

**Berthoud Community Library District
Special Board Meeting
Wednesday, August 25, 2021
7:00 P.M.
Library Community Room/ Zoom
Hybrid Meeting during Covid-19 Pandemic**

AGENDA

- I. Call to Order
- II. Roll Call
- III. Public Participation
- IV. Consideration of a Resolution Calling 2021 Election and Requesting the Board of County Commissioners of Larimer County to Refer a Ballot Issue to the Registered Electors of the District
- V. Adjournment

Zoom Meeting ID: 865 0685 6594
Zoom Meeting Password: **586092**

Next Regular Meeting: September 8, 2021

BERTHOUD COMMUNITY LIBRARY DISTRICT

Larimer County, Colorado

Resolution No. _____

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

WHEREAS, Berthoud Community Library District, Larimer County, Colorado (the “District”), is a duly organized and existing library district under the Constitution and laws of the State of Colorado; and

WHEREAS, a great community deserves a great public library, and we need a new, larger library building to meet growing community needs;

WHEREAS, the Berthoud library was built 28 years ago when the Town of Berthoud had only 3,000 people;

WHEREAS, today, the Town’s growth has put the population over 15,000, moving quickly to 20,000 with no slowing in sight;

WHEREAS, the five-fold population growth has put tremendous strain on family and community to access library services;

WHEREAS, pursuant to C.R.S. § 24-90-112, the Board of Trustees of the District (the “Board”) is authorized to request the Board of County Commissioners (the “BOCC”) of Larimer County, Colorado (the “County”) submit to a vote of the registered electors residing within the District a ballot issue regarding the imposition of *ad valorem* taxes for the payment of the operation and maintenance expenses of the District; and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval of any new tax, the creation of any debt and for spending above limits established by TABOR; and

WHEREAS, November 2, 2021, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election; and

WHEREAS, the Board elects to utilize the provisions of the Uniform Election Code of 1992 (the “Code”) in order to conduct a coordinated election with the County Clerk of Larimer

County on November 2, 2021 (the “Election”); and

WHEREAS, the Board has determined that the interest of the District and the public interest and necessity require that the Board request that the BOCC submit to the registered electors of the District the issue of whether the District may increase the mill levy for purposes set forth in the ballot question.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF BERTHOUD COMMUNITY LIBRARY DISTRICT, IN THE COUNTY OF LARIMER AND STATE OF COLORADO:

Section 1) All action heretofore taken (not inconsistent with the provisions of this resolution) by the Board and the officers of the District, directed toward the Election be, and the same hereby is, ratified, approved and confirmed.

Section 2) The Board has determined, and hereby determines, that the interest of the District and the public interest and necessity demand and require that the Board submit to the registered electors of the District the ballot question described herein authorizing the District to increase the mill levy for the purposes described in the ballot question.

Section 3) Pursuant to Section 24-90-112(1)(b)(III), the District requests the BOCC cause to be submitted for a vote of the registered electors residing in the District on Tuesday, November 2, 2021, as part of the County coordinated election, the question set forth in Section 4 of this resolution.

Section 4) The question shall be in substantially the following form:

SHALL BERTHOUD COMMUNITY LIBRARY DISTRICT TAXES BE INCREASED \$1,275,000 ANNUALLY FOR COLLECTION BEGINNING IN 2022, AND ANNUALLY THEREAFTER BY AN ADDITIONAL PERCENTAGE EQUAL TO INFLATION PLUS ANNUAL LOCAL GROWTH AS DEFINED IN ART. X, SECTION 20 OF THE COLORADO CONSTITUTION, WITH HALF THE TAX INCREASE EXPIRING AFTER THIRTY YEARS, TO MAINTAIN EXISTING SERVICES AND TO MEET THE INCREASED DEMAND FOR ADDITIONAL SERVICES, WHICH MAY INCLUDE:

CONSTRUCTION OF A NEW, LARGER LIBRARY BUILDING TO MEET GROWING COMMUNITY NEEDS;

SEPARATE SPACES FOR CHILDREN AND TEENS;

NEW COMMUNITY MEETING ROOMS, INNOVATION LAB, AND RECORDING STUDIO;

EXPANDED COMPUTER LAB AND INTERNET CAPACITY FOR PUBLIC USE;

SUPPORTING THE COST OF STAFFING AND GENERAL OPERATIONS;

AND SHALL THE DISTRICT BE AUTHORIZED TO LEVY A PROPERTY TAX AT A RATE SUFFICIENT TO PRODUCE THIS INCREASE, COMMENCING WITH TAXES PAYABLE IN 2022 AND CONTINUING EACH YEAR THEREAFTER (EXPECTED TO RESULT IN A MONTHLY TAX INCREASE OF \$2.97 FOR EACH \$100,000 OF HOME VALUE IN 2022); AND SHALL THE DISTRICT BE ENTITLED TO COLLECT, RETAIN AND SPEND THOSE REVENUES IN ADDITION TO ANY OTHER TAXES, FEES OR OTHER REVENUES OF THE DISTRICT AND NOTWITHSTANDING ANY LIMITATION OR RESTRICTION OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR WITHOUT REGARD TO THE 5.5% PROPERTY TAX REVENUE LIMITATION OF SECTION 29-1-301, C.R.S. OR ANY OTHER LAW?

Section 5) Michele Barrasso, shall be the designated election official for purposes of performing acts required or permitted by law in connection with the Election and is authorized by the Board to enter into an intergovernmental agreement with the County Clerk pursuant to Section 1-7-116, C.R.S., in connection with the Election.

Section 6) The officers and employees of the District 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.

Section 7) All acts, orders or resolutions, or parts thereof, in conflict with this resolution are repealed.

ADOPTED at the regular meeting of the Board of Trustees of the Berthoud Community Library District held August 25, 2021.

BERTHOUD COMMUNITY LIBRARY DISTRICT

President

ATTEST:

Secretary

STATE OF COLORADO)
) ss.
 COUNTY OF LARIMER)

I, the acting Secretary of Berthoud Community Library District (the “District”), Larimer County, Colorado, certify that:

a) This is a true and correct copy of a resolution (the “Resolution”) adopted by the Board of Trustees (the “Board”) at the regular meeting of August 25, 2021, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain

b) The members of the Board were present at such meeting and voted on the passage of such resolution as set forth above.

c) The Resolution was approved and authenticated by the signature of the President and attested by the Secretary and recorded in the minutes of the Board.

d) All members of the Board were given due and proper notice of the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this _____, 2021.

 Secretary