

**CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES**

Name of Board/ Commission: Library Commission	
Date of Meeting: February 7, 2018 at the Main Boulder Public Library, 1001 Arapahoe Ave.	
Contact information preparing summary: Maureen Malone, 303-441-3106	
Commission members present: Alicia Gibb, Joni Teter, Tim O’Shea, Juana Gomez	
Commission members absent: Joel Koenig	
<p>Library staff present: David Farnan, Director of Library & Arts Jennifer Phares, Deputy Library Director Maureen Malone, Administrative Specialist II Aimee Schumm, eServices Manager Aspen Walker, Community Engagement and Enrichment Manager Jaime Kopke, Programs, Events, and Outreach Manager Tim McClelland, Patron Services Manager</p> <p>Others present: Jacqueline Murphy, Sr. Consultant Public Library Community Programs at Colorado State Library Sara Wright, Colorado Library Consortium (CLiC)</p> <p>Members of the public present: Mary Eberle</p>	
Type of Meeting: Regular	
Agenda Item 1: Call to order and approval of agenda	[6:01 p.m., 0:00:00 Audio min.]
The meeting was called to order at 6:01 p.m.	
Agenda Item 2: Public comment	[6:02 p.m., 0:00:40 Audio min.]
None	
Agenda Item 3: Consent agenda	[6:02 p.m., 0:01:01 Audio min.]
<p>Item 3A, Approval of January 10, 2018 Meeting Minutes Gomez moved to approve the minutes, and Teter seconded. Vote 3-0, unanimous (O’Shea was not yet present to vote).</p> <p>Item 3B, Approval of January 22, 2018 Study Session Minutes [0:07:15 Audio min] Teter requested that a statement be added to the last bullet on p. 3 of the minutes to clarify that the amount for the literacy festival shown in the cost estimate table (p. 21 of study session packet) represents the total city cost, not the library’s portion. O’Shea moved to approve the minutes as amended, and Teter seconded. Vote 3-0, unanimous (Gomez abstained as she was not at the meeting).</p>	
Agenda Item 4: Meet Aspen Walker, Community Engagement and Enrichment Manager	[6:03 p.m., 0:02:34 Audio min.]
Agenda Item 5: 2018 Canyon Gallery exhibitions – Jaime Kopke, Programs, Events, and Outreach Manager	[7:32 p.m., 1:23:10 Audio min.]
<p>Commission skipped ahead to Agenda Item 6 due to technical difficulties, and came back to this item later in the meeting.</p> <p>See handouts for presentation.</p> <p>O’Shea commented that the gallery is doing some really incredible things, and requested that staff post the full 2018 exhibition schedule on the website, so that people can plan around the exhibits, as opposed to just happening upon them.</p>	
Agenda Item 6: Presentation on library districts – Jacqueline Murphy, Sr. Consultant Public Library Community Programs at Colorado State Library	[6:12 p.m., 0:11:12 Audio min.]

Commission sent some questions to Jacqueline Murphy in advance of the meeting (in bold below).

Commission discussion, questions, and comments included:

