

## **RESOLUTION NO. 10-03**

**A RESOLUTION OF THE SPOKANE COUNTY LIBRARY DISTRICT, SPOKANE COUNTY, WASHINGTON, FINDING A SUBSTANTIAL NEED AND CALLING FOR A SPECIAL ELECTION IN ORDER TO SUBMIT TO THE QUALIFIED ELECTORS OF THE DISTRICT THE PROPOSITION OF WHETHER OR NOT THE DISTRICT SHALL LEVY REGULAR PROPERTY TAXES IN EXCESS OF THE LEVY LIMITATION PROVIDED FOR IN RCW CHAPTER 84.55 FOR MAINTENANCE AND OPERATION PURPOSES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF SPOKANE COUNTY LIBRARY DISTRICT, SPOKANE COUNTY, WASHINGTON, as follows:

WHEREAS, Spokane County Library District, Spokane County, Washington (the "District"), is a library district duly organized and existing under and by the virtue of the constitution and laws of the State of Washington; and

WHEREAS, pursuant to RCW 84.55.050, the District may levy a regular property tax in excess of the levy limitations contained in RCW Chapter 84.55, when such levy amount is authorized by a proposition approved by a majority of the voters of the District voting on the proposition at a general or special election held within the District; and

WHEREAS, there is a substantial need to provide continued funding for the normal maintenance and operation of the District, and it is deemed necessary for the District to restore its regular levy rate to \$0.50 per thousand dollars of assessed value upon all the taxable property within the District in 2010 for collection in 2011, thus increasing its regular property tax levy in excess of the limit factor provided for in RCW Chapter 84.55; and thereafter using such levy to compute limitations for subsequent years; and

WHEREAS, pursuant to the above-cited statutory provisions, the Board of Trustees of Spokane County Library District submitted a ballot proposition to the voters of Spokane County at the primary election held August 17, 2010 on whether or not the District shall restore its regular levy rate to \$0.50 per thousand of assessed value upon all the taxable property within the District in 2010, for collection in 2011, thus increasing its regular property tax levy in excess of the limit factor provided for in RCW Chapter 84.55, in order to provided for continued funding for the normal maintenance and operation of the Spokane County Library District; and upon the approving vote of the majority of the voters of the District voting on such proposition, the District would be authorized to do so.

WHEREAS, pursuant to RCW 29A.04.330, a resolution calling for an election at the primary or general election date must be presented to the county auditor at least eighty-four (84) days prior to the election date; so therefore, August 10, 2010 is the last date to submit a ballot proposition to the county auditor for the general election to be held on November 2, 2010. This

date is seven (7) days prior to the primary election; accordingly, in order to reserve said general election date it is legally necessary for the Board of Trustees of the Spokane County Library District to present to the county auditor a resolution calling for a special election on the same proposition prior to the results of the election on the levy lid lift measure at the primary election to be held on August 17, 2010, as provided for in Resolution 10-2; and

WHEREAS, the Board of Trustees of the District (the "Board") deems it necessary to place the proposition of whether or not the District shall levy regular property taxes in 2010, for collection in 2011, in excess of the limit factor provided for in RCW Chapter 84.55 before the qualified electors of the District; and

WHEREAS, it is further deemed advisable that said propositions be submitted to such electors at an election to be held within the District in conjunction with the state general election on November 2, 2010.

NOW THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED as follows:

*Section 1:* The Board hereby finds and declares that, there is a substantial need to provide for continued funding for the normal maintenance and operation of the Spokane County Library District, and it is necessary for the District to restore its regular levy rate to \$0.50 per thousand of assessed value upon all the taxable property within the District in 2010, for collection in 2011, thus increasing its regular property tax levy in excess of the limit factor provided for in RCW Chapter 84.55, and thereafter using such levy to compute limitations for subsequent years.

*Section 2:* The Board hereby finds and declares that the welfare of the residents of the District requires the Board to submit to the voters of the District, for their approval or rejection, the proposition of whether or not the District shall restore its regular levy rate to \$0.50 per thousand of assessed value upon all the taxable property within the District in 2010, for collection in 2011, thus increasing its regular property tax levy in excess of the limit factor provided for in RCW Chapter 84.55, in order to provide for continued funding for the normal maintenance and operation of the Spokane County Library District; and upon the approving vote of the majority of the voters of the District voting on such proposition, the District shall be authorized to do so.

