

**BOULDER PUBLIC LIBRARY DISTRICT**

-SPECIAL MEETING-

Tuesday, January 30, 2024

Via Zoom

6:00 p.m.

Join Zoom Meeting

<https://tinyurl.com/yckjjw7v>

<u>Board of Trustees</u>	<u>Term Expiration</u>
Benita Duran	2028
Jennifer Yee	2028
Sylvia Wirba	2027
Doug Hamilton	2027
Cara O'Brien	2026
Sam Fuqua	2025
Joni Teter	2024

Follow [link](#) to review long range agenda planning document.

**AGENDA**

1. Call to Order
2. Declaration of Quorum
3. Public Comment
4. Library Policies Review: Library Rules of Conduct and Canyon Theater and Gallery Terms of Use and Rental Policy
5. Trustee Appointment Process (Staff & Governance)
  - a. Approve application packet for new Trustees and forward to Council/BOCC Selection Committee (Governance)
6. Cyber Insurance: Review of Bids
7. Director Updates
8. Trustee Matters
  - a. Set special meeting Feb 13
  - b. Forms
    - i. Affirmation of Ethics Statement
    - ii. Conflicts of Interest Disclosure and Certification
    - iii. Affirmation and Acknowledgment of Trustee Responsibility for Executive Session Information and Library User Privacy
  - c. Track changes document of the proposed bylaws changes
  - d. Discussion: Scheduling of Annual Meeting
9. Legal Counsel Updates
  - a. Possible Executive Session: Gunbarrel Branch Location Discussion

*Upon motion made and approved by 2/3 of the Trustees present, the Board may enter into executive session to discuss the purchase, acquisition or lease, of real property and determine positions on matters subject to negotiations as allowed by Sections 24-6-402 (4) (a) and (e) of the Colorado Revised Statutes with regard to a potential branch library to serve the Gunbarrel Community.*

10. Adjournment

**NEXT SPECIAL MEETING: Tuesday, February 13, 2024**

January 26, 2024

**To:** Boulder Public Library District Board of Trustees

**From:** David Farnan, Library Executive Director  
Jennifer Phares, Director of Business and Administration

**Subject:** Board Review and Approval of Library Rules of Conduct

**Requested Action by the Board:** Consider a motion to approve the Library Rules of Conduct.

**Background:** The Library Commission approved the current Boulder Public Library Rules of Conduct in October 2022. In November 2023, Public Services Department Manager Tim McClelland collected input from library staff about any changes needed to the rules. There were no substantive changes recommended.

**Overview of Changes:**

- Changes to the Library Rules of Conduct and the suspension form included removal of references to the City of Boulder revised code and revising the appeal process for patrons who are suspended to submit their appeal for review and decision by the Executive Library Director.
- The current rules state, “A suspension period of more than one year may be issued for sexual offenses only and in accordance with Section 5-5-18 B.R.C. 1981.” The decision to issue a suspension for longer than 364 days was the City Manager’s. The Executive Director will be responsible for making that decision for the library district.
- Changes recommended by the Board of Trustees during the Dec. 12, 2023; board meeting were incorporated.

**Questions for the Board:**

1. Does the Board of Trustees have further questions or input for the Library Rules of Conduct (**Attachment A**)?
2. Will the Board of Trustees consider a motion to approve the Library Rules of Conduct?

**Next Steps:**

The approved rules will be translated into Spanish and posted on the library website. Signs with the rules in Spanish and English will be ordered for posting in all library facilities.

**Boulder Public Library District  
Rules of Conduct**

[En Español](#)

**Purpose:**

The Boulder Public Library District (BPLD) Board of Trustees and the staff welcome you. We encourage your use of the library spaces, services, and resources, and we are committed to providing a welcoming, clean, and comfortable space for the community. We ask for your cooperation to maintain an environment in which patrons, volunteers and staff are free from harassment, intimidation, threats to their safety and well-being, and in which library resources and facilities are protected from damage. The libraries are spaces for reading, studying, writing, listening to written or electronically transmitted information, attending library or community-sponsored programs and meetings, and working collaboratively in the spirit of community. With these intended uses in mind, the Board of Trustees adopted the following rules of conduct to protect the rights, health and safety of patrons, staff, and volunteers; to ensure patrons' use and enjoyment of the library; and to preserve and protect the library materials, equipment, facilities, and grounds.

**Overview:**

These rules are intended to protect the health, safety, and welfare of patrons and staff and apply to all library facilities.

The staff is responsible for maintaining a safe environment and patrons are expected to comply with their directions. Disruptive behavior is not tolerated on library property and may result in the suspension of privileges.

Unless injury to a person or damage to property is involved, which are grounds for immediate suspension, any patron who is disruptive will be notified that their behavior is inappropriate, and they will be asked to stop. If the inappropriate behavior continues, the patron will be asked to leave the library for the safety and welfare of everyone. If the patron refuses to leave, local law enforcement officials will be notified. Criminal activities that occur on library property will be immediately reported to law enforcement.

Any person who violates these rules of conduct over the telephone or the internet from a computer or any other electronic device may be subject to restriction of access to library resources and services at the discretion of the executive director or their designee.

No person shall:

1. Behave in such a way that disrupts another person's use of library resources or the facility;
2. Threaten or harass staff, volunteers, or patrons, verbally, physically or in writing, including all forms of electronic media;
3. Engage in behavior that jeopardizes the safety of any person or service animal;
4. Violate any [library policy](#) or terms of use for [meeting rooms](#), the [Canyon Theater](#), or [Carnegie Library for Local History](#);
5. Bring a weapon into or possess a weapon, except as expressly permitted by state law;
6. Bring into, or possess alcoholic beverages in any facility without prior approval of the executive director and/or the Board of Trustees, or enter the library while in possession of or under the influence of drugs and/or alcohol;
7. Use or publicly display tobacco, marijuana or products containing tobacco or marijuana or their components, including use of any form of electronic smoking or vaping device, or use illegal substances in any facility;

8. Carry, lead, bring an animal into the library, except for service animals. Animals must be licensed and under the control of their owners;
9. Seek or collect signatures from any person on a petition inside any library;
10. Solicit donations of money or anything of value inside any library.
11. Bring bicycles or shopping carts into any facility or leave bags or personal items unattended in any facility;
12. Lie down, doze or sleep in any facility except this rule shall not apply to children;
13. Use the restrooms for anything other than the intended purposes. Prohibited activity includes, but is not limited to, bathing, shaving, washing, rinsing, or drying hair, or washing, rinsing, or drying clothing, and charging phones;
14. Eat anything while in the Carnegie Library for Local History due to the historic nature of the collection.

**Definitions:**

“Disruptive behavior” is any activity which disrupts the library, endangers the perpetrator or others, interferes with library business, hinders others’ access to the library or library resources, or is illegal. This may include, and is not limited to, any activity which results in the damage or disruption of equipment, services, or blocking access to the library or its resources, or the use of profane, obscene, intimidating, or abusive language or gestures including epithets directed at race, ethnicity, sexual orientation, gender identity, or other personal characteristics.

“Electronic smoking device,” “E-cigarettes,” “E-cigs,” or “vaping device” means an electric or battery-operated device, the use of which resembles conventional smoking, or emits vapors which can be used to deliver substances, including, but not limited to, nicotine, tobacco, or marijuana, to the person using such device. An electronic smoking device shall include, without limitation, an electronic cigarette, cigar, cigarillo, pipe, vaping devices, or hookah. An electronic smoking device shall not include any product approved by the food and drug administration as a drug or medical device used according to its purpose.

“Facility” as used in these rules shall mean the interior and exterior of all Boulder Public Library District buildings extending to the curbs and library parking lots; and the south area underneath the library bridge at the Main Library.

