Library Trustee shall not be required to reside in the Council District of the City Council Member selecting them for appointment.

2.48.030 Board of Trustees - Powers.

The Library Board of Trustees shall be advisory to the City Council and shall:

- (A) Recommend adequate and systemized library programs and services for adults and children within the city and other patrons of the Corona Public Library;
- (B) Recommend plans and programs for the development, maintenance, and operation of the Corona Public Library; and
- (C) Review and provide advice on any other matters presented to it for consideration, as determined by the City Council, City Manager, or their designees.

2.48.040 Board of Trustees - Terms.

As required by Education Code § 18911, each Library Trustee shall be appointed for a term of three years and until his or her successor is appointed and qualified.

2.48.050 Board of Trustees - Removal.

The City Council may by majority vote remove any Library Trustee at any time without cause.

2.48.060 Board of Trustees - Vacancies.

The Mayor, with the consent of the City Council as required by Education Code § 18910, shall appoint a Trustee to fill any vacancy that may arise. The City Council Member from the Council District informally assigned to the vacant position, as provided for in § 2.48.040 above, shall be entitled to select the person who will be considered for such appointment.

2.48.070 Board of Trustees - Organization.

The Board of Trustees shall meet at least once a month at such times and places as it may fix by resolution, shall appoint a President annually, shall appoint a President Pro Tempore to preside in the absence of the President, and shall cause a proper record of its proceedings to be kept. Notwithstanding the foregoing, the terms President and Chair, as well as President Pro Tempore and Vice-Chair, may be used interchangeably by the City, including throughout this code.

2.48.080 Board of Trustees - Compensation.

Each Library Trustee shall be compensated \$50 for each regular board meeting they attend, not to exceed a total of \$50 per month.

2.48.090 Library regulations.

It is unlawful for any person to violate any policy, statute, ordinance or other duly adopted regulation applicable to the use or operation of the Corona Public Library. To this end, the City Manager shall adopt such administrative policies as he or she deems necessary for the use or operation of the Corona Public Library. While such policies need not be adopted by the Board of Trustees, they may be presented to the Board for their review and advice in the discretion of the City Manager or his or her designee. Any person violating any such policy, statute, ordinance or other duly adopted regulation shall be deemed to be in violation of this code and, in addition to any other remedy available at law or in equity to the city, shall be subject to the penalties set forth in Chapter 1.08 of this code.