

PUEBLO CITY-COUNTY LIBRARY DISTRICT
Pueblo County, Colorado

Resolution No. 19-03

**A RESOLUTION REQUESTING THE BOARD OF COUNTY
COMMISSIONERS OF PUEBLO COUNTY
TO REFER A BALLOT ISSUE TO THE REGISTERED ELECTORS OF
THE DISTRICT PURSUANT TO ARTICLE X, SECTION 20 OF THE
COLORADO CONSTITUTION AND SECTION 24-90-112(1)(b)(III), C.R.S.**

WHEREAS, Pueblo City-County Library District ("Library"), Pueblo County, Colorado, is a duly organized and existing library district under the Constitution and laws of the State of Colorado; and

WHEREAS, the Library is a source of great community pride, being named America's Best Library, a national Four Star Library, and recipient of the prestigious 2018 National Medal for Museum and Library Services, and is a community gathering place dedicated to literacy and reading, lifelong learning, and free and open access to information, and is an admired and critical community asset; and

WHEREAS, the Board of Trustees ("Board") of the Library hereby determines and declares that the interest of the Library and the public interest and necessity require that the Library be authorized to adjust its current general operating mill levy rate to carry out the objects and purposes of the Library; and

WHEREAS, the Library's current mill levy rate is 5.25 mills, and Pueblo County taxpayers also pay 0.603 mills to Pueblo County to retire library bonds issued by Pueblo County on behalf of the Library and authorized by the voters in 1999; and

WHEREAS, the 0.603 mills for library bonds will end in 2019 with the final payment on the library bonds; and

WHEREAS, the Board desires to ask voters to continue property taxes for library services at the current overall rate of 5.25 mills plus an increment of 0.6 mills to be added to the Library's current mill levy rate of 5.25 mills, for a total Library mill levy rate of 5.85 mills; and

WHEREAS, if approved by the voters, the Library mill levy rate will be equivalent to, and actually slightly less than, the combined mill levies for library services currently paid to the Library and to Pueblo County; and

WHEREAS, pursuant to Section 24-90-112(1)(b)(III), C.R.S. the Board is authorized to request the Board of County Commissioners ("BOCC") of Pueblo County, Colorado ("County") to submit to the registered electors of the Library a ballot issue to

authorize the Library to increase its mill levy rate for general operations and maintenance purposes; and

WHEREAS, the Board hereby determines that such question should be presented to the Library's registered electors at the election to be conducted on November 5, 2019 ("Election"), in accordance with the provisions of the Uniform Election Code of 1992 ("Code"), and Article X Section 20 of the Colorado Constitution (TABOR) (the Code and TABOR being referred to jointly as the "Election Laws"); and

WHEREAS, the Election shall be conducted as a coordinated election, and the Pueblo County Clerk ("County Clerk") is the Coordinated Election Official for the Election and shall be responsible for mailing the notice required pursuant to Article X, Section 20 of the Colorado Constitution ("TABOR Notice"); and

WHEREAS, the Library is required to enter into an Intergovernmental Agreement with the County Clerk regarding the conduct of the Election and mailing of the TABOR Notice on or before August 27, 2019; and

WHEREAS, the Library intends to cooperate with the County Clerk to provide all necessary ballot title and notices and various agreements with the County Clerk for the conduct of the Election and mailing of the TABOR Notice.

NOW, THEREFORE, be it resolved by the Board of Trustees of Pueblo City-County Library District, in the County of Pueblo, State of Colorado that:

1. Pursuant to Section 24-90-112(1)(b)(III), C.R.S., the Library requests the BOCC call a special election of the registered electors of the Library District on Tuesday, November 5, 2019, as part of the County coordinated election, on the question of increasing the Library's mill levy rate, substantially as stated in the form of ballot title attached as Exhibit A hereafter set forth. Submission of the ballot title and conduct of the special election shall be subject to the following provisions of this Resolution.

2. The special election of the registered electors of the Library shall be held on Tuesday, November 5, 2019, between the hours of 7:00 a.m. and 7:00 p.m. pursuant to and in accordance with the Election Laws, and other applicable laws.

3. The Board hereby designates Micki L. Mills as the Designated Election Official for the conduct of the Election on behalf of the Library. The Designated Election Official is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and the Election Laws or other applicable laws. Among other matters, the Designated Election Official shall arrange for the required notices of election, including the TABOR Notice.