“Harass” as used in these rules shall mean to strike, shove, kick, or otherwise subject another person to physical contact including contact with an object; or with the intent to annoy or alarm, follow another person in or about a public place, direct language toward another person or repeatedly insult, taunt, challenge or make communications in offensively coarse language to another person.

“Library” as used in these rules shall mean all Boulder Public Library District buildings.

**Suspension of Library Privileges:**

The executive director, library directors, authorized security personnel, the manager on duty, or their designee may restrict access to library facilities, resources, and services with immediate dismissal of the person from the premises by suspending the person’s access to library facilities for a set period or by denying access to specific services and/or programs.

The suspension or period of restricted access shall be reasonably related to the severity of the offense, the number of repeated offenses and their danger to public health, safety, and welfare and shall not, except for criminal offenses of a sexual nature, exceed one year. Suspensions or restricted access may range from 24 hours (for a relatively minor first offense) to a year or longer for serious disruptions, repeat offenses and criminal acts of a violent or sexual nature.

**Right of Appeal:**

A person currently suspended or under restricted access from the library may appeal a suspension decision to the executive director by filing a written statement of appeal detailing why the suspension was incorrectly issued, or by requesting a meeting with the executive director or their designee. Individuals are limited to one appeal per suspension.

For further information about the suspension appeal process, call 303-441-3100.

A written appeal including the appellant's contact information may be mailed, hand delivered or submitted online to the executive director at:

[https://boulderlibrary.formstack.com/forms/suspension\\_appeal](https://boulderlibrary.formstack.com/forms/suspension_appeal)

**Appeal Delivery Address:**

Executive Director  
Boulder Public Library District  
1001 Arapahoe Ave.  
Boulder, CO 80302

**Consideration of Appeal:**

Upon review of the appeal in consultation with the manager in charge or staff or security personnel who witnessed the incident leading to the suspension, the executive director will decide to uphold the suspension as issued, propose a reduction to the length of the suspension, or rescind the suspension.

**Approved by the BPLD Board of Trustees on January XX, 2024.**

January 26, 2024

**To:** Boulder Public Library District Board of Trustees

**From:** David Farnan, Executive Director

Jennifer Phares, Director of Business and Administration

**Subject:** Board Review and Approval of the Canyon Theater Use Policy

**Overview:**

The 2024 BPLD operating budget includes funding to pilot a new approach for community use of the Canyon Theater. Programs and Events Department Manager, Jaime Kopke, coordinated a staff review of the current policy which isn't published due to suspension of the theater rental service during the COVID-19 Pandemic.

The Board provided staff with guidance on the revised Canyon Theater Use Policy during the Dec. 12, 2023, board meeting. This guidance was incorporated into the revised policy (**Attachment A.**)

**Pilot Goals and Timing:**

The pilot is intended to activate the Canyon Theater through community use and hosting of events. The pilot will begin in July 2024 and be evaluated after eighteen months. An eighteen-month pilot allows for building community awareness and for the service to gain traction.

During the pilot, staff will assess community participation and collect feedback to iterate on the service model as needed. The goals of the pilot service model are:

- **Improve Community Benefit:** Provide a unique free community resource. Large theater spaces in Boulder are limited to paid venues. Offering free use of the theater creates an accessible community platform.
- **Activate the Canyon Theater and Increase Library Visits:** Hosting programs and events in the theater will bring new and returning audiences to the library. The goal is for the theater to be activated up to 70% of the Main Library's open hours over the course of the pilot. **70% activation includes all community uses of the theater and library programs.**

**Question for the Board:**

1. Does the Board of Trustees have further questions or input for the Canyon Theater Use Policy (**Attachment A**)?
2. Will the Board of Trustees consider the staff recommendation for a motion to approve the Canyon Theater Use Policy?

**Next Steps:**

The approved policy will be translated into Spanish and posted on the library website.

## Canyon Theater Use Policy

The Main Library Canyon Theater is available free of charge for use by individuals, and nonprofit, community, and for-profit business groups regardless of their beliefs or affiliations for gathering and presenting and exchanging views on subjects of all kinds. Organizers are encouraged to design events accessible to attendees with special needs as much as possible. BPLD reserves the right to photograph events or use of the theater for its own records and promotional materials.

### **Reserve the Theater:**

Organizers are permitted to reserve the theater up to sixteen hours per month, including up to two library-designated “after hours” evenings per month. Time for set up and take down of an event, rehearsals and other activities is included in the reservation allowance.

If the library closes unexpectedly, such as for an extreme weather event, staff will make a reasonable effort to notify the organizer with the reservation.

### **Capacity:**

The theater seats a maximum of 196 people including 190 fixed seats and 6 accessible spaces. Attendance may not exceed this capacity per City of Boulder Fire Code. Events must accommodate patrons within the available seating; standing room is not permitted. Please see the [theater map \[pdf\]](#) for details.

### **Refreshments:**

Refreshments may be served during events in accordance with the Library Rules of Conduct in designated areas. Staff may restrict their service times. Refreshment service is not permitted in the Canyon Gallery. Organizers are responsible for obtaining required licensing, observing appropriate food safety practices, managing consumption, set up, serving, and clean-up of the refreshments.

### **Terms of Use:**

Event organizers, presenters, and attendees must comply with the Library Rules of Conduct and the following terms and conditions during their use of the Canyon Theater. BPLD reserves the right to refuse future bookings to organizers that consistently fail to appear during their reserved time or who do not abide by the terms of use or the library rules of conduct.

1. Any individual’s or group’s use of the library facilities does not constitute endorsement of their views by the Boulder Public Library District Board of Trustees or the staff. No advertisement or announcement implying such an endorsement is permitted.



2. Events must be free of charge. Attendees may be invited to donate to the individual or organization online only. Ticket sales or donations required for attendance are not permitted.
3. Organizers are responsible for enforcing the posted maximum capacity of the theater.
4. Events or other uses including set up can begin at least 30 minutes after the facility opens. Events and other uses, including take-down, must conclude no less than 30 minutes before the facility closes unless the event or use is approved by staff to extend after hours.
5. Organizers are not permitted to store materials or equipment in the library. BPLD is not responsible for personal property left in the building.
6. If the event is not advertised as “open to the public,” the organizer may limit attendance. Staff will not enforce attendance limits or ensure the privacy of the event.
7. Books are the only items permitted for sale during events. The organizer is responsible for all transactions, licensing requirements, sales and use tax reporting and payments.
8. Event materials may be posted or distributed at the theater entrance or on the designated community bulletin board only.
9. A staff member must be present during events or use of the theater.
10. Organizers are responsible for cleaning and straightening the theater and adjacent spaces after use and for returning furniture and equipment as it was found unless the organizer has made prior arrangements agreed to by staff.
11. Movies shown, recordings played or use of any licensed or protected content must have the appropriate public performance rights. Obtaining the license and payment of applicable fees is the responsibility of the organizer.
12. Wedding ceremonies and memorial services are permitted; however, human remains in any form or type of container are not permitted.
13. Organizers are responsible for communicating directly with event attendees should their event change or be canceled.
14. Organizers are responsible for reporting to staff any broken, missing, or other issues with equipment, furniture and features.

**Definitions:**

**Organizers** are defined as individuals, groups, organizations who reserve the theater, coordinate, plan, conduct, facilitate and/or host events in the theater.

**Events or uses** include gatherings, meetings, services, activities, discussions, movies, concerts, programs, performances, and rehearsals.

**From:** [Joni Teter](#)  
**To:** [Doug Hamilton](#); [trustees@boulderlibrary.org](mailto:trustees@boulderlibrary.org)  
**Subject:** Re: Boulder Library District Trustee Appointment Process  
**Date:** Thursday, January 25, 2024 6:03:39 AM

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Thanks for following up with the County and forwarding this information, Doug. Let's discuss Marta's question about translation on Tuesday. Do you think it's necessary to recopy the full Trustee package in the packet for next week's meeting? We need to let Celia know today.

