

RESOLUTION NO. 08292006R011**RESOLUTION CALLING AN ELECTION AND TO CERTIFY THE BALLOT QUESTION AND TITLE FOR THE ESTABLISHMENT AND FUNDING OF THE FORT COLLINS REGIONAL LIBRARY DISTRICT TO BE SUBMITTED TO THE VOTERS AT THE NOVEMBER 7, 2006 GENERAL ELECTION**

WHEREAS, the Board of County Commissioners of the County of Larimer received a petition for the establishment of the Fort Collins Regional Library District more than ninety days prior to the November 7, 2006 election; and

WHEREAS, The Larimer County Clerk and Recorder has determined that the petition contains the signatures of more than One Hundred (100) registered electors residing within the proposed Library District; and

WHEREAS, the Board of County Commissioners finds that the petition complies with the requirements of C.R.S. §24-90-107(3)(a) and (b); and

WHEREAS, the Board of County Commissioners has waived the requirements of C.R.S. §24-90-107(3)(c)(I) and, with the consent of the City Council of the City of Fort Collins, has agreed to pay for the costs of the election subject to reimbursement from the Library District if it is formed as required by §24-90-107(3)(i), C.R.S.; and

WHEREAS, pursuant to C.R.S. §24-90-107(3)(d), the Board of County Commissioners shall submit the question of the establishment of a regional public library to a vote of the registered electors residing in the proposed library's legal service area; and

WHEREAS, the Board of County Commissioners shall submit the question of funding the district with an *ad valorem* property tax mill levy of 3 mills on all property within the proposed district to the vote of the registered electors residing in the proposed library's legal service area;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LARIMER COUNTY:

Section 1. All action taken (not inconsistent with the provisions of this resolution) by the County, directed towards the election are ratified, approved and confirmed. Unless otherwise defined, terms used herein shall have the meanings specified in §1-1-104, C.R.S.

Section 2. Pursuant to §24-90-107(3)(d)(III), C.R.S., a public hearing will be held on Monday, the 25th day of September, 2006, commencing at the hour of 7:00 p.m. or as soon thereafter as it may occur, at 200 West Oak Street, Fort Collins, Colorado.

Section 3. Pursuant to the applicable laws of the State of Colorado, the Board hereby calls an election to be held on Tuesday, November 7, 2006 ("election"), at which there shall be submitted to the eligible electors of the proposed Fort Collins Regional Library District in a

combined election with other governmental entities, the question set forth in Section 4.

Section 4. The proposed library district's service area shall be all property within the Poudre School District and all property within the City of Fort Collins Growth Management Area described in the Intergovernmental Agreement (Regarding Cooperation on Managing Urban Development) dated November 21, 2000, between Larimer County, Colorado and the City of Fort Collins, Colorado excluding property within the Town of Wellington and property within the boundaries of the Red Feather Mountain Library District.

Section 5. The question shall be submitted in the following form:

**ESTABLISHMENT OF THE
FORT COLLINS REGIONAL LIBRARY DISTRICT**

SHALL THE FORT COLLINS REGIONAL LIBRARY DISTRICT BE ESTABLISHED AND ITS TAXES BE SET AT \$5,779,377 ANNUALLY FOR COLLECTION IN 2007 AND BY SUCH ADDITIONAL AMOUNTS RAISED ANNUALLY THEREAFTER BY AN AD VALOREM PROPERTY TAX MILL LEVY IMPOSED AT A RATE OF 3 MILLS (WHICH IN 2006 IS APPROXIMATELY \$3.98 PER MONTH ON A \$200,000.00 HOME) TO BE DEPOSITED IN THE LIBRARY DISTRICT'S GENERAL FUND TO PROVIDE SERVICES SUCH AS:

-MAINTAINING, IMPROVING AND EXPANDING LIBRARY SERVICES AND FACILITIES

-INCREASING HOURS OF OPERATION AT MAIN AND HARMONY LIBRARIES

-OPENING AND OPERATING A PROPOSED NEW SOUTHEAST BRANCH LIBRARY

-PROVIDING ENHANCED LIBRARY SERVICES AND OPERATIONS SUCH AS RE-ESTABLISHING AND ADDING NEW BOOK DROPS IN FORT COLLINS AND THE SURROUNDING AREA, BUYING NEW BOOKS AND MEDIA AND IMPROVING PROGRAMS FOR CHILDREN, TEENS AND ADULTS;

AND, SHALL THE DISTRICT BE AUTHORIZED TO COLLECT, RETAIN AND SPEND THE ADDITIONAL REVENUE ALONG WITH ALL OTHER REVENUES, NOTWITHSTANDING ANY LIMITATION OR RESTRICTION ON REVENUE OR SPENDING NOW CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION AND SECTION 29-1-103 ET SEQ., C.R.S. OR ANY OTHER LAW?

