



STUDY SESSION MEMORANDUM

TO: Mayor and Members of City Council

FROM: Nuria Rivera-Vandermyde, City Manager
Chris Meschuk, Deputy City Manager
David Gehr, Interim Planning and Development Services Director
David Farnan, Library and Arts Director
Janet Michels, Senior Attorney
Jennifer Phares, Deputy Library Director

DATE: February 8, 2022

SUBJECT: Study Session for February 8, 2022 - Library District Formation and Library District Advisory Committee Recommendations.

EXECUTIVE SUMMARY

The purpose of this study session item is to provide council with a review of the information presented during several meetings and study sessions since 2018 about forming a library district; the recommendations from the Library District Advisory Committee (LDAC) for an intergovernmental agreement (IGA) between a library district, the City of Boulder, and Boulder County; the timeline for forming a library district by resolution, and information about approaches for repurposing the city budget that is currently allocated to the library. Staff seeks council's direction on any community engagement to be conducted prior to the April 5, 2022 public hearing when council will consider forming a library district by resolution.

Library District formation and IGA

In May 2021, council directed staff to continue with the district formation process, and to form an advisory committee to review the various key issues that would be in an IGA guiding the transition of library services from the City of Boulder to a library district. Council endorsed the appointment of committee members in October 2021, and the committee met 8 times between November and January 2022. The committee made the following key recommendations (full report is in Attachment B):

- A library district should be funded to the Service Expansion level of the master plan.
- The library district boundary should be established based on guiding criteria.
- A library district property tax mill levy of up to 3.8 mills.
- The city transfer ownership of the land and buildings for George Reynolds Branch Library, Carnegie Library for Local History and the new north Boulder branch library, as well as leases for the Meadows Branch Library and the NoBo Corner Library and other assets; and transfer ownership of the Main Library buildings through a new common-interest community.
- Establish a 7-member Library District Board of Trustees and a trustee appointment

process for new members after the initial appointment with ratification by the council and county commissioners.

- Inclusion of Boulder Valley Comprehensive Plan policies and framework as a platform for the city and a new district to collaborate.
- Recommendations on community engagement.

Library Budget Reallocation

The second key area for this study session is to begin the discussion about how the council will reallocate the current library funding if a district is formed and funded. The soonest this reallocation could occur is 2024, and approximately \$9.5-10.25 million will be available for reallocation. In addition, council will need to provide direction on what to do with the current 0.333 mill property tax dedicated to library services.

Staff proposes the following process for reallocation, if a resolution for library district formation is approved by the city and the county:

1. Financial Strategy Committee review of initial needs and approaches to reallocation and options for the Library Fund property tax (March/April 2022).
2. Council review of Financial Strategy Committee recommendation on approach (May 2022).
3. Financial Strategy Committee review of reallocation based on council direction on the approach (June/July 2022).
4. Council consideration of the Financial Strategy Committee recommendation (August 2022).

KEY ISSUES IDENTIFIED

The key issues for the study session to inform council about are:

- A review of the process and procedures to form a library district by resolution
- The LDAC's recommendations for an IGA
- The timeline and key decision points for council to form a library district
- Process and timeline for reallocation of current funding to the library

QUESTIONS FOR COUNCIL

1. Does council have questions about the process and procedures for forming a library district?
2. Does council have questions or feedback about the Library District Advisory Committee's recommendations?
3. Does council support the draft proposed library district boundary and mill levy for the purposes of issuing a public notice of the April 5, 2022 public hearing?
4. What feedback does council have about additional information or community engagement to be conducted by staff prior to the April 5, 2022 public hearing?
5. Does council agree with the proposed process and next steps related to how the current library funding could be reallocated if a district is formed and funded?

BACKGROUND

Council accepted the 2018 Boulder Public Library (BPL) Master Plan on [September 4, 2018](#). The plan outlines community-driven goals for a ten year period and serves as guide for how the library sustains outputs, meets growing demand, and builds a resilient and

sustainable future. It identifies two key development priorities to:

- Strategically address ongoing growth in demand and future needs identified for the entire community with specific focus on youth as well as underserved community members and neighborhoods.
- Sustain quality service and current service level needs created by past growth in demand with adequate funding and address a backlog of facilities maintenance.

The plan indicates that more tax revenue is necessary to meet the community's vision for its library. A more stable form of funding is necessary to sustain high-quality library services long term.

The Library Commission provided a foreword in the master plan that states: “[The Library] Commission has concluded that a library district provides the most equitable, accountable and reliable option for BPL’s long-term financial sustainability” (page 7 of the [master plan](#)). Given the commission’s interest in a library district and to understand the cost of providing library services and meeting the master plan goals, council directed staff to hire consultants to perform a balanced and impartial analysis of funding requirements for current library services, the cost of funding each master plan service level and information about the process, structure, and asset allocation related to forming a library district. This information was presented during the [November 27, 2018](#) study session.

The community conversation continued with an advocacy group, the Library Champions, putting forth a ballot proposal to form a library district for the 2019 election. The ballot proposal was ultimately pulled for 2019 with the understanding that the city would conduct a poll to gauge community support (which was completed and presented at the [May 7, 2019](#) council meeting), and that city staff would commit to recommending sustainable funding as a council priority (which was discussed at the [June 18, 2019](#) council meeting).

Supporting that priority, the 2019 library operating budget provided ongoing funding for the “maintain service level” of the master plan and the initial 2020 library operating budget provided funding to achieve some of the “address community demand” service level objectives. Combined, the 2019 and 2020 budget increases were \$700,000 of ongoing funding for the library. Economic impacts of the COVID-19 pandemic required a significant reduction to the 2020 and 2021 city operating budgets, eroding some of the growth achieved to the library budget in 2019 and initially in 2020. The 2022 library operating budget increased by nearly \$1 million restoring services and hours at the Main Library and three neighborhood branch libraries. Approximately, \$1 million of ongoing operating funds are programed into the 2023 budget for the new north Boulder branch library. Construction of the new facility is expected to be complete in 2023.

During the [February 11, 2020](#) study session, staff presented information about the legal processes for forming a library district and the decisions council may need to consider. It also provided financial context in terms of potential impact for property owners and impact to the city’s General Fund. During the [May 18, 2021](#) council meeting, council unanimously directed staff to begin the work of exploring a library district and to form a community advisory committee to guide the components of the IGA prior to formal action. Council endorsed the LDAC members appointed by the city manager Oct. 5, 2021.

ANALYSIS

Review of Library District Formation by Resolution

Library districts may be formed by resolution or ordinance or through a petition and election process. The process for forming a library district by resolution is as follows:

I. Definition and Establishment of Service Area Boundary

A resolution is considered and adopted by the legislative bodies of each governmental unit involved (“Establishing Entities”). In this case, the Establishing Entities will be the city of Boulder and Boulder County. The library district is established when the resolution is adopted by each entity. The notice of the public hearing on the formation of the library district and the resolution must describe the legal service area of the library district and provide for electors to approve the proposed mill levy.

II. Election Requirements

An election is not required to form the library district. A TABOR election is required to establish the mill levy with debt and spending authorizations.

III. Appointment of Governing Board

Upon establishment of the library district, the Establishing Entities appoint the initial board of trustees with 5 to 7 members.

IV. Intergovernmental Agreement (IGA)

The Establishing Entities and library district enter into a written IGA within 90 days or as otherwise agreed. The IGA describes the terms for the transition of library services to the library district including transfers of real estate, employees, administrative, maintenance, procurement, insurance, employee benefits, interim funding, and future trustee selection methods.

Review of Library District Funding

Overview of Library Budget

The total cost of providing library services includes:

- Annual operating budget
- Administrative overhead cost often referred to as “Cost Allocation”
- Capital project funding

The 2022 library operating budget is \$9.18 million with \$7.78 million in funding coming from the city’s General Fund and \$1.4 million coming from a 0.333 mill property tax dedicated to the library in the Library Fund. The Library Fund is a combination of the revenue from the 0.333 mill dedicated property tax, grant funds, and funds donated to the library. The 2018 G.K. Baum & Company financial analysis ([November 27, 2018](#) study session) included \$3.6 million for administrative overhead (to cover the amount of city cost allocation).

Capital and Unfunded Needs

Similar to other General Fund departments, library capital funding has been generated on an ad-hoc basis from sources such as bonds (e.g., 2011 capital improvement bonds), capital improvement sales tax (e.g., 2017 Community, Culture, and Safety tax), and Library Fund balance. The library has ongoing, unfunded, deferred maintenance and capital needs that fluctuate in any given year. Depending on the pace of funding

approved for the deferred maintenance and investment in new capital projects each year, the annual estimated need ranges between \$2.3 to \$3.3 million.

In addition to capital maintenance, the current north Boulder branch library capital expansion project has been impacted by construction cost escalation resulting in an approximately \$2 million reduction of project scope. Net zero energy goals, completion of the outdoor playground, pedestrian plaza, and maker space were all removed from the construction plan. Additionally, \$1 million is projected for ongoing, annual operating costs needed upon completion of the branch library anticipated in 2023.

In consideration of current costs as well as funding needs in the immediate future, the total estimated cost to operate the library and maintain services at pre-pandemic levels is in Table 1 below.

TABLE 1. Library Total Estimated Costs at Current Service Level + Operating Deficit and North Boulder Branch Library

2022 operating budget	\$9.18 million
Administrative overhead (cost allocation)	\$3.6 million
Capital maintenance (Including deferred maintenance annualized)	\$2.3 million
Operating deficit resulting from pandemic-related budget reductions	\$0.7 million
North Boulder branch library operating costs	\$1.0 million
Total	\$16.78 million

LDAC was presented with cost estimates based on the 2018 financial analysis to fund the master plan service levels.

Maintain Service Level	\$14.5 million
Address Community Demand	\$18.9 million
Service Expansion	\$20 million

Library District Funding

A library district will establish funding through a taxpayer approved mill levy. The property tax mill levy needed to generate enough revenue to cover the total cost of library services (depending upon the service level desired) is based upon the number of tax payers who own property within the service area boundary. In the 2018 financial analysis, two service area boundaries were considered:

- City of Boulder city limits
- A boundary that extends into Boulder County in alignment with the Boulder Valley Comprehensive Plan area.

The Library Champions proposed a service area boundary larger than the two boundaries described above that does not impinge upon the service area of any other governmental entity (county, municipal or district library). It includes the City of Boulder, the Boulder Valley Comprehensive Plan area, and several voting precinct areas in Boulder County. In 2018 approximately, 85 percent of the library’s patron base was within this larger service area boundary. The actual geographic service area boundary of a library district is determined by the legislative bodies of the Establishing Entities, i.e. Boulder City Council and Boulder County Board of County Commissioners. The LDAC

recommended some revisions to the boundary. A revised map of the proposed service area is **Attachment A**.

Staff Assumptions

For LDAC's consideration, staff from several city departments prepared information and recommendations using the assumptions listed below for the transfer of property, assets, transition of staff, and the library district contracting with the city for IT, facilities maintenance, grounds maintenance, and HR support. The LDAC's recommendations for transfer of property and assets, and the transition of staff aligned with staff recommendations.

Staff Assumptions for Transfer of Property and Transition to a Library District

1. City's interest is to transition library-specific support services as efficiently, practically, and quickly as possible.
2. Regardless whether leased or owned, the library district is responsible for maintaining the facilities and any future capital improvements.
3. The Boulder community paid for the city-owned library facilities. The city will not charge the library district market value for sale or lease of those facilities based on the fact that the community has already paid for them.
4. The buildings should remain in the public domain.
5. There are library facilities for which the city and the library district will have to cooperate.
6. The proposed boundaries for the library district should align with current voting precincts, and should not impinge on the service area of any other governmental entity.
7. Setting the mill levy at up to 3.8 mills would generate sufficient funding to provide "Service Expansion" level library services, and fund costs not considered in the 2018 financial analysis.

Library District Advisory Committee

The LDAC was created October 2021. Details about how the committee members were selected and the committee's charter are described in the introduction to the Boulder Library District Advisory Committee Recommendations Report (**Attachment B**). Meeting agendas, information presented, meeting summaries and recordings are posted on [the LDAC webpage](#). The following is a summary of the LDAC recommendations:

- A library district should be funded to the Service Expansion level of the master plan.
- The library district boundary should be established based on guiding criteria.
- A library district property tax mill levy of up to 3.8 mills.
- The city transfer ownership of the land and buildings for George Reynolds Branch Library, Carnegie Library for Local History and the new north Boulder branch library, as well as leases for the Meadows Branch Library and the NoBo Corner Library and other assets; and transfer ownership of the Main Library buildings through a new common-interest community.
- Establish a 7-member Library District Board of Trustees and a trustee appointment process for new members after the initial appointment with ratification by the council and county commissioners.
- Inclusion of Boulder Valley Comprehensive Plan policies and framework as a platform for the city and a new district to collaborate.
- Recommendations on community engagement.

LDAC selected three of its members to attend the Feb. 8, 2022 study session to answer council’s questions.

Public Participation with LDAC

October 2021 through January 2022, the LDAC received four inquiries from community members via the online comment form, three requests to attend the LDAC meetings and one invitation to speak to a community organization about the Boulder Library Foundation and a library district. One community member attended a few of the early meetings to listen but did not wish to comment during public participation.

Resolution to Establish Library District

A library district may be established by the council on its own initiative, by adoption of a resolution to that effect according to [C.R.S. 24-90-107](#). The city attorney’s staff drafted such a resolution for council’s consideration (**Attachment C**) that may be used simply for reference or as starter draft documents in this process.

Once the library district is established by resolution and after appointment of the library board of trustees, an IGA between the city, county and a library district should be put into effect within ninety days but that timeframe may be extended by mutual agreement of the parties.

Updated Sample IGA

For the May 18, 2021 public hearing meeting memo, city attorney staff drafted a sample IGA which was used as a framework for the LDAC to make its recommendations. The terms of the sample IGA were updated incorporating the LDAC’s recommendations for reference (**Attachment D**).

Current City Library Budget and Reallocation Implications

It is anticipated that many voters will be interested in the options council will consider for reallocation of General Fund monies that are currently appropriated to the library if a library district is formed and funding is approved by the voters. Upon a successful ballot initiative to fund a library district, council will make policy choices to determine the appropriate use of dollars currently appropriated to Boulder Public Library.

Library Department Budget Overview

There are two primary sources of revenues to support library operations: General Fund revenues, and Library Fund revenues. Capital expenditures are covered through General Fund dollars or through separate revenue sources, such as Community, Culture, Safety tax. Below is a brief overview of the adopted 2022 Library Department budget.

Library 2022 Adopted Budget	
Sources	
General Fund	\$7,735,794
General Fund Capital (Governmental Capital)	\$1,200,000
Library Fund (0.333 Property Tax)	\$1,443,103
Total Sources	\$10,378,897

Uses	
Administration	\$1,800,363
Community, Engagement, and Enrichment	\$1,282,302
Public Services	\$2,743,287
eServices	\$3,352,945
Capital Improvement Program	\$1,200,000
Total Operating Uses	\$10,378,897

Library Fund

The city currently collects a 0.33 mill levy property tax for library services and related capital investments. Below is a summary of the 2022 fund financials for the Library Fund.

Library Fund - 2022 Adopted Fund Financials	
Property Tax (0.33 mill levy) revenues	\$1,399,088
Other Revenues (grants and gifts)	\$289,397
Total Uses	\$1,443,103
Projected 2022 Ending Fund Balance	\$1,455,451

The current draft IGA anticipates the city providing the total 2022 Library Fund ending fund balance to the library district (upon a successful TABOR election) since the purpose of the mill levy is to directly support library services and operations. Without additional council and/or elector action, the 0.33 mill levy will remain in place. There are essentially three options council may undertake as it relates to the current mill levy:

1. Repurpose the tax to support another city activity (voter approval required).
2. Continued collection of the tax and an annual transfer to the library district.
3. Amend charter to eliminate the earmarking of the revenue from .333 mills to the library (requires voter approval) and reduce property taxes by that amount.

Staff does not recommend consideration of option 2 – continuation and transfer to the library district. The primary reason for this is the library district will have a separate mill levy to fund operations for the entire library district service area. Retaining this mill levy will result in city of Boulder property owners paying more for library services than the property owners outside the city limits within the library district.

General Fund

The city currently supports the majority of library operations through General Fund dollars allocated through the annual budget process. As outlined above, the General Fund supports operating costs of the Library Department. In 2022, the direct General Fund budget in support of library operations is \$7,735,794. The city has also programmed into the General Fund financial plan to add \$1,000,000 to the library budget to fund the operational costs of the north Boulder branch library scheduled to open in 2023. Additionally, there are indirect costs and other direct costs of operating the library that are not captured in the library’s adopted budget.

Indirect costs such as human resources, finance, city attorney, and information technology support are not directly tracked but rather estimated. There are other direct costs not accounted for in the library budget that are tracked, yet can vary year-to-year. Largely, these are facility-related costs.

In 2017, the city shifted budget from the library to the Facilities and Fleet Department for facility maintenance. From 2018 through 2021, all facilities maintenance expenses were made from and budgeted within the Facilities and Fleet Department, an average of \$505,370 in expenses.

Library Facility Maintenance Average Costs [2018-2020]	
Custodial	\$228,826
Building & Equipment Maintenance	\$241,684
Other	\$34,859
TOTAL AVERAGE	\$505,370

General Fund Savings and Reallocation Implications

As council contemplates the policy issues associated with the creation of a library district, and upon a successful ballot initiative to fund the library district, there will be General Fund budget savings to reallocate. The first implication is in the timing of when such savings may become available. Assuming a ballot measure to fund the library district is successful in 2022, the draft IGA assumes that 2023 would be considered the transition year, with the library remaining a city service, to allow time for the library district to develop the administrative and operational capacity to operate library services. The library district will contract with the city for all services in 2023 and repay the cost beginning in 2024. Additionally, the library district may continue contracting with the city for some services beyond 2023 including building and grounds maintenance services.

Below is an estimate of direct General Fund savings that will be available to reallocate beginning with the 2024 budget:

Estimated General Fund Savings due to Library District Creation (2024)	
Projected General Fund Library Budget in 2024*	\$9,000,000 - \$9,250,000
Other Direct General Fund Expenses^	\$500,000 - \$1,000,000
Total Estimated General Fund Savings	\$9,500,000 - \$10,250,000
*Based on a variable annual cost increase and includes the addition of \$1M in operating expenses for the North Boulder branch library beginning in 2023 ^Includes facility maintenance savings and other direct cost savings that vary such as communications and other administrative needs	

There are also potential indirect cost savings, which are difficult to quantify, but could be realized in 2024 such as software licensing, staffing adjustments, and increased staffing capacity. The current draft of the IGA does not contemplate the city continuing to provide these support services to a library district, if formed, so the city would not realize a new revenue stream to cover these current costs. If a library district is formed and the city discontinued services to the library there may be some savings but those are not easily identifiable. Most realistically, these departments would gain some margin of staff capacity to provide a better service level or address projects that have been tabled due to a lack of capacity. In other words, in many instances it would be fractions of staff and the city could not easily reduce staff in these department if they no longer supported library services.

Process for Potential Reallocation of General Fund Budget Savings

Similar to the Community, Culture, Resilience, and Safety tax renewal process, staff

recommends a process guided by the Financial Strategy Committee in parallel with the library district formation process to identify and review unfunded or underfunded General Fund ongoing needs, gather community feedback and prioritize for the full council's consideration. It is recognized that any official reallocation would not happen until the 2024 budget development following action to form the library district and approval by voters to fund the library district through a property tax mill levy. However, as acknowledged by the LDAC, and referenced in the beginning of this section of the memorandum, voters will be interested in how the city would consider reallocation of these dollars as a part of their decision-making process on the library district. Therefore, staff proposes that council consider indicating the initial reallocation approach prior to a ballot measure for library district funding.

To provide a starting place for areas that the budget reallocation could be directed, staff has provided a list (not comprehensive) of known unfunded or underfunded ongoing needs that are very likely to have General Fund impact:

- Advanced Life Support/Emergency Medical Services
- Implementation of the Facilities Master Plan (addressing system-wide deferred maintenance, adequate funding levels, and building consolidation to meet climate goals)
- City expansion of activities to meet Climate Action Plan (Council study session Feb. 22, 2022)
- Funding for needed capital improvements identified in the East Boulder Subcommunity Plan or the Transit Village Area Plan Phase 2
- Sustainability of Recreation Activity Fund (related to Parks and Recreation Master Plan – Q3-Q4 council review)
- Continued investment in city staff to ensure retention of talent
- Transportation system essential maintenance and vision zero safety improvements
- Ongoing funding implications of ARPA-funded initiatives (Council study session Feb. 8, 2022)
- Various homeless services associated with council priorities
- Initiatives identified in an updated Community Cultural Plan

Staff proposes the following process for reallocation, if a resolution for library district formation is approved by the city and the county:

1. Financial Strategy Committee review of initial needs and approaches to reallocation and options for the Library Fund property tax (March/April 2022).
2. City Council review of Financial Strategy Committee recommendation on approach (May 2022).
3. Financial Strategy Committee review of reallocation based on council direction on the approach (June/July 2022).
4. City Council consideration of the Financial Strategy Committee recommendation (August 2022).

NEXT STEPS

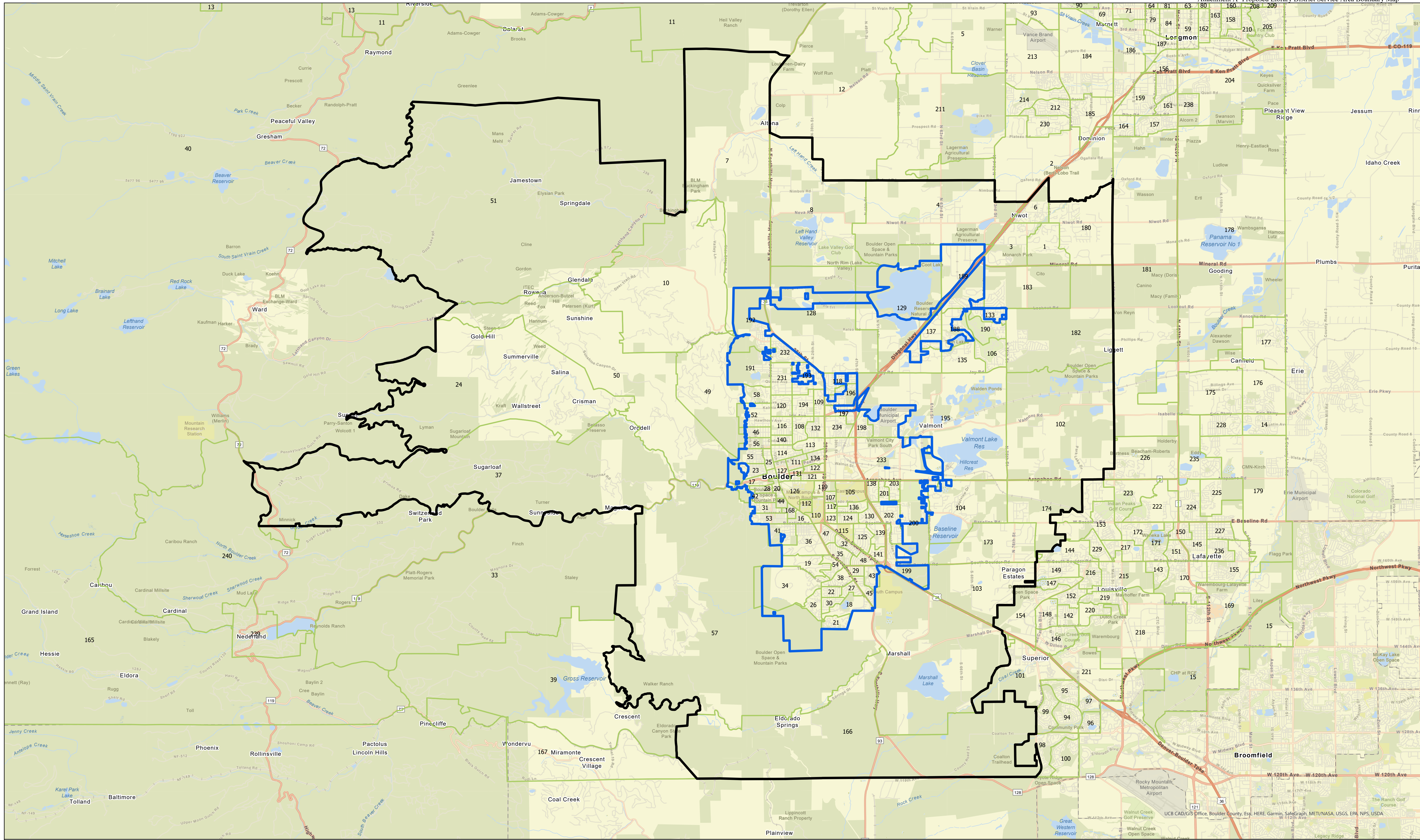
A timeline for library district formation by resolution showing upcoming meetings, decision points, deadlines, and process milestones is Attachment E. The upcoming items specific to

council are as follows.

- | | |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| March 15, 2022 | Summary of library district community engagement and follow up on options to repurpose monies allocated to the municipal library annual operating budget. |
| April 5, 2022 | Public Hearing and council consideration of a resolution to form a library district. |

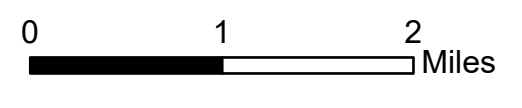
ATTACHMENTS

- A. Proposed Library District Service Area Boundary Map
- B. Boulder Library District Advisory Committee Recommendation Report
- C. Resolution to form a library district
- D. Draft Intergovernmental Agreement with LDAC recommendations
- E. Library District Formation by Resolution Timeline



Boulder City Limits
 Precincts
 Extend Area 2021

Proposed Library District Boundary



Boulder Library District Advisory Committee Recommendations Report

Introduction

At the direction of Boulder City Council, given on May 18, 2021, city staff convened a twelve-person community member/business representative Library District Advisory Committee (LDAC). The LDAC is charged with making recommendations to the city manager and council about the contents of the Intergovernmental Agreement (IGA) required by statute C.R.S. § 24-90-107(2)(e) which has to be established between the City of Boulder, Boulder County and a Boulder library district. LDAC was also charged to advise the city manager and council on the format for community education and engagement on the possible formation of a library district. Staff provided the LDAC with information and recommendations, but the LDAC's recommendations are independent of any recommendations made by the city staff.

Convening Process

The Boulder city manager put out a call for applications for committee membership. The city staff team recommended a twelve-person committee to represent the geographic, age, economic, ethnic, and ownership/renter diversity within the proposed library district boundary, including people with experience with the idea of a library district, as well as people new to the concept. The city manager approved the staff team's recommendation and appointed the committee members. The council endorsed the city manager's appointment of the LDAC members at their meeting on Oct. 5, 2021. For a list of members [see Appendix A](#); for the LDAC charter [see Appendix B](#).

LDAC Process

The LDAC met online eight times over four months during 2021 and 2022 (Oct. 13, 28; Nov. 8, 29; Dec. 8, 16; and Jan. 6, 12) to discuss its recommendation on key elements of the IGA concerning ownership of the library's real and personal property, transfer of personnel, and the provision of administrative services during the transition. The city hired a third-party facilitator to facilitate the LDAC discussions, and draft meeting agendas and summaries (approved by the LDAC). Approved meeting minutes and meeting materials are on the [LDAC webpage](#). LDAC members reached consensus on each recommendation in this report.

LDAC Recommendations

I. What the Library District Should Be

A. Library District Boundaries

The LDAC was generally accepting of the boundary map proposed by city staff at their Nov. 8, 2021, meeting.

After discussion of potential adjustments, it was determined that there is a real possibility that precinct boundaries may change. As a result, the LDAC decided to recommend criteria for council consideration when establishing the boundary rather than recommending a set boundary line at this time.

The **LDAC recommends** using the following criteria to guide the establishment of the library district boundary:

1. Keep the boundary easy for the voters to understand by creating a rational boundary that is simple to explain.
2. Make the boundaries manageable for the election officials by conforming to Boulder County voting precinct boundaries to the extent feasible.
3. Maximize the impact of the revenue generated by the library district by capturing the largest number of households with Boulder Public Library cardholders in accordance with the other criteria.
4. Include all areas within the Boulder Valley Comprehensive Plan (BVCP) service area.
5. Avoid conflict and rework for city and county staff by excluding areas where another municipality or townsite intends to offer annexation and/or the provision of library services.
6. Exclude areas whose primary road access occurs in another county.