The trustee recruitment package is in Google drive at this link. (Margo is the document owner FYI). <https://docs.google.com/document/d/1a8GrzzeugLejOJHWEc-uJcqzmC2vBFje3ocXepheKHd4/edit?usp=sharing>

I've added Celia's title to the application form.

Chris Barge offered some corrections to organization names listed in the Outreach approach, which I have made.

We've received no comments from City Council.

Thanks a bunch!

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**From:** Doug Hamilton <[hamiltond@boulderlibrary.org](mailto:hamiltond@boulderlibrary.org)>  
**Sent:** Wednesday, January 24, 2024 6:01 PM  
**To:** [trustees@boulderlibrary.org](mailto:trustees@boulderlibrary.org) <[trustees@boulderlibrary.org](mailto:trustees@boulderlibrary.org)>  
**Subject:** Fwd: Boulder Library District Trustee Appointment Process

2 of 2

Sent from my iPhone

Begin forwarded message:

**From:** "Lucas, Olivia" <[olucas@bouldercounty.gov](mailto:olucas@bouldercounty.gov)>  
**Date:** January 24, 2024 at 3:46:14 PM MST  
**To:** Doug Hamilton <[hamiltond@boulderlibrary.org](mailto:hamiltond@boulderlibrary.org)>  
**Cc:** "Springett, Natalie" <[nspringett@bouldercounty.gov](mailto:nspringett@bouldercounty.gov)>, "Valdez, Robin A." <[ravaldez@bouldercounty.gov](mailto:ravaldez@bouldercounty.gov)>, "Michels, Janet" <[MichelsJ@bouldercolorado.gov](mailto:MichelsJ@bouldercolorado.gov)>  
**Subject:** RE: Boulder Library District Trustee Appointment Process

You don't often get email from olucas@bouldercounty.gov. [Learn why this is important](#)

Hello Doug,

(And thanks, Robin, for putting us in touch!) I'm also cc'ing Janet Michels from the City of Boulder City Attorney's office for efficiency's sake, so she can hear these comments as well. Commissioner Loachamin provided the following input on the application packet:

- P. 5 – she suggests adding Celia's title after her name, so it can be clear to the applicant who that person is and what their role is
- P. 12 – The documents indicate that they will be translated and distributed in various channels in their translated form. Previously the Selection Committee had discussed whether such translation would imply that the Library District Board would be ultimately willing/able to fully support a non English dominant interview process and committee work for candidates. Last year, the Selection Committee did not want to assume the Library District Board would be able to support such services throughout a trustee's tenure, so did not want to provide that impression by translating documents and/or offering translation services for the interviews. The question now is whether the Library District Board has determined it can in fact support a trustee who does not speak English, throughout the entire tenure of that Trustee's work with the Board. If so, translation of the documents makes sense. If not, the question remains whether translating documents would result in a misinterpretation that a non-dominant English speaker would be supported with translation throughout their tenure on the Board.

Please let me know if you'd like to discuss this further.

Thanks,  
Olivia

Olivia Lucas  
Senior Assistant County Attorney  
Boulder County Attorney's Office  
Direct: 303-441-3854

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**From:** Valdez, Robin A. <ravaldez@bouldercounty.gov>  
**Sent:** Wednesday, January 24, 2024 3:17 PM  
**To:** hamiltond@boulderlibrary.org  
**Cc:** Lucas, Olivia <olucas@bouldercounty.gov>; Springett, Natalie <nspringett@bouldercounty.gov>  
**Subject:** RE: Boulder Library District Trustee Appointment Process

Hi Doug:

I'm Robin Valdez and I usually track the appointments to the county's boards and commissions, however this board is usually not within my scope, so I had to consult Commissioner Claire Levy, and she stated that Commissioner Marta Loachamin and her are going to be the county appointees to the Boulder Public Library District. It is my understanding that Commissioner Loachamin is working with our county attorney, Olivia Lucas, in submitting comments on the application.

Thanks so much and let me know if I can of additional help.  
Sincerely,

Robin



**ROBIN A. VALDEZ**  
Business Operations Manager  
**BOULDER COUNTY COMMISSIONERS' OFFICE**  
( T ) 303 441 3501  
( E ) [ravaldez@bouldercounty.gov](mailto:ravaldez@bouldercounty.gov)  
Pronouns: He/Him/His

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**From:** Churchill, Jennifer <[jchurchill@bouldercounty.gov](mailto:jchurchill@bouldercounty.gov)>  
**Sent:** Wednesday, January 24, 2024 3:01 PM  
**To:** Valdez, Robin A. <[ravaldez@bouldercounty.gov](mailto:ravaldez@bouldercounty.gov)>  
**Subject:** FW: Boulder Library District Trustee Appointment Process

Thank you for your assistance in answering this!

Jenn

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**From:** Doug Hamilton <[hamiltond@boulderlibrary.org](mailto:hamiltond@boulderlibrary.org)>  
**Sent:** Wednesday, January 24, 2024 9:31 AM  
**To:** Boulder County Board of Commissioners <[commissioners@bouldercounty.gov](mailto:commissioners@bouldercounty.gov)>  
**Cc:** Benita Duran <[duranb@boulderlibrary.org](mailto:duranb@boulderlibrary.org)>; [benitaduran.bld@gmail.com](mailto:benitaduran.bld@gmail.com);  
Meschuk, Chris <[meschukc@bouldercolorado.gov](mailto:meschukc@bouldercolorado.gov)>; Joni Teter  
<[teterj@boulderlibrary.org](mailto:teterj@boulderlibrary.org)>  
**Subject:** [EXTERNAL] Boulder Library District Trustee Appointment Process

Hello Commissioners,

As you may know, we are beginning the process to replace Joni on our Board of Trustees, Effective May 1, 2024.

According to the process outlined in the IGA, Benita and I have been appointed as Ex Officio members to the committee and the Library District is managing the application process.

Taishya Adams and Tina Marquis have been appointed by the City of Boulder **and we are awaiting the two appointees from the County.** Please let us know your appointees in the next few days, if possible.

**Besides appointing members, the only outstanding item from the County is any comments on the application** - which I can resend to you if needed. It is substantially the same as last year's application.

The timeline currently proposed by BPLD is:

Trustees finalize Application Packet Jan. 30 to present to committee  
Public Outreach and Recruitment by BPLD Feb. 1 – Feb. 29  
Selection Committee Reviews Applications (BPLD staff support): Mar. 1 – Mar. 11  
Selection Committee Interviews top candidates Mar. 12 – Mar. 29  
Selection Committee selects Trustee: April 1  
BOCC and Council Ratifies: April 2 – April 30  
New Trustee Sworn in at Regular May meeting: May 14.

Please let me know if you have any questions...Doug

**From:** [Meschuk, Chris](#)  
**To:** [Benita Duran](#); [Doug Hamilton](#); [Celia Seaton](#); [David Farnan](#)  
**Subject:** RE: Trustee appointment selection committee  
**Date:** Thursday, January 25, 2024 9:51:42 PM  
**Attachments:** [image001.png](#)

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Some people who received this message don't often get email from [meschukc@bouldercolorado.gov](mailto:meschukc@bouldercolorado.gov). [Learn why this is important](#)

Hi Benita, Doug, David, and Celia,

Below are the city council member edits to the trustee recruitment packet. Once these edits and any from the county are compiled, can you circulate the revised draft to the committee (with a cc to myself as the city staff rep) for final approval via email?

