

# City of Rio Communities, New Mexico

## Ordinance No: 2020-75

### CHAPTER 2 ADMINISTRATION AND PERSONNEL

#### ARTICLE 11 MUNICIPAL LIBRARY AND LIBRARY BOARD

- SECTION 1 ESTABLISHMENT OF A LIBRARY
- SECTION 2 CREATION OF BOARD
- SECTION 3 APPOINTMENT OF BOARD
- SECTION 4 TERM OF OFFICE
- SECTION 5 DUTIES AND FUNCTIONS OF BOARD
- SECTION 6 VACANCIES
- SECTION 7 TITLE OF PROPERTY
- SECTION 8 LIBRARY FUND
- SECTION 9 PERSONNEL
- SECTION 10 DUTIES OF THE LIBRARY DIRECTOR
- SECTION 11 ORGANIZATION OF THE BOARD
- SECTION 12 DUTIES OF OFFICERS
- SECTION 13 MEETINGS
- SECTION 14 REPEAL OF PRIOR ORDINANCES
- SECTION 15 INVALIDITY OF A PORTION OF ORDINANCE
- SECTION 16 EFFECTIVE DATE

#### AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF THE CITY OF RIO COMMUNITIES PUBLIC LIBRARY AND CITY OF RIO COMMUNITIES LIBRARY BOARD

**Whereas**, under Chapter 3, Article 18 Section 3-18-14, NMSA, 2018, the City of Rio Communities is empowered to establish and maintain a free Public Library, and

**Whereas**, in connection with the operation and maintenance of such library facilities it is deemed necessary by the Governing Body of the City of Rio Communities to create a Library Board to provide for the efficient administration of such Library for the best interests of the City of Rio Communities and of the patrons of such library, and

**NOW, THEREFORE, BE IT ORDAINED:**

**Section 1. Establishment of a library:** There is hereby established in the City of Rio Communities a free Public Library to be hereafter known as the City of Rio Communities Public Library. Such library is hereby declared to be a proper and legitimate object of expenditure and operation of the City of Rio Communities.

**Section 2. Creation of board:** There is hereby created the City of Rio Communities Public Library Board (hereinafter referred to as the “Library Board”, as an administrative agency of the City of Rio Communities. The Library Board shall act in an advisory and policy development capacity and shall advise and assist the City of Rio Communities Mayor and Council in every possible way to insure the efficient and economical management and operation of the City of Rio Communities Public Library.

**Section 3. Appointment of Board:** The Library Board shall consist of at least five (5) members who shall be residents of the community served by said library. The existing Board shall make recommendations for members to the Mayor of the City of Rio Communities. The members of the Board shall be appointed by the Mayor and approved by the Council. The Mayor or his /her designee or the Library Director of the City of Rio Communities shall serve as an ex-officio member of the board but shall have no vote.

**Section 4. Term of office:** Library Board members shall be appointed for (4) four years and shall expire on July 1<sup>st</sup> . of the current board, the terms of three members shall expire July 1, 2022; the terms of two members shall expire July 1, 2024; When any vacancy shall occur for any cause, a member shall be appointed by the Mayor for the unexpired term.

**Section 5. Duties and functions of Board:** The Library Board shall be the Community representative for the City of Rio Communities Public Library and shall have the responsibility and obligation to:

- 1) receive gifts, bequests and donations of all kinds;
- 2) advise the Governing Body in formulating rules and regulations for the administration of the City of Rio Communities Public Library, not in conflict with the ordinances of the City of Rio Communities nor with the laws of the State of New Mexico;
- 3) post rules and regulations for public use of the library in appropriate places in the library for public inspection and information;
- 4) assist the Library Director in developing an annual library budget in sufficient time for the library budget to be included in the total budget for the City of Rio Communities;
- 5) notify the Mayor and Library Director of any vacancies on the Board and recommend persons to fill vacancies;

- 6) recommend to the City Manager of the City of Rio Communities nominees for appointment and/or employment of a Library Director
- 7) recommend to the Governing Body of the City of Rio Communities names for consideration in the appointment of Library Board members.
- 8) advise the library director in all matters pertaining to the management and operation of the library;
- 9) recommend to the City of Rio Communities Governing Body any action to maintain or administer the City of Rio Communities Public Library.

