Memorandum

MIAMI-DADE COUNTY

Date: April 2, 2013

Agenda Item No. 1(F)2

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Sunset Review of County Boards for 2013 – Library Advisory Board

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In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2013 Sunset Review of County Boards Report for the Library Advisory Board. The Board approved the attached report at its meeting of January 23, 2013 and has recommended the continuation of its board.

Lisa M. Martinez, Senior Advisor
Office of the Mayor

mayor04413

Memorandum

MIAMI-DADE COUNTY

Date: January 31, 2013

To: Carlos A. Gimenez
Mayor

From: Ms. Lea Nickless Verrecchia
Chairperson, Library Advisory Board

Subject: Sunset Review of County Boards for 2013 – Library Advisory Board

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Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2013 Sunset Review of County Boards Report for the Library Advisory Board for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of January 23, 2013.

It is recommended that the BCC approve the continuation of the Library Advisory Board.

BACKGROUND

The Library Advisory Board was created July 2, 1963 and the purpose of the Board is to provide a feasible, adequate public library system for this entire Metropolitan area in cooperation with all other governmental entities, and will be in a position to furnish information, advice and counsel to the board of County Commissioners.

The Library Advisory Board should continue to function to support and lobby for Library funding on the Federal, State and local levels, and to help keep library services operational.

Ms. Lea Nickless Verrecchia

Ms. Lea Nickless Verrecchia
Board Chairperson

Sunset Review Questionnaire
Miami-Dade County Boards
2013

I. GENERAL INFORMATION

1. Name of Board reporting:
   Library Advisory Board

2. Indicate number of board members, terms of office, and number of vacancies:
   Number of Board Members: 9
   Terms of Offices: 3 Year Term
   Number of Vacancies: 2

3. Identify number of meetings and members' attendance (Attach records reflecting activity from Jan. 1, 2011 through December 31, 2012):
   Number of Meetings: 6
   Number of Meetings with a Quorum: 5
   Attendance Records: See Attachment 1

4. What is the source of your funding?
   The Library's operating budget.

5. Date of Board Creation:
   July 2, 1963

6. Attach a copy of the ordinance creating the Board (Please include all subsequent amendments).
   See Attachment 2

7. Include the Board's Mission Statement or state its purpose:
   See Attachment 3

8. Attach the Board's standard operating procedures, if any.
   NA

9. Attach a copy of the Board's By-Laws, if any.
   See Attachment 4

10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership.
    See Attachment 5

II. EVALUATION CRITERIA

1. Is the Board serving the purpose for which it was created? (Please provide detailed information)
   Yes. According to the County Code, this group should be "dedicated to the purposes of providing a feasible, adequate public library system for this entire Metropolitan area in cooperation with all other governmental entities, and will be in a position to furnish information, advice and counsel to the board of County Commissioners." The Library Advisory Board does this.

2. Is the Board serving current community needs? (Please provide detailed information)
   The Library Advisory Board has continued to successfully support and lobby for Library funding on the Federal, State and local levels, and has helped keep library services operational.

3. What are the Board's major accomplishments?
   a. Last 24 months: In February, March, April & May 2011 & 2012, Board members lobbied the Miami-Dade delegation for increased State Aid to libraries. For FY11-2012, the Library System received $1,991,676 million in State aid.
   b. Since established: The board has helped lobby for increased State aid; passage of the 1998 Book Trust, a ½ mill tax levied over two years; and helped expand Miami-Dade Public Libraries to its current 49-branch system. Board representatives have participated in the annual Library budget hearing.

4. Is there any other board, either public or private, which would better serve the function of this board?
   No. There is no other board currently serving this function.

5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (If "Yes", attach proposed changes)
   No

6. Should the Board's membership requirements be modified?
   No

7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2011 and FY 2012)
   The only cost to the County consists of travel for Board members who attend the annual FLA Library Day in Tallahassee and Library Advocacy Days in Washington.

8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.
   Effective Communication to the County Commission and other governmental entities – Met all requirements for verbal and written communication.

