

**BOULDER PUBLIC LIBRARY DISTRICT**

**-SPECIAL MEETING-**

Tuesday, April 2, 2024

Boulder Public Library, Meadows Branch

4800 Baseline Rd, Boulder CO

and

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. Consider approval of minutes of February 20, 2024
5. Library Policies Review
  - a. Finance Policy Packet Part I (*Part II will be presented at the April 16 meeting*)
6. Governance
  - a. Determine schedule and method for evaluation of Executive Director
    - i. Discussion of job description, compensation, and contract
  - b. Proposed changes to Board of Trustees handbook
7. Director Updates (*oral*)
8. Boulder Library Foundation Update
9. Trustee Matters
  - a. Public Correspondence
10. Legal Counsel Updates
11. Adjournment

**NEXT REGULAR MEETING: Tuesday, April 16, 2024**

**RECORD OF PROCEEDINGS**  
**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES**  
  
**OF THE**  
  
**BOULDER PUBLIC LIBRARY DISTRICT**

<p><b>Held:</b> Tuesday, February 20, 2024, at 6:00 p.m. at the Boulder Public Library, 1001 Arapahoe Avenue, Boulder, Colorado</p>
<p><b>Person preparing summary:</b> Celia Seaton</p>
<p>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:</p> <p style="padding-left: 40px;">Katharine (Joni) Teter Sylvia Wirba Benita Duran Doug Hamilton Cara O’Brien Sam Fuqua Jennifer Yee</p> <p>Also present were Kim J. Seter, Esq. from Seter &amp; 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; and Maria Tormos, Communications Manager of the Boulder Public Library.</p>
<p><b>Members of the public present:</b> None.</p>
<p><b>Type of Meeting:</b> Regular</p>
<p><i>This meeting was preceded by an information session from 5:00-6:00 PM. Hamilton spoke alongside a <a href="#">presentation outlining the structure and roles of the Board</a>. Following the slideshow, the Trustees welcomed public inquiry.</i></p>
<p><b>Agenda Item 1: Call to order</b> Trustee Teter called the meeting to order at 6:01 p.m. noting that a sufficient number of appointed trustees were present to create a quorum authorized to act on behalf of the District.</p>
<p><b>Agenda Item 2: Public comment</b> None.</p>
<p><b>Agenda Item 3: Consider Approval of Minutes of January 30, 2024</b> a. Following motion from Trustee Wirba and second from Trustee Fuqua, the January 30, 2024 minutes were approved unanimously as modified.</p>
<p><b>Agenda Item 4: Treasurer’s Report</b> Wirba <a href="#">reviewed the financial documents</a>, compiled with the dedicated support of Finance Manager Adriana Boniakowski. These include 2023-2024 updates, as well as an outline of profit and loss, balance, bills, and expenses.</p> <p>End of year compliance for 1099s has been completed, and 2023 books have closed. Nearly \$14M of expected reimbursement to the City has been recorded; this figure will be adjusted once the invoice is received. Wirba</p>

reviewed total operating expenses, accumulated interest, and investments. 2024 has seen two payrolls successfully processed through Paylocity, the new Purchasing Card Management Program roll-out, and 31 cards already issued to staff. Facilities plans to purchase an electric transit cargo van at an estimated cost of \$58,000; the Board will review that purchase at the appropriate time. The financial management system, Sage Intacct, Inc, will be implemented with a go-live date of March 1 – this should simplify reporting as staff is currently entering budget data through QuickBooks during the transition. The Administration team is preparing for the annual audit and is currently recruiting an Accounting Specialist.

In response to Duran’s inquiry about the report, staff replied that the purchase cards constitute the entirety of the accounts. Duran suggested collating the workgroups instead of listing the cards separately. Wirba noted that the profit and loss page lists expenses by category instead of individual cardholder. Phares explained that each expense is tagged with relevant location and budget codes. Teter recalled that FirstBank offered robust reporting on the purchase card management system and Phares agreed that this resource is being utilized.

Hamilton and Wirba suggested the Board review a budget comparison on a quarterly basis each year.

Hamilton didn’t see a need for the listing of assets; Wirba agreed, as the District is not in the business of profit. After discussion, the group agreed that the regular Treasurer’s Report needn’t contain the balance sheet if the bank account amounts (as listed on the first page) are included. In response to Fuqua’s desire to periodically review a balance sheet, Wirba agreed to incorporate these on a quarterly basis.

Wirba welcomed continued feedback to refine this report so that it can be most useful for Board purposes.

#### **Agenda Item 5: Library Policy Review – CORA Policy**

Phares presented the draft version of this document which concerns policy around compliance with the Colorado Open Records Act (CORA). Elizabeth Dauer of the legal consultation team prepared this resolution and policy. Phares incorporated changes including the library director’s contact and the library’s address. This document can be posted as a fillable form so that the public can submit these requests either online or physically print out and mail in the form.

Seter reported that the legal team is currently compiling a detailed set of rules for record retention which are promulgated from a state archive entity. Once ready, this document will be reviewed by the Board for adoption.

Hamilton made a motion to approve the CORA policy as presented in the packet. Wirba seconded, and the motion passed unanimously.

#### **Agenda Item 6: Volunteer Services – Impacts in 2023**

Farnan reviewed the [infographic as presented in the packet](#) highlighting the substantial contributions from the volunteer workforce that supports the library in various capacities and serves as a “critical piece” of library operations. He praised this “remarkable effort by our community.”

The Trustees appreciated the presentation of this powerful volunteer impact. Teter hopes that the Communication and Marketing team can give more presence and prominence to these reports, along with the library’s quarterly performance measures.

Yee asked about the transfer of volunteer accounts from the previous database; Volunteer Manager Sophia Surage had reported that this information was migrated to the new system.

#### **Agenda Item 7: Director Updates**

Farnan advised that the Board should be prepared to witness year one of the District’s budget as a “gradual stepping up” process. He explained that while allocated figures were benchmarked many allocations through

research, and now the “rubber hits the road” Scaled personnel expenses reflect savings due to the practicalities of hiring timelines. Expenses allotted for Gunbarrel will go toward a leased property as opposed to a purchase, accounting for those reserves. Thirdly, he referenced the large backlog of maintenance needed for the library buildings. Though these repairs are necessary, Facilities Manager Andres Melendez was only recently onboarded and is still actively building his team. Due to these factors, there will be an excess/savings of over \$1M by the end of the year. The immediate impact of these three situations will result in increased monies being set aside for investment.

Melendez intends to research possibilities for offsite space that the maintenance crew could use as equipment storage and staging for construction and repair. Hamilton suggested potentially leasing more City property as it would be already outfitted with internet connectivity and insurance coverage.

Responding to Hamilton’s inquiry, the prospective electric cargo van would replace the previous City-owned vehicle used to transport materials for facilities as well as books. The group agreed that the quote presented appeared reasonable, especially for an electric option.

The Board will be presented with a midyear budget review. By this point, the data will have been loaded into Sage Intacct for more regular reporting. It is not yet determined whether there will be any necessary adjustments at that time – if so, a process will be put in place to account for these changes.

The Board will review a proposal regarding investment monies in March. The District’s first payment to the City is planned for June 1.

Yee appreciated the report’s outline of three solid bullet points to explain excess budgeted monies and address potential community concern about the District’s use of funds during its first year of formation. Teter will file these talking points in the Trustee’s governance folders for future reference.

Farnan received a nod of approval from the Board to pursue acquisition of flood insurance as soon as possible.

Farnan reported that the successful candidates for many of the new positions happen to be current staff; this movement indicates positive upward growth, but it also means that vacancies aren’t disappearing.

Discussing First Amendment auditors, the group considered implementing reasonable time, place, and manner restrictions. As Farnan clarified, the library is a public building and not a public forum. This means that the interiors are not places where people can exercise any expression through freedom of speech. The future opportunity of reserving Canyon Theater space could be provided as an alternative once these restrictions are implemented as policy.

Teter shared knowledge gained during a discussion on this topic at CALCON; some libraries implement reasonable time, place, and manner restrictions along with incorporating “staff-only” signage to identify those areas where employees work as separate from the public space. Phares noted that these signs are already acquired and awaiting the policy for installation. Teter recommended setting these public access guidelines in place as soon as possible’ staff agreed to return with policy language at a forthcoming meeting.

Teter recently read an article in the *Daily Camera* reporting on organized instigation and deliberate provocation at city council meetings. While content can’t always be regulated, disruption can be minimized. Teter suggested adding some guidelines to the public participation for the Board, e.g., requiring people to contact information and name. She wondered whether guidelines could be implemented to restrict public participation at Board meetings to only include those that reside within the district boundaries. Seter explained that this would not be a legal restriction.

**Agenda Item 8: Trustee Matters**

- a. Set retreat date March 2 – the Board acknowledged this upcoming offsite session.
- b. Special meeting March 5 – the Board agreed to cancel this meeting.
- c. Information Item: Carnegie Contact Form

To the assent of the group, Wirba suggested incorporating a standing agenda item under Trustee Matters for Boulder Library Foundation (BLF) updates. Barge announced plans for a gala alert on Thursday, September 26 to celebrate BLF’s upcoming 50<sup>th</sup> anniversary. Bonnie Garmus, author of *Lessons in Chemistry*, will headline the event. Table sales will open tomorrow, with individual tickets available in May.

Staff reaffirmed that the applications would be published online following the Trustee recruitment process.

**Agenda Item 9: Legal Counsel Updates**

See Legal Status Report in the [packet](#).

**Agenda Item 10: Adjournment**

There being no further business to come before the Board, the meeting was adjourned at approximately 7:16 p.m.

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Attestation

March 29, 2024

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

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

**Subject:** Library Finance Policy Review

**Introduction:**

Matt Miller, McMahon and Associates, provided staff and the Board with sample finance policies from Garfield County Public Library District. He advised that the Boulder Public Library District's (District) finance policies need to be complete and approved by July 30, 2024, when the audit is due to the State of Colorado. Miller also recommended that the Board consider using the Garfield County Public Library policies for reference when creating the District's finance policies.

