

**RESOLUTION NO. 2022-088**

**A Resolution of the Board of County Commissioners of Boulder County establishing the Boulder Public Library District pursuant to C.R.S. § 24-90-107(3)(g) and the successful vote of the electors within the proposed District, and nominating two Commissioners to the committee to select trustees to the Boulder Public Library District Board of Trustees**

Recitals

A. Part 100, Article 90, Title 24 of the Colorado Revised Statutes (“C.R.S.”), as amended, provides for formation of a library district and imposition of ad valorem taxes to fund the district upon approval of a majority of the eligible electors in the proposed district.

B. Pursuant to § 24-90-107, C.R.S., a petition (the “Petition”) was filed on May 25, 2022, with the office of the clerk of the Board of County Commissioners of Boulder County (the “Board”) for formation of the Boulder Public Library District (the “District”).

C. The Petition proposed that the District collect taxes in the amount of \$18,780,000 annually, through imposition of a 3.5 mill levy for collection starting in 2023, to fund library facilities and services including: restored and improved literacy programs, including partnerships with schools to reach underserved students and students who fell behind during the pandemic; additional free and safe public spaces for community meetings, workshops and programs; updated and improved collections of books and materials, including bilingual materials and downloading of e-books, movies, and music; extended hours at all existing libraries and a new branch library in Gunbarrel; expanded access to steam programs, makerspaces, and free internet for young people, underserved communities and seniors; and improved maintenance, cleanliness, safety, and security at all library facilities.

D. The Petition identified Boulder County and the City of Boulder as the establishing governmental units.

E. On July 14, 2022, by Resolution 1311 and as required by § 24-90-106(1), C.R.S., the City of Boulder determined to participate in the proposed District as a jurisdiction within the District boundaries.

F. The Petition requested that the Board place the questions of District formation and imposition of a 3.5 mill levy on properties in the District to the general election scheduled for November 8, 2022.

G. At the request of the petitioners, and pursuant to § 24-90-107(3)(d), C.R.S., on August 16, 2022 the Board adopted Resolution 2022-58, which referred to the eligible electors of the District, to be determined by a majority vote, the questions whether the District shall be formed, whether the proposed mill levy shall be established, and whether the District shall be exempted from the fiscal year revenue and spending limitations set forth in Article X, Section 20, of the Colorado Constitution (“TABOR”) and in § 29-1-301 et seq., C.R.S., and any other law.

H. The Board passed Resolution 2022-59 on August 16, 2022, setting the ballot title for Ballot Issue 6C, which concerned the formation of the District.

I. Pursuant to Resolutions 2022-58 and 2022-59, in the coordinated election held on Tuesday, November 8, 2022, the question of formation of the District was presented to the electors in the proposed district as Ballot Issue 6C.

J. As of November 22, 2022, 59,912 votes were counted, with 53.20% in favor of formation of the Boulder Public Library District and 46.80% opposed.

K. Section 24-90-107(3)(g), C.R.S., states that if a majority of the electors vote in favor of the establishment of a library district, the legislative bodies of each establishing governmental unit shall forthwith establish such library district and provide for its financial support by January 1 of the year following the election.

L. Section 39-5-128(1), C.R.S., requires that taxing entities must certify the mill levy for the entity to the Board by December 15 of each year.

M. Section 24-90-108(2)(c), C.R.S., requires that in a library district established by one or more governmental units, the legislative body of the forming governmental units shall each appoint two members to serve on the committee to nominate trustees to the library district Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to Resolution 2022-58 and § 24-90-107(3)(g), C.R.S., the Board, in cooperation with the City of Boulder, hereby establishes the Boulder Public Library District as directed by the electors, contingent on the City of Boulder taking similar action.

2. Pursuant to § 24-90-108(2)(c), C.R.S., the Board appoints Commissioners Claire Levy and Marta Loachamin as members of the committee to select the initial Board of Trustees for the Boulder County Public Library District.

3. For the interim period between establishment of the District and ratification of the initial Board of Trustees only, the Chief of Staff to the Board will serve as the contact person for the Boulder Public Library District and is authorized to sign form(s) to certify the mill levy described in Ballot Issue 6C, and Resolutions 2022-58 and 2022-59, as approved by the majority of the registered electors voting on Ballot Issue 6C.

A motion to approve this Resolution 2022-088 was made by Commissioner Matt Jones, seconded by Commissioner Marta Loachamin, and passed by a 2-0 vote.

**ADOPTED** this 29th day of November 2022.

**BOARD OF COUNTY COMMISSIONERS  
OF BOULDER COUNTY:**

*Marta Loachamin*

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Marta Loachamin, Chair

Excused on 11/29/2022

Claire Levy, Vice Chair

*Matt Jones*

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Matt Jones, Commissioner

ATTEST:

Clerk to the Board: *Cecilia Lacey*