4. The Board hereby approves and authorizes the Designated Election Official or Board officers, on behalf of the Library, to execute and enter into the

Intergovernmental Agreement with Pueblo County, Colorado regarding the conduct of the Election and the mailing of the TABOR Notice. The Election and mailing of the Library's TABOR Notice shall be in accordance with the provisions of such Intergovernmental Agreement.

5. The Election shall be conducted in coordination with the Pueblo County Clerk and Recorder in accordance with all relevant provisions of the Code. The County Clerk is the Coordinated Election Official for the Election and shall be responsible for mailing the TABOR Notice.

6. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five (5) days after the title of the ballot issue or ballot question is set and certified by the Designated Election Official to the County Clerk.

7. The officers and employees of the Library are directed to take all action necessary or appropriate to effectuate the provisions of this Resolution, including, without limitation, delivery of a copy of this resolution to the BOCC pursuant to Section 24-90-112(1)(b)(III), C.R.S.

8. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

9. Any and all actions previously taken by the Designated Election Official or the officers of the Board or any other persons acting on their behalf pursuant to the Election Laws or other applicable laws, are hereby ratified and confirmed.

10. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

11. The provisions of this Resolution shall take effect immediately.

ADOPTED this 25th day of July, 2019.

PUEBLO CITY-COUNTY LIBRARY
DISTRICT

By: _____
Doreen Martinez, President

ATTEST:

Sonya West, Secretary

EXHIBIT A TO ELECTION RESOLUTION

PUEBLO CITY-COUNTY LIBRARY DISTRICT BALLOT ISSUE 6 :

SHALL PUEBLO CITY-COUNTY LIBRARY DISTRICT TAXES BE INCREASED \$1,119,921 IN 2020 (RESULTING IN AN ANNUAL TAX INCREASE NOT TO EXCEED \$4.29 IN 2020 (\$0.36 CENTS PER MONTH) FOR EACH \$100,000 OF ACTUAL RESIDENTIAL VALUATION) AND BY SUCH AMOUNT AS MAY BE COLLECTED ANNUALLY THEREAFTER BY INCREASING THE DISTRICT'S MILL LEVY RATE 0.6 MILLS, WHICH RATE OFFSETS A DECREASE IN TAXES EFFECTIVE JANUARY 1, 2020, WHEN PUEBLO COUNTY RETIRES A 1999 LIBRARY BOND MEASURE, FOR PURPOSES OF MAINTAINING LIBRARY SERVICES, INCLUDING BUT NOT LIMITED TO:

1. DEVELOPING SPECIAL PROGRAMS FOR KIDS THAT HELP THEM READ, LEARN TO THINK AND BE ENTERTAINED IN A POSITIVE, PRODUCTIVE WAY;
2. ENSURING OUR LIBRARIES CONTINUE TO BE A COMMUNITY GATHERING SPACE, OPEN TO EVERYONE AT NO CHARGE, PROVIDING A PLACE TO GO AND READ OR USE FREE INTERNET SERVICE;
3. ADDING EVEN MORE OF THE NEWEST BEST-SELLING AND CLASSIC BOOKS AND MOVIES AVAILABLE FOR FREE TO THE PUBLIC;
4. PROVIDING INCREASED SERVICES TO THE AGING POPULATION;
5. EVOLVING WITH NEW TECHNOLOGY SUCH AS OFFERING E-BOOKS, MOVIES, AND AUDIO BOOKS THAT CAN BE DOWNLOADED FOR FREE ON A SMART PHONE OR ELECTRONIC READING DEVICE;
6. REFRESHING AND RENOVATING OUR LIBRARIES TO MAINTAIN THEM AS COMFORTABLE SPACES FOR READING, STUDYING, AND LEARNING;

WITH THE DISTRICT'S ENTIRE MILL LEVY RATE SUBJECT TO ADJUSTMENT TO OFFSET REFUNDS, ABATEMENTS AND CHANGES TO THE PERCENTAGE OF ACTUAL VALUATION USED TO DETERMINE ASSESSED VALUATION; AND SHALL ALL DISTRICT REVENUES BE COLLECTED, RETAINED AND SPENT NOTWITHSTANDING ANY LIMITS PROVIDED BY LAW?