The Library's finance system implementation is on track for the system to be fully functional by May 2024. It would be ideal to have most of these policies in place by the time the system and the associated responsibilities are rolled out to staff.

Of the eleven finance policies, those policies that are likely to be the easiest to review and approve are included in this packet. The more complex policies will first be reviewed by the Board's Finance Committee, David Farnan and Kim Seter and issued to the Board for review at the April 16, 2024, meetings. There are also a few policies that need to be reviewed by the Leadership Team and those will be issued for Board review at the April 16, 2024, meeting. The April 30, 2024, meeting policy review agenda item will be reserved for final discussion and approval of any policies the Board cannot adopt on April 2 or 16.

Here are the finance policies and review dates.

**April 2, 2024**

- Asset Management
- Audit
- Annual Budget
- Debt or Long-Term Financial Obligation
- Purchasing
- Purchasing card

**April 16, 2024**

- Gift Card
- Grant
- Investment
- Travel and Business Meal
- Vendor Management

**DRAFT Asset Management Policy (Attachment A)**

This draft policy was adapted from Garfield County Public Library policies. Staff has no questions for the Board's consideration of this draft policy.

**DRAFT Audit Policy (Attachment B)**

This draft policy was adapted from Garfield County Public Library and Arapahoe Library District policies. Section III, parts A-C reference an audit committee of two members of the Board of Trustees.

- Does the Board agree with this practice?

**DRAFT Annual Budget Policy (Attachment C)**

This draft policy was adapted from Garfield County Public Library policies. Staff has no questions for the Board's consideration of this draft policy.

**DRAFT Debt or Long-Term Financial Obligation Policy (Attachment D)**

This draft policy was adapted from Garfield County Public Library policies. Staff recommends Board members consult Kim Seter on Section IV, part D and amend the draft if necessary.

**DRAFT Purchasing Policy (Attachment E)**

This draft policy was adapted from Garfield County Public Library, City of Boulder, and Mesa County Library policies. Staff recommends the Board discuss Section B parts 2 and 3 and consider modifying or removing these prohibitions.

Regarding part 2 employees, the library will set a wage structure that allows for employees to perform work such as teaching skills, performing during programs, and providing language translation when such work is outside the scope of the standard position. Employees are not permitted to serve as independent contractors while employed by the library to follow labor laws and benefit administration requirements.

Regarding part 3 family members, this is the current practice of the library. These engagements have been of short duration and the presenters are paid between \$100 or \$5,000 depending upon the number of presentations or sessions and the expertise required. In these cases, the individual would be hired as an independent contractor.

- Is the Board amenable to allowing exceptions for the family members of employees to be hired to teach skills or perform during programs?

Section C part 2, staff recommends Board members consult Kim Seter on Section IV, part D and amend the draft with clearer language if determined that this part is necessary.

**DRAFT Purchasing Card Policy (Attachment F)**

This draft policy was adapted from the City of Boulder policies. Staff has no questions for the Board's consideration of this draft policy.

**Requested Board Action:**

Staff requests the Board's input on six policies in this packet. Staff will incorporate the Board's input and present those policies for final approval on April 30, 2024. The Board can adopt any of these policies on April 2, 2024, if they choose to.

# Boulder Public Library District Asset Management Policy

## I. Purpose

The purpose of the Asset Management Policy is to assist the Boulder Public Library District (District) to effectively supervise, monitor and evaluate its investment in capital assets and control non-capitalized inventory.

## II. Background

On November 8, 2022, electors who resided or owned private property and/or businesses in the city of Boulder and areas in Boulder County that are within the District service area boundary approved the formation of the Boulder Public Library District and to fund its operating and capital costs from revenues generated by a 3.5 mill property tax.

## III. Capital Asset Reporting

### A. Asset Classifications - The following are the classifications of capital assets.

1. Land
2. Land Improvements
3. Buildings and improvements
4. Leasehold improvements
5. Library Materials
6. Furniture, Fixtures, Equipment, Computer Software
7. Works of art and historical treasures
8. Vehicles
9. Other assets

### B. Valuing Capital Assets

Capital assets built or acquired by the District will be recorded at historical cost, including ancillary costs necessary to place the assets in their intended location and condition of use. Ancillary costs include freight charges, site preparation, appraisal fees, and legal claims directly attributable to the asset's acquisition. Donated capital assets are recorded at the estimated fair value of the assets at the time of donation. If historical cost is unavailable after a search of applicable records, an estimate of the original cost using current replacement costs discounted by appropriate price indices will be used.

## IV. Capitalization Thresholds

For the purchase or construction of new assets, the following capitalization thresholds will be used to determine if the asset should be capitalized.

Type of Asset	Capitalization Threshold
Land	All purchases, regardless of cost
Land Improvements	\$50,000
Buildings and improvements	\$50,000
Leasehold Improvements	\$50,000
Library Materials	All purchases, regardless of cost
Furniture, Fixtures, Equipment, Computer Software	\$5,000
Works of art and historical Treasures	\$5,000
Vehicles	\$5,000

**Note** – According to a Colorado Revised Statute (C.R.S.) requirement all assets more than \$5,000 in value must be tracked, except for library materials.

For expenditures related to repair, remodeling, or expansion of an existing capital asset, the District must determine if the expenditure increased the capacity, operating efficiency or extended the useful life of the asset. The thresholds identified above shall be used to capitalize repair, remodeling, or expansion expenditures. Expenditures that only serve to restore a capital asset to a working condition or do not enhance or extend the useful life should be recorded as repair and maintenance expense and should not be capitalized. Documentation to support what constitutes an enhancement or useful life extension will be maintained in the finance system.

#### V. Estimated Useful Life

The following are guidelines for estimating the useful life of assets. These guidelines may be used when calculating depreciation expenses if there is no other supportable estimate. Supporting documentation for determining the estimated useful life would be engineering studies, documentation in the records of similar assets, and actual experience.

Type of Asset	Useful Life
Land	N/A
Land Improvements	20 years
Buildings	20 to 40 years
Leasehold Improvements	Lesser of estimated life of assets or the term of the lease

Library Materials	6 years
Furniture, Fixtures, Equipment, Computer Software	3 to 10 years
Works of art and historical Treasures	N/A
Vehicles	5 to 8 years

#### **VI. Depreciation Guidelines**

All exhaustible capital assets shall be depreciated using the straight-line method using the estimated useful life from chart above or other sources for which documentation will be retained. Assets purchased before July 1 of the fiscal year shall be capitalized as of January 1 and one full-year depreciation recorded. Assets purchased on or after July 1 of the fiscal year will be capitalized as of December 31 and no depreciation calculated until the next fiscal year.

Capitalization of library materials will be calculated at the end of each fiscal year by the inventory of collection by classification (adult, reference, children, young adult and audio/visual) and multiplying each classification by the estimated replacement cost for that item. The value will be removed from Capital Assets before depreciation. Depreciation for library materials will be figured in the subsequent year if depreciation is figured on collection.

#### **VII. Control of Non-Capitalized Assets**

An annual inventory of all real and personal property with original cost > \$5,000 must be conducted regardless of whether the asset is capitalized ([C.R.S. 29-1-506](#)).

# Boulder Public Library District Audit Policy

## I. Purpose

In accordance with Colorado Revised Statute ([C.R.S. 29-1-603](#)), the Boulder Public Library District (District) will have a certified public accounting firm conduct an annual independent audit.

## II. Process

- A. Statements: Annual audited financial statements will be prepared in accordance with Generally Accepted Accounting Principles (GAAP). The statements will show the financial position and results of operation for each of the District's funds and include a comparison of actual to budgeted figures for each fund for which a budget has been adopted ([C.R.S. 29-1-605](#)).
- B. Reports: An annual audited financial report is submitted to the Board of Trustees by June ([C.R.S. 29-1-605](#)). The report will include:
  - 1. The annual audited financial statements.
  - 2. The opinion of the auditor.
  - 3. Full disclosure by the auditor of violations of state or local law identified during the audit process.
- C. One copy of the audit will be filed with the state auditor by June 30.
- D. If applicable, the District will request a filing extension submitted to the Colorado State Auditor by July 31. Granted extensions will not exceed 60 days ([C.R.S. 29-1-605](#)).

## III. Responsibilities

- A. An audit committee, comprised of two members of the District Board of Trustees, working with the Executive Library Director or their designee, will initiate a formal Request for Proposal (RFP) process every three years, at a minimum, to acquire the services of an auditor.
- B. The committee will participate in the evaluation of submitted proposals, conduct interviews if necessary, and recommend a certified public accounting firm to the Board of Trustees for approval. The contract for audit services will be for one year and may be renewed pending the annual approval of the audit committee and the Board of Trustees.
- C. The Board of Trustees will approve the selection of a certified public accountant or partnership of certified public accounts, based on the recommendation of the audit committee, at the close of each fiscal year.
- D. The Finance Manager is responsible for preparing a working trial balance, documentation to support financial records, contracts, bank confirmations, and any additional schedules or information necessary to complete the audit.
- E. The Finance Manager will also be responsible for the production work necessary to complete the final audit report.

# Boulder Public Library Annual Budget Policy

## **I. Purpose**

This policy defines the Boulder Public Library District (District) annual budget process when revenues are appropriated to meet the operating and capital project goals for the upcoming year. Colorado Revised Statutes (C.R.S.) dictates the Board of Trustee activities and decisions related to the developing and overseeing the annual operating and capital budget for the District.

## **II. Background**

On November 8, 2022, electors who resided or owned private property and/or businesses in the city of Boulder and areas in Boulder County that are within the District service area boundary approved the formation of the Boulder Public Library District and to fund its operating and capital costs from revenues generated by a 3.5 mill property tax.

## **III. Mill Levy Certification**

The District is required to deliver a Certification of Tax Levies of all property tax revenues it will collect for the upcoming year such as general operating and refunds/abatements to the Boulder County Treasurer by December 15th each year.