Attendance at Meetings – 2011

NAME	1/20	3/24	6/9
Dr. Mohammed Farouk, V-Chair (resigned 3-24-11)	P	P	
E. Darwin Fuchs (appt. 10-5-10)	P	A	A
Florentino Gonzalez	A	P	A
Faisal Kaleem (appt. 10-5-10)	P	P	P
Ana Kasdin (resigned 9-26-11)	P	A	A
Carole Smith (resigned 8-20-11)	P	A	P
Maria Velez	P	P	P
Lea N. Verrecchia	A	P	P
Carol Wyllie (resigned 6-9-11)	A	A	P
PRESENT:	**6**	**5**	**5**
ABSENT:	**3**	**4**	**3**

Attendance at Meetings – 2012

NAME	1/26	5/23	9/19
Xavier Cortada (appt. 6-19-12)			A
E. Darwin Fuchs	A	P	P
Florentino Gonzalez	A	A	A
Faisal Kaleem	P	A	A
Brandi C. Reddick (appt. 6-19-12)			A
Cynthia Stafford (appt. 6-19-12)			P
Daniel Thomas (appt. 6-19-12)			P
Maria Velez	P	P	P
Lea N. Verrecchia	A	P	P
PRESENT:	**2**	**3**	**5**
ABSENT:	**3**	**2**	**4**

P – indicates Board member was present

A – indicates Board member was absent

ARTICLE XXII. PUBLIC LIBRARY ADVISORY BOARD*

*Editor's note—This article is derived from Ord. No. 63-27, adopted on July 2, 1963. Section 10 of said ordinance declared it to be the intention of the County Commission that the provisions of the ordinance, including the recitations contained in the "whereas" clauses, become a part of this Code of Ordinances. The "whereas" clauses read as follows:

"WHEREAS, it is recognized that the establishment, maintenance and administration of adequate Public Library facilities to which the general public has free access as places of resort to seek quiet study, educational pursuits and enjoyment constitute joint functions and responsibilities of the State, County and municipal government; and

"WHEREAS, it is apparent that increased and expanded Public Library facilities and services, and the coordination of existing Public Library facilities and services, are urgently required in order to meet the needs of the ever increasing population of this metropolitan area. This may be accomplished only by appropriate planning based upon accurate factual data and information and sound financial feasibility; and

"WHEREAS, the planning and accomplishment of a sound, feasible and adequate Public Library system for the use and benefit of all the residents and visitors of this metropolitan area constitutes a governmental function or service that is susceptible to, and may be most effectively performed, under a uniform plan and program applicable to and embracing this entire metropolitan area; and

"WHEREAS, the general laws of the State of Florida grant to the Boards of County Commissioners of the several counties the permissive power to establish, operate and maintain free public libraries, and prescribe the methods and procedures by which such power shall be exercised. The general laws further authorize certain types of grants of financial assistance to counties meeting regulations established by the State Library Board. The general laws also grant to the governing bodies of municipalities the power and authority to establish, maintain and operate public libraries in accordance with the prescribed statutory procedures. The Home Rule Charter of Government for Dade County, Florida, empowers the Board of County Commissioners to provide libraries and other cultural facilities and programs, to create by ordinance such Boards as may be deemed necessary, and to carry on a central metropolitan government and perform such acts as may be required in the common interest of the people; and

"WHEREAS, the coordination and reconciliation of the applicable and controlling requirements of law, the coordinate and feasible utilization of existing facilities and services, and the appropriate planning for additional facilities and services, relating to public libraries, may be best accomplished through the medium of an advisory Board composed of outstanding qualified citizens,

"NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:"

Sec. 2-192. Short title.

This article shall be known and may be cited as the "Metropolitan Dade County Public Library Advisory Board Ordinance".
(Ord. No. 63-27, § 1, 7-2-63)

Sec. 2-193. Declaration of legislative intent.

