



ORDINANCE NO. 20-685

AN ORDINANCE OF THE CITY OF WINSTON, OREGON, CITY COUNCIL, ESTABLISHING THE WINSTON PUBLIC LIBRARY AND CREATING A LIBRARY BOARD AND DECLARING AN EMERGENCY.

WHEREAS, the Winston community library was previously ran as part of the Douglas County Library system; and,

WHEREAS, in 2017, the Douglas County library system ceased to exist as a result of budget cut; and,

WHEREAS, the City of Winston owns a building and partners with a private non-profit organization known as the Friends of the Winston Library, FOWL, for the operation of a community library; and,

WHEREAS, FOWL has successfully run the Winston community library; and,

WHEREAS, the City and FOWL would like to gain State of Oregon Public Library status for the Winston community library to obtain financial and other resource assistance from the State of Oregon.

NOW, THEREFORE, THE CITY OF WINSTON, OREGON, CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. WINSTON PUBLIC LIBRARY ESTABLISHED

- A. A public library is hereby established for the City of Winston Public Library under the provisions of ORS 357.400 to 357.621.
- B. The public library shall be financed through the use of general fund monies, revenue obtained from the operation of the library, grants, gifts, donations and bequests received and designated to be used for library purposes, and any tax levies that may be authorized by the electors.
- C. The Friends of the Winston Library shall be the public agency responsible for providing and making freely accessible to all residents in the City of Winston library and information services suitable to persons of all ages.

SECTION 2. LIBRARY BOARD

- A. The Friends of the Winston Library Public Library Board is hereby created. The board shall consist of five members to be nominated by the Mayor from a list of candidates submitted by the Friends of the Winston Library and appointed and confirmed by the City Council.

- B. The term of office of the board members shall be two years and their terms shall commence on July 1 in the year of their appointment. The terms of office shall be staggered so that the terms of not more than two board members will expire in the same year. Of the first five board members appointed, two members shall initially hold office for one year, two members for two years, and one for three years. At the expiration of the term of any members of such board, the City Council shall appoint a new member or may reappoint a member for a term of 3 years. If a vacancy occurs during a term of office, the governing body shall appoint a new member for the unexpired term.
- C. Members of the board shall receive no compensation for their services but may be reimbursed for expenses incurred in the performance of their duties.

SECTION 3. BOARD ORGANIZATION.

- A. The Library Board shall elect a chairperson from its members.
- B. The Library Director shall also serve as a non-voting Library Board Secretary who shall keep the record of all Board actions.
- C. The Library Board shall elect a Library Treasurer from its members who shall keep the financial records of the library.
- D. The board may establish and amend rules and regulations for its government and procedure consistent with the laws of the State of Oregon and with the charter, ordinances, resolutions, and regulations of the City of Winston.
- E. The board shall meet at least ten times each year and at such other times as it may provide by its rules.

SECTION 4. LIBRARY BOARD GENERAL POWERS.

- A. In accordance with the Friends of the Winston Library’s “LIBRARY OPERATIONS AGREEMENT” with the City of Winston, the Library Board shall have powers and duties as follows:
 - 1. The Library Board shall make rules and policies for the efficient and effective operation of the library, its services and programs.
 - 2. The Library Board Treasurer shall create an annual budget.
 - 3. The Library Board shall determine the acceptance, use, or expenditure of any real or personal property or funds donated to the library under Section 5, or make recommendations for the purchase, control, or disposal, of real and personal property

necessary for the purposes of the library as indicated in the provisions of (City and County IGA).

4. The Library Board shall make recommendations for the selection of sites for public library buildings or for location of library facilities.

5. When the City of Winston agrees to fund activities or purchases, the Library Board shall review and recommend to the City Council terms for contracts and working relationships with private and public agencies regarding library services.

6. The Library Board shall approve an annual report to the State Library and to the City Council submitted in a timely manner on a form supplied by the State Library.

7. The Library Board shall develop and recommend to the City Council long-range plans for library service, consistent with City priorities and with State, regional and national goals for libraries.

SECTION 5. ACCEPTANCE OF GIFTS FOR LIBRARY PURPOSES.

- A. Gifts of any real or personal property or funds donated to the library and accepted by the governing body shall be administered in accordance with each gift's terms, and all property or funds shall be held in the name of the Friends of the Winston Library.

SECTION 6. INTERNAL ADMINISTRATIVE POLICIES AND PROCEDURES.

- A. The Friends of the Winston Library shall be the fiscal and internal administrative agent for the Winston Public Library and the library shall operate in conformance with city administrative procedures including those pertaining to the following:

- 1. Receipt, disbursement, and accounting for monies.
- 2. Maintenance of general books, cost accounting records, and other financial documents.
- 3. Budget administration.

- B. The City Manager shall be the fiscal and internal administrative agent for the Winston Public Library Space within the Winston Community Center and the library shall operate in conformance with city administrative procedures for operation and maintenance of city owned furniture, equipment and within the Library.

SECTION 7. PROHIBITED ACTIONS AND PENALTIES.

- A. It shall be unlawful for any person to willfully or maliciously detain any library materials belonging to the Winston Public Library for 30 days after notice in writing from the Library Staff that the library material is past due. The notice shall bear upon its face a copy of ORS section 357.975 and 357.990.

B. Violation for willful detention of library materials is punishable upon conviction by a fine of not less than \$25 nor more than \$250. Such conviction and payment of the fine shall not be construed to constitute payment for library material, nor shall a person convicted under this section be thereby relieved of any obligation to return such material to the library.

SECTION 8. This Ordinance is effective immediately upon its adoption.

FIRST READING BY THE CITY OF WINSTON, OREGON, CITY COUNCIL, ON THIS 21ST DAY OF JANUARY, 2020.

SECOND READING BY THE CITY OF WINSTON, OREGON, CITY COUNCIL, ON THIS 20TH DAY OF APRIL, 2020.