- Murphy explained that the two major pros for forming a district are: 1. because they are property tax based, districts have been found to be more sustainable, and 2. districts have a dedicated board, which provides direct accountability to taxpayers for library services, as opposed to the city, which has a panoply of municipal services they need to provide. The major con to forming a district is the upfront and long-term maintenance costs associated with the responsibility for insurance, human resources expenses, maintenance of buildings, etc.
- **If the ballot initiative is successful, is there a defined limit of time for the transition period, or is that established through an MOU?** Murphy explained that a district will certify its budget on Dec. 15 of every year. The library can go to election to form a district in November of any year; if the ballot initiative passes, the district would need to seat a board in time to certify a mill levy by Dec. 15, which would be imposed starting the following Jan. 1. The tax revenue would come in the following year, meaning a two-year lag. Within 90 days after the initial board is in place, the district must enter into intergovernmental agreement (IGA); the statute does provide for an extension as needed, so every detail does not need to be ironed out before going to the ballot box.
- Gomez asked if the district would be borrowing funds for a year due to the lag caused by the fact that taxes are collected in arrears. Murphy replied that the district would most likely borrow funds from the city in order to cash flow. Wright added that since tax dollars are collected in arrears, it can be part of the IGA that the tax money collected from the library's existing designated mill levy be passed through to the new district's bank accounts; that's not enough to run the library, but it's something to keep in mind when thinking about the cash flow.
- Teter asked which entities would be involved in the IGA. Murphy explained that if the district is going outside city proper into unincorporated areas of the county, then the county would be one of the organizing jurisdictions along with the city and the district.
- Teter asked who appoints the trustees. Murphy replied that representatives of both the city and the county would seat the initial board; the statute is very specific about how the initial board is formed, and the terms are staggered (1-, 2-, 3-, 4-, and 5-year terms) for a 5-member or 7-member board. The city and county have ongoing approval of the board members. Farnan wondered if there are any metrics in place to determine board representation. Murphy replied that there is nothing in the library law, but Arapahoe County, for example, is a very diverse area and they appoint board members based on the different regions within the district. Wright added that Berthoud was able to keep its existing advisory board as the initial district board to make for a smooth transition, and members were assigned new terms in accordance with statute; the bylaws can then address how the board shall represent the nature of the district going forward.
- Teter wondered how a county clerk certifies a ballot on a district that doesn't exist yet – does everyone in the county vote, or just the people who would be in the district, and how do you identify those people? Murphy explained that it tends to work best when a new district aligns with an existing taxing boundary (i.e. school or fire district), but you can designate a boundary other than existing taxing boundaries; the county's GIS mapping department and the county clerk can help identify the list of voters that would vote in the election. Farnan commented that he has already looked into this and there is no overlapping district that this library district would be able to correlate with, so it will require detailed mapping.
- Gomez asked how it is decided who pays for the cost of the vote. Murphy responded that it is a point of negotiation, but in general, the city or county pays up front and if the vote passes and the district is formed, the new district reimburses for the election cost.
- **What is a typical amount of time for the transition to a district?** Murphy explained that this depends on a number of factors. Part of the IGA may be an agreement to agree upon real property transfers, employee transitions, and other particulars. The district needs to decide if it will continue to receive services (i.e. human resources, accounting, and IT) from the city and pay at cost.
- **Does an MOU typically occur after a district election, or are those things ironed out in advance?** Murphy replied that staff should have preliminary discussions with the approving jurisdictions around real property, employees, expenses, etc. in order to determine the feasibility of going forward with the expense of a campaign.
- **Does an entity independent of the city or county have to pay for the campaign to become a district?** Murphy explained that a YES committee composed of people who are passionate about the library would be formed and then file as a Committee for Political Action (PAC) with the Secretary of State to be able to accept donations and fund the campaign.
- **How would the library hire legal counsel to represent the future district's interest in negotiations with the city and county?** Murphy stated that if a YES group has already been formed and has resources available, they can pay for counsel; otherwise the city can finance some of the preliminary discussions.
- **What costs can we anticipate associated with the transition period?** Murphy explained that it depends on what services are contracted back to the city (for human resources, payroll, etc.).
- **How are funds distributed to the district?** Murphy explained that the county assessor would disburse funds to the new library district just as they do other taxing entities in the district (metropolitan, parks and recreation, etc.) receiving their proportionate share of specific ownership taxes.