Thanks, Chris

**Chris Meschuk**  
**Deputy City Manager**

(pronouns: he/him/his) [What's This?](#)



**City of Boulder**  
**City Manager's Office**

O: 303-441-3090

[meschukc@bouldercolorado.gov](mailto:meschukc@bouldercolorado.gov)

City Manager's Office

1777 Broadway St. | Boulder, CO 80302

[Bouldercolorado.gov](http://Bouldercolorado.gov)

**Taishya Adams:**

Thank you for the opportunity to provide feedback on the materials provided. Please find my feedback below:

- **Word Choice/Glossary:**

- There are a few words that I would recommend defining either via footnote or glossary or frequently asked questions. Specific examples include equity, inclusion, custody, deferred maintenance (needs example),
- Be careful with the term 'civility.' This word has been weaponized against communities of color and marginalized communities for reasonable requests of services deserved, funded, yet ignored and dismissed.
- The document is very wordy. I recommend trimming it down, eliminating redundancies so that the document can be read quickly and yet still be understood.

- **New Subheader and Bulleted List of Responsibilities:**
  - I recommend a new header titled, “What are the responsibilities of Board of Trustee members?” then list out in bullet format the specific member responsibilities.
  - For each member responsibility, please consider adding as much specific information as possible including time of day for the Tuesday meeting if this has already been decided and location for the in-person option.
  - I would also strongly recommend time estimate by member responsibility based on the average of current/recent board member time. *Note: I track my time to support these types of efforts for all my civic and volunteer engagements. I also recommend this as a best practice for the board trainings I provide through my consulting firm.*
  
- **Deadline:** Consider moving deadline time from 5 pm to midnight. This allows people with 9-5 pm jobs to apply after work on the day of. I know I have submitted many an application the day of after finishing work assignments/tasks. This is especially important if staff does not plan to begin processing until the next morning.
  
- **Reimbursements:** consider making reimbursements for travel and expenses an opt-out approach as much as possible to remove any stigma for having to request reimbursements as much as possible.
  
- **Application Feedback:** question 6. Define equity based on what the library district is using and provide examples.
  
- **Interview questions**
  - Consider revising the question about the skills to include those that wil help the district achieve their strategic goals and list those goals out. We need skills aligned to the work at hand as well as what may be missing in the current board composition.
  - Deferred maintenance – give examples and definition.

Thank you for the opportunity to review. Do not hesitate to reach out if you have any clarifying questions or comments.

We are nature,  
Taishya

**Tina Marquis**  
Hi Chris,

Thank you for the materials. I have two minor comments to consider:

1. In the application form, question 4 refers to 'what makes you a good fit?' I would prefer a good 'addition' or something like that, which feels to me more inviting for someone who is different than the existing members.
2. In the interview question 4, I would prefer to ask about the process a member might use to determine funding priorities rather than specifically cite the priorities. While I would like people to learn a lot before applying, etc., it seems like it's asking a lot to have a candidate name specific funding priorities.

Thanks!

Tina

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**From:** Joni Teter <[kjteter.bld@gmail.com](mailto:kjteter.bld@gmail.com)>  
**Sent:** Thursday, January 18, 2024 4:30 PM  
**To:** Meschuk, Chris <[MeschukC@bouldercolorado.gov](mailto:MeschukC@bouldercolorado.gov)>  
**Cc:** Benita Duran <[benitaduran.bld@gmail.com](mailto:benitaduran.bld@gmail.com)>; Doug Hamilton <[doughamilton.bld@gmail.com](mailto:doughamilton.bld@gmail.com)>; Natalie Springett <[nspringett@bouldercounty.org](mailto:nspringett@bouldercounty.org)>  
**Subject:** Re: Trustee appointment selection committee

We are looking for comments on the package by January 25. The package has not changed very much from last year: we assumed that they may want to have input into the interview questions, but that everything else would be pretty straightforward. We had not anticipated that people would get together to review the package, given how difficult it is to get the electeds together in a meeting.

On Thu, Jan 18, 2024 at 9:38 AM Meschuk, Chris <[MeschukC@bouldercolorado.gov](mailto:MeschukC@bouldercolorado.gov)> wrote:

Hi Joni,

Thanks for this email. Is the plan to gather the committee (once everyone is appointed) to be able to review and approve the plan prior to Feb 1? If so I just want to start working on availability for Tina and Taishya.

Thanks, Chris

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**From:** Joni Teter <[kjteter.bld@gmail.com](mailto:kjteter.bld@gmail.com)>  
**Sent:** Thursday, January 18, 2024 6:25 AM  
**To:** Meschuk, Chris <[MeschukC@bouldercolorado.gov](mailto:MeschukC@bouldercolorado.gov)>; Natalie Springett <[nspringett@bouldercounty.org](mailto:nspringett@bouldercounty.org)>



**Cc:** Benita Duran <[benitaduran.bld@gmail.com](mailto:benitaduran.bld@gmail.com)>; Doug Hamilton <[doughamilton.bld@gmail.com](mailto:doughamilton.bld@gmail.com)>

**Subject:** Trustee appointment selection committee

**External Sender Notice** This email was sent by an external sender.

Hi Chris and Natalie-

I wanted to let you know that the board of trustees has selected Doug Hamilton and Benita Duran as the library district representatives on the selection committee. They are copied on this email, and will reach out to their counterparts when the selections have been made.

Natalie, we'd appreciate knowing who the county reps are when the commissioners have made their selections. Tina Marquis and Taishya Adams are expected to be confirmed as the council reps at tonight's meeting.

Thank you for your prompt assistance in getting this process started!

Joni

## Retreat March 2, 2024

The retreat will be held on Saturday from 9AM until 3PM at the [Mapleton Academy Hill](#), a new a Continuing Care Retirement Community located at 311 Mapleton Avenue.

### **Consultant Bio**

Eric Meade is a nationally recognized futurist, strategist, and facilitator. He is principal at the [Whole Mind Strategy Group](#), a consulting consortium based in Boulder, Colorado. He has led strategic projects for the Cincinnati and Hamilton County Public Library, Kitsap Regional Library, the Young Adult Library Services Association, the Open Government Partnership, the Department of Veterans Affairs, the Bureau of Indian Affairs, Oxfam America, and many others.

Eric is an experienced leader of strategic planning processes. For eight years, he taught a graduate course on strategic planning at American University's School of International Service in Washington, DC. The curriculum covered conventional strategic planning tools as well as innovative techniques for strategic thinking such as Lean Start-up, Theory U, Future Search, and more. Eric believes that what each organization needs from strategic planning is unique, so he leverages his knowledge and experience to help an organization frame their strategic needs and then designs the appropriate process using his vast vocabulary of tools and frameworks.

Eric is the award-winning author of [Reframing Poverty: New Thinking and Feeling About Humanity's Greatest Challenge](#), and [Whole Mind Facilitation: How to Lead Workshops That Change People, Organizations, and the World](#). He has also published articles in the *Stanford Social Innovation Review*, *Community Health Forum*, *Rural Health Voices*, *Federal Times*, *Fair Observer*, *World Future Review*, and *The Futurist*.

Previously, Eric served as vice president of the Institute for Alternative Futures, a Washington, DC area think-tank; as a business executive in China for U.S. toy company Melissa & Doug; and as a nuclear submarine officer in the U.S. Navy. He has an MBA from INSEAD in Fontainebleau, France and Singapore and a Bachelor's degree in history from the University of Virginia. He is a certified practitioner of the Myers-Briggs Type Indicator (MBTI) and the Wiley EverythingDiSC assessment and a graduate of the Newfield Network coach training program.

In the upcoming month, Eric will conduct 45-minute phone interviews with the library director, the deputy library director, each of the seven Trustees, and up to three external stakeholders (e.g., elected officials). These interviews will give retreat participants a level of familiarity with Eric prior to the retreat, and will help Eric understand the range of perspectives that will be present in the room.