## **IV. Appropriation of Funds and Adoption of Budget**

The Board of Trustees adopts by resolution a fiscal plan and the annual budget and any subsequent budget adjustments for the District for the following year. Adoption of the resolution gives the Board legal authority to appropriate and expend funds and constitutes the legal spending limit for the following year. The Board is required to deliver the annual budget to Boulder County Board of County Commissioners by December 15<sup>th</sup> each year.

## **V. Annual Budget Calendar**

See page 2.

<b>Boulder Public Library District Annual Budget Calendar</b>		
<b>Date</b>	<b>Item</b>	<b>Description</b>
January 1	Budget Year	Beginning of new fiscal year.
January 15 to 20	Annual Library Budget Message	Board issues a message about the budget process to taxpayers and library patrons.
January 31	Statutory Deadline	Submission of budget, all resolutions, and the Budget Message to the Department of Local Affairs (DOLA) <a href="#">C.R.S. 29-1-113</a> (1).
June through August	BPLD Annual Budget	Budget process begins in June and runs through August.
August 25	Statutory Requirement – Certification of Valuations	County Assessor provides Preliminary Certification of Valuations to BPLD <a href="#">C.R.S. 39-5-128</a> (1).
September	Board Finance Committee Meeting	Prepares and submits the first draft budget to Board of Trustees.
October 15	Statutory Deadline – Delivery of Final Draft Budget	Final draft budget is delivered to Board of Trustees <a href="#">C.R.S. 29-1-105</a> .
Early November	Public Hearing for the BPLD Budget and Board meeting for the Board’s consideration to approve the budget.	<ul style="list-style-type: none"> <li>• Board holds a public hearing for the draft budget. A one-time notice in newspaper is required and copies of the draft budget must be made available to the public <a href="#">C.R.S. 29-1-108</a> (1).</li> <li>• If possible, Board approves the budget at a Board meeting following the budget public hearing.</li> </ul>
December 10	Statutory Requirement – Amended Certification of Valuation	Amended Certification(s) of Value for property tax revenue due from Boulder County Treasurer.
December 15	Statutory Deadline* - Final resolutions to approve the BPLD Budget and set and certify mill levy.	Final resolutions to: <ul style="list-style-type: none"> <li>• Approve the BPLD Budget and the appropriation of funds giving the Board the legal authority to expend the appropriated funds <a href="#">C.R.S. 29-1-108</a> (2).</li> <li>• Set and certify mill levy. Certification of tax levy due to Boulder County Board of County Commissioners <a href="#">C.R.S. 39-5-128</a> (1) and <a href="#">C.R.S. 32-1-1201</a>.</li> </ul>

\*Failure of the District to meet this deadline will result in the District’s receipt of only 90% of the requested funding appropriation for the following year.

# Boulder Public Library District Debt or Long-Term Financial Obligation Policy

## I. Purpose

This policy defines the Boulder Public Library District's (District) practices related to taking on debt or entering long-term financial obligations. Debt is an important tool for acquiring or constructing capital assets including land, buildings, machinery, and equipment.

## II. Issuance of Debt

When making the decision to take on debt or enter a long-term financial obligation, the Board of Trustees will consider an appropriate balance between the needed flexibility to achieve operational goals and establishing reasonable as these pertain to the annual capital budget, operating budget, and financial plan. Debt or long-term financial obligations are taken on after thorough consideration of legal financing options and it is determined that the debt can be paid, or the obligation met within the terms and on a timely basis.

## III. Purpose of Debt

Debt and other long-term financial obligations will be issued in accordance with Colorado State Statutes (C.R.S.), and if required, will be approved by registered, qualified voters of the District. It is only to be incurred for financing capital assets that, because of their long-term nature or because of budgetary restraints, cannot be acquired by expenditure of current revenues, budgeted resources, or appropriated reserves. Debt is issued only after exhausting all resources, such as grants and pay-as-you-go funding. Any debt issued shall not have a maturity date beyond the useful life of the asset being acquired or constructed by the debt proceeds.

Issuance of debt should not be used to finance current operating expenses. There must also be sufficient revenues available to meet ongoing debt payments.

## IV. Types of Debt

Debt and other long-term financial obligations should be obtained at the best possible debt rating, which is favorably maintained through prudent financial management. It may include but is not limited to the following:

- A. General obligation bonds – These represent a commitment to fund debt service payments from property taxes and require voter approval and Board of Trustee approval.
- B. Revenue bonds – These represent a commitment to fund debt service payments from a specific non-property tax revenue source, such as sales tax, and require voter approval in addition to Board of Trustee approval for all government-related activities.
- C. Certificates of participation - These represent a commitment by the District to fund a non-binding lease with an outside authority. The lease payments are made from unrestricted funds.

(unassigned, assigned, or committed funds). A source of unrestricted revenue must be identified to ensure that future lease payments can be made without interruption.

- D. Lease/purchase agreements - These represent a general commitment to fund payments from District revenues. Lease/purchase agreements require voter approval under the TABOR Amendment unless appropriate “funding out” terms are included. The only leases the District is allowed to enter are for equipment such as printers, copiers, postage machine, etc. where the specified vendors have approved the “funding out” term in the lease agreement.

**V. Refunding Factors**

The debt portfolio will be monitored jointly semi-annually by the Executive Library Director and the Finance Manager for refunding opportunities. Refunding will be used when legally allowable and when any of the following conditions are present:

- A. Significant savings may be achieved.
- B. Anticipated revenues call for a change in the debt service structure.
- C. When the District may desire a change in a bond covenant.

**VI. Arbitrage Compliance**

Arbitrage occurs when the funds received from a bond are reinvested at a higher interest rate than paid to the bond investors. Taxes must be paid on any profits derived by the District from such reinvestment. Reports are required for each bond on every five-year anniversary of the bond issue date. The Executive Library Director will contract with an arbitrage compliance consulting firm.

# Boulder Public Library District Purchasing Policy

## I. Purpose

This policy defines the Boulder Public Library District's (District) practices for purchases of supplies, materials, equipment, or services.

## II. Procedure

The Executive Library Director shall establish and maintain a purchasing procedure to:

- A. Assure that each purchase is within the authorized available balance of the appropriate budget categories.
- B. Certify that purchased items or services are satisfactorily received; and,
- C. Provide accurate records for audit. Such records will be kept on file for at least five years.
- D. Supplies, materials, or equipment costing not more than \$10,000 may be purchased based on informal, verbal or telephone bids or quotations, when it is determined by the Executive Library Director that such procedure is in the best interest of the Library District. If such practice is followed, a written memorandum of the informal bids or quotations shall be maintained with the records of the purchase.
- E. The Finance Manager shall be the central purchasing agency through which requests for the purchase of all library materials and operational items are routed and by which they are accounted.
- F. No employee shall incur any expense or debt against the District without adhering to the provisions of this policy. The District shall not be responsible for any expense or debt incurred by employees not authorized to act under this policy.
- G. Purchases are made based on price, quality, service, availability, and other pertinent factors considered to be in the best interest of the District.

## III. Basis for Purchasing

Purchases are made based on price, quality, service, availability, and other pertinent factors considered to be in the best interest of the District.

- A. Preference for State and Local Purchases
  1. When possible, state, and local vendors will be considered before vendors outside of Boulder County and the State of Colorado.
  2. There may be times when state and local vendors with similar skills may not have the expertise or experience sought by the District, and in those cases, vendors outside of Boulder County and the State of Colorado may be selected.
  3. When the District is working with vendors or other professionals located outside of the District's area of service, those vendors will be expected to make every effort to ensure that when hiring subcontractors, state and local vendors are given priority and the opportunity to bid the work.

4. Staff authorized by the Executive Library Director to lead procurement processes will ensure that potential vendors are treated fairly and professionally throughout the process.

#### B. Sales Tax Exemption

Employees who make purchases on behalf of the District are responsible for furnishing documentation of the District's sale tax exemption to the vendor. If a discrepancy is discovered after a purchase is made, and sales tax is charged, the employee is responsible for requesting a credit and submitting documentation of the credit. In the event credit cannot be obtained, this must be brought to the attention of the Finance Manager with an explanation of the extenuating circumstances.

#### C. Prohibited Purchases

The District will not knowingly purchase any supplies, materials, equipment, or services from:

1. Members of the Board of Trustees of the Boulder Public Library District or their spouses.
2. Employees of the Boulder Public Library District, or their spouses.
3. Children, parents, grandparents, grandchildren, brothers and sisters of the above individuals and their spouses.
4. Firms or enterprises in which any of the above individuals have a personal stake involving ownership, partnership, sales commission, or other direct and immediate gain resulting from such purchase.
5. A former board member or employee, within six months following the termination of his or her service on the Board or employment.

#### D. Exceptions

This policy does not prohibit the purchase of any supplies, materials, equipment, or services from the above individuals when:

1. The individual has disclosed the personal interest, has not voted thereon, has refrained from attempting to influence the decision of the Board of Trustees in voting on the matter, and the contract is awarded to the lowest responsible bidder based on competitive bidding procedures; or
2. Due to geographic restrictions, the District shall be presumed that the District might not otherwise reasonably afford itself of the subject of a contract if the additional cost to the District is greater than ten percent of a contract with an interested party or if the contract is for services that must be performed within a limited time period and no other contractor can provide those services within that time period.
3. [Insert exception for family members of employees if approved by the Board.]

#### E. Comparison Pricing

Individuals authorized to purchase items or services on behalf of the District must investigate and perform comparison pricing for items or services that cost less than \$10,000. The purchaser may

pay for items or services that cost less than \$1,000 by submitting a direct invoice to the Finance Manager or by using a purchasing card issued to them. Purchases of items or services that cost more than \$1,000 and less than \$50,000 may submit a purchase requisition to the Finance Manager along with the required documentation described in section E below.

#### F. Informal Quotes

Operational items and services anticipated to cost more than \$10,000 and less than \$50,000 shall be purchased through an informal quote process. Purchases of equivalent items or groups of items or several instances of services provided by one vendor should not be subdivided into multiple purchases of less than \$10,000.