It is the purpose and intent of the Board of County Commissioners, in enacting this article under and pursuant to the provisions of Section 4.08 of the Home Rule Charter, to create and establish an Advisory Board of official status composed of outstanding citizens with representative interests and geographical distribution, who are dedicated to the purposes of providing a feasible, adequate Public Library system for this entire metropolitan area in cooperation with all other governmental entities, and that will be in a position to furnish information, advice and counsel to the Board of County Commissioners in respect to the appropriate means and methods by which adequate Public Library facilities and services may be provided within the framework of the County government on a sound financial basis for the use and benefit of all residents and visitors of this metropolitan area, and to work towards the development and implementation of sound programs for public libraries through the mutual cooperation between the State, County and municipal governments and agencies and coordination with non-governmental organizations interested in library facilities and services. This article shall not be construed as delegating to such advisory board or its members any power or authority of a governmental, legislative or administrative nature, but as the establishment of an official instrumentality by which the Board of County Commissioners may obtain the benefit of accurate, comprehensive information, advice and counsel concerning all matters relating to public libraries and other cultural facilities and programs which may be necessary for appropriate action by the Board of County Commissioners.
(Ord. No. 63-27, § 2, 7-2-63)

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Sec. 2-194. Creation of Advisory Board.

There is hereby created and established in Dade County, Florida, an Advisory Board to be known as the Metropolitan Dade County Public Library Advisory Board.
(Ord. No. 63-27, § 3, 7-2-63)

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Sec. 2-195. Membership; vacancies; qualifications; term.

(A) *Membership.* The Metropolitan Dade County Public Library Advisory Board shall consist of eleven (11) members appointed by the County Commission. Eight (8) members shall be residents of the Library Taxing District and three (3) members shall be residents of the City of Miami and members of the City of Miami's Library Board.

(B) *Vacancy.* Vacancies from among the aforesaid three (3) members who are residents of the City of Miami shall be filled as follows:

(1) The Board shall submit a list of three (3) candidates to the City Commission.

(2) The City Commission shall select one (1) of the candidates to submit to the County Commission; however, in the event that none of the three (3) candidates suggested meet with City Commission approval, the Board shall submit three (3) different names to the City Commission for its consideration.

(3) The County Commission shall appoint the suggested candidate to the Board; however, in the event that the candidate suggested does not meet with County Commission approval, the City Commission shall either submit one (1) of the remaining candidates to the County Commission or request three (3) different names from the Board.

This process shall continue until a replacement has been appointed.

(C) *Qualifications.* Each member shall be a qualified elector of Dade County, and shall possess a reputation for civic pride, integrity, responsibility, and business or professional ability, and shall have demonstrated an active interest in Public Library facilities and services. As far as practicable, the membership of the Board shall be representative of the various interests of this metropolitan area in respect to geographic and economic factors.

(D) *Terms.* The term of office of the membership shall be one (1) year for three (3) members, two (2) years for three (3) members and three (3) years for three (3) members; and effective October 1, 1986, the Board of County Commissioners shall appoint the tenth member to a two (2) year term and the eleventh member to a three (3) year term with appointments thereafter to be for a term of three (3) years for each of the eleven (11) members. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term of office. Terms of office of members of the Board appointed by the Board of County Commissioners, which would normally expire on or between the dates of January 1 through June 30, or July 1 through December 31 of the termination year, shall be deemed ended and expired as of March 31 or September 30 thereof respectively; and the position thereon vacated may be refilled by the Board of County Commissioners. Prior to October 1, 1989, the Board of County Commissioners shall review the composition of the Public Library Advisory Board.

(Ord. No. 63-27, § 4, 7-2-63; Ord. No. 63-29, § 1, 7-16-63; Ord. No. 64-39, § 5, 9-1-64; Ord. No. 71-78, § 1, 9-22-71; Ord. No. 73-20, § 1, 3-8-73; Ord. No. 77-81, § 1, 11-15-77; Ord. No. 86-65, § 1, 9-16-86; Ord. No. 86-84, § 1, 10-28-86)

Sec. 2-196. Removal of members.