## Proposed Agenda

8:30 am	Convene [coffee and tea and breakfast snacks]
9:00 am	Library Trends; national and local [David]
10 am	Strategic Roadmap. [Library leadership team]
11 am	Getting to know each other [Eric]
11:45	Lunch
12:45	Effective Board work [Eric]
1:45	Self Evaluation [Eric]
3:00 pm	Adjourn

## Cyber Insurance

Permission from the Trustees is requested to pursue and acquire cyber insurance policy. Our network and security firm Focus Connect strongly advises procurement as does our insurance broker, IMA. I have received 4 bids between \$6K-10.5K. I would like to review with Focus Connect and Aimee Schumm and purchase a policy.

## Board Recruitment

Process and documents are ready to go. The review committee will consist of:

- Claire Levy, County Commissioner
- Marta Loachamin, County Commissioner
- Taishya Adams, City Councillor
- Tina Marquis, City Councillor
- Benita Duran, Library Board of Trustees
- Doug Hamilton, Library Board of Trustees

The recruitment process will go live on the library district website February 1. We plan to promote the opening on the front of our webpage, through our newsletter and social media. The County has agreed to post content on their website with a link to the application. The

open application period is February 1-29. The applications will be made public in the first week of March once the application process closes. We anticipate interviews to begin in March.

## SB 24-049

The Colorado Senate has introduced a bill to create parameters around book challenges in libraries in the State of Colorado. Bill seems fine. Kim Seter and his staff have been working on the language of the bill. What it does:

- *moves a core group of intellectual freedom policies into law*
- *outlines guidelines to requests for reconsideration for schools, and indicates that the director should assemble a process for public libraries.*
- *Requires posting the number and final disposition of challenged resources makes it easier to track what's happening.*
- *Establishes that Challengers must actually reside in the institution's legal service area*
- *Establishes that resources should not be withdrawn from general use while under review.*
- *Acknowledges that parents have the right to oversee their children's library use, but not other people's children.*
- *Establishes that challenges may be construed as unlawful discrimination.*
- *Provides an additional defense of library collections and ensures the greatest representation and participation of our communities in institutional life.*

Boulder Library policy is already written in such a way to comply with the changes in the law. This will establish better guidelines for school libraries and many rural public libraries that do not currently have established policy and guidelines.

**Public Hearing will be held Monday January 29<sup>th</sup> at 1:30 pm.** You can sign up for public participation here;

<https://leg.colorado.gov/publications/public-participation-legislative-process>

## Orientation to Microsoft and Trustee email

I hope everyone has been successful getting online with new Trustee accounts. The new @boulderlibrary.org accounts are intended to be your official email address. We will build out retention guidelines around these emails. We will migrate previous email from the google accounts in February.

If you have questions, or need for further assistance, please let me know. I believe staff is working on some training materials for Microsoft email accounts and we can make those materials available to Trustees when they are ready to go.

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## BYLAWS

### ARTICLE I. NAME

This organization shall be known as the BOULDER PUBLIC LIBRARY DISTRICT (the "Library"). The Boulder Public Library District was formed by authorization of the voters within the District boundaries on November 8, 2022. The District is organized under and by virtue of the Colorado Library Law, Sections 24-90-101 *et seq.*, C.R.S.

### ARTICLE II. BOARD OF TRUSTEES (the "Board")

**Section 1. Trustees.** The governance and control of the Library is vested in a board of seven (7) trustees (individually a "Trustee" and collectively, "Trustees") appointed in accordance with Colorado Library Law. All Trustees must reside within the Library boundaries.

**Section 2. Terms and Reappointments.** For the inaugural Board of Trustees, terms have been designated for each Trustee ranging from five (5) years to one (1) year. Thereafter, terms shall be five (5) years, ending May 15 (a "Full Term"). After serving a Full Term, a Trustee shall be eligible for reappointment in accordance with the provisions of Colorado Library Law. No Trustee shall serve more than four (4) consecutive Full Terms in addition to completing any unexpired, partial or less than 3-year term. A former Trustee may reapply to serve again on the Board at least one year after completion of their last consecutive term.

**Section 3. Vacancies.** A vacancy on the Board shall be filled as soon as practical for the remainder of an unexpired term in the manner in which Trustees are regularly appointed pursuant to Colorado Library Law. A notice of all such vacancies shall be posted in accordance with the then current Trustee appointment process.

**Section 4. Authorization.** The Library Director and the President of the Board are the authorized spokespersons for the Board. However, the Board may, from time to time, determine, for a specific purpose or event, to delegate spokesperson authority to another Trustee. In the absence of such express authorization, no Trustee other than the President shall make any public statement on behalf of the Board.

**Section 5. Compensation/Expense Reimbursement.** Trustees shall not receive a salary or other compensation for their services as Trustees. Trustees shall be entitled to reimbursement for necessary and reasonable travel and associated expenses actually incurred while performing official Library business. Trustees will follow current policy and procedures around reimbursements.

**Section 6. Ethics.** Trustees shall conduct themselves in accordance with Colorado law, including the Code of Ethics for public officials, Sections 24-18-101, *et seq.*, C.R.S. (the "Code of Ethics"). Individual Trustees shall annually sign the Affirmation of Ethics Statement and Conflicts of Interest Disclosure Form adopted by the Board. Trustees shall avoid situations in which their personal interests might be served or in which financial benefits inure to them at the

expense of library users, colleagues, or the Library. Trustees shall disclose any and all potential conflicts of interest during the appointment process. If during the course of Board business, an area of potential conflict of interest or the appearance of such develops for a Trustee, that Trustee shall immediately make full disclosure to the Board and, if required in order to ensure compliance with the Code of Ethics, immediately cease participation in both discussion and voting relative to the matter. Specific areas of potential conflict, without limitation, are described in this Section, below.

- Trustees may not in their private capacities negotiate, bid for, or enter into a contract with the Library in matters in which they have a direct or indirect financial interest.
- Trustees shall recuse themselves from Board discussion, deliberation and vote on any matter in which the Trustee, an immediate family member (defined as husband, wife, domestic partner, brother, sister, child, or grandchild, including step-relationships of each of the defined relationships) or an organization with which they are associated as a principal has a material financial interest. Such recusals shall be reflected in the meeting minutes for the relevant meeting.
- Trustees shall not accept a gift exceeding \$50.00 in value in any calendar year (i) if doing so would improperly influence a reasonable person to depart from the faithful and impartial discharge of public duties or (ii) which the Trustee knows or which a reasonable person in the position should know under the circumstances is primarily for the purpose of rewarding the Trustee for official action the Trustee has taken.
- Trustees shall respect the confidential nature of Library business while adhering to the Colorado Open Records Act ("CORA"), Sections 24-72-200.1 et seq., C.R.S. and all other applicable laws governing freedom of information.
- Trustees shall pledge to support and promote the principles set forth in in the American Library Association's [Library Bill of Rights](#), [Code of Ethics](#), and the [Public Library Trustee Ethics Statement](#).

**Section 7. Removal.** A Trustee may be removed only following a majority vote of the Board, and in accordance with Colorado Library Law, by a majority vote of the appointing legislative bodies, and only upon a showing of good cause. Good cause may include but not be limited to: a deliberate breach of the Bylaws or rules and regulations adopted by the Board; criminal, or fraudulent activity; causing significant harm to the Library, either materially or to its reputation; failure to perform duties outlined herein; or failure to attend three consecutive regular monthly meetings of the Board without an excused absence. The Board does, however, recognize extenuating circumstances and may waive or authorize an excused absence from the attendance requirement.

**Section 8. Continuing Education.** All members of the Board shall participate in at least one continuing education activity annually. This may be part of a regularly scheduled Board meeting with a presentation provided or attendance at continuing education activities sponsored by various continuing education providers.