1. The Department Manager shall submit invitations to submit quotes to at least three people, firms, or corporations dealing in and able to supply the same items or services.
2. The prospective bidders must be given at least ten (10) days to supply their quote.
3. If unable to receive three (3) quotes by either process, the Executive Library Director may authorize the acceptance of less than three (3) quotes.
4. Informal quotes shall be submitted by email to the Department Manager.
5. The Executive Library Director may repeatedly reject all quotes and again may direct the Department Manager to submit to the same, or other persons, firms, or corporations the request for an informal bid at their discretion.
6. The Department Manager shall analyze the acceptable quotes received and engage the vendor in a standard purchasing agreement such as a Purchase Order.
7. Purchases shall be made from the vendor whose quote is most advantageous to the District, considering price, quality, date of delivery, and other pertinent factors.
8. In the event of a tie bid, the purchase may be made from one of those vendors, or the purchase may be divided among those vendors, always accepting the quote or quotes most advantageous to the District.

#### G. Competitive Bids

Major operational items and services including capital items and construction projects anticipated to cost more than \$50,000 each, will be purchased through a competitive bid process. Purchases of equivalent items or groups of items or several instances of services provided by one vendor should not be subdivided into multiple purchases of less than \$50,000.

1. The Executive Library Director or their authorized designee shall publish a notice of the proposed purchase on the library's website or in a newspaper within Boulder County.
2. The prospective bidders must be given at least ten (10) days to supply their bid.
3. Bids shall be submitted by email to the Executive Library Director and/or their authorized designee.
4. The Executive Library Director may repeatedly reject all bids and again may submit to the same, or other persons, firms, or corporations the request for bid, and/or again publish notice of the proposed purchase at their discretion.
5. The Executive Library Director or their authorized designee shall analyze the acceptable bids received and recommend the vendor who has submitted the lowest and best bid to the Board of Trustees.

6. Final decision to purchase items or service of more than \$100,000 shall be made by the Board of Trustees. The Board of Trustees reserves the right to reject any or all bids, and to waive any technicalities or formalities.
7. Purchases shall be made from the bidder whose bid is most advantageous to the District, considering price, quality, date of delivery, and other pertinent factors.
8. In the event of a tie bid, the purchase may be made from one of those tying, or the purchase may be divided among those tying, always accepting the bid or bids most advantageous to the District.
9. Contractual services of a professional nature such as engineering, architectural, legal, medical, insurance, janitorial and certified public accounting, etc. shall be requested for bids at least every three (3) years.
10. The Executive Director or their authorized designee shall review all contracts at least annually, and depending on vendor performance, shall submit a recommendation regarding extension, renewal, cancellation or rebidding to the Board of Trustees. All contracts in force for three consecutive years that exceed \$100,000 in any one year shall be subject to rebidding at the end of the third year unless this requirement is waived by the Board of Trustees.

<b>Purchase Limits</b>	<b>Documentation Required</b>	<b>Approval Level</b>
\$0.00 to \$1,000.00	Purchasing card or direct invoice. Quotes not required.	Department Manager
\$1,000.01 to \$10,000.00	Purchase Requisition. Quotes encouraged but not required.	Department Manager and Finance Manager
\$10,000.01 to \$50,000.00	Purchase Requisition. Three quotes.	Department Manager and Finance Manager
\$50,000.01 +	Request for Proposal. Minimum three bids. Purchase Requisition.	Department Manager, Finance Manager, and Executive Library Director
\$100,000.01 +	Request for Proposal. Minimum three bids. Purchase Requisition.	Department Manager, Finance Manager, Executive Library Director, Board of Trustees

#### H. Exceptions for Obtaining Competitive Bids

The following may be purchased without giving opportunity for competitive bidding:

1. When excused by participation in a purchasing program under the auspices of the State of Colorado or other governmental entity.
2. Items or services described in section III, parts D and E of this policy.

3. Library materials, e.g., books, periodicals, audiovisual materials, etc., are purchased at the best discount available consistent with service, date of delivery, and other pertinent factors.
4. Electronic resources, e.g., information databases, streaming media, audio- or e-books, are purchased at the best discount available consistent with service, date of delivery, and other pertinent factors.
5. Services, supplies, materials, or equipment which can be furnished only by a single vendor, or which have a uniform price wherever bought.
6. Services, supplies, materials, or equipment purchased from another unit of government or non-profit agency at a price deemed below that obtainable from private dealers.
7. Services (gas, electricity, telephone services, etc.) purchased from a public utility at a price or rate determined by the State Corporation Commission or other government authority.
8. Where proposed equipment, and/or services vary to the extent that formal bids are not practical, detailed proposals may be accepted in lieu of such bids.
9. Advertising (employment, bid advertisements, etc.)
10. Employee benefit payments – medical, dental, life, long term disability insurance, etc.
11. Professional development classes and conference, seminar, workshop registration and fees
12. Employee reimbursements.
13. Fees for banking, filing taxes, titles, and licenses, etc.
14. Grant pass-thru payments.
15. Insurance premium payments.
16. Membership dues or fees.
17. Postage.
18. Business travel airfare, bus, train tickets, etc.
19. Lodging, meals, and refreshments during business travel.

#### I. Emergency Purchases

In an emergency as deemed by the Executive Library Director, that requires swift action, when no regular or emergency Board of Trustees meeting is scheduled or practical under the situation, the Executive Director may contract to handle the emergency; with all reasonable efforts to advise individual Board Members of the emergency action having been.

# BOULDER PUBLIC LIBRARY PURCHASING CARD POLICY

## I. Purpose

The Boulder Public Library District recognizes that the use of purchasing cards (a.k.a. P-Cards, credit cards, bank cards) is a customary and economical business practice to improve cash management, reduce costs, and increase efficiency.

## II. Program Administration

This policy serves as the delegation from the Executive Library to the Finance Manager responsibility for implementing and administering the following standards related to employees using purchasing cards. The Finance Manager may adopt any additional rules necessary to implement this policy.

The Finance Manager or the person designated as the purchasing card Program Administrator is authorized to obtain purchasing cards under this policy, which provides for the distribution, authorization, control, purchase limits and payment of bills using the purchasing cards by employees. The Finance Manager or the Program Administrator will implement accounting controls to promote the proper use of purchasing cards and reduce the risk of loss or misuse including periodic audits of purchases and that cardholders are following this policy and the Purchasing Policy.

Purchasing cards may be directly issued to those employees who, in the opinion of the Finance Manager, have job responsibilities which could be more easily facilitated using a purchasing card and use would benefit the Library.

## III. Authorization and Control

The Finance Manager will create and maintain accounts with the credit issuer or purchasing card company. The Finance Manager or Program Administrator will maintain a ledger of individuals and departments using purchasing cards, including the date the card was received, and function as a liaison between the purchasing card company and the individual cardholders.

Purchasing card limits will be set administratively for each card, depending on expected purchases during a typical billing cycle. The Finance Manager or the Program Administrator may approve additional purchase capacity as needed on a temporary or on-going basis.

In some instances, a purchase order may be required for purchases made with a purchasing card. If in doubt, the cardholder should check with the Finance Manager for clarification. The cardholder is responsible for ensuring receipt of the materials or services ordered and resolving any delivery problems, damaged goods issues, or other discrepancies with the vendor. If an item purchased with a purchasing card must be returned to a vendor, the cardholder should follow the vendor's return policy and ensure

that proper credit is posted for any returned item. Failure to provide detailed documentation as required by the policy may result in the cardholder being responsible for the charge.

The cardholder's supervisor will review the purchasing card statement and supporting documentation to confirm that purchases are properly documented, reasonable, authorized and in compliance with the Purchasing Policy.

The Finance Manager or the Program Administrator can revoke the use of any purchasing card issued and immediately require the surrender of one. Purchasing cards must be returned to the Library immediately upon ending employment.

#### IV. Cardholder Terms of Use

- A. **Purchasing Policy:** Cardholders must follow the Boulder Public Library District Purchasing Policy in addition to this policy. Employees involved in any aspects of purchasing function as agents of the Library and have a responsibility to act in the best interest of the organization, which includes not personally favoring a specific vendor at the expense of the Library.
- B. **Categories of Use:** Purchasing cards may be used by authorized employees for purchasing goods, services, supplies and other items from vendors; incurring registration, and training or travel expenses in connection with the performance of their duties or on behalf of the Library (where such expenses have been included and approved in the budget). Please consult the Gift Card policy for directions about purchasing gift cards.
- C. **Assigned Purchasing Cards:** If an employee's name appears on the face of the card, the employee is responsible for all purchases made with the card and is the only person authorized to use the card. The employee is expected to keep the purchasing card in a secure location.
- D. **Purchasing Card User Agreement:** Before being issued a purchasing card, each employee will be required to sign a Purchasing Card User Agreement acknowledging that they have read and understand this policy, and that they understand violation of the policy may subject them to disciplinary action including revoking their privilege to use a purchasing card.
- E. **Sales Tax Exemption:** Cardholders are responsible for furnishing documentation of the District's sale tax exemption to vendors. If a discrepancy is discovered after a purchase is made, and sales tax is charged, the cardholder is responsible for requesting credit and submitting documentation of the credit. In the event a credit cannot be obtained, this must be brought to the attention of the Program Administrator with an explanation of the extenuating circumstances.
- F. **General Terms:**
  1. Purchase only goods and services required to perform job-related tasks.
  2. Keep expenditures within the purchasing card spending limit.
  3. Do not use the card to purchase items on the exception list.
  4. When possible, obtain pricing and in-stock availability prior to purchase.
  5. Ensure that the vendor immediately authorizes the purchase.
  6. Obtain a detailed copy of the receipt showing detailed description, quantity of each item purchased, per item cost and total purchase price.

