

RECORD OF PROCEEDINGS
MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES

OF THE

BOULDER PUBLIC LIBRARY DISTRICT

Held: Tuesday, January 30, 2024, at 6:00 p.m. on Zoom.

Contact information preparing summary: Celia Seaton

The 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
Sylvia Wirba
Benita Duran
Doug Hamilton
Cara O’Brien
Sam Fuqua
Jennifer Yee

Also present were Kim J. Seter, Esq. from Seter & Vander Wall, P.C.; David Farnan, Director of the Boulder Public Library; Jennifer Phares, Deputy Director of the Boulder Public Library; Chris Barge, Executive Director of the Boulder Public Library Foundation; Celia Seaton, Executive Assistant of the Boulder Public Library; Aimee Schumm, Director of Information Technology for the Boulder Public Library; Jaqueline Specht from Focus Connect; and Eric Meade from Whole Mind Strategy Group

Members of the public present: None.

Type of Meeting: Special

Agenda Item 1: Call to order

Trustee Teter called the meeting to order at 6:04 p.m. noting that a sufficient number of appointed Trustees were present to create a quorum authorized to act on behalf of the District.

Agenda Item 2: Public comment

None.

Agenda Item 3: Library Policy Review

- a. Library Rules of Conduct – Phares gathered and incorporated the input from the robust discussion that the Board held at the end of 2023 regarding this policy. She welcomed further refinement to the final draft as presented in the [packet](#). Yee wondered about Rule #10 concerning solicitation of donations or anything of value; staff clarified that the Boulder Library Foundation’s fundraising activities fall outside of this restriction on “individuals” seeking donations inside the library. Typically, Farnan instructs groups that want to fundraise within the library to use a separate web address or QR code for contributions – they are not to directly request money or transact within the library. He noted that books are sold during the Jaipur Literature Festival, as a protected right under freedom of the press.

Teter recommended additional links under Rule #4, which references existing library policies and terms of use: the [Computer Use and Internet Safety Policy](#) and the [Photography and Video Recording Policy](#). In her experience, quite a few patrons have raised concerns on what they view on other patron’s

screens. These links would highlight the library's existing guidelines. Staff agreed and will incorporate these references to the list.

The group next discussed the Rule #12 regarding sleeping "in any facility." The definition of "facility" includes area around and under the library. The guard patrol performs rounds to survey activity around and below the library during the day. Teter suggested adding the qualifier "during normal business hours" to indicate the limitation of the Library's patrol. Staff agreed that this was reasonable.

O'Brien inquired about nighttime activity in the Library underbelly. Hamilton noted the City code restricting people from sleeping outside; as this activity is illegal, it is under City purview to manage this issue.

Hamilton made a motion to approve the revised Library Rules of Conduct with the recommended edits as provided during the meeting. Wirba seconded, and the motion passed unanimously.

- b. Canyon Theater and Gallery Terms of Use and Rental Policy – feedback provided after close Board review of this policy at the end of 2023 has been incorporated into this final draft; Phares noted that the language now better aligns with existing policies.

O'Brien moved to approve the revised Canyon Theater and Gallery Terms of Use and Rental Policy. Yee seconded, and the motion passed unanimously.

Agenda Item 4: Trustee Appointment Process

- a. Approve application packet for new Trustees and forward to Council/BOCC Selection Committee (Governance) – Farnan noted that most suggestions were incorporated. Staff initiated Spanish translation of the press release that will go out February 1; there are no plans at this time to translate the entire application.

In response to Duran's suggestion, staff will include the specific names and roles of the Selection Committee members in the packet. She also recommended offering an opportunity for public engagement before the application deadline. After consideration, the Board agreed to hold a community question and answer session from 5:00 – 6:00 PM just before the February 20 regular meeting. Interested applicants can then decide to stay and observe that evening's meeting. Staff will add notice of this opportunity in the marketing and promotional materials, as well as schedule, record, and upload a recording of the public engagement.

Hamilton made a motion to approve the application packet for Trustee recruitment with the amendments as discussed. Duran seconded, and the motion passed unanimously.