**Section 9: Boulder Library Foundation.** Two Trustees are appointed annually to serve as Board [of Trustee](#) representatives on the Board of Directors of the Boulder Public Library Foundation. [The Boulder Public Library Foundation is a Type III, functionally integrated, supporting organization to the Boulder Public District. This is an IRS legal designation authorizing the Foundation to operate as a 501\(c\)\(3\) charitable organization on behalf of the Boulder Public Library. Functional integration requires that Boulder Public Library District Trustees serve as voting representatives on the Foundation board, and that the library director serves as a non-voting member of the Foundation board.](#)



### ARTICLE III. POWERS AND RESPONSIBILITIES

The Board shall have all those powers provided by Colorado Library Law C.R.S. 24-90-109, as such may be revised from time to time. In addition, the Board shall have all those powers necessary or incidental to the specific powers granted by statute, and nothing herein shall be construed as limiting the powers of the Board as granted by Colorado Library Law. Legal responsibility for the overall operation of the Library is vested in the Board. Those Board responsibilities shall include, without limitation:

- Adoption of Bylaws and Policies for both Board guidance and governance of the Library.
- Acquisition, custody, care, and sale, disposal or transfer of all Library real or personal property.
- Financial oversight of the Library and adoption of annual budgets.
- Authorization of Library contracts, purchasing, borrowing, and bonding for the Library.
- Employment and evaluation of the Library Director, who shall be the executive and administrative officer of the Library acting on behalf of the Board.
- Annual audit approval and periodic investment monitoring.
- Planning for current and future needs of the Library and the community it serves.
- The Board shall conduct, on an annual basis, written evaluations of the Board's performance.

### ARTICLE IV. OFFICERS

**Section 1. Officers.** The officers of the Board shall consist of a president, a vice-president, and a secretary/treasurer or such other officers as the Board deems necessary. These officers shall perform the duties prescribed by these Bylaws and Colorado Library Law. Nothing herein shall prevent the Board, at its discretion, to combine offices as long as the same individual does not hold both the office of president and secretary. The Board reserves the right to delegate duties to the Library Director.

**Section 2. Election.** The Board shall elect officers annually from among current membership of the Board at the Annual Meeting.

**Section 3. Terms of Office.** Officers shall begin their terms of office at the next regular meeting immediately following the Annual Meeting at which they are elected to office, and they shall serve thereafter for a term of one (1) year, or until their successors are elected, whichever is longer.

**Section 4. Officer Vacancies.** A vacancy in any office, however occurring, may be filled by majority vote of the Board at the next regular or special meeting of the Board for the unexpired portion of the term.

**Section 5. Removal.** Any officer may be removed from office for a failure to discharge their duties, by a majority vote of the Board at a regular or special meeting whenever in the Board's judgment the best interest of the Library will thereby be served. The Trustee(s) seeking such action shall give written notice to the officer ten (10) working days prior to voting on such an issue.

### ARTICLE V. DUTIES OF OFFICERS

**Section 1. President.** The President shall, subject to the direction and supervision of the Board, be the principal executive officer of the Board. The President shall collaborate with the Library Director to plan and develop meeting agendas for the Board, and shall preside over all meetings

of the Board. The President shall preside over and determine the manner of operation for all meetings of the Board. This duty includes important elements such as:

- Working with the Director to maintain and update the Board's long range agenda planning document, and ensuring that meeting agendas are doable within the tie allotted for Board meetings.
- Reviewing packet materials with the Director to ensure that written materials and presentations to the Board are presented logically from the Board's perspective; that actions requested of the Board are clearly stated; and that Trustees have ample opportunity to ask questions and discuss different points of view as the Board moves towards consensus and decisions
- Between meetings, the President shall maintain close communication with the Director on library developments and shall strive to keep Trustees updated on important developments that fall within the scope of the work of the Board of Trustees and keep the Director informed of any issues or concerns raised by Trustees.
- The president shall be the authorized spokesperson for the Board, subject to Board direction.

The President shall sign, either by manual, facsimile, or electronic signature, any leases, deeds, mortgages, contracts and other instruments which the Board has authorized to be executed; and in general shall perform all duties incident to the office of president and such other duties as may be prescribed by the Board from time to time.

**Section 2. Vice-President.** The Vice-President shall assist the President and shall perform such duties as may be assigned by the President or the Board. In the absence of the President, the Vice-President shall have the powers, and perform the duties, of the President.

**Section 3. Secretary/Treasurer.** ~~The Secretary/Treasurer shall review and recommend approval of the minutes of the regular meetings of the Board; and perform all duties incident to the office of the secretary/treasurer and such other duties as from time to time may be assigned by the President or by the Board.~~ The Secretary/Treasurer shall be a member of the Budget and Finance Committee. The Secretary/Treasurer shall keep or cause to be kept strict and accurate accounts of all money received by and disbursed for and on behalf of the BPLD in permanent records.

~~Once approved by the Board, staff will post the approved minutes on the Library's public website. Additionally, staff will retain executive session recordings until the date of legal disposal.~~

## ARTICLE VI. MEETINGS

**Section 1. Meeting Participation.** Under Colorado Open Meetings Law Section 24-6-402 (l)(b), C.R.S., meetings may be convened for the purpose of conducting public business in person, by telephone, electronically or by other means of communication, provided the public may hear and the Trustees may be heard. Although most Board meetings are held with participating Trustees physically present, Trustees may attend meetings, establish quorum and vote via these alternative means in the case of either regular or special meetings of the Board.

**Section 2. Regular Meetings.** Regular meetings of the Board shall be held monthly no less frequently than eight (8) times per calendar year when possible, and be held at the Library

facilities for the purpose of transacting any business that may come before the Board and to disseminate information to the community at large regarding library operations.

Once a year, prior to the next calendar year's start, the date and location of each regular meeting for the upcoming year shall be determined and approved by the Board. All business of the Board shall be conducted only during such regular meetings or at special meetings hereinafter provided for, and all such regular and special meetings shall be open to the public, subject to the right of the Board to meet in executive session.

**Section 3. Special Meetings.** Special meetings may be called by the President, the Library Director, or any three (3) Trustees by informing the President in writing and then the President will coordinate the date, time and place of such meeting and the purpose for which it is called at least twenty-four (24) hours prior to said meeting. Minutes will be taken at all special meetings wherein Board and will be part of the public record.

If due to unforeseen and urgent circumstances there is not sufficient time to call a special meeting because a matter is an emergency and requires immediate attention, the President or the President's designee may take a vote by electronic means or in person, with such vote to be ratified at the next regular or special meeting of the Board. If any emergency action taken is not ratified, then it is deemed rescinded.

**Section 4. Public Participation in Meetings and Board Transparency.** The public is invited to all regular and special meetings of the Board and may speak during a portion of the agenda that follows the Board's designated process for public comment on items to be addressed at the meeting as shown on the agenda. The Board shall adopt Rules for participation in the Public Comment period. The Board shall strive for public transparency in all of its work, including posting of meeting agendas, meeting packets and handouts, and meeting minutes on the Board's public website. The Board shall ensure that all draft and final budgets and draft and final strategic planning documents are made broadly available to residents of the District, and shall collaborate with the Library Director to initiate broad engagement with residents, with special emphasis on traditionally underrepresented community members.

**Section 5. Notice.** All meeting notices shall be publicly posted on the Library's website no later than twenty-four (24) hours prior to any meeting in accordance with Colorado Open Meetings Law ("COML"), Sections 24-6-401, et seq., C.R.S.

**Section 6. Annual Meeting.** The April regular meeting of each year shall be designated as the Annual Meeting. At the Annual Meeting, Board officers shall be elected for the ensuing year, with terms beginning at the first regular meeting in May.

**Section 7. Quorum.** A majority of the total membership of the Board shall constitute a quorum necessary for the transaction of any business to come before any regular or special meeting, including votes on emergency action. The act of the majority of Trustees constituting a quorum at a regular or special meeting shall be the act of the Board.

**Section 8. Voting.** All Trustees, including the Board President, shall vote, unless such voting is contrary to the Code of Ethics. A Trustee may call for a roll call vote at any time. Electronic voting is allowed; however, voting by proxy is not. Properly noticed email polls of Trustees may be taken with results to be ratified and recorded into the minutes at the next regular Board meeting.