7. Retain all receipts, packing lists, emails and other substantiating documentation related to the purchase.
  8. Purchased items may only be shipped to a of the libraries.
- G. Missing receipts: In the event a receipt cannot be obtained, or it is lost, the cardholder must document the purchase on a Missing Receipt Form and have the form signed by their supervisor. The form must be submitted as receipts are submitted in the bank purchasing card portal.
- H. Travel and Professional Development:  
Expenses related to authorized travel (hotel, airfare, ground transportation, registration, fees, and meals) and professional development may be charged to a purchasing card provided the purchases are preapproved by the employee's supervisor.
1. Travel: The employee must complete a travel authorization form with their supervisor's signature prior to the trip. The employee must submit the completed travel authorization upon returning from travel with all receipts in accordance with the travel policies and related procedures.
  2. Professional Development: The employee must complete and submit a professional development request form with their supervisor's signature.

#### **I. Unauthorized Charges**

Any employee using a purchasing card for unauthorized purchases or for personal use may be subject to disciplinary action including having their privilege of using the purchasing card revoked and they may be billed by the Library for all such unauthorized charges. Unauthorized charges, or charges not properly identified, may be charged to the employee and due for payment before the purchasing card bill is due. If a situation arises in which an employee is responsible for charges, the Finance Manager must be informed immediately.

The following purchasing card uses are NOT allowed:

1. Charges made without authorization of the cardholder's supervisor.
2. Payment for personal items and services.
3. Cash advances of any kind including money orders/traveler's checks.
4. Purchase of alcoholic beverages or other controlled substances.
5. Purchases may not be split into two or more transactions when the item purchase price exceeds the purchasing card's single purchase amount limit.
6. If certain charges are disallowed because of an internal audit or violation of current Library policy, such charges must be repaid. Misuse of a purchasing card may result in disciplinary action up to and including termination and legal action.
7. Donations to other agencies.

#### **J. Lost or Stolen Cards**

Employees will immediately notify the bank and the Finance Manager or the Program Administrator if their purchasing card is lost or stolen as it is imperative that the card be frozen to prevent unauthorized use. If the loss is the result of a robbery, the employee must call the police and file a report. Failure to report a lost or stolen card could result in the employee being held responsible for any unauthorized charges.

#### **K. Unauthorized Charges by a Third Party**

The cardholder is responsible for tracking expenditures on the cards monthly, and identifying and resolving any fraudulent use, including disputed charges, not detected by the purchasing card issuer. The Finance Manager or Program Administrator may be asked to help resolve unauthorized use.

#### **V. Purchase Documentation and Reconciliation**

All purchasing card receipts and other documents identifying purchasing card expenditures in detail must be uploaded to the bank portal by the 5<sup>th</sup> day of the month for purchase made the prior month within of the transaction or from the time of return from travel, or by the end of the monthly billing cycle, whichever comes first.

#### **VI. Definitions and Roles**

Program Administrator – The person designated by the Finance Manager to administer the purchasing card program, train cardholders, and hold cardholders accountable for following this policy.

Cardholder – An employee who has signed the Purchasing Card User Agreement and been issued a card in their name. The Cardholder is responsible for their card, its use, and for following this policy.

## **BOULDER PUBLIC LIBRARY DISTRICT DIRECTOR**

### **CONTRACT**

This Boulder Public Library Director Contract (“**Contract**”) is entered into this \_\_\_\_\_ day of June, 2024 by and between the Boulder Public Library District (“**District**”) by its Board of Trustees (the “**Board**”), and David Farnan (“**Farnan**”).

### **AGREEMENT**

#### **ENGAGEMENT AS DIRECTOR OF THE BOULDER PUBLIC LIBRARY DISTRICT**

**A. Effective Date.** The following terms and conditions shall be effective upon approval and execution of this Contract by both parties.

**B. Employment.** Pursuant to its powers under § 24-90-109 (c), C.R.S., the Board of Trustees employs, and Farnan agrees to accept employment, as Director (“**Director**”) of the Library District.

**C. Term.** This Contract is for a term ending December 31 of the subsequent year. Unless otherwise terminated, the Contract will automatically renew on January 1 each year for successive periods of one (1) year each, subject, however, to annual appropriation by the Board of Trustees and potential adjustment of salary and other matters to be agreed upon before December 15<sup>th</sup> of the preceding year. Farnan understands and agrees that he serves at the will and pleasure of the Board.

**D. Duties.** Shall lead and direct a program of library services for the residents of the Library District under the direction and review of the Board. Duties under this Contract include:

1. **Leadership:** To be a public presence for the Library District and a partner in community projects, inspiring community support through active involvement in community organizations and activities;
2. **Planning:** To lead a district-wide planning process to establish the mission, goals, and objectives of the Library District;
3. **Policy Development:** To assist the Board in developing policies that pertain to all aspects of Library District operations to promote exemplary service to the public;
4. **Policy Implementation:** To implement policies adopted by the Board with fairness and consistency;
5. **Program Development:** To direct the development and implementation of a variety of contemporary services that meet the diverse needs of public audiences in a friendly and helpful setting;

6. Collection Development: To grow and make easily accessible a first-class collection of print and non-print media that encompasses the ethnic and cultural diversity of the communities served by the Library District and that represents a wide variety of viewpoints;
7. Staffing: To build an organizational culture of service and commitment through selection and development of staff;
8. Employment Recommendations: To recommend individuals for employment by the Board consistent with the policy, staffing, and development needs of the Library District;
9. Finance: To formulate and administer an annual budget, implement investment strategies, and be accountable to taxpayers through regular reports to the Board and the public;
10. Communications and Marketing: To learn the service needs of the public and to provide frequent and on-going information to the public and staff regarding Library District services and operations;
11. Facilities: To maintain attractive, safe, comfortable, and convenient buildings and vehicles to serve the public;
12. Technology: To provide up-to-date technical software, equipment, training, and support for the public and the staff;
13. Foundation and Fundraising: To collaborate with the Boulder Public Library Foundation in establishing goals and priorities and actively participate in fundraising for the benefit of the library;
14. Professional Involvement: To engage the Library District in cooperative activities with other libraries, participate in activities of the State Library, and assume leadership roles in state, regional, and national library organizations;
15. Legislative Involvement: To inform the Board of opportunities to actively engage in advocacy for libraries at all levels of government- local, county, state, and federal;
16. Board Meetings and Reports: To prepare the agenda for each Board meeting, present a monthly report of library activities to the Board, and submit an annual report to the State Library and appropriate local governments;
17. Other: To be responsible for any other reasonable acts or duties, consistent with the foregoing, as may be prescribed by the Board or are necessary for the orderly and efficient management and control of the Library District.

**E. Compensation.** Annual compensation for services under this Contract shall be the amount determined by the Board. The compensation shall be payable in the same manner as

the compensation of Library District employees. The Board may from time to time review the compensation to be paid under this Contract and may increase or decrease said compensation as it deems appropriate. Upon the request of the Board, Director will participate in performance and compensation reviews with the Board or any subcommittee designated for this task.

**F. Vacation, Sick Leave, and Holidays.** The Director shall be entitled to paid vacation leave based on his original date of hire as provided in Library District personnel policies, as amended from time to time.

**G. Insurance Coverage and Retirement Benefits.** Director shall be included in the life and health insurance coverage and retirement benefits available to all full-time salaried employees of the Library District.

**H. Reimbursements.** Director shall be reimbursed by the Library District for the following employment-related expenses upon submission of Library District reimbursement forms and related documentation:

1. Conference attendance for professional organizations, to a maximum per year as set forth in the Library District budget.
2. Registration fees, lodging, and meals for seminar or meeting attendance to a maximum per year as set forth in the Library District budget.
3. Business meals, to a maximum per year as set forth in the Library District budget.
4. Mileage reimbursements at the rate and for the purposes allowed by the Internal Revenue Service.

**I. Termination.**

1. Termination Without Cause. This Contract may be terminated by either party for any or no reason upon not less than one hundred eighty (180) days written notice.
2. Termination for Cause. This Contract may be terminated by either party for cause at any time. In the event of termination for cause, which shall be determined in the Board's sole discretion, Director will be paid accumulated Paid Time Off, if any, as provided in the Personnel Manual for full-time salaried employees.

“Cause” for purposes of this Agreement may be defined as: (i) fraud, misappropriation or embezzlement of District funds or property; (ii) intentional breach of the provisions of this agreement; (iii) repeated willful failure to perform services hereunder; and/or (iv) incapacity; and, (v) articulated reasons deemed appropriate by a majority vote of the Board.

**J. Miscellaneous.**

1. Contract Employee: The Director position is a contract position, is governed entirely by this Contract and is not subject to Library District Personnel Policies except as specifically provided herein.
2. Governing Law: This Contract shall be governed by the laws of the State of Colorado.
3. Acknowledgement of Public Record: Director acknowledges and agrees by his signature below that the amount of salary and benefits paid pursuant to this Contract are a matter of public record, which may be disclosed by the Library District and Board.
4. No Waiver of Right to Enforce: The failure of either party to enforce any of the provisions of this Contract shall not be construed as a waiver of such provisions or terms, nor shall the right of that party thereafter to enforce such terms or provisions be impaired.
5. Delegation of Duties: Director may delegate or assign the duties and obligations set forth in this Contract to the extent authorized by the Board, but no such delegation or assignment shall relieve Director of the responsibility for the delegated obligation or duty.
6. Entire Agreement: This Contract constitutes the entire agreement between the parties hereto, and there are no agreements or understandings relating to the subject matter hereof which are not fully set forth within this Contract. All prior discussions concerning the subject matter hereof are merged herein and superseded hereby. No modification, amendment, or revision of this Contract shall have any force or effect unless set forth in writing and executed by both parties hereto.
7. Notice: All notices required or permitted under this Contract shall be in writing and shall be deemed given when personally served on the Director, the Board of Trustees or the President of the Board of Trustees.

**[THIS AREA INTENTIONALLY LEFT BLANK]**

**IN WITNESS WHEREOF**, the parties have hereunto set their hands as of the day and year first above written.

**Boulder Public Library District**

\_\_\_\_\_  
Katharine J. Teter, President

Attest:

\_\_\_\_\_  
David Farnan

DRAFT

# Boulder Public Library Trustee Handbook

## The Role of a Boulder Public Library Trustee

The Boulder Public Library District governing body is the Board of Trustees. Library District Trustees are volunteers, appointed by the Boulder City Council and the Boulder County Board of Commissioners.

