

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES

OF THE

BOULDER PUBLIC LIBRARY DISTRICT

Held: Tuesday, October 3, 2023, at 6:00 p.m. at Boulder  
Public Library, 1001 Arapahoe Avenue, Boulder,  
Colorado.

### Attendance

The special meeting of the Board of Trustees of the Boulder Public Library District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Trustees, having confirmed their qualifications to serve on the Board, were in attendance:

Katharine (Joni) Teter  
Cara O'Brien  
Sam Fuqua  
Jennifer Yee (via Zoom)  
Doug Hamilton  
Cara O'Brien  
Sylvia Wirba (via Zoom)

Absent: Benita Duran

Also present were Kim J. Seter, Esq., Marissa Peck, Esq. (via Zoom), and Kelly Hansen, from Seter & Vander Wall, P.C.; David Farnan, Director of the Boulder Public Library; Jennifer Phares, Deputy Director of the Boulder Public Library (via Zoom); Chris Barge, executive director of the Boulder Public Library Foundation, and; Maggie Saunders from the public (via Zoom).

### Call to Order

Trustee Teter called the meeting to order at 6 p.m. noting that a sufficient number of appointed trustees were present to create a quorum authorized to act on behalf of the District.

### Consider Approval of Minutes of September 26, 2023

Following motion from Trustee Teter, and second from Trustee Fuqua, the September 26, 2023 minutes were approved as modified, with Trustee Yee abstaining.

### Public Comment

Maggie Saunders introduced herself and asked a question about whether the Boulder Public Library Foundation plans to use any

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of its funds to conduct outreach to other community programs. Mr. Chris Barge offered to connect with Ms. Saunders to discuss this possibility.

## 2024 Budget Preview

Mr. David Farnan provided a preview of the 2024 budget and his written report.

Following his conversations with the Finance Subcommittee, he plans to create comparisons showing different estimates for internal cost allocations and the percentage increase in funding/spending across the entire budget. As of now, the largest increases in the budget are related to facilities, new services, wage and benefits increases (including the cost of minimum wage increases), and materials.

Next, he discussed plans for the café. He noted that the public expects there to be a café at the library, but that it is nearly impossible for café vendors to make a profit in the space. As a result, the budget includes a subsidization for a new café, the details of which will be worked out over the course of the next month. These details include choosing a vendor, identifying potential partnerships with Boulder food companies and non-profits, and determining general operational aspects. Mr. Farnan cautioned that there will be a degree of trial and error in getting the café up and running.

Trustee Hamilton asked about the increases in the budget from 2023 to 2024. Several Trustees requested side-by-side comparisons between the District's 2024 budget and the City's 2023 budget so that the differences can be highlighted and explained to staff and patrons. Mr. Farnan agreed to put time into developing these comparisons. Trustee Hamilton further requested that the additional staff positions that will be added in 2024 be broken down by department.

Next, Trustee Teter requested that Trustee O'Brien prepare some high-level talking points regarding the budget so that the Board can be consistent in answering any questions it receives. She wants this information to include details regarding the District's new administrative apparatus, the efforts to repair, restore and build facilities, the rebuilding of staff following the 2020 cutbacks, steps being taken to restore and increase service levels, and potentially some discussion related to the eventual expansion of the Library's eBook collection. The Trustees recommended using language from the Master Plan and ballot measure when

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drafting this guide.

## Consider FAMLI Coverage Options

Mr. Seter reviewed the Colorado Family and Medical Leave Insurance (“FAMLI”) program, which mandates all employers, including local governments, to participate in funding leave benefits for specified purposes, unless the local government chooses to opt out. The Board expressed its interest in opting out, namely because the District’s offerings are superior to those offered through FAMLI.

At this time, Trustee Teter opened the public hearing on the FAMLI participation; there being no comments offered, Trustee Teter closed the hearing. Mr. Seter reviewed the form of notice provided and the proposed resolution regarding the declination of participation in the FAMLI program, and the declination of assisting employees with individual participation in the program. Following discussion, and upon motion made by Trustee Hamilton, seconded by Trustee O’Brien and unanimously carried, the Board approved the resolution as presented.

## Review RFP for Auditors

Mr. Farnan requested questions and comments from the Board and provided updates on the process. The RFP will be sent out to 6-7 potential auditors. He believes the process should be relatively straightforward, with Deputy Director Phares and David Cox conducting interviews. The deadline for returning the RFP proposal is two weeks from today.

Trustee Wirba noted the importance of having an audit done on IT security matters, including software and programs used to process employee information. Mr. Farnan noted that this work is actually built into the IT contract.

Trustee Wirba also noted that there may be a future need for a risk analysis related to the Board’s membership requirements, duties and obligations. Trustee Hamilton expressed his support for this idea in the future. Trustee Teter, however, cautioned against overcomplicating these things. Mr. Seter suggested using the statute to outline the various duties of the Board, to be distributed in a future legal status report, likely in November. The Board expressed support for this plan.

## Director Update

Mr. Farnan provided an overview of his report and highlighted several mission-critical items.

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First, he noted that in order to meet/fulfill the January 20<sup>th</sup>, 2024 payroll, the District will need to put out job offers to the current staff in the next two weeks. While the budget accounts for these staff, he still needs the Board to give him the green-light to proceed. The Board signaled their approval for him to move forward.

In addition, Mr. Farnan will be putting an RFP for a liability and catastrophic insurance broker in the coming days. The broker will assess the District's situation and advise on what types of coverage are needed, or not. Trustee O'Brien offered to assist Mr. Farnan with hiring an insurance broker.

Next, Mr. Farnan reported that the budget contains an increase in minimum wage for all staff to \$22.45 for all hourly staff. This will be implemented in 2024 after the pay leveling is completed, unless the Board decides otherwise. The Board expressed support for this plan.

Lastly, the benefits broker will be returning to meet with the Personnel Subcommittee next week, and to present to the entire Board on October 17<sup>th</sup>. Mr. Farnan hopes to release the Employee Handbook to the staff around the same time, but still needs guidance from the Board related to HSA matches and lifestyle spending accounts. These matters will be discussed at the Personnel Subcommittee meeting. However, following discussion regarding the function of a lifestyle spending account, the entire Board expressed support for including this benefit in the Employee Handbook, with the amount to be determined by the Personnel Subcommittee.

Subcommittee Updates

None.

Trustee Matters

None.

Legal Counsel Status Report

Mr. Seter presented his report, which contained no new items and provided an update on the IGA negotiations. The draft is being passed back and forth, with comments due back from the City tomorrow morning. According to Mr. Seter, the next draft is slated to be included in the City Council meeting packet as an update. However, Trustee Teter expressed strong disagreement with including it in the city council packet, namely because it will result in further complications and potentially unnecessary


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requests from the City. Mr. Seter agreed not to send the draft to the City for inclusion in its meeting packet. He further predicted successfully hitting the October deadline, at least on the District's side of the negotiations.

## Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at approximately 7:30 p.m.

  
Secretary for the Meeting

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