*Section 3:* Upon approval of said proposition, the District may issues warrants against the general fund for District purposes.

*Section 4:* The Board hereby finds and declares that an emergency exists requiring submission to the voters of the District at a special election to be held in conjunction with the state general election on November 2, 2010, the proposition of whether or not the District shall restore its regular levy rate to \$0.50 per thousand dollars of assessed value upon all the taxable property within the District in 2010, for collection in 2011, thus increasing its regular property tax levy in excess of the limit factor provided for in RCW Chapter 84.55, in order to provide continued funding for the normal maintenance and operation of the Spokane County Library District.

*Section 5:* The Spokane County Auditor, as ex officio Supervisor of Elections, is hereby requested also to find the existence of such emergency and to deem the same to exist and to call and conduct said special election to be held within the District in conjunction with the state general election on November 2, 2010, and to submit to the qualified electors of the District the proposition in substantially the following form:

**SPOKANE COUNTY LIBRARY DISTRICT**

**PROPOSITION NO. 1**

**LEVY FOR LIBRARY OPERATIONS AND MAINTENANCE**

**THE SPOKANE COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES ADOPTED RESOLUTION NO. 10-03 CONCERNING A PROPOSITION TO AUTHORIZE A REGULAR PROPERTY TAX. TO PROVIDE CONTINUED FUNDING FOR NORMAL OPERATION AND MAINTENANCE OF THE TEN COMMUNITY LIBRARIES, THIS PROPOSITION WOULD AUTHORIZE THE DISTRICT TO RESTORE ITS REGULAR PROPERTY TAX LEVY RATE TO \$0.50 PER \$1,000 OF ASSESSED VALUE IN 2010 FOR COLLECTION IN 2011, AS ALLOWED BY CHAPTER 84.55 RCW. THEREAFTER, SUCH LEVY AMOUNT WOULD BE USED TO COMPUTE LIMITATIONS FOR SUBSEQUENT YEAR LEVIES AS ALLOWED BY CHAPTER 84.55 RCW. SHOULD THIS PROPOSITION BE:**

**APPROVED**

**REJECTED**

**INSTRUCTION TO VOTERS**

To vote IN FAVOR OF the foregoing Proposition, mark a cross (X) in the "APPROVED" square.

To vote AGAINST the foregoing Proposition, mark a cross (X) in the "REJECTED" square.

APPROVED

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REJECTED

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*Section 6:* The special election will be held in conjunction with the state general election on November 2, 2010. The Spokane County Auditor, as ex officio Supervisor of Elections, will establish and publish the locations and hours of operation for voter service centers for the November 2, 2010 special election.

*Section 7:* If any one or more of the provisions of this resolution shall be declared unconstitutional or invalid for any reason, such decision shall not affect the

validity of the remaining provisions of this resolution, and this resolution shall be construed and enforced as if such unconstitutional or invalid provisions had not been contained herein.

*Section 8:* A notice of special election substantially in the form set forth in Exhibit "A" attached hereto and by this reference incorporated herein, shall be published at least once, which publication shall take place not more than ten (10) nor less than three (3) days prior to the date of said election. Said publication shall be in an official newspaper of general circulation within the District.

*Section 9:* The Secretary of the Board is hereby directed to deliver this resolution to the Spokane County Auditor at least eighty-four (84) days before the date proposed for the special election on this proposition.

*Section 10:* This resolution shall become effectively immediately upon its adoption.

*Section 11:* This resolution may be rescinded by the Board of Trustees of the Spokane County Library District after the results of the August 17, 2010 special election are determined.

ADOPTED by the Board of the Trustees of the Spokane County Library District, Spokane County, Washington, at a regular meeting thereof, held this 20<sup>th</sup> day of April, 2010.