Any member of the Board who ceases to be a qualified elector of Dade County shall immediately forfeit his office. Should a vacancy result from such forfeiture, or should any member of this Board fail to attend three (3) consecutive meetings of the Board without due cause, the Chairman of the Board shall certify the same to the County Commission, who shall fill the vacancy created thereby by appointment. Any member of the Board may be removed from office without cause by two-thirds vote of the entire membership of the County Commission.

(Ord. No. 63-27, § 5, 7-2-63; Ord. No. 67-15, § 4, 3-7-67)

Sec. 2-197. Organization of Board; quorum; meetings; clerical personnel.

The members of the Board, or a majority thereof, shall select a Chairman and such other officers as may be deemed necessary or desirable, who shall serve at the will of the Board. A majority vote of the entire membership of the Board shall be necessary to take any action. A majority of the members of the Board shall constitute a quorum necessary to hold a meeting or take any action. The

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Chairman may call meetings of the Board, and meetings may be called by written notice signed by four (4) members of the Board, and the Board at any meeting may fix and call a meeting for a future date. Minutes shall be kept of all meetings of the Board. All meetings shall be public. The County Manager shall provide adequate and competent clerical and administrative personnel as may be reasonably required by the Board for the proper performance of its duties and functions, subject to budget limitations as fixed by the County Commission.
(Ord. No. 63-27, § 6, 7-2-63; Ord. No. 63-34, § 1, 8-27-63; Ord. No. 64-39, § 6, 9-1-64; Ord. No. 71-78, § 2, 9-22-71)

Sec. 2-198. Compensation; expenses.

Members of the Public Library Advisory Board shall serve without compensation, salary or remuneration of any nature, but the County Commission may provide in the annual County budget sufficient funds for the reasonable and necessary expenses incurred by the Board in performance of its duties and functions prescribed by the provisions of this article.
(Ord. No. 63-27, § 7, 7-2-63)

Sec. 2-199. Duties and functions.

The Public Library Advisory Board shall have the following duties, functions and responsibilities:

(a) To serve in an advisory capacity to the County Commission in respect to all matters pertaining to Public Library and other cultural facilities, and to make periodic reports and recommendations in respect to such matters.

(b) To make a continuing study of all existing Public Library facilities and services in this metropolitan area, and the future needs of this community in respect to Public Library facilities and services.

(c) To formulate plans and programs for the coordination of the activities of all governmental entities, and nongovernmental agencies, relating to Library facilities and services.

(d) To formulate comprehensive, feasible plans and programs for providing adequate Public Library facilities and services necessary to fulfill the present and future needs of this metropolitan area.

(e) To devise means and methods by which existing and future Library facilities and services may be improved and more fully utilized to provide better service and availability to the general public.

(f) To make a continuing study and periodic reports and recommendations for a sound, feasible program for financing the costs of improving existing Library facilities and services and providing additional Public Library facilities and services.

(g) To review all laws, regulations and requirements governing Public Libraries and make recommendations concerning appropriate actions that may be taken to achieve the objective of providing adequate Public Library facilities and services for this metropolitan area, and to devise programs by which financial assistance from other governmental entities may be utilized to the fullest extent.

(h) To perform and carry out such other duties and functions of an advisory nature as may be assigned to the Board by the County Commission.

(Ord. No. 63-27, § 8, 7-2-63)

Sec. 2-200. Limitation on powers of Board.

The Public Library Advisory Board shall have no power or authority to commit the County Government to any policies or to incur any financial obligation or to create any liability on the part of the County. No actions or recommendations of this Board shall be binding upon the County until approved or adopted by the County Commission. This Board shall not infringe upon any of the powers granted by law to any other duly constituted Board relating to matters involving Public Library facilities and services.
(Ord. No. 63-27, § 9, 7-2-63)

Secs. 2-201—2-203. Reserved.

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Miami-Dade County Public Library Advisory Board

Mission Statement

The Mission of the Library Advisory Board of the Miami-Dade Public Library System is to furnish information, advice and counsel to the Mayor and Board of County Commissioners of Miami-Dade County with respect to the appropriate means and methods by which adequate public library facilities and services may be provided on a sound financial basis for the use and benefit of all residents within the Library System's taxing district.