**Section 9. Minutes.** [The director of the library](#) (or staff designee) shall serve as secretary for the Board of Trustees. In this capacity, the director shall record the proceedings of each meeting and present the same for approval at the next meeting of the Board. A permanent record shall be kept of the minutes of all meetings. Once approved by the Board, staff will post

the approved minutes on the Library's public website. Additionally, staff will retain executive session recordings until the date of legal disposal.

### **Section 10. Executive Sessions.**

Executive sessions may be held as part of any regular or special Board meeting, or any committee meeting that has been properly called according to requirements of the Colorado Open Meetings Law. An executive session is conducted confidentially without the public present. Members are bound to maintain the confidentiality of the discussions and documents that are part of any executive session. Executive sessions shall be conducted in accordance with the provisions of the Colorado Open Meetings Law as then applicable. Executive session discussions, except for privileged attorney-client communications, will be electronically recorded by the Board, and the recordings destroyed after ninety (90) calendar days, unless required to be retained under applicable federal or state law or where retention is specifically approved by the Board. No portion of the recording shall be subject to public inspection except in accordance with applicable law. No minutes will be taken of executive session discussions, except that the minutes of the Board meeting will include the time the executive session was convened and the time open session resumed, and the topics of discussion at the executive session. There shall be no decisions of the Board made during executive session unless specifically permitted by law.

## **ARTICLE VII. COMMITTEES**

The Board may establish such committees as deemed necessary to assist in its works and members of such committees may, but need not be, Trustees. . No committee shall have any power other than advisory powers to the Board, and a committee shall be dissolved upon the completion of its charge or the submission of a final report or by a vote of the Board at any time. The motion to form such committee shall state the purpose, timeline, composition and authority of such committee, including committee members in a committee charter. Minutes of all committee meetings shall be kept electronically

The purpose of committees is to make recommendations on specific topics or issues to the Board to allow more focused Board consideration of the same. No Board committee will have more than two (2) Trustees. This limit is intended to distinguish between the Board and committees thereof and ensures that the Board cannot and does not act through committees. The Board may, by majority vote, include non-Board members on Committees.

The Board shall maintain two standing committees:

- The Budget & Finance Committee supports the Library Director in preparing the annual budget, works with the Director and financial consultants to perform budget analyses and fiscal planning; advises the board on fiscal matters of the division, and reviews other fiscal matters as required.
- The Governance Committee shall on a biennial basis review the Bylaws, review the ethics policy and conflict of interest statement, [facilitate the process to](#) nominate officers, facilitate the trustee recruitment and selection process, facilitate an annual review of the Director, including performance and compensation, and facilitate a Board self-evaluation process.

## **ARTICLE VIII. LIBRARY DIRECTOR**

**Section 1. Employment.** The Library Director shall be selected by the Board and shall be employed by written contract. The Library Director shall serve as chief executive officer of the Library.

- **Section 2. Duties.** The Library Director, under the supervision and direction of the Board, shall perform (or delegate to appropriate staff members) all duties incident to the position of Library Director and such other duties as may be prescribed by the Board, including but not limited to the following:
  - Assist the Board in formulating basic programs and policies.
  - Implement programs, policies, and professional practices as adopted by the Board.
  - Responsibility for fiscal matters of the Library, except that the Board shall have exclusive control of the disbursement of the finances of the Library.
  - Prepare the proposed annual budget for the Library for presentation to the Board.
  - Prepare monthly reports of activities of the Library for presentation to the Board.
  - Administer Library personnel, including employ, train, evaluate, compensate, motivate and discharge staff in compliance with all applicable laws and regulations, the Library Staff Handbook guidelines, and Board policies.
  - Direct and coordinate the work of the Library employees.
  - Approve all budgeted, normal and recurring operational expenditures, excepting those requiring specific Board approval.
  - Collaborate with the President to prepare the agenda for each Board meeting.
  - Responsibility for public information, community relations, development, fundraising and special projects as assigned by the Board.
  - Arrange for the care and maintenance of buildings, equipment and materials for the Library.
  - Evaluate library services, technology and operations and assist the Board with short-term and long-range planning.
  - Represent the Library, as appropriate, to all of its constituents and to professional and institutional organizations.
  - Be responsible for any other reasonable duties, consistent with the foregoing, as may be prescribed by the Board.
  - Conduct all Library business at the highest possible ethical standards and identify any real or potential conflicts of interest to the Board in a timely manner.

**Section 3. Removal.** The Library Director may be removed by the affirmative vote of a majority of the Board constituting a quorum whenever, in its judgment, the best interest of the Library will be served thereby, and in compliance of the Library Director's contract.

## **ARTICLE IX. LIBRARY POLICIES**

The Board shall establish and adopt Library policies, which shall ensure cost-effective, transparent, and efficient publicly supported Library services to Library residents. These policies shall be available to the public.

## **ARTICLE X. ANNUAL REPORT**

At the close of each year the Board shall make a report to the community, the City and County of Boulder, and the Colorado State Library in accordance with the Colorado Library Law, Section § 24-90-109 C.R.S.

## **ARTICLE XI. FISCAL YEAR**

The Fiscal Year of the Library shall begin on the 1st of January of each year and end on the 31st of December of such year.

**ARTICLE XII. AMENDMENTS TO BYLAWS AND POLICIES**

Notice of proposed Bylaws or Policy changes must be in written form and received by all Trustees at least ten (10) working days prior to the first reading.

Amendments to these Bylaws of the Board may be adopted by a vote of two-thirds (2/3) of the Trustees then serving, subsequent to notification of the proposed change to the Trustees at least 10 working days in advance of the meeting.

These Bylaws shall at all times conform to the Colorado Library Law, as it may be revised and amended from time to time. Such amendments as may be necessary to affect such conformation shall be automatic and these Bylaws shall be updated from time to time by the act of the Board to reflect such statutorily mandated automatic amendments.

Adopted and signed this \_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Board President  
Katharine J. Teter

\_\_\_\_\_  
Board ~~Secretary/Treasurer~~Vice President  
~~Sylvia Wirba~~Benita Duran

**From:** [Joni Teter](#)  
**To:** [Benita Duran](#); [trustees@boulderlibrary.org](mailto:trustees@boulderlibrary.org)  
**Subject:** Re: Proposed change to bylaws re our annual meeting  
**Date:** Thursday, January 25, 2024 8:28:50 AM

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Let's discuss on Tuesday. The board consensus on the 16th was to stay with April.

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**From:** Benita Duran <[duration@boulderlibrary.org](mailto:duration@boulderlibrary.org)>  
**Sent:** Thursday, January 25, 2024 7:56 AM  
**To:** [trustees@boulderlibrary.org](mailto:trustees@boulderlibrary.org) <[trustees@boulderlibrary.org](mailto:trustees@boulderlibrary.org)>  
**Subject:** Proposed change to bylaws re our annual meeting

I have here one proposed revision to the proposed by laws that we reviewed and discussed at our last meeting, related to the annual meeting.

I propose instead of holding the annual meeting of the board in April, we consider the annual meeting of the board to occur in the first month of the calendar year.

I suggest that it is at this annual meeting that new officers assume their roles.

This proposal is aligned with budget cycle and and fiscal year.

My thinking:

I can't see us changing the schedule of the appointment of members (from May), but we can have a more functional schedule related to how we are organized and structured for our business meetings. In this transition year, we can hold our annual meeting in April as recommended by Joni, but we are doing so as it is a transitional year and the preference of this president. We should acknowledge this.

I heard mention that we can change the bylaws as we go along (as we have within 5 months of adopting the first set of by laws), but it is not good practice to be changing bylaws every year or two years to accommodate changing views or circumstances. Often non profit boards have a practice of looking at by laws and proposing needing changes every 5-10 years. I am most interested in getting better alignment on our by laws on the front end and not tweaking at these things later.