The Board of Trustees manages the budget, conducts long-range planning, sets policies for the library district, and hires a Library Director to implement the policies, and manage the library system. The Trustees also establish guidelines for their own operations. A complete list of Trustee responsibilities is in the [Statutory Obligations of a Library District Board of Trustees](#).

It is the duty of the Board of Trustees to protect and defend intellectual freedom. The role of a public library in a democratic society is to ensure free and open access to information and materials as guaranteed by the First Amendment of the Constitution of the United States.

The work of the Board of Trustees is guided by the [Core Values of Librarianship](#) and the [Library Bill of Rights](#). The [Colorado Public Library website & Trustee Handbook](#) has more information and resources.

## Trustee Qualifications

Trustees are expected to be committed to the long-term financial and programmatic success of the library district. Library district trustees must be at least 18 years of age and [reside within the legal service area](#) of the library district.

While the Board of Trustees is ideally made up of a diverse array of community members with different skills, experiences, and talents, some combination of the following qualifications are ideal:

- An understanding of and commitment to the fundamental services of a public library, and familiarity with the Boulder Public Library in particular.
- A strong desire to preserve and promote the library as a public forum for the sharing of information and ideas without prejudice.
- A willingness and ability to engage with the public and to understand and represent the views and opinions of diverse community members.
- The ability to function well **and collaborate** in committees and group discussions, and to work in a flexible way with others who have a diversity of opinions and interests.
- The ability to assess information and make important decisions for the benefit of the community.
- Excellent communication skills.
- A strong sense of legal and ethical conduct appropriate to the position.
- The courage to state one's views on important issues and speak openly and directly, though always respectfully, with staff and other **Trustees**.

## The Effective Trustee Should:

- **Understand and be able to articulate the library's mission.**
- **Be familiar with and support the library services and programs.**

- Keep the lines of communication open between the trustees, the director, the community, and local government officials. Act as an advocate for the library and its services through contacts with civic groups, public officials, and the community at large.
- Foster community involvement with the library.
- Maintain a positive relationship with the Library Foundation
- Understand community needs, library capabilities, and the necessity to plan carefully for future library services.
- Never miss an opportunity/occasion to build goodwill for the library.
- Participate in local and statewide advocacy, stressing the importance of public libraries in today's information-rich society.
- Focus on policies and practices that permit a well-run library, not on running the library and staff.

## Expectations of Trustees

Trustees are generally appointed to serve five-year terms. Trustees must be willing and able to give time and talents for the benefit of the library and the community it serves. More specifically, Trustees are expected to:

- Devote at least 10 hours per month, and often more, to Trustee matters.
  - Serve on various committees.
  - Serve as one of the Trustees' representatives on the Boulder Public Library Foundation Board.
  - Assume a leadership role on the Board at some point during one's term.
  - Attend BPLD and other functions and community events, and generally be a public presence for the library within the community.
  - Keep commitments made to perform work for the Board. If a Trustee discovers they will not have time to fulfill a commitment per the agreed-upon schedule, make other Trustees aware so the commitment can be renegotiated or reassigned.
  - Stay abreast of developments in the world of public libraries as technologies and service models change.
  - Provide feedback, advice, and encouragement to the Library Director, to library staff, and to the public in meetings and emails.
  - Attend Colorado Association of Libraries (CAL) conferences workshops and other training opportunities to expand knowledge and sharpen leadership skills.
  - Have a library card, visit the library, and use the services of the library.
- Prepare for and attend regular and special board meetings (usually two-three hours in length and generally scheduled on the third Tuesday evening of each month).
  - Read distributed materials before each meeting and bring your full attention and participation.
  - Stay concise and work within the agenda. Share the time with others and stay productive.
  - Speak only for yourself.

- Support the board’s decisions, even if you disagree individually.
- Assist in the formulation and adaptation of a long-range plan for the library, with periodic reviews and revisions.
- Participate in the development and approval of library policies, with a regular, systematic review schedule.
- Keep current with library use statistics, stories, and other evidence of library effectiveness.
- Assist in hiring, supervising and evaluating the library director. Support and encourage the library director in their professional role.
- Help determine and advocate for reasonable staff salaries and benefits.
- Study the needs and interests of all members of the community and see that they are addressed, as appropriate, by the library.
- Follow established protocols and procedures.
- 

## Communications Among Trustees

- Any two trustees are allowed to discuss library or trustee related topics.
- 3 or more board members discussing policy in-person and/or electronically is considered a public meeting and requires at least 24 hours of public notice as well as public access. Minutes must be taken and made public.
- No votes or consensus should be gathered outside of a public meeting; the only exceptions are administrative decisions (i.e. deciding meeting day, time, place, etc.)
- Any or all trustees are permitted to gather outside of scheduled meetings as long as trustee business is not discussed.
- 
- Board member emails and text messages related to library governance are subject to the Colorado Open Records Act (CORA). Trustees should use communication channels provided by the Boulder Public Library for all communications relating to library district business to best comply with CORA and the District’s records retention policies.
- Any email sent to staff and/or one or more trustees, regarding trustee business (administrative business included) is subject to disclosure and considered public record.
- Any two trustees may exchange email on any topic; messages containing (non-administrative) trustee business shall not be forwarded to any other trustee.
- A trustee may send informational emails to the entire Board; such messages should include a reminder not to “reply all.” If any trustee wants to respond or discuss the contents of the email, the topic should be added to the next meeting agenda; “reply all” only to ask for this agenda request.

Examples of all-trustee emails:

- 1) Comments on packet materials and informational topics to be discussed at the next meeting as “heads up”

- 2) Research or public communication to be shared with fellow trustees, not as a part of an ongoing discussion
- 3) Questions being asked of staff
- Staff takes direction from the Library Director, and the Director should be copied on all staff requests for information.

## Speaking with the Public as a Trustee

- The Board President is the official spokesperson for the Board of Trustees.
- Trustees should represent their ideas as personal (not as the Board) when expressing opinions, unless the Board has voted on that issue.
- A trustee should avoid representing another trustee's opinion to other trustees, staff, or the public.
- Prompt response to patrons and community members is a Boulder Public Library value. The Board should acknowledge and respond to incoming communications within 48 hours. If an answer cannot fully **provide** within that time frame, the respondent should be advised when a full answer will be provided.
- There are three main categories of incoming communications from members of the **community**, and the Board has established the following protocols for responses to community members.
  - **Political:** This includes communications from elected officials, as well as from other people or organizations operating at a political level or seeking to influence political processes, such as related to the District's structures and its tax authority.
    - The Board President, who is empowered by the BPLD by-laws to speak on the behalf of the Board, may respond to this category of communications using recent talking points already agreed to by the Board. When there are no such talking points, or when the relevant talking points are potentially out of date—because of either the passage of time or a recent change in circumstances—the President will bring the communications to the Board, who will discuss and agree whether and how to respond.
  - **Patrons:** This includes general inquiries from library users regarding library programs and services that are available, or other specific requests from individuals or organizations.
    - The President or a Board member receiving such communications is free to respond to such communications after checking with the library director to confirm that the response to be offered is factual, accurate, and appropriate.
  - **Press:** This includes contacts from the media that often deal with the same issues as “political” communications, but often have strict deadlines since journalists typically work to deadlines.
    - Given the timely nature of this category of communications, the President, again empowered by the by-laws, may respond directly based on established talking points or based on the President's sense of the Board's opinions on the matter at hand. If time allows, the President may reach out to trustees for feedback on a potential response, and will indicate clearly (e.g., in the subject line of an email) the time by which that feedback is required
- When communicating with other board members, trustees are advised to mark *all* communications clearly with the nature of action or response required, as well as any relevant deadlines for such action or response.

- To keep everyone informed, all communications with community members should be provided to the Board Specialist for inclusion in the packet for the following meeting.

## **Overview of Library Operations**

There are five divisions in the Library.

### **Administration**

Foundational support for library operations including administrative personnel support, facilities, budget, communications and Trustee support. It includes preservation and access to local history, and technology infrastructure and support.

### **Collection**

This program is library collection acquisitions supported by the Library Fund and the personnel who select, process, and maintain the library's books, media, periodicals and wide variety of electronic resources such as downloadable music, movies, audiobooks, ebooks, and information databases.

### **Community Literacy & Outreach**

This program leverages community volunteer support and partnerships to strengthen community ties, provide access to critical information resources, library programs and services, and conduct literacy-focused outreach to strengthen skills and improve equity and inclusion for everyone with a focus on reaching underserved or otherwise marginalized community members.

### **Library Public Services**

This program is customer-focused operations and facilities to connect community members of all ages with library services and resources.

### **Programs & Events**

This program leverages grant funding support to provide educational and recreational programs and opportunities for community connection at no cost to community members.

## **The Boulder Public Library Foundation**

The Boulder Public Library Foundation (BLF) is a 501(c)(3) nonprofit organization governed by a volunteer board of directors and supported by individual donors and community partners. The Foundation's purpose is to assist and aid the Library by raising funds from private sources for the benefit of the Library. This includes, without limitation, solicitation and receipt of private gifts, annual giving contributions, deferred gifts, devises and bequests, corporate gifts and foundation grants, and special events.

The Foundation is responsible for identifying and nurturing relationships with potential donors and other friends of the Library; soliciting cash, securities, real and intellectual property, and other private resources for the support of the Library; and acknowledging and stewarding such gifts in accordance with donor intent and its fiduciary responsibilities. The Foundation is responsible for the performance and oversight of all aspects of its operations based on a comprehensive set of bylaws

The Foundation Board of Directors is responsible for the control and management of all assets of the Foundation, including the prudent management of all gifts to it, consistent with donor intent and applicable laws. To ensure integration with Library goals and objectives, two Boulder Public Library Trustees should serve as Directors of the Foundation. To align with the Foundation's annual meeting, Trustee appointments to the Foundation Board should be made in April.

The Boulder Library Foundation website is <https://boulderlibraryfoundation.org/>.

