

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No.         B 168-17        

**AN ORDINANCE**

consenting to the filing of a petition by the Board of Trustees of the Columbia Library District with the Boone County Commission to permit the organization of a city-county library to provide unified library services to be known as the "Columbia and Boone County Library District;" approving the proposed plan of merger; providing for formation and appointment of Board of Trustees to the Columbia and Boone County Library District Board; authorizing the transfer of property; and fixing the time when this ordinance shall become effective.

WHEREAS, the Columbia Library District was established pursuant to the provisions of Sections 182.140 through 182.201 RSMo.; and

WHEREAS, the Columbia Library District has operated through a cooperative intergovernmental agreement as part of a regional library system known as the Daniel Boone Regional Library, which was formed by the Columbia Library District, the Boone County Library District and the Callaway County Library District, to provide comprehensive library services to residents and patrons within the geographic areas of the cooperating districts; and

WHEREAS, pursuant to Section 182.291.1 RSMo., the Columbia Library District Board of Trustees has requested approval of the City Council to petition the County of Boone to permit the organization of a unified city-county library to provide library services to the combined residents of the Columbia Library District and the Boone County Library District through creation of new unified city-county library district; and

WHEREAS, a Plan of Merger of the Columbia Library District and Boone County Library District to create a unified library district has also been submitted to the City for approval; and

WHEREAS, the City Council finds it to be in the best interest of the citizens of the City of Columbia to approve the Petition of the Columbia Library District Board of Trustees seeking organization of a unified city-county library district; and

WHEREAS, the City Council further finds it to be in the best interest of the citizens of the City of Columbia to approve and endorse the Plan of Merger of the Columbia Library District and Boone County Library District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Consent to Petition. The City Council does hereby consent to and approve the filing of a petition by the Board of Trustees of the Columbia Library District with the Boone County Commission to permit the organization of a city-county library to provide unified library services to the residents of the city and county to be known as the “Columbia and Boone County Library District.”

SECTION 2. Approval of Plan of Merger. The City Council does hereby endorse and approve the “Plan of Merger of/Unification of the Columbia Library District and the Boone County Library District into a Unified Library District to be Known as the Columbia and Boone County Library District” in substantially the same form as submitted to the City Council by Resolution of the Columbia Library District Board of Trustees and attached hereto as “Exhibit A.”

SECTION 3. Formation and Appointment of Columbia and Boone County Library District Board of Trustees. If merger of the Columbia Library District and the Boone County Library District is approved by the Boone County Commission and the contingencies set forth in Article II of the Plan of Merger are satisfied, the Mayor shall appoint five (5) members to the Board of Trustees of the Columbia and Boone County Library District and the Boone County Commission shall appoint four (4) members to the Board of Trustees. The members of the Library Board of Trustees shall serve a term of three (3) years or until their successors are appointed and qualified; except that the original members shall, in coordination with appointments made by the Boone County Commission, serve staggered terms ranging from one (1) to three (3) years. The effective date of appointment for the first Board of Trustees of the Columbia and Boone County Library District shall be the close of business operations of the Columbia Library District on December 31, 2017. The terms of office of the initial members of the first Board of Trustees of the Columbia and Boone County Library District shall end as follows: One (1) year staggered term shall end on June 30, 2019; two (2) year staggered term shall end on June 30, 2020; three (3) year staggered term shall end on June 30, 2021. Thereafter, the terms of office shall begin on July of a calendar year and end on June 30 three (3) years thereafter or until a qualified successor is appointed.

SECTION 4. Transfer of Property. If merger of the Columbia Library District and the Boone County Library District is approved by the Boone County Commission, and the contingencies set forth in Article II of the Plan of Merger are satisfied, at the close of business operations on December 31, 2017 the Columbia Library District and Columbia Library District Board of Trustees shall cease to exist. The Columbia Library District Board of Trustees shall turn over all property, books and records relating to the Columbia Library District to the Columbia and Boone County Library District Board of Trustees. The city

manager, finance director and any other city officials having care, custody or control over property or funds of Columbia Library District assets are hereby authorized to take any and all actions necessary or incidental to effectuate the transfer of such property or funds to the Columbia and Boone County Library District as set forth in the Plan of Merger and Chapter 182 RSMo.

SECTION 5. Effective Date. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor