

**BOULDER PUBLIC LIBRARY DISTRICT**  
-SPECIAL MEETING-  
Tuesday, August 6, 2024  
Boulder Public Library, Nobo Library Community Room  
4500 13th Street, 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>
Andy Saylor	2029
Benita Duran	2028
Tom Cosgrove	2028
Sylvia Wirba	2027
Doug Hamilton	2027
Cara O'Brien	2026
Sam Fuqua	2025

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

**AGENDA**

1. Call to Order and Declaration of Quorum (2 min)
2. Consider approval of minutes of July 16, 2024 meeting (5 mins)
3. BLF Updates – Chris Barge (15 mins)
4. Incident Report (15 mins)
5. Library Policies Review
  - a. Materials Donation Guidelines (5 mins)
  - b. Unattended Children Policy (5 mins)
6. Director Updates (oral) (15 mins)
7. Trustee Matters (10 mins)
  - a. Select speaker for PERL (People Engaged in Raising Leaders) Program: next meeting will be Saturday, 9/28
  - b. Set special meeting 8/27
  - c. Board of Trustees Contact Form communications (information item)
8. Legal Counsel Updates (5 mins)
9. Adjournment

**NEXT MEETING: Saturday, August 11, 2024**

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

<p><b>Held:</b> Tuesday, July 16, 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;">Andy Sayler Benita Duran Sylvia Wirba Doug Hamilton Cara O'Brien Sam Fuqua</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; Celia Seaton, Executive Assistant of the Boulder Public Library; Maria Tormos, Communications Manager of the Boulder Public Library; and Matt Miller, CPA with McMahan and Associates, LLC.</p> <p><b>Members of the public present:</b> None.</p>
<p><b>Type of Meeting:</b> Regular</p>
<p><b>Agenda Item 1: Call to order</b> Trustee Hamilton 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 July 2, 2024</b></p> <p style="padding-left: 20px;">a. Following motion from Trustee Sayler and second from Trustee Duran, these minutes were approved unanimously as modified. Wirba abstained as she had been absent.</p>
<p><b>Agenda Item 4: Presentation of 2023 BPLD Audit and Approval</b> Matt Miller provided <a href="#">background regarding the audit process itself, as well as the two reports his organization generated, the audit opinion, a brief overview of what is in the report with some financial highlights</a> and concluded with <a href="#">the governing board letter</a>. Following the presentation, he welcomed questions before asking the board to consider accepting the audit report. Finalization with appropriate parties will occur before July 31 in preparation for regulatory filing with the State of Colorado.</p> <p>As Miller explained, general ledger detail gets analyzed by the auditing software based off the actual vs. projected figures. The projected district library budget appeared to be a conservative estimate as he observed the expenses underspent for many categories. The auditor reviewed past board meeting minutes to assist in</p>

the focus of the field work. The report considers information from bank statements, purchase coding, the development of first year capital assets, and other items to determine the reasonableness of expenses.

In Wirba's experience reviewing audit documents for other governmental entities, concerns and issues are typically highlighted; she wondered about their absence on this report. Miller explained that the audit covered activity in 2023 when very few transactions were processed and very few staff were employed by the district. The governing board letter serves as a sort of "report card" that would address concerns. Miller declared this a "clean audit opinion" – "it is just what you would want." He indicated the positive fund balance in many categories which is a "good sign."

In response to Duran's inquiry, Seter confirmed that he did not have any legal concerns after reviewing the audit reports. Duran wondered how many library districts with which the auditor contracts; Miller responded that the company represents more than ten Colorado library districts.

Miller clarified that the auditing firm reached out to the board president and treasurer during the process; the auditor is open to collecting other input in the future. Going forward, the volume of transactions will "bump up" and may require further conversation. The Trustees agreed that all members desire contact by representatives of the chosen auditor.

The group discussed forming an audit committee. Miller relayed his experience that auditing work for most clients will begin in March/April 2025. He offered to attend an audit committee meeting as representative of the auditor. Hamilton suggested that members of the board proactively form an audit committee in January 2025. Wirba agreed that the auditor's attendance at a planning meeting would set a good foundation for the process. Seter will add to the annual administrative resolution that the Trustees appoint an audit committee at the first meeting of the year.

The board confirmed the July 31 deadline to file this report with the State of Colorado.

Miller expects that next year's audit will involve a more complex examination recruiting broader staff feedback. He suggested arranging an interim audit to visit the library and review, among other things, controls for the point-of-sale systems. He confirmed the interim audit can be scheduled whenever is best for the district, though November works best for the auditor's schedule.

Farnan noted two of the most significant risk areas which are outsourced: the ILS (integrated library system, a database holding patron records) and IT. He wondered about the process by which the auditor analyzes this type of risk. Miller explained that his firm would check for internal controls for any outsourced company which assists in financial systems (e.g., payroll processing, PERA). While the library would be responsible for a proper and accurate set-up, the outsourced company would be held liable for the actual transactions. The auditor also reviews the cyber insurance policy and reviews the vendor management policy to analyze risk of transaction fraud.

Hamilton made a motion that the board will accept the audit, approve the letter, and authorize management to finalize the appropriate documents and submit them to the State. Duran seconded, and the motion passed unanimously.

Miller will submit this report on the District's behalf and will send along confirmation to Seter.

Farnan recalled that the Finance Committee considered McMahan and Associates, LLC. to be the only qualified auditing company that made it to the final round. Many local groups had been too busy to take on another client in the required timeframe. He noted that the District can renew the contract with McMahan for the next two years.

- a. Photography and Video Recording Policy – staff indicated both [the clean and tracked change version of this document as presented in the packet](#). There were no substantive changes aside from revisions for clarity and completeness.

In response to Hamilton’s question, staff clarified that the policy applies to all public spaces in the library including the reservable rooms.

Hamilton made a motion to approve the Photography and Videorecording Policy. Wirba seconded, and the motion passed unanimously.

#### **Agenda Item 6: Quarterly Treasurer’s report and Investment Policy discussion**

- a. Q2 financial statements – Finance Committee met last week and indicated that the district is generally underspending in all categories. Saylor confirmed that the personnel expenses from the start of the year do not reflect a fully staffed workforce.
- b. Investment Policy – The Board of Trustees is required to have a new investment policy in place by the end of July. O’Brien recalled that the Board had previously reviewed a policy largely modeled on guidelines from Garfield County Libraries. O’Brien presented a final draft with clarified and consolidated language, though “all the bones are still there” from the packet version – [see handouts](#).

O’Brien welcomed further board discussion regarding specific approach and strategy around how the district will manage investments. More conversation will determine whether returns or safety of funds should be emphasized and whether to consolidate or diversify the portfolio. Fuqua distilled four points of consideration: return, risk, liquidity, and environmentally sustainable governance. Hamilton suggested further intricacies be hashed out in a separate committee meeting and presented to the larger group. Wirba believes the already established Finance Committee should serve that purpose. Fuqua suggested posting notice for the the Finance Committee meetings so that others can participate if desired.

The group discussed edits. The Finance Committee will be designated to monitor the district’s investments. Under section 3, Seter corrected presentation to representation. Saylor recommended striking the sentence regarding “active, rather than passive management” in section 4. In section 5, Wirba suggested including the Board of Trustees’ own bylaws under the citation of the statute for the Colorado Code of Ethics.

Hamilton made a motion to adopt the Boulder Library District Investment Policy as amended with the discussed changes. Wirba seconded and the motion was approved unanimously.

- c. Risk tolerance – the Finance Committee will look at the risk portfolio and discuss any concerns with Farnan.
- d. Consideration of investment funds COLOTRUST – [See handouts](#). Farnan: “COLOTRUST clients have never taken a loss” – this is a well-known group that provides a good return. Despite inherent risk, this serves as a “very safe option.” He and the Finance Committee would be authorized to consult and decide together on the specific investment.

Hamilton moved for approval of Resolution 07-16-2024-A Authorizing Participation in Colorado Local Government Liquid Asset Trust designating the Finance Committee and Library Director as “Designees and Authorized Signatories.” Wirba seconded, and the motion passed unanimously.

#### **Agenda Item 7: 2023 Annual Report Review and Approval**

Farnan noted that staff incorporated the feedback from the Trustees and made associated edits. This is the last year that the report will be delivered in the format familiar to city presentation.

Duran corrected a typo in the text and recommended that the Library Commission be acknowledged directly by members' names under acknowledgements.

Duran made a motion for acceptance of this report. Hamilton seconded, and the motion passed unanimously.

By the due date of July 31, staff will relay the Annual Report to liaisons for the Board of County Commissioners and Boulder City Council.

**Agenda Item 8: Director Updates**

Farnan reported a deceleration of hiring activity as most roles for district library operations have now been filled.

Staff have begun to produce budget requests which will be presented later in the year to the board before budget approval.

Farnan noted the challenge of recent high temperatures mixed with humidity which has overwhelmed the evaporative cooling system and resulted in increased heat throughout the Main Library building. The leadership team and HR developed "indoor temperature protocols" that address potential closure and other workarounds.

Staff are waiting on bids for adding a supplemental air-cooling system to the evaporative cooling system as well as for shades on the bridge windows, but this remedy will not be immediately achievable.

**Agenda Item 9: Trustee Matters**

- a. Set Special Meeting 8/6 at Nobo Library, 13<sup>th</sup> St., Boulder, CO 80304 – Hamilton reminded the group that members of the Boulder Library Foundation will attend as guests for the dinner beforehand.
- b. Retreat 8/11 at Gunbarrel location, 6500 Lookout Road, Boulder, CO 80301.

**Agenda Item 10: Legal Counsel Updates**

No update.

**Agenda Item 11: Adjournment**

There being no further business to come before the Board, the meeting was adjourned at approximately 8:01 p.m.

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Attestation

July 30, 2024

To: Boulder Public Library District Board of Trustees

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

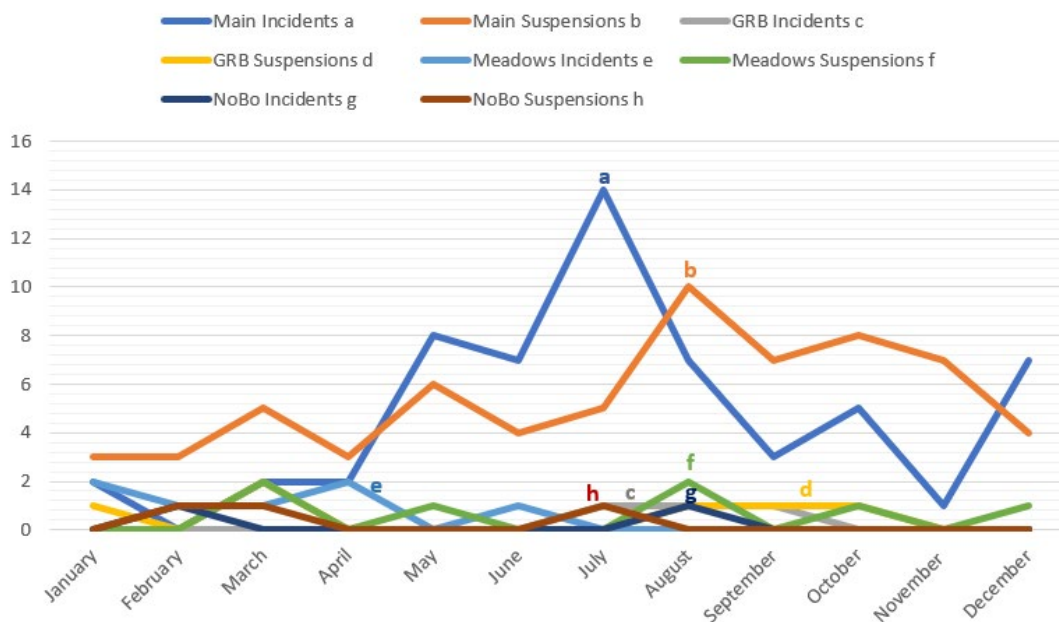
Subject: 2023 Security Suspension and Incident Report

Background and Summary: The Board of Trustees will review the summary report of suspensions and incidents for the library system annually. The report for 2023 is Attachment A. The report provides a total number of incidents and suspensions by length along the top. The total number for each reason of rule of conduct cited for incidents and suspensions is also noted. In the case of suspensions, there may have been more than one rule cited per suspension. In total, security and staff reported:

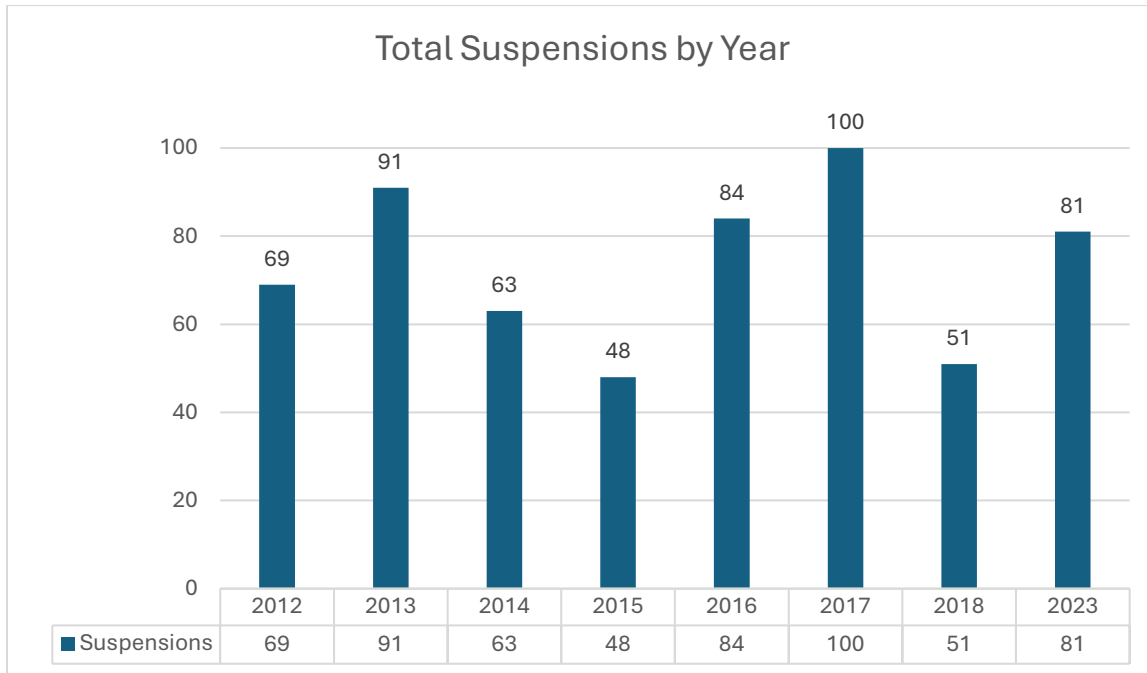
- 81 suspensions
- 70 incidents
- 47 calls to emergency services including police, fire, and ambulance.

Illegal activity included situations that involved such behavior as drug use, sexual behavior, and theft of gallery, library, and theater items.

Most incidents and suspensions occurred at the Main Library. The George Reynolds branch issued six suspensions, and Meadows issued seven during the year. In its final year occupying a considerably smaller footprint, the Nobo branch only issued three; Carnegie (which was only open by appointment in 2023) recorded none. As the graph below indicates, incidents appeared to nearly double during the summer months.



Despite increased crime rates in the downtown civic area as depicted in Attachment B, particularly incidents of aggravated assault, the overall number of incidents and suspensions is comparable to those of previous years, and fewer than many. The chart below indicates suspensions over time. Data from years between 2019-2022 is unavailable or incomplete due to pandemic closures and transition of security vendors.



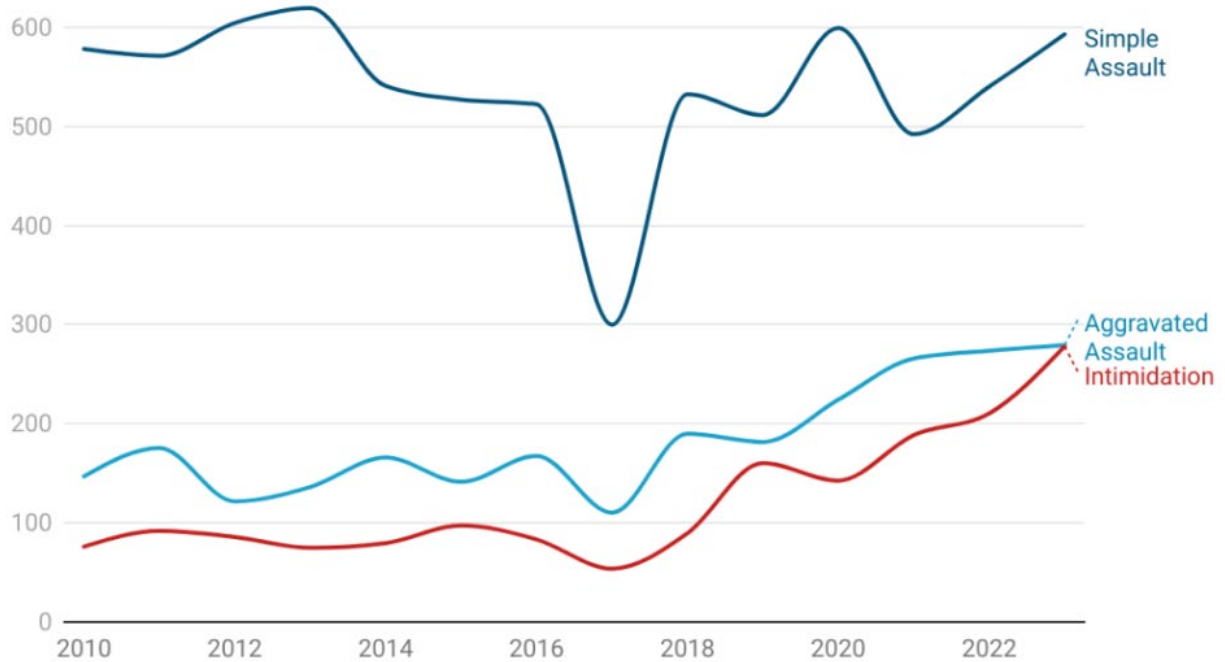
The decrease of suspensions in 2023 as compared to 2017 can be attributed to the Main Library contract security officers' proactive, positive engagement with patrons and issuing warnings and requesting compliance with the rules of conduct before suspensions are issued. In 2023, security patrols were added to the George Reynolds and Meadows branch libraries and increased to all open hours in 2024. The team of security officers are visible, conduct regular patrols of the Library buildings and grounds, and communicate expectations of appropriate behavior to patrons as needed.

## 2023 Security Suspension and Incident Summary Report

		Incidents	Suspensions						
		Total Incidents	30 days	60 days	90 days	120 days	180 days	364 days	Total Suspensions
		70	32	1	3	0	8	37	81
	Medical issue	22							
	Illegal behavior	13						14	
	Vandalism	1					1	1	
	Disruptive behavior	34	32	1	3		7	22	
Rules cited in incident reports or suspensions									
1	Behave in such a way that disrupts another person's use of the library;	22	30	1	3		5	33	94
2	Threaten or harass staff, volunteers or patrons, verbally, physically or in writing, including all forms of electronic media;	2	9		1		6	20	38
3	Engage in behavior that jeopardizes the safety of any person or service animal;		10		2		2	17	31
4	Violate any library policy or terms of use for meeting rooms, the Canyon Gallery and Theater, or Carnegie Library for Local History;		3				1	5	9
5	Bring a weapon into or possess a weapon, except as expressly permitted by state law;								0
6	Bring into, or possess alcoholic beverages in any library without prior approval of the library and art's director and/or the Library Commission, or enter the library while under the influence of drugs and/or alcohol;	5	3				1	11	20
7	Use tobacco, marijuana or products containing tobacco or marijuana or their components, including use of any form of electronic smoking or vaping device;	1					2	3	6
8	Carry, lead, bring an animal into the library, except for service animals. Animals must be licensed and under the control of their owners;	2	1						3
9	Seek or collect signatures from the general public on a petition inside any library;								0
10	Solicit donations of money or anything of value inside any library, except during special events at any library, during library sponsored events, or while renting the Canyon Gallery and Theater;		1					1	
11	Bring bicycles or shopping carts into any facility or leave bags or personal items unattended in any facility;	1	2					1	4
12	Lie down, doze or sleep in any library facility except this rule shall not apply to children;		3					4	7
13	Use the restrooms for anything other than their intended purposes. This includes, but is not limited to, bathing, shaving, washing, rinsing or drying hair, or washing, rinsing or drying clothing, and charging		3		1		1	3	8
14	Eat anything while in the Carnegie Branch Library for Local History due to the historic nature of the								0



## Person crime rates per 100,000 people



Source: Colorado Bureau of Investigation • Created with Datawrapper

Herrick, John. "Crime trends in Boulder: A mixed picture in 3 charts." *Boulder Reporting Lab*, 21 May 2024, <https://boulderreportinglab.org/2024/05/21/crime-trends-in-boulder-a-mixed-picture-in-3-charts/>.

See also: <https://coloradocrimestats.state.co.us/tops/report/violent-crimes/boulder-police-department/2024>

July 23, 2024

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

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

**Subject:** Board Review and Approval of Materials Donation Guidelines

**Requested Action by the Board:** Consider a motion to approve the Materials Donation Guidelines

**Background:** The Board of Trustees approved the current Boulder Public Library Materials Donation Guidelines at the December 12, 2023 meeting. Last month, Literacy and Outreach Department Manager Kate Kelsch and Volunteer Services Manager Sophia Surage reviewed these guidelines for accuracy and completeness. They had no changes.

**Questions for the Board:**

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

**Next Steps:**

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

# Materials Donation Guidelines

## [En Español](#)

Boulder Public Library accepts new or gently used:

- Hardcover and trade paperback books, typically ranging from 5 x 8" to 6 x 9"
- Media materials (DVDs, CDs, audiobooks) in good condition
- Mass market (typically 4.25 x 6.87" pocket size) paperbacks less than 5-year and in excellent condition



The mass-market book is on the left and the trade paperback is on the right. Mass market books are smaller and less durable. Trade paperbacks are larger, higher quality, and more expensive.

The library *cannot* accept the following materials: ([Recycling information](#))

- Cassette tapes
- VHS tapes
- Magazines more than 1-year old
- Encyclopedias
- *Reader's Digest* condensed books
- Mass market (typically 4.25 x 6.87" pocket size) paperbacks more than 5-years old or that are not in excellent condition
- Vinyl records
- Damaged or moldy materials
- Used textbooks or materials with highlighting or handwriting (except author-signed books).

## Delivering Donations to the Library

Please bring donations to the Main Library and place them inside the Donations Room on the right, inside the Arapahoe entrance (see the photo). If you are donating a few items, slide them into the donations slot in the wall. If you are donating bags or boxes of materials, enter the Donations Room and place them on the cart in the room.

*Do not place donated materials in the book returns or leave them at the Branch Libraries because of storage space limitations.*

## **Donations are Tax-Deductible**

At your request, library staff will provide you with a [letter of receipt \[PDF\]](#) that you may fill out for tax purposes. The library staff is not qualified to determine the value of your donation. It will be up to you to assign a value for tax purposes. Letters of receipt may be obtained at the accounts desk inside the Arapahoe entrance of the Main Library.

## **Large Donations (more than 10 boxes)**

If you have a large number of boxes of materials that you wish to donate, please contact us at 303-441-3100 or [ask@boulderlibrary.org](mailto:ask@boulderlibrary.org) with the quantity and a description of the materials. Donated items are evaluated with care and we have limited storage space for materials while they wait to be processed.

A staff person will contact you promptly to let you know if the library is able to accept a large donation at the time you wish to bring in the materials.

## **What does the Boulder Public Library do with material donations?**

The library may sell donated items at the Paper & Spine Used Bookstore, book sales, and through third-party sources. Donated materials the library cannot sell are recycled. The money raised through sales funds the volunteer program, special projects, and/or the purchase of library materials. Donated materials are not added to the library collection.

## **What can I do with materials the library cannot accept?**

Recycle! Reuse!

Many thrift stores and used bookstores accept books and other materials as donations. Be sure to call ahead for information about what materials are accepted. The [Center for Hard-to-Recycle Materials \(CHaRM\)](#) also accepts materials for recycling.

Adopted by the Boulder Public Library District Board of Trustees, August 6, 2024.

August 2, 2024

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

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

**Subject:** Board Review and Approval of Unattended Children Policy

**Requested Action by the Board:** Consider a motion to approve the Unattended Children Policy

**Background:** The Board of Trustees approved the current Unattended Children Policy at the December 12, 2023 meeting. Last month, Public Services Department Manager Tim McClelland reviewed these guidelines for accuracy and completeness and sought further input from the leadership team for revisions. Recommended edits included removal of references to the City, adjustment of language to be gender neutral, and the addition of Oxford commas.

**Questions for the Board:**

1. Does the Board of Trustees have further questions or input for the Unattended Children Policy? (**Attachment A** shows tracked changes, **Attachment B** presents a clean version.)
2. Will the Board of Trustees consider the staff recommendation for a motion to approve the Unattended Children Policy?

**Next Steps:**

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

# Unattended Children Policy

## [En Español](#)

The Boulder Public Library [District](#) welcomes and encourages children to use materials and services of the libraries. As libraries are essential to the lives of children, we strive to provide useful, safe, and inviting spaces for youth in all our facilities.

However, neither the library nor its staff members act in loco parentis (in place of parents). The libraries are public facilities which are open to everyone, and parents and caregivers are expected to accompany children in need of supervision on library visits to ensure the safety and well-being of children. At all times, parents or caregivers are responsible for their child's behavior and safety.

If an unattended child appears to be lost, is being disruptive, or if in the judgment of supervisory staff, ~~his or her~~ [their](#) safety is jeopardized, library staff will attempt to locate the parent or caregiver. If the parents or caregivers cannot be located, the child may be placed in the care of the local law enforcement agency.

The library and its staff members will not, under any circumstances, be responsible for determining whether an apparent caregiver, custodian, or parent is a legally authorized caregiver, custodian or custodial parent of the child.

The [District city](#) is released from any and all liability regarding this policy. Parents, guardians, and caregivers acknowledge the risk of leaving a child unattended in the library and release the [city District](#) from all claims which they may have or which they may have on behalf of their child/ward.

Adopted by the Boulder Public Library District Board of Trustees, ~~December 12, 2023~~ [August XX, 2024](#).

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The District is released from any and all liability regarding this policy. Parents, guardians, and caregivers acknowledge the risk of leaving a child unattended in the library and release the District from all claims which they may have or which they may have on behalf of their child/ward.

Adopted by the Boulder Public Library District Board of Trustees, August XX, 2024.