Most boards that I know of follow this practice of an annual meeting in the first month of the year. I would propose that we establish our annual meetings to occur in January and align with the fiscal calendar for the district as well.

I appreciate your consideration.

Benita Duran  
District Trustee

## **Affirmation of Ethics Statement for Boulder Public Library District Trustees**

Each member of the Boulder Public Library District Board of Trustees annually affirms his/her/their commitment to the following Ethics Statement for Public Library Trustees:

Trustees in the capacity of trust upon them, shall observe ethical standards with absolute truth, integrity and honor. While there may be several ways to reflect compliance with ethical standards, the Boulder Public Library District has developed the following guidelines, derived from Colorado law.

- Trustees shall avoid situations in which their personal interests might be served or in which financial benefits inure to them at the expense of library users, colleagues, or the Library.
- Trustees shall disclose any and all potential conflicts of interest during the appointment process.
- If during the course of Board business, an area of potential conflict of interest or the appearance of such develops for a Trustee, that Trustee shall immediately make full disclosure to the Board and, if required in order to ensure compliance with the Code of Ethics, immediately cease participation in both discussion and voting relative to the matter. Specific areas of potential conflict, without limitation, are described below:
  - Trustees may not in their private capacities negotiate, bid for, or enter into a contract with the Library in matters in which they have a direct or indirect financial interest.
  - Trustees shall recuse themselves from Board discussion, deliberation and vote on any matter in which the Trustee, an immediate family member (defined as husband, wife, domestic partner, brother, sister, child, or grandchild, including step-relationships of each of the defined relationships) or an organization with which they are associated as a principal has a material financial interest. Such recusals shall be reflected in the meeting minutes for the relevant meeting.
  - Trustees shall not accept a gift exceeding \$50.00 in value in any calendar year (i) if doing so would improperly influence a reasonable person to depart from the faithful and impartial discharge of public duties or (ii) which the Trustee knows or which a reasonable person in the position should know under the circumstances is primarily for the purpose of rewarding the Trustee for official action the Trustee has taken.
- Trustees shall respect the confidential nature of Library business while adhering to the Colorado Open Records Act ("CORA"), Sections 24-72-200.1 et seq., C.R.S. and all other applicable laws governing freedom of information.
- Trustees shall pledge to support and promote the principles set forth in in the American Library Association's [Library Bill of Rights](#), [Code of Ethics](#), and the [Public Library Trustee Ethics Statement](#).
- Trustees must clearly distinguish, in their actions and statements, the personal philosophies and attitudes of the Trustee versus those of the institution,



recognizing the formal position of the Board, even if a Trustee personally disagrees with the formal position the Board has taken.

- Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.
- Trustees who accept library board responsibilities are expected to perform all of the functions of library trustees.

**See Also:** *Colorado Revised Statutes §§ 24-18-101 et seq.*

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_ Member of the Boulder Public Library  
District Board of Trustees

**Conflicts of Interest Disclosure and Certification**

I certify that I do not currently hold any interest in any business or undertaking whose financial benefit may be directly affected by actions taken by the Boulder Public Library District (“BPLD”) or any interest in proposed contracts or transactions with BPLD except as described below:

[Describe in detail any direct or indirect interests in business or contracts or transactions that may give rise to a potential or perceived conflict of interest as described in the BPLD Bylaws, Article II, Section 6.]

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[Describe in detail any other relationship or personal interests, including immediate family, employment relationships, board positions, or organization with which they are associated as principal that may influence you when making a decision for the BPLD or that may give rise to a potential or perceived conflict of interest.]

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I acknowledge that I have a duty to disclose any and all potential or perceived conflicts of interest to the Board of Trustees of the BPLD before the BPLD takes final action on any related contract, transaction, or other matter and I agree to cease participation in both discussion and voting relative to the contract, transaction, or matter.

I, \_\_\_\_\_, a member of the Board of Trustees of the Boulder Public Library District (“BPLD”), hereby acknowledge that I have reviewed and understand the BPLD Bylaws, Article II, Section 6, and agree to conduct myself in accordance with all provisions of the Bylaws at all times while serving as a member of the Board of Trustees. In addition, I certify that I have completed this disclosure form accurately and to the best of my knowledge and have disclosed any and all potential or perceived conflicts of interest.

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**Affirmation and Acknowledgment of Trustee  
Responsibility for Executive Session Information  
and  
Library User Privacy**

Executive Sessions

Library District Trustees will occasionally enter Executive Sessions of the board for reasons allowed by law as exceptions to the Open Meetings Laws found at Section 24-6-402 (4) of the Colorado Revised Statutes. Executive Sessions are closed to the public and are allowed only when information will be presented or discussed that is subject to the attorney-client privilege or is otherwise sensitive in nature.

I acknowledge that, as a Trustee, it is my ethical and legal responsibility to the Library District and the Board of Trustees to maintain the confidentiality of any information or material provided or discussed in an Executive Session.

Releasing or disseminating executive session materials or information may subject me to expulsion from the Board of Trustees pursuant to the Board Bylaws.

User Privacy Laws

As a Library District Trustee, I may from time to time become or be made aware of information concerning various uses and/or users of the library and its offerings. Section 24-90-119 (1) of the Colorado Revised Statutes states in part:

Except as set forth in subsection (2) of this section, a publicly supported library shall not disclose any record or other information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.

Disclosure of user records or other information may expose the library and/or person disclosing the information to civil penalties and a Trustee may be expelled from the Board of Trustees.

I understand and acknowledge my responsibility as a Trustee to maintain the privacy of users, user records and user information under this statute and the policies and procedures adopted by the Board of Trustees.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Trustee of the Boulder Public Library District

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## MEMORANDUM

TO: Boulder Public Library District

FROM: Seter & Vander Wall, P.C.; Kim J. Seter, Esq.

DATE: January 25, 2024

RE: Legal Status Report for the January 30, 2024 Trustees' Meeting

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This is our legal status report for the January 30, 2023 Board of Trustees meeting.

### **2024 Annual Administrative Resolution-COMPLETED**

**Task:** Provide an annual administrative resolution to address delegation of annually required board actions including consultant renewals or changes, posting places and other matters.

**Status:** This matter will be removed from the next report.

**Action:** **None required.**

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### **Insurance Package Ratification-COMPLETED**

**Task:** Obtain insurance coverages for property, liability and public officials errors and omissions.

**Status:** This matter will be removed from the next report.

**Action:** None required.

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### **2024 Budget and Mill Levy Certification-Completed**

**Task:** Certify Mills for Levy and Collection to the BOCC

**Status:** This matter will be removed from the next report.

{00713268}

**Action: No action required.**

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**Notice of Violation of 5.5 % Limitation-Completed**

**Task:** The Colorado Division of Local Governments in the Department of Local Affairs notified the County of its belief the District has violated the limitation of 5.5% property tax revenue increases and must refund its tax receipts.

**Status:** This matter will be removed from the next report.

**Action: None required.**

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**Transition Process for Administrative Work-Ongoing Matter**

**Task:** Transition minutes, notices, agenda preparation, records management etc. to BPLD personnel.

**Status:** Archives and other matters will be transitioned as capacity warrants.

**Action: None required.**

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**Negotiation of Intergovernmental Agreement Between City and District-New Report**

**Task:** Draft, negotiate and finalize Intergovernmental Agreement among the City and Library District required by § 24-90-107(2)(e), C.R.S.

**Status:** The IGA has been completed and signed. There may be some additional discussion regarding insurance in the future.

**Action: This matter will be removed from the next report.**

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**Additional Projects Underway**

- a. Colorado Open Records Act Resolution (CORA).
- b. Colorado State Archives Records Retention Schedule and Resolution.
- c. Resolution regarding disposal of data containing personally identifying information.