- **Does a governing board need to certify receipt of disbursements from the county?** Murphy replied that the county treasurer is the custodian of all monies for the library, which are then transferred into a special fund called the public library fund. Technically the library district could have to go through the county for every disbursement, but nobody does that; instead, the law provides that, at the request of the board, the treasurer can transfer money into the custody of the library board with the stipulation that the board carries a bond (as insurance that the district is correctly managing the money that the county is disbursing) and performs an annual audit.
- **Are there templates from the state library for the transition process?** Murphy said the state has some sample timelines that might be helpful for the campaign and strategy piece, and the Secretary of State has a timeline for the actual election. The library’s consultants can help develop a comprehensive timeline that has the election part, statutory election code part, and the timeframe going forward.
- **Does pending legislation around [House bill 18-1039](#) affect library districts, or is it limited to only “special district” elections?** Murphy replied that to her knowledge, it only affects special districts; if something changes, the state library will send out a notice with information.
- Teter asked what the pros and cons of a Regional Library Authority (RGA) are, and why no one has chosen to go that route. Murphy explained that in the case of an authority, two governments are getting together to agree to share costs, but unless the promise to share costs is voted, it is subject to annual appropriation and could be unraveled from one year to the next. With a district, there is voter approval for a property tax in perpetuity.
- Teter expressed concern about the decision-making powers of a governing board. Murphy explained that no individual board member has authority in any decision making; there are checks and balances in place – the board acts as a body and needs a simple majority to pass any action items. The city and county have the authority in perpetuity to remove a trustee, and it can also be written into the bylaws that the board has the ability to remove a member.
- Teter wondered how debt accrual is kept under control, particularly with capital projects. Murphy replied that most districts finance capital projects through certificates of participation, similar to a lease purchase agreement in that the lender owns the library facilities and the district makes lease payments to the lender. There is also a provision in the library law for municipal bonds. Murphy stated that this would be a good question to broach with the public finance attorney that helps draft the ballot question – they will be able to model different financing proformas to inform the ballot question.
- Murphy stated that if contracting for services with the city, the city’s policies for those specific services will govern during that transition time until the district brings those services in house and writes its own policies.
- Farnan asked if the de-Brucing would be a third ballot item when going to election to form a district, or part of one of the first two ballot items. Murphy recommended finding the right public finance counsel to help with drafting the ballot language.
- Gibb wondered whether staff are generally in favor of this transition, and if they see a lot of change in their roles or overhead. Murphy recommended asking the representatives from the Poudre River district that are planning to attend the March meeting.
- Murphy confirmed that due to tabor, if a library district needed to increase its funding, it would have to go back to the voters for approval. Wright recommended setting the mill levy as high as you think the voters will tolerate to avoid having to go back and ask for an increase.
- Teter wondered how to sway property owners that receive library services, but are not currently paying anything, to increase their property taxes to fund the library district. Wright shared that in Berthoud, they had an excellent campaign election committee that met often and crafted good, simple messaging; it will require a lot of one-on-one conversations and word of mouth. Murphy added that staff should have a strategy conversation with the consultant about being very specific in the ballot language in terms of how the funding will be used.
- Since Gibb’s term on the commission is nearly up, she gave the commission a few things to consider:
 1. In a district scenario with property tax based funding, growth in the city means growth in the library budget. If the library stays with the city, Gibb urged the commission to think about ways to ask the city for a plan for growth in the city budget. The library needs to make up for the funding deficit it has experienced over the years, but also plan for growth in the way that a property tax could allow for growth.
 2. Don’t forget during this process about the images in the Carnegie collection that were digitized using City of Boulder money, but are owned by Museum of Boulder.

Commission took a 10-minute break and then went back to Agenda Item 5.

Agenda Item 7: Discuss planning and design of community dialogue about perceptions of safety in the library

[7:48 p.m., 1:38:34 Audio min.]

- a. Information item: summary of community input received during Master Plan engagement
 - Teter sent some comments ahead of the meeting (see [handouts](#)).
 - Kopke shared some ideas for an embedded campaign of both active and passive programming that focuses on understanding and creating empathy around homelessness. She discussed how this should be more of a

campaign of events as opposed to a single action (“scaffolding participation levels”)– some ideas are a feedback board (where responses could be posted), and a complementary exhibition alongside a dynamic presentation. Important to remember that there is a wide spectrum of comfort level with public participation, so an array of methods is useful. Kopke also presented the concept of an “equalizing platform for engagement” (as was exhibited during the *Art of Repair* where participants were sewing strangers’ clothes and patching their items in a non-forced collaborative environment). The Dallas Public Library opens early and offers people coffee when it is especially cold outside, welcoming all without singling out the homeless population. She also brought up the possibility of a new round of signage that reminds patrons that all are welcome. Commission expressed support for staff to move forward with Kopke’s proposal.

- Gibb expressed surprise about how few comments there were around homelessness and safety in the community survey (p. 28 of [packet](#)), and wondered if commission is making a problem where there isn’t one since overall the majority of people answered that they feel safe in the library.
 - Teter agreed and suggested that instead of putting an emphasis on safety in the library, they might focus on this ‘empathy campaign’ with the public face while still dealing with behavioral issues as a separate piece.
 - Farnan stated that there may only be a few people expressing concern, but they are loud and sometimes indignant; staff has also brought the issue of their perceived safety up to commission, so he does not want to minimize the issue. It comes back to a perception issue, which is typically framed around the homeless and the people’s perception that their safety is in jeopardy.
 - O’Shea stated that he still thinks the perception issue is strong; there is a perception that some things are bad because they are unfamiliar. If an effort is going to be made around this issue, the perspective from both sides needs to be considered. The library is a public place of perception and reception, and there is an opportunity to explore that beyond just homelessness and transience, which gets to some of the civic dialogue that staff would like to see.
 - Phares explained that in a place where different people come together, there is always going to be friction; staff can address issues that come up, but can’t prevent them from happening entirely. Some people want staff to control the way in which people they find objectionable use the library so that it’s more comfortable for them, when those other people have just as much right to do things within the library’s rules as anyone else does.
 - Farnan stated that in a way, Kopke is proposing is to embrace this as a part of the library’s brand, and embracing who we are and what we stand for will invite criticism. We’re not going to solve the issue, but it is our hope to inspire people to have a conversation, not just here but at home.
 - Gomez reminded that every demographic expressed concern. The commission wants to address people’s voiced concerns, and the homeless issue is a central one
- Teter suggested Boulder Talks, a collaboration between CU communications department and City of Boulder, as a potential resource in the community, adding that it is always great to get student energy around issues such as this.
- O’Shea suggested that there may be an opportunity to activate Library League members as community advocates for this kind of dialogue.