B. Library Services to be Provided

LDAC reviewed the current programs and services offered by the library and the three levels of goals and objectives developed in the 2018 Boulder Public Library Master Plan: Maintain Services, Address Community Demand, and Service Expansion. The **LDAC recommends** and supports that the library district provide services at the Service Expansion Level (See [pages 36-63 in 2018 Boulder Public Library Master Plan](#) for the three levels of services and programs considered). This decision was based on multiple factors:

1. LDAC members were concerned that the current funding supports a level of service that will keep the Library in a perpetual state of underperformance, impacting both community and employee satisfaction, and that the impact will mostly be felt in underserved communities. Popular, impactful programs including the main literacy outreach, Boulder Reads, and the makerspace facility are currently understaffed and cannot get up to pre-pandemic service levels with the current budget.
2. After reviewing the financial projections, it was agreed that the incremental funding needed to move the Library from Addressing Community Demand to Service Expansion was relatively small for the benefit it would bring to the community.

C. Library District Property Tax Mill Levy

LDAC reviewed the business plan and financial model underlying the proposed mill levy amount, and identified some potential library district costs that were not considered in the Library Financial Analysis conducted by G.K. Baum & Company (presented Nov. 27, 2018, City Council study session). LDAC also looked at how the taxes would affect residential renters, homeowners and businesses (see [Appendix C](#) for informal projections of tax impact effects presented at LDAC on Dec. 8, 2021). After considerable discussion, **LDAC recommends** the following:

1. The mill levy needs to generate tax revenue sufficient to sustainably fund library services for an ever-growing community within the library district boundary. LDAC agreed that “we don’t want to be scraping the side of the peanut butter jar” for funding when the library district is established.
2. The mill levy should be set at a level to accommodate costs that were not factored into the library district budget estimate, such as grounds and parking lot maintenance and the possibility of increased wages for library staff to better achieve a living wage that allows them to live in Boulder.
3. **LDAC recommends** a mill levy between 3.7-3.8 mills, which would generate approximately \$19-\$19.5 million of property tax revenues annually for the library district, would fund the

library at the Service Expansion Level, allow the district to maintain facilities at an adequate level, and put the library on a financially sustainable path.

II. How to Transition to a District Library – Elements for an Intergovernmental Agreement

A. Transfer of Buildings, Land and Leases

The Library’s physical assets have been funded by Boulder community members and taxpayers since the city’s library was established, through a series of taxes, donations and bond measures. A library district will be funded largely by the same group of taxpayers, and therefore any asset transfer should not charge the district a monetary value for buildings or land to ensure that taxpayers are not “paying twice”.

For the Library’s six buildings and properties, **LDAC recommends** and supports the staff recommendation that:

The city **transfer building and land ownership** to the Library District for:

1. Carnegie Library for Local History
2. George Reynolds Branch Library
3. New north Boulder branch library (when completed)

LDAC discussed the possibility that, in the future, the library may wish to relocate or rebuild branch libraries in order to provide more efficient operations. Physical ownership of buildings and land will provide the district with flexibility to strategically plan how to best serve the community through its branch libraries. **LDAC recommends** that the city have first right of refusal should the district propose to sell any of these facilities.

The city **transfer leases** to the library district for:

4. Meadows Branch Library
5. Existing North Boulder (NoBo) Corner Library

The Meadows Branch Library operates through a commercial lease that is limited to library purposes. The NoBo Corner Library lease is expected to end when the new north Boulder branch library begins operations.

The city **transfer building ownership to the library district, while the city maintains ownership of the land**; and the library district and the city develop a common-interest community agreement (a form of condominium agreement for commercial properties) for:

6. Main Library
 - a. The Main Library is located in Boulder’s Civic Area, at the heart of downtown. The city has extensive interests in the Civic Area that extend beyond the library. **LDAC recommends** that the city and the library district establish a collaborative partnership to manage the property under and around the Main Library (the “Main Library Area of Influence”) in the best interests of the community. LDAC agreed that the library district should not have influence on city plans outside of this area. Specific recommendations on items to include in the common-interest community agreement are listed below (in no priority order).
 - b. Concepts to address in a future common-interest community agreement between the library district and city for management of the Main Library Area of Influence and to guide future planning and development of the Civic Area.

1. The city and library district will have an equal partnership regarding the Main Library Area of Influence. The Library area of influence is the portion of the Civic Area defined in The Master Plan for Boulder’s Civic Area