**Section 6. Vacancies:** No member of the Library board shall be removed from the Library Board except by a vote of two-thirds of the entire membership of the Governing Body of the City of Rio Communities. On the death, removal, resignation, change of residence to a place outside the City of Rio Communities District, or other inability to act as a member of the Library Board, such vacancy shall be filled in the same manner as the original appointment for the unexpired portion of the term.

**Section 7. Title to property:** The City of Rio Communities shall hold title to all real and personal property which has been acquired or may be acquired by the Library Board as trustees of the library.

**Section 8. Library Fund:** Within the municipal budget of the City of Rio Communities a shall be a library fund supported by the City of Rio Communities. Such library fund shall be administered by the Finance Officer/Treasurer of the City of Rio Communities, as are other funds of said City. All monies derived from any charges, fines, penalties, and donations, together with appropriations from supplies, maintenance of the building and other purposes relative to the operation of the library shall be placed in said fund. The Library Director shall present the library budget to the City Manager and Finance Officer/Treasurer in sufficient time for the library budget to be included in the total City Budget.

**Section 9. Personnel:** A duly qualified Library Director and such other personnel necessary for the operation and maintenance of the library shall be employed by the City Manager on the recommendation of the Library Board and Governing Body. The Mayor shall appoint a volunteer Library Director to serve until a Director is hired.

**Section 10. Duties of the Library Director:** The Library Director shall be the executive officer of the Library Board. The Library Director shall be solely responsible for the administration of the City of Rio Communities Public Library under the direction and review of the City Manager of the City of Rio Communities. The Library Director shall be responsible for operation of the Library within the financial conditions set forth in the annual budget; planning; improvement and maintenance of the library collections, services, equipment, facilities; and developing and maintaining good public relations with

schools, community organizations, citizens of Rio Communities and shall attend all library board meetings.

**Section 11. Organization of the Board:** At the first meeting of the Library Board and annually thereafter at the regular anniversary meeting, the members shall elect from its membership a Chairman, Vice-Chairman, a secretary and such other officers as may be necessary to carry out the functions of the City of Rio Communities Public Library. Each officer shall serve for a term of one year. The Board shall be governed in the conduct of its affairs by by-laws to be adopted upon its organization and amended from time to time as necessary.

**Section 12. Duties of officers:** The Chairman of the Library Board shall preside at all meetings, appoint all committees, call special meetings when necessary, prepare with the secretary the agenda, submit to the Municipal Clerk for posting and generally perform the duties of a presiding officer. The Vice-Chairman of the Library Board shall in the absence of the Chairman of the Library Board, perform the said duties, such as attend meetings, call special meetings when necessary and generally perform the duties of a presiding officer. The secretary of the Library Board shall attend all meetings of the Library Board and write agenda reports, take and prepare minutes, shall insure notices of all regular and special meetings are submitted to the Municipal clerk for posting, shall give custody of the minutes and other records of the Library Board to the Municipal Clerk, and shall notify the Mayor and Library Director of any vacancies on the Library Board.

**Section 13. Meetings:** The Library Board shall hold regular monthly meetings and such other special meetings as may be called by the chairman. The time and place of such meetings shall be fixed by the Library Board at its first meeting, at which time the Board shall also adopt the City's Roberts rules of Order as well as the established Opening Meetings Act Resolution adopted by the City of Rio Communities to govern its proceedings. A majority of the members of the Board constitutes a quorum for the transaction of business. The act of a majority of the Board shall be the act of the board. All Library Board meetings shall be open to the public.

**Section 14. Repeal of Prior Ordinances:** All ordinances of parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 15. Invalidity of a portion of ordinance:** If any part of this ordinance is for any reason declared invalid, such part shall not affect the validity of the remaining portions thereof.

**PASSED, APPROVED AND ADOPTED THIS 25<sup>th</sup> DAY OF FEBRUARY 2020 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.**

**City of Rio Communities Governing Body**

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Mark Gwinn,  
Mayor

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Margaret (Peggy) Gutjahr,  
Councilor Mayor Pro-tem

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Bill Brown,  
Councilor

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Joshua Ramsell,  
Councilor

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Jim Winters,  
Councilor

ATTEST:

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Elizabeth (Lisa) Adair,  
Municipal Clerk