SPOKANE COUNTY LIBRARY DISTRICT  
Spokane County, Washington

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Jacob Laete, Chair

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Tim Hattenburg, Vice Chair

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Ann Apperson, Trustee

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Mary E. Lloyd, Trustee

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Daniel Davis, Trustee

ATTEST

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Michael Wirt,  
Secretary of the Board of Trustees

## CERTIFICATION

I, Michael Wirt, the acting Secretary of the Board of Trustees of Spokane County Library District, Spokane County, Washington, hereby certify that the foregoing resolution is a full, true, and correct copy of a resolution duly passed and adopted at a regular meeting of the Board of Trustees of Spokane County Library District, duly held at the regular meeting place thereof on April 20, 2010, of which meeting all members of said Board had due notice, and at which a majority thereof were present; and that at said meeting said resolution was adopted by the following vote:

AYES, and in favor thereof, Members: \_\_\_\_\_

NOES, Members: \_\_\_\_\_

ABSENT, Members: \_\_\_\_\_

ABSTAIN, Members: \_\_\_\_\_

I further certify that I have carefully compared the same with the original resolution on file and of record in my office; that said resolution is a full, true, and correct copy of the original resolution adopted at said meeting; and that said resolution has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand on this 20<sup>th</sup> day of April, 2010.

\_\_\_\_\_  
Michael Wirt,  
Secretary of the Board of Trustees

**EXHIBIT "A"**

**SPOKANE COUNTY LIBRARY DISTRICT  
Spokane County, Washington**

**NOTICE OF SPECIAL ELECTION**

NOTICE IS HEREBY GIVEN that a special election will be held within Spokane County Library District, Spokane County, Washington (the "District") on November 2, 2010 for the purpose of submitting to the qualified electors, for their ratification or rejection, the proposition of whether or not the District shall restore its regular levy rate to \$0.50 per thousand dollars of assessed valuation upon all the taxable property within the District in 2010 for collection in 2011, thus increasing its regular property tax levy in excess of the limit factor provided for in RCW Chapter 84.55, thereafter using such levy to compute limitations for subsequent years, all as more fully set forth in Resolution No. 10-03, adopted by the Board of Trustees of the District (the "Board") on April 20, 2010.

The Board has determined that the welfare of the residents of the District requires the Board to place the issue of whether or not the District shall levy regular property taxes in excess of the limit factor provided for in RCW Chapter 84.55 before the qualified electors of the District for their ratification or rejection. The proposition shall be in substantially the following form:

**SPOKANE COUNTY LIBRARY DISTRICT**

**PROPOSITION NO. 1**

**LEVY FOR LIBRARY OPERATIONS AND MAINTENANCE**

**THE SPOKANE COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES ADOPTED RESOLUTION NO. 10-03 CONCERNING A PROPOSITION TO AUTHORIZE A REGULAR PROPERTY TAX. TO PROVIDE CONTINUED FUNDING FOR NORMAL OPERATION AND MAINTENANCE OF THE TEN COMMUNITY LIBRARIES, THIS PROPOSITION WOULD AUTHORIZE THE DISTRICT TO RESTORE ITS REGULAR PROPERTY TAX LEVY RATE TO \$0.50 PER \$1,000 OF ASSESSED VALUE IN 2010 FOR COLLECTION IN 2011, AS ALLOWED BY CHAPTER 84.55 RCW. THEREAFTER, SUCH LEVY AMOUNT WOULD BE USED TO COMPUTE LIMITATIONS FOR SUBSEQUENT YEAR LEVIES AS ALLOWED BY CHAPTER 84.55 RCW. SHOULD THIS PROPOSITION BE:**

**APPROVED  
REJECTED**

## INSTRUCTION TO VOTERS

To vote IN FAVOR OF the foregoing Proposition, mark a cross (X) in the "APPROVED" square.

To vote AGAINST the foregoing Proposition, mark a cross (X) in the "REJECTED" square.

APPROVED ☐

REJECTED ☐

Said election will be held on November 2, 2010.

