

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 17

DATE: November 21, 2006

STAFF: Marty Heffernan

SUBJECT

Resolution 2006-118 Establishing the Fort Collins Regional Library District and Appointing Two Members of City Council to Serve on a Committee to Select Candidates for the Board of Trustees of the District.

RECOMMENDATION

Staff recommends adoption of the Resolution.

EXECUTIVE SUMMARY

The citizen initiative to form and fund the Fort Collins Regional Library District was approved by the voters on November 7. Pursuant to the Colorado Library Law, the City and County must establish the District forthwith and provide for its financial support no later than January 1, 2007. The Colorado Library Law also requires the City Council to appoint two of its members to a committee that will select the initial board of trustees (the Selection Committee). The County Commissioners must appoint two Commissioners to the Committee. Trustees selected by the Committee must be ratified by a two-thirds majority of the Council and a two-thirds majority of the Commissioners. The Council and Commissioners must act on the Committee's recommendation within 60 days or the recommended trustees are automatically ratified.

The Selection Committee, with approval of the Council and Commissioners, must decide if there will be five, six or seven trustees. The initial appointments for the trustees (set by state law) must be for terms of one, two, three, four, and five years respectively. If there are six trustees, two will have five year terms. If there are seven trustees, two will have four year terms and two will have five year terms. Thereafter, the length and number of terms is determined by the District by-laws. Trustees may only be removed by a majority vote of the Council and the Commissioners upon a showing of good cause.

Once the District Board of Trustees is established, state law requires an intergovernmental agreement (IGA) between the City, the County and the trustees must be effected within 90 days. The IGA must determine the rights, obligations, and responsibilities, financial and otherwise, of the parties to the agreement.

This Resolution appoints Councilmembers Ben Manvel and Karen Weitkunat to the Committee to Select Candidates for the Board of Trustees of the Fort Collins Regional Library District.

RESOLUTION 2006-118
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ESTABLISHING THE FORT COLLINS REGIONAL LIBRARY DISTRICT
AND APPOINTING TWO MEMBERS OF CITY COUNCIL TO SERVE ON A
COMMITTEE TO SELECT CANDIDATES FOR THE BOARD OF TRUSTEES
OF THE DISTRICT

WHEREAS, on November 7, 2006, the voters approved a citizen initiative to establish and fund the Fort Collins Regional Library District pursuant to Sections 24-90-101 to 606 of the Colorado Revised Statutes (the "Library Law"); and

WHEREAS, Section 24-90-107(3)(a) of the Library Law requires that a petition to establish a library district contain a request for the establishment of the district and the names of the governmental units establishing the district; and

WHEREAS, the petition that was submitted to place the establishment of the Library District on the November 7 ballot listed Larimer County and the City of Fort Collins as the establishing governmental units; and

WHEREAS, Section 24-90-107(3)(g) of the Library Law 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

WHEREAS, the Library Law further requires the City and County to each appoint two members of their legislative bodies to a committee that shall appoint the initial board of trustees of the Library District; and

WHEREAS, the Council wishes to appoint Councilmembers Karen Weitkunat and Ben Manvel to such committee.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That pursuant to the requirements of the Colorado Library Law the City, in cooperation with Larimer County, hereby establishes the Fort Collins Regional Library District as directed by the electors; provided, however, that such action is contingent upon the Larimer County Commissioners taking similar action.

Section 2. That Councilmembers Karen Weitkunat and Ben Manvel are hereby appointed to represent the City of Fort Collins on the committee that shall appoint the initial board of trustees of the Fort Collins Regional Library District.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 21st day of November, A.D. 2006.

Mayor

ATTEST:

City Clerk