Attachment 4

BY-LAWS

MIAMI-DADE COUNTY PUBLIC LIBRARY ADVISORY BOARD

ARTICLE I. MEETINGS

The meetings of the Miami-Dade County Public Library Advisory Board shall be held at least quarterly, September through May.

Special meetings may be called by the Chairperson, or upon the written request of six members for the transaction of business stated in the call for the meeting, and the Library Advisory Board at any meeting may fix and call a meeting for a future date.

Notices of all regular and special meetings shall be provided to all members at least four days before the meeting.

ARTICLE II. OFFICERS

Officers of the Library Advisory Board shall be elected to serve a two year term and shall be as follows: Chairperson, and Vice-Chairperson. In the event a vacancy occurs in these offices, a replacement may be named at any regular or special meeting. No officer shall serve more than two consecutive full terms.

The Chairperson of the Library Advisory Board shall preside at all meetings, appoint all committees, authorize calls for any special meetings, and generally perform the duties of a presiding officer. In the absence of the Chairperson from a Library Advisory Board meeting, the Vice-Chairperson shall preside.

ARTICLE III. COMMITTEES

Special committees for the study and investigation of special problems may be appointed by the Chairperson, such committees to serve until the completion of the work for which they were appointed. There shall be a standing Nominating Committee, chaired by the Vice-Chairperson, and a Strategic Planning Committee, each of which shall report to the Library Advisory Board its recommendations for forwarding to the County Commission and the Mayor.

ARTICLE IV. QUORUM

A quorum for the transaction of business shall consist of a majority of the board.

ARTICLE V. THE DIRECTOR

The Director shall be an ex-officio member of the Library Advisory Board and shall have charge of preparing the agenda for Library Advisory Board meetings subject to the inclusion of any items that individual Library Advisory Board members request to be brought to the attention of the entire Library Advisory Board. The Director shall attend all Library Advisory Board meetings except those at which his or her duties are to be discussed.

ARTICLE VI. MEMBERSHIP

The Nominating Committee shall forward a list of two (2) candidates for each Library Advisory Board position to become vacant. It is the objective of the Library Advisory Board to make reasonable efforts to accommodate in its membership the geographic and ethnic make-up of the community. The immediate past Chairperson of the Library Advisory Board may serve as a non-voting member once their term has expired. The Library Advisory Board shall approve the Committee recommendation or substitute names for nomination and forward these to the Board of County Commission. No member of the Library Advisory Board shall be renominated if their unexcused absences have exceeded 50% during the existing term of office.

ARTICLE VII. AMENDMENTS

These by-laws may be amended at any regular meeting of the Library Advisory Board by a 2/3 majority vote, provided the amendment was stated in the call for the meeting.

Amended by the Library Advisory Board, January 20, 2011 .

LIBRARY ADVISORY BOARD MEETING

January 23, 2013

The January 23, 2013 meeting of the Library Advisory Board was held at the Main Library on Wednesday, January 23, 2013 at 12:35 p.m. with Ms. Verrecchia as Chairperson.

Members present:
E. Darwin Fuchs
Faisal Kaleem
Cynthia Stafford
Daniel Thomas
Lea N. Verrecchia

Members absent:
Xavier Cortada (E)
Florentino Gonzalez (E)
Brandi Reddick
Maria Velez (E)

Library staff present: Suzet Cleary, Sylvia Mora-Ona and Raymond Santiago

NEW BUSINESS

Sunset Review of County Boards 2013

The completed biennial Sunset Review Questionnaire of the Miami-Dade County Public Library Advisory Board was reviewed by board members. Ms. Verrecchia asked for a motion to approve the Sunset Review Questionnaire. The motion was moved by Mr. Fuchs, seconded by Mr. Thomas and subsequently passed. The Director will submit the completed Sunset Review Questionnaire to Marla Goldberg, Office of Management and Budget.