_____ YES

_____ NO

Section 6. Martha P. Tharp, Representative of the Petitioners, is hereby appointed as the designated election official for purposes of performing acts required or permitted by law in connection with the election. Sandy Thomas of Seter & Vander Wall, PC is appointed as the Assistant Designated Election official to assist the D.E.O with all duties delegated to her.

Section 7. Pursuant to §1-5-205, C.R.S., not less than ten days prior to the election, the County Clerk is hereby instructed to give or cause to be given notice of the election, by printed notice of the election published at least one time in a legal newspaper of general circulation in the County. Such notice shall also be posted at least ten days prior to the election and until two days after the election in a conspicuous place in the office of the County Clerk.

Section 8. The County Clerk shall cause the notice required by Section 20(3)(b) Article X of the Colorado Constitution to be delivered to the registered electors within the County as provided by law.

Section 9. The officers and employees of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 10. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby replaced.

Section 11. If any section, paragraph, clause or provisions of this resolution shall for any reason be held to be invalid or unenforceable, the validity or unenforceability of such section, paragraph clause or provision shall not affect any of the remaining provisions of this resolution.

Section 12. The approval of this resolution shall be considered the Final Action for purposes of §1-11-203.5, C.R.S.

ADOPTED AND APPROVED this 29th day of August, 2006.

ATTEST:

Kristen P. Pumaux
Depute Clerk

BOARD OF COUNTY COMMISSIONERS
OF LARIMER COUNTY

By: Alvin D. Aiken
Chair



**RESOLUTION CHANGING NAME OF LIBRARY DISTRICT FROM FORT COLLINS
REGIONAL LIBRARY DISTRICT TO POUDDRE RIVER PUBLIC LIBRARY
DISTRICT
(2009)**

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

At a regular meeting of the Board of Trustees of the Fort Collins Regional Library District, City of Fort Collins, Larimer County, Colorado, held at 4:00 p.m., January 5, 2009, at the Main Library at 201 Peterson Street, Fort Collins, Colorado, the following Trustees were present:

- Nina Bodenhamer
- Robin Gard
- Michelle (Shelly) Kalkowski
- John Knezovich
- Mike Liggett, Esq.
- Mary Atchison

The following proceedings were had and done, to wit:

It was moved by Trustee Gard to adopt the following Resolution and ratify actions taken in connection herewith:

WHEREAS, on November 21, 2006, the City Council of the City of Fort Collins adopted Resolution 2006-118 and on December 4, 2007, the Board of County Commissioners of Larimer County approved a resolution establishing the Fort Collins Regional Library District; and

WHEREAS, a change of the District's name would be in the best interest of the District and promote the health, safety, and prosperity of the District; and

WHEREAS, the District has no outstanding debt and no creditors will be affected by the change of name; and

WHEREAS, the proposed name change of the District will not be detrimental to the interests of any person or entity.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Fort Collins Regional Library District, Larimer County, Colorado:

1. The Board of Trustees of the District resolves to change the name of the District from Fort Collins Regional Library District to Poudre River Public Library District.

2. That following adoption of this resolution, public notice of the name change shall be given by publication at least two times in the *Fort Collins Coloradoan*, a newspaper published in the City of Fort Collins, County of Larimer, where the District is located.

3. That notice of such name change shall be provided to the Larimer County Clerk and Recorder, the Larimer County Assessor, the City of Fort Collins, the State Library, the Colorado Division of Local Government, and to all other appropriate parties.

The motion was seconded by Trustee Bodenhamer. Upon vote, the motion was unanimously carried. The President declared the motion carried and so ordered.

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ADOPTED AND APPROVED THE 5th DAY OF JANUARY, 2009.

Fort Collins Regional Library District

By: Mary Atkinson
President

ATTEST:

By: Michelle S. Kalkowski
Secretary

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