The information will be posted on February 1 to the Library and County websites. Press releases will be sent to the Daily Camera, Boulder Reporting Lab, and Boulder Weekly. Outreach will also begin through direct emailing from staff. The marketing will also include weekly dispatches about recruitment through the social media channels.

Teter and Wirba will collaborate on an orientation package for new Trustee members.

Yee announced her decision to resign from her service on the Board at the end of her first year due to time commitments as required by her new employment. Therefore, the forthcoming recruitment process will involve a search for two successful candidates: one 4-year term to replace Yee's seat and the 5-year term to replace Teter's seat. She appreciated the camaraderie and knowledge sharing that she experienced during her service; staff and the Board expressed gratitude for Yee's support and the strong role she played during this foundational year. All wished Yee well on her future endeavors.

Staff will update the recruitment materials to reflect these two vacancies.

Agenda Item 5: Cyber Insurance

Farnan informed the Board that he has reviewed several bids for cyber insurance, a protection against losses from malicious cyber-attack. The need for this protection was highlighted by a recent ransomware attack on Douglas County Library District. Despite catching it early, the cost is still estimated at around \$1-200K. Farnan asked the Board for a motion whereby he may direct Schumm and Specht to review and confirm an insurance contract. He estimated the cost at less than \$20,000.

The Board asked Focus Connect to advise. Specht strongly encouraged acquiring a policy as soon as possible; she noted the risk that one in every four companies experiences some kind of cyber threat.

Duran clarified that the policy only covers a one-year term.

Hamilton made a motion that authorizes the Director to acquire a cyber insurance policy, using his discretion regarding cost. Wirba seconded, and the motion passed unanimously.

Agenda Item 6: Director Updates

- a. Retreat March 2, 2024 – Eric Meade of Whole Mind Strategy Group will be reaching out to each member to begin strategizing for the Board Retreat and how the body can function most effectively. Whole Mind Strategy Group will also be involved with the Board’s assessment exercise in 2024.
- b. Board Recruitment
- c. SB 24-049 – see [packet](#).
- d. Orientation to Microsoft and Trustee email – Trustees inquired when all emails will be ported over to the Microsoft accounts (Teter noted that she currently manages three different email inboxes.) The staff’s understanding was that this should be completed; the technology team will confirm. Hamilton noted that his account is set up correctly and his emails have fully migrated. Farnan invited anyone still having trouble to reach out for assistance. He presumes that everything will have transitioned by the next meeting in mid-February.

Farnan plans to attend a virtual community meeting planned for January 31 concerning Boulder’s plans for a day shelter; he welcomed the Trustees to join him.

Work continues on the self-evaluation survey. After a two-week window to gather responses, Meade and Yee will analyze the data provided by the gathered results.

Agenda Item 7: Trustee Matters

- a. Set special virtual meeting February 13 – Hamilton made a motion to hold this meeting. Duran seconded, and the motion passed unanimously.
- b. Forms – Teter asked that Trustees sign and return these documents to staff as soon as possible.
 - 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 – changes that were collected during the last meeting have been incorporated into the draft presented in the [packet](#). The Board plans to vote on approval of the bylaws during the February 13 meeting.
- d. Discussion: Scheduling of Annual Meeting – Duran spoke about her proposal to hold the Annual Meeting in January.

In response to Duran’s note that review of bylaws should run on a 5–10-year cycle, Teter noted that legal research indicates a best practice of review at least every two years.

Wirba wished to clarify that the bylaws were presented and recommended by a subcommittee of Trustees; the language therein was not just “the preference of this President.”

O’Brien expressed her view that it would make most sense to have the Annual Meeting in April this year, as planned. After gathering the perspective of this timing, the Board may decide a different timetable in future years.

Looking ahead, Teter asked the Board to consider removing the March 5 special meeting, as it now sits in close proximity to the March 2 Retreat meeting and there are no pressing agenda items. The Trustees will consider the need as it draws closer.

Agenda Item 8: 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 entered 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.

Agenda Item 9: Adjournment

There being no further business to come before the Board, the meeting was adjourned at approximately 7:15 p.m. to allow for the executive session.


Sylvia Wirba (Feb 21, 2024 13:11 MST)

Attestation







01.30.24 BoT Minutes Special signature

Final Audit Report

2024-02-21

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