Dated: \_\_\_\_\_, 2010

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Spokane County Auditor,  
As ex officio Supervisor of  
Elections for Spokane County  
Library District



**CERTIFICATE OF THE COUNTY AUDITOR  
OF  
SPOKANE COUNTY, WASHINGTON**

WHEREAS, the undersigned, as the duly elected, qualified and acting Auditor of Spokane County, Washington, has jurisdiction of and is required by law to conduct all special elections for library districts within the County;

WHEREAS, the Board of Trustees of Spokane County Library District, Spokane County, Washington, by Resolution No. 10-03, adopted April 20, 2010, a certified copy of which has been delivered to the undersigned, has found that an emergency exists requiring the holding of a special election in conjunction with the state general election on November 2, 2010; and

WHEREAS, said Board by said Resolution has authorized and directed the undersigned to assume jurisdiction of and to conduct said special election within the District;

NOW, THEREFORE, it is hereby authorized and ordered as follows:

The undersigned concurs in the finding of an emergency and does hereby assume jurisdiction of the above-mentioned special election of Spokane County Library District, Spokane County, Washington, authorized and ordered by Resolution No. 10-03 of its Board of Trustees, adopted on April 20, 2010, and will conduct said special election in conjunction with the state general election to be held November 2, 2010.

DATED at Spokane, Washington, this \_\_\_\_\_ day of \_\_\_\_\_, 2010 \_\_\_\_\_.

\_\_\_\_\_  
Spokane County Auditor, as ex officio  
Supervisor of Elections for Spokane County  
Library District

**TO: The Spokane County Auditor, as Ex Officio Supervisor of Elections  
for Spokane County Library District, Spokane County, Washington**

Pursuant to Resolution No. 10-03, adopted by the Board of Trustees of Spokane County Library, Spokane County, Washington (the "District"), at a meeting of said Board held on April 20, 2010, a copy of which Resolution is attached hereto and by this reference made a part hereof, you are respectfully requested to submit the following proposition to the electors of the District for their ratification or rejection, at a special election to be held on November 2, 2010. The proposition shall be in substantially the following form:

**SPOKANE COUNTY LIBRARY DISTRICT**

**PROPOSITION NO. 1**

**LEVY FOR LIBRARY OPERATIONS AND MAINTENANCE**

**THE SPOKANE COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES ADOPTED RESOLUTION NO. 10-03 CONCERNING A PROPOSITION TO AUTHORIZE A REGULAR PROPERTY TAX. TO PROVIDE CONTINUED FUNDING FOR NORMAL OPERATION AND MAINTENANCE OF THE TEN COMMUNITY LIBRARIES, THIS PROPOSITION WOULD AUTHORIZE THE DISTRICT TO RESTORE ITS REGULAR PROPERTY TAX LEVY RATE TO \$0.50 PER \$1,000 OF ASSESSED VALUE IN 2010 FOR COLLECTION IN 2011, AS ALLOWED BY CHAPTER 84.55 RCW. THEREAFTER, SUCH LEVY AMOUNT WOULD BE USED TO COMPUTE LIMITATIONS FOR SUBSEQUENT YEAR LEVIES AS ALLOWED BY CHAPTER 84.55 RCW. SHOULD THIS PROPOSITION BE:**

**APPROVED  
REJECTED**

**INSTRUCTION TO VOTERS**

To vote IN FAVOR OF the foregoing Proposition, mark a cross (X) in the "APPROVED" square.

To vote AGAINST the foregoing Proposition, mark a cross (X) in the "REJECTED" square.

APPROVED

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REJECTED

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It is the opinion of the Board of Trustees of the District that an emergency exists due to the need to provide funding for the maintenance and operation of the District, which emergency requires the ratification or rejection at said special election, of the proposition of whether or not the District shall restore its regular levy rate to \$0.50 per thousand dollars of assessed valuation upon all the taxable property within the District in 2010, for collection in 2011, thus increasing its regular property tax levy in excess of the limit factor provided for in RCW Chapter 84.55, and thereafter using such levy to compute limitations for subsequent years.

DATED as of April 20, 2010.

SPOKANE COUNTY  
LIBRARY DISTRICT  
Spokane County, Washington

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Michael Wirt,  
Secretary of the Board of Trustees

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