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**Library message**

4 messages

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**Barbara Fahey** <barbara.s.fahey@gmail.com>  
To: jteterbpl@gmail.com

Sat, Mar 16, 2024 at 6:23 AM

Hi Joni,

I want to pass on a suggestion for the operation of our public library. Yesterday, on calling the main library number at 9:41 am, I got an endless recorded loop of "press 3 to speak to a library staff member" after which the introductory message began again ending in "press 3 to speak to a library member" and so on. I called back 5 more times hoping to get through. When I finally did get through a half hour later the staff member was grumpy and said the reason I got the endless message loop is the library was closed. She also said she'd been on the phone ever since the library opened and I could hear the frustration in her voice. I'm guessing there were a bunch of people like me who were trying to get through and finally did when the library opened, so she had a backlog of frustrated patrons who could finally get through.

I don't call the library often and usually visit midday so I don't keep track of when it opens, probably like a lot of people. The simple fix to the endless message loop is to change the message to "we're sorry the library is closed right now so staff are not available. Please call back during library hours which are: Monday-Friday..." etc.

Sincerely,

Barbara

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**joni teter** <jteterbpl@gmail.com>  
To: Barbara Fahey <barbara.s.fahey@gmail.com>

Sat, Mar 16, 2024 at 6:52 AM

Thanks for the suffusions, Barbara. I will pass it along to staff!

Stay safe in all this snow.

Best - Joni.

[Quoted text hidden]

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**joni teter** <jteterbpl@gmail.com>  
To: teterj@boulderlibrary.org

Sat, Mar 16, 2024 at 6:52 AM

[Quoted text hidden]

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**joni teter** <jteterbpl@gmail.com>  
To: Barbara Fahey <barbara.s.fahey@gmail.com>

Sat, Mar 16, 2024 at 7:25 AM

I see that spell check has turned "suggestion" into "suffusions." Technology makes our lives easier...ooooummmm...

I forwarded your email to staff this morning. Tim McClelland, Patron Services Manager, got back to me right away with the information below. I love our library staff's dedication to customer service!

Thanks again for you support of our library and enjoy the weekend.

Joni

From Tim: I also spoke to someone about this yesterday and submitted an IT ticket. We typically have that message, somehow it must have been deleted or just not turned back on after one of the recent holidays.

We'll get it fixed ASAP!

[Quoted text hidden]

**From:** [Joni Teter](#)  
**To:** [noboadvocacygroup@gmail.com](mailto:noboadvocacygroup@gmail.com)  
**Cc:** [trustees@boulderlibrary.org](mailto:trustees@boulderlibrary.org); [David Farnan](#); [Jennifer Phares](#); [Celia Seaton](#)  
**Subject:** NoBo Branch library  
**Date:** Tuesday, March 26, 2024 2:15:00 PM

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Hi, Julie -

Thank you for your questions about plans for the NoBo branch library. The dedicated funding provided through the library district vote has made it possible to have security people present in all branches (which was not the case before). A security person is included in the budget for the NoBo branch.

Public libraries are available to all, so entry will not be tied to a library card access key. Thank you for reaching out with your concerns.

Library staff have been working closely with city staff from multiple departments through all phases of the NoBo branch's design and construction, and that close collaboration continues now that we are a district. I know that there has been discussion about the importance of public access through the Rosewood underpass, especially for children accessing the library from the west side of Broadway, but I don't know if any specific plans have yet been made.

The only property that will be managed by the library is the land immediately surrounding the branch, including the play area. The plaza, bike path, underpass, and park are all City of Boulder property and will be under the City's jurisdiction. That said, City staff and Boulder police have been very cooperative in working with library staff on issues in the Civic Area and around Main, and we anticipate that these cooperative relationships will continue at NoBo.

I will share your request for a meeting with Trustees at our next Board meeting (April 2nd) and we will get back to you after that meeting with a response.

Joni Teter, President  
Boulder Public Library District Board of Trustees

**From:** [Boulder Public Library NO REPLY](#)  
**To:** [trustees@boulderlibrary.org](mailto:trustees@boulderlibrary.org)  
**Subject:** Board of Trustees Contact Form  
**Date:** Monday, March 25, 2024 2:30:01 PM

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## Formstack Submission For: **Board of Trustees Contact Form**

Submitted at 03/25/24 2:29 PM

<b>Your Name:</b>	Julie Ireland
<b>Email:</b>	noboadvocacygroup@gmail.com
<b>Address:</b>	4640 15th Street Unit A Boulder, CO 80304

Dear Board of Trustees,

I am a resident of North Boulder, specifically the Holiday neighborhood, and a member of the North Boulder Alliance. We have concerns about being able to use and bike to the North Boulder Branch Library when it opens to the public.

How is the library actively working with the City of Boulder to endure that the paved multi-use path that connects Dakota Ridge, North Briar and Trail Crossing neighborhoods to the library will have a safe and usable underpass for accessing the library? As you are probably aware there is a lot of police, fire, parametric activity at the Rosewood underpass.

**Message:**

What type of security will be in place at the branch? Will it be a keyed library card entry? The downtown main library and its surrounding area has major issues such as meth contamination, people viewing inappropriate content on the computers, lots of police activity, campers, etc.

I'd like to schedule a meeting with you outside of the Board meeting to discuss your plans to alleviate/address these issues/concerns. Please let me know when you are available. Thank you for your consideration and I look forward to hearing back from you soon.

Sincerely,  
Julie Ireland/North Boulder Alliance

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

## Board of Trustees Contact Form

Boulder Public Library NO REPLY <noreply@boulderlibrary.org>

Thu 3/28/2024 1:20 PM

To:trustees@boulderlibrary.org <trustees@boulderlibrary.org>



### Formstack Submission For: **Board of Trustees Contact Form**

Submitted at 03/28/24 1:20 PM

**Your Name:** Cindy Angell

**Email:** Cindy@BuffaloSecurity.net

**Address:** 2510 Baseline Road, Boulder, CO  
Boulder, CO 80305

**Message:** Along with others, I implore the Library District to follow the lead of other taxing districts in providing modest property tax relief in the face of your revenue windfall. I agree library services should remain robust, however restraint on behalf of the Library District in our current business/commercial environment would be the judices approach. The 12.5% increase in revenue, represents a 25% increase over the \$16 million in the Cities spending budget for 2023. The community would be much better served with a property mill rate reduction, while still leaving significant money allocated to library services.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

## Property taxes

Joni Teter <teterj@boulderlibrary.org>

Thu 3/28/2024 1:56 PM

To:Cindy@BuffaloSecurity.net <Cindy@BuffaloSecurity.net>

Cc:trustees@boulderlibrary.org <trustees@boulderlibrary.org>;David Farnan <farnand@boulderlibrary.org>

Hello Ms. Angell -

Thank you for reaching out to share your concerns about the Boulder Public Library District property tax. Our Board considered whether to reduce the mill levy earlier this year (before the deadline) and decided that a reduction this year did was not in the best interests of the community or the library. We explained our reasoning in a recent guest opinion in the Daily Camera, which I have copied below. I hope that this explains our reasoning in deciding to maintain the mill levy for this year.

Thank you again for reaching out.

Joni Teter, President  
Boulder Public Library District Board of Trustees

As the Board of Trustees of the Boulder Public Library District, we would like to respond to the guest opinion by Susan Osborne, George Karakehian and John Tayer, from March 1, "[Reduce the library tax mill levy](#)" with [a summary of the information that we provided](#) Mr. Tayer when he emailed the Boulder Library District President about a reduction in the district's property tax mill levy in January 2024.

While the mill levy is already set for 2024 and cannot be changed, we believe this additional information provides a better insight into the history of the library district's mill levy and our rationale for maintaining it. It should be noted, however, that in January, we invited Mr. Tayer to one of our publicly held meetings to engage in a dialogue with the Board about voluntarily reducing our mill levy and library funding, but received no response until his opinion piece was published on March 1, 2024 — after the deadline for setting the levy had passed.

[To know where we are today](#), it's important to understand how we got here. When the library district was first proposed in 2018, the City's analysis found that a 3.8 mill levy assessment on properties within the library district was necessary to properly fund the current library operations and some modest expansion goals, like the North Boulder Library and Gunbarrel branches that the community requested in the 2018 Boulder Library Master Plan.

When the resolution to form the Boulder Library District failed to pass in a vote of our county commissioners in 2022, the Boulder Library Champions, a citizen group dedicated to creating a library district, submitted a petition to voters that reduced the requested funding level from 3.8 mills to 3.5 mills. In addition, the Library Champions requested that the City Council submit to voters a ballot measure that would eliminate the 0.333 mill levy on properties within the City of Boulder if the measure were to pass. This would lower the net tax burden from 3.5 mills to 3.167 mills on properties within the City (which includes most businesses represented by the Boulder Chamber in the district).

In this light, the "slimmed down" version of the Boulder Library District ballot measure was placed on the November 2022 ballot. An opposition formed championed by Mr. Tayer and others. A major community discussion followed over taxes for residential and commercial landlords, affordability, the rise in property values, library governance and nearly all the issues raised in the Tayer et al. opinion piece. In fact, at least one City Council study session was held to discuss the \$13 million-plus freed up in the City Budget if the district were to pass and how it could be used in perpetuity by the City to "balance all community needs."

After experiencing decades of disinvestment in public services, daily headlines about book banning and censorship, the shrinking of public spaces available to Boulderites to meet and gather, and the anemic funding for the Boulder Public Library over more than a generation, a majority of voters in the Boulder Library District chose to invest in their library long-term, and they approved the 3.5 mill levy.