Agenda Item 8: Master Plan project update

[8:23 p.m., 2:14:05 Audio min.]

- a. Library Commission input on draft Master Plan - part one: Boulder Public Library and the Community
 - Teter sent some comments ahead of the meeting (see [handouts](#)).
 - Gomez recommended more boasting of staff accomplishments. Phares agreed that these can be called out somewhere in the plan, but explained that this particular section is meant to call out accomplishments for goals laid out in the 2007 Master Plan.
 - Teter wondered why it is important to keep accomplishments for goals laid out in the 2007 plan separate from unplanned accomplishments . Phares replied that that is how other Master Plans are structured. Farnan added that staff is trying their best to follow the template; it could be risky to do otherwise since this is what council is familiar with.
 - Phares will find a place to call out unplanned accomplishments; once the whole plan is together, commission can review it and make suggestions for moving pieces around as needed. Phares explained that while the plan does need to call out what has been accomplished to convey the library’s relevance and get things we need going forward, this is really a plan for where we’re going in the next 10 years and what we will need to accomplish that.
 - Gomez suggested reframing the statement that “BPL was unable to fully address” certain objectives under opportunities for continued improvement (p. 41 of [packet](#)) to sound less negative. Gibb commented that this language may be fine as is because it reiterates that the library did not have the funding to accomplish these goals and that is on council. Teter stated that not all of these objectives are going forward since they

are no longer priorities, and wondered if there is a way to highlight the objectives that have been identified as ongoing needs for the next plan.

- Teter stated that she is not sure the way the priorities are laid out in the timeline will be clear to council; she suggested presenting what the library absolutely needs to have and then the things it would be great to do for growth. Farnan replied that that is a risky approach, but stated that staff can do an exercise with commission at a future meeting and have further discussion on how to lay out the priorities for council.

Agenda Item 9: Library Commission Update

[8:57 p.m., 2:48:09 Audio min.]

a. Matters from the Commission

i. Report out on meetings with City Council members

ii. Discuss letter to City Council outlining library budget deficiencies

Farnan encouraged commission to write another letter to council reiterating their favorable position on updating the restrooms at the main library. The city's chief budget officer will make a recommendation about whether the library may use its reserves for this purpose, which she will present at the March commission meeting. Phares explained that the reserves is a collection of salary savings over the years – it has been used to fund various things over the years including the Master Plan project and a portion of the main library renovation – but since the charter change, it is no longer accumulating money.

Teter shared that Council Member Weaver suggested that commission send a letter before council's general fund discussion in May that outlines the library's current funding deficiencies.

b. Boulder Library Foundation update

i. Select new representative

There was some initial discussion about who will replace Gibb as one of the commission representatives on the foundation board. Commission will officially appoint a new representative in April.

c. City project representative update

i. EcoDistricts

d. Responses to patron emails from the Library Commission

Agenda Item 10: Library and Arts Director's Report

[9:15 p.m., 3:06:13 Audio min.]

a. Select volunteers to attend Feb. 21 Arts Commission meeting to discuss Library Master Plan

Farnan explained that there needs to be a brief discussion with the Arts Commission about the future of the Canyon Theater to find out if they place a value on it being a performance space. O'Shea volunteered to represent the Library Commission at the meeting.

b. North Boulder Library project team kick-off

c. Update on City Council meeting with County Commissioners to discuss interest in forming a library district

d. Boulder Center for the Performing Arts and the west bookend of the Civic Area

e. Q4 2017 Library Use Statistics Report

f. Maria Rogers Oral History Project 2017 Annual Report

Agenda Item 9: Adjournment

[9:24 p.m., 3:14:33 Audio min.]

There being no further business to come before the commission at this time, the meeting was adjourned at 9:24 p.m.

Date, time, and location of next meeting:

The next Library Commission meeting will be at 6 p.m. on Wednesday, March 7, 2018, at the Meadows Branch Library, 4800 Baseline Rd., Boulder, CO 80303.

Commissioner Teter approved these minutes on May 2, 2018; and Celia Seaton attested to it.