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3 **Staff Summary**

4 This ordinance amends Section 12-37(b) of the Lake County Code, which addresses the
5 makeup of the Lake County Library Advisory Board and prescribes terms for its
6 members and alternate members. The ordinance removes specific references to the
7 municipalities that are given representation on the Library Advisory Board, in order to
8 replace it with a general provision allowing representation on the Library Advisory Board
9 for all participating libraries within the Lake County Library System that are located
10 within a municipality. In addition, the ordinance updates the expiration dates for
11 members' terms of appointment. By amending this section in the Lake County Code, this
12 ordinance will have the effect of allowing representation on the Lake County Library
13 Advisory Board for all municipalities that sign Interlocal Agreements for the provision of
14 library services, and not just those municipalities listed in the existing Code provision,
15 which excludes municipalities that now contain participating libraries like Howey-in-the-
16 Hills.

17 **ORDINANCE NO. 2009-___**

18
19 **AN ORDINANCE OF THE BOARD OF THE COUNTY COMMISSIONERS OF**
20 **LAKE COUNTY, FLORIDA; AMENDING SECTION 12-37 OF THE LAKE**
21 **COUNTY CODE, ENTITLED "LIBRARY ADVISORY BOARD," TO ALLOW**
22 **FOR REPRESENTATION ON THE LIBRARY ADVISORY BOARD OF ANY**
23 **CITY THAT HAS SIGNED AN INTERLOCAL AGREEMENT TO BE PART OF**
24 **THE LAKE COUNTY LIBRARY SYSTEM, AND TO UPDATE THE**
25 **EXPIRATION DATES FOR MEMBER TERMS; PROVIDING FOR INCLUSION**
26 **IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR**
27 **AN EFFECTIVE DATE.**

28
29 **WHEREAS**, Section 12-37(a) of the Lake County Code provides for the Lake
30 County Library Advisory Board; and

31
32 **WHEREAS**, Section 12-37(b) of the Lake County Code states that the Lake
33 County Library Advisory Board shall be comprised of twelve (12) members, with seven
34 (7) of those members to be appointed from the Cities of Fruitland Park, Leesburg, Lady
35 Lake, Mount Dora, Montverde, Umatilla and Tavares, with one (1) member being
36 appointed from each city; and

37
38 **WHEREAS**, Section 12-37(b) of the Lake County Code does not allow for
39 representation on the Lake County Library Advisory Board of cities or towns like
40 Howey-in-the-Hills, which signed an Interlocal agreement with Lake County for
41 provision of library services on October 13, 2008, but which is not included in the list of
42 seven (7) cities with representation on the Lake County Library Advisory Board; and

43
44 **WHEREAS**, the Lake County Board of County Commissioners wishes to amend
45 Section 12-37(b) of the Lake County Code to remove the list of seven cities given
46 representation on the Lake County Advisory Board, and to replace the list with a general

1 provision allowing a representative on the Lake County Advisory Board for each city or
2 town that signs an Interlocal agreement with Lake County for provision of library
3 services and thus has a participating library within the Lake County Library System; and
4

5 **WHEREAS**, Section 12-37(b) of the Lake County Code currently contains dates
6 for the expiration of Library Advisory Board member terms that have already passed and
7 that will be updated to future expiration dates through this amendment;
8

9 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County
10 Commissioners of Lake County, Florida as follows:
11

12 **Section 1. Recitals.** The foregoing recitals are true and correct and
13 incorporated herein by reference.
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15 **Section 2. Amendment.** Section 12-37(b) of the Lake County Code, entitled
16 'Library advisory board,' is hereby amended to read as follows:
17

18 (b) ~~The Lake County Library Advisory Board shall consist of twelve (12) members~~
19 ~~who shall be appointed by the board of county commissioners. The members of the Lake~~
20 ~~County Library Advisory Board shall be appointed by the Board of County~~
21 ~~Commissioners. Five (5) members, one (1) from each commission district shall be~~
22 ~~appointed. Such appointments shall be based on recommendations by the Lake County~~
23 ~~Library Advisory Board. However, the Lake County Board of Commissioners shall not~~
24 ~~be bound by such recommendations. Seven (7) members shall be appointed from the~~
25 ~~Cities of Fruitland Park, Leesburg, Lady Lake, Mount Dora, Montverde, Umatilla, and~~
26 ~~Tavares, with one (1) member being appointed from each city. In addition, each city with~~
27 ~~a participating library within the Lake County Library System shall have one (1) member~~
28 ~~on the Lake County Library Advisory Board. Each city council shall designate the~~
29 ~~member from its city and such member shall be appointed by the board of county~~
30 ~~commissioners. Each member shall be appointed for a term of four (4) years, except that~~
31 ~~the initial terms of the representatives of commission districts 1, 3 and 5 shall expire on~~
32 ~~February 28, 2005 2009, the initial terms of the representatives of commission districts 2~~
33 ~~and 4 and the Town of Montverde shall expire on February 28, 2007 2011, the initial~~
34 ~~terms of the members from Fruitland Park, Howey-in-the-Hills, Leesburg and Lady Lake~~
35 ~~shall expire on February 28, 2004 2012, and the initial terms of the members from~~
36 ~~Minneola, Mt. Dora, Umatilla and Tavares shall expire on February 28, 2006 2010.~~
37 ~~Thereafter representatives shall be appointed for four-year terms. Members appointed to~~
38 ~~the Library Advisory Board from cities or towns other than those listed herein shall be on~~
39 ~~the 2010 term cycle. The board of county commissioners may also appoint an alternate~~
40 ~~member who shall serve in the case of the appointed member's absence. The terms and~~
41 ~~manner of appointment of such alternate members shall be the same as that of the~~
42 ~~member that they are the alternate for. Either the appointed board member or the~~
43 ~~alternate member may attend library advisory board meetings and each has voting~~
44 ~~authority. However, if the board member and the alternate are both present at a library~~
45 ~~advisory board meeting, only the appointed board member shall have voting authority;~~
46 ~~not the alternate member.~~

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Section 3. Inclusion in Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code, and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. Severability. If any section, sentence, clause, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

Section 5. Effective. This ordinance shall become effective as provided for by law.

Enacted this ____ day of _____, 2009.

Filed with the Secretary of State _____, 2009.

Effective _____, 2009.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Welton G. Cadwell, Chairman
This ____ day of _____, 2009.

Approved as to form and legality:

Sanford A. Minkoff
County Attorney