During our budget discussions in the fall of 2023 and again after receiving Mr. Tayer's request, the Library Board seriously considered the mill levy question and decided to maintain the 3.5 mill levy; here's why:

1. The Boulder Library District is a brand-new entity, having officially begun on January 1, 2024. It only has a two-month operating expense history and only ten months of governance history. As stewards for the district, we as the Library Board believe that it would be fiscally irresponsible to make such a bold move so early, and without having fulfilled the promises made by the district to the voters in 2022.
2. State law requires the district to establish an operating reserve. Any additional funds allow the library to place \$2.5 million in reserve for emergencies and future capital projects.
3. In our agreement with the City, the Library Board committed to repaying roughly \$14 million to the City for the City's 2023 library operating expenses. We see that as a major liability (78% of our 2023 tax revenue), and we did not want the repayment of this debt to cause cashflow issues in 2024.
4. Added revenue allows the library to accelerate the expansion of services that the voters affirmed that they wanted, like restored opening hours, expanded literacy programs, reopening the Carnegie Library and opening new NoBo and Gunbarrel branches.
5. The library district mill levy accounts for only 4% of the total property tax levy on residents. A reduction of the library's mill levy — even by as much as 10% — would equate to only about \$20 per year for the owner of a home assessed at \$1 million and \$80 per year for a commercial building having the same assessment. While every dollar counts, we felt the added value of the services to the district residents greatly outweighs the cost.

As your Library Board, we analyzed this issue thoroughly and we take our responsibility to district residents and taxpayers seriously. Our budgeting decisions are guided by our Library Master Plan and by the promises made in the recently passed ballot measure. When we meet the spirit of these two important commitments, we will consider resetting the mill levy. We base our decisions on good fiscal stewardship of the library district and a profound respect for our district members and taxpayers.

In our generation — and across this country — public libraries are at a crossroads as they [continue to be on the frontlines](#) in the defense of free speech and public expression for all members of the community. This vital work requires consistent support and investment. We are incredibly honored and proud that the Boulder community chose to strengthen its library system for generations to come with a firm foundation. The protection of public services, access to learning and literacy, and free community spaces is a fight worth that investment.

*The Boulder Library District Board of Trustees is Benita Duran, Sam Fuqua, Doug Hamilton, Cara O'Brien, Joni Teter, Sylvia Wirba and Jennifer Yee.*

[guest opinion in the Daily Camera](#)

**Guest opinion: Boulder Library District Board of Trustees: Mill levy is based on good fiscal stewardship**



## of our library district

Public libraries are at a crossroads as they continue to be on the frontlines in the defense of free speech and public expression for all members of the community. This vital work requires consiste...

[www.dailycamera.com](http://www.dailycamera.com)

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**MEMORANDUM**

TO: Boulder Public Library District

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

DATE: March 29, 2024

RE: Legal Status Report for the April 2, 2024 Trustees' Meeting

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This is our legal status report for the April 2, 2024 Board of Trustees meeting.

**New Executive Director Contract**

**Task:** Prepare new executive director contract.

**Status:** Draft copy attached

**Action:** As determined by the Board.

**Records Retention Policy-Completed**

**Task:** Consider adoption of the Resolution Adopting The Special Districts Records Management Manual Of The Colorado State Archives and Resolution Regarding Disposal of Personally Identifying Information.

**Status:** Resolutions approved and signed. 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.

{00723443}

**Additional Projects Underway**

- a. Policy and procedure regarding 1st Amendment Audit matters.
- c. Policy and procedure regarding limited public forum matters.

## **BOULDER PUBLIC LIBRARY DISTRICT DIRECTOR**

### **CONTRACT**

This Boulder Public Library Director Contract (“**Contract**”) is entered into this \_\_\_\_\_ day of June, 2024 by and between the Boulder Public Library District (“**District**”) by its Board of Trustees (the “**Board**”), and David Farnan (“**Farnan**”).

### **AGREEMENT**

#### **ENGAGEMENT AS DIRECTOR OF THE BOULDER PUBLIC LIBRARY DISTRICT**

**A. Effective Date.** The following terms and conditions shall be effective upon approval and execution of this Contract by both parties.

**B. Employment.** Pursuant to its powers under § 24-90-109 (c), C.R.S., the Board of Trustees employs, and Farnan agrees to accept employment, as Director (“**Director**”) of the Library District.

**C. Term.** This Contract is for a term ending December 31 of the subsequent year. Unless otherwise terminated, the Contract will automatically renew on January 1 each year for successive periods of one (1) year each, subject, however, to annual appropriation by the Board of Trustees and potential adjustment of salary and other matters to be agreed upon before December 15<sup>th</sup> of the preceding year. Farnan understands and agrees that he serves at the will and pleasure of the Board.

**D. Duties.** Shall lead and direct a program of library services for the residents of the Library District under the direction and review of the Board. Duties under this Contract include:

1. **Leadership:** To be a public presence for the Library District and a partner in community projects, inspiring community support through active involvement in community organizations and activities;
2. **Planning:** To lead a district-wide planning process to establish the mission, goals, and objectives of the Library District;
3. **Policy Development:** To assist the Board in developing policies that pertain to all aspects of Library District operations to promote exemplary service to the public;
4. **Policy Implementation:** To implement policies adopted by the Board with fairness and consistency;
5. **Program Development:** To direct the development and implementation of a variety of contemporary services that meet the diverse needs of public audiences in a friendly and helpful setting;

6. Collection Development: To grow and make easily accessible a first-class collection of print and non-print media that encompasses the ethnic and cultural diversity of the communities served by the Library District and that represents a wide variety of viewpoints;
7. Staffing: To build an organizational culture of service and commitment through selection and development of staff;
8. Employment Recommendations: To recommend individuals for employment by the Board consistent with the policy, staffing, and development needs of the Library District;
9. Finance: To formulate and administer an annual budget, implement investment strategies, and be accountable to taxpayers through regular reports to the Board and the public;
10. Communications and Marketing: To learn the service needs of the public and to provide frequent and on-going information to the public and staff regarding Library District services and operations;
11. Facilities: To maintain attractive, safe, comfortable, and convenient buildings and vehicles to serve the public;
12. Technology: To provide up-to-date technical software, equipment, training, and support for the public and the staff;
13. Foundation and Fundraising: To collaborate with the Boulder Public Library Foundation in establishing goals and priorities and actively participate in fundraising for the benefit of the library;
14. Professional Involvement: To engage the Library District in cooperative activities with other libraries, participate in activities of the State Library, and assume leadership roles in state, regional, and national library organizations;
15. Legislative Involvement: To inform the Board of opportunities to actively engage in advocacy for libraries at all levels of government- local, county, state, and federal;
16. Board Meetings and Reports: To prepare the agenda for each Board meeting, present a monthly report of library activities to the Board, and submit an annual report to the State Library and appropriate local governments;
17. Other: To be responsible for any other reasonable acts or duties, consistent with the foregoing, as may be prescribed by the Board or are necessary for the orderly and efficient management and control of the Library District.

**E. Compensation.** Annual compensation for services under this Contract shall be the amount determined by the Board. The compensation shall be payable in the same manner as

the compensation of Library District employees. The Board may from time to time review the compensation to be paid under this Contract and may increase or decrease said compensation as it deems appropriate. Upon the request of the Board, Director will participate in performance and compensation reviews with the Board or any subcommittee designated for this task.

**F. Vacation, Sick Leave, and Holidays.** The Director shall be entitled to paid vacation leave based on his original date of hire as provided in Library District personnel policies, as amended from time to time.

**G. Insurance Coverage and Retirement Benefits.** Director shall be included in the life and health insurance coverage and retirement benefits available to all full-time salaried employees of the Library District.

**H. Reimbursements.** Director shall be reimbursed by the Library District for the following employment-related expenses upon submission of Library District reimbursement forms and related documentation:

1. Conference attendance for professional organizations, to a maximum per year as set forth in the Library District budget.
2. Registration fees, lodging, and meals for seminar or meeting attendance to a maximum per year as set forth in the Library District budget.
3. Business meals, to a maximum per year as set forth in the Library District budget.
4. Mileage reimbursements at the rate and for the purposes allowed by the Internal Revenue Service.

**I. Termination.**

1. Termination Without Cause. This Contract may be terminated by either party for any or no reason upon not less than one hundred eighty (180) days written notice.
2. Termination for Cause. This Contract may be terminated by either party for cause at any time. In the event of termination for cause, which shall be determined in the Board's sole discretion, Director will be paid accumulated Paid Time Off, if any, as provided in the Personnel Manual for full-time salaried employees.

“Cause” for purposes of this Agreement may be defined as: (i) fraud, misappropriation or embezzlement of District funds or property; (ii) intentional breach of the provisions of this agreement; (iii) repeated willful failure to perform services hereunder; and/or (iv) incapacity; and, (v) articulated reasons deemed appropriate by a majority vote of the Board.

**J. Miscellaneous.**

1. Contract Employee: The Director position is a contract position, is governed entirely by this Contract and is not subject to Library District Personnel Policies except as specifically provided herein.
2. Governing Law: This Contract shall be governed by the laws of the State of Colorado.
3. Acknowledgement of Public Record: Director acknowledges and agrees by his signature below that the amount of salary and benefits paid pursuant to this Contract are a matter of public record, which may be disclosed by the Library District and Board.
4. No Waiver of Right to Enforce: The failure of either party to enforce any of the provisions of this Contract shall not be construed as a waiver of such provisions or terms, nor shall the right of that party thereafter to enforce such terms or provisions be impaired.
5. Delegation of Duties: Director may delegate or assign the duties and obligations set forth in this Contract to the extent authorized by the Board, but no such delegation or assignment shall relieve Director of the responsibility for the delegated obligation or duty.
6. Entire Agreement: This Contract constitutes the entire agreement between the parties hereto, and there are no agreements or understandings relating to the subject matter hereof which are not fully set forth within this Contract. All prior discussions concerning the subject matter hereof are merged herein and superseded hereby. No modification, amendment, or revision of this Contract shall have any force or effect unless set forth in writing and executed by both parties hereto.
7. Notice: All notices required or permitted under this Contract shall be in writing and shall be deemed given when personally served on the Director, the Board of Trustees or the President of the Board of Trustees.

**[THIS AREA INTENTIONALLY LEFT BLANK]**

**IN WITNESS WHEREOF**, the parties have hereunto set their hands as of the day and year first above written.

**Boulder Public Library District**

\_\_\_\_\_  
Katharine J. Teter, President

Attest:

\_\_\_\_\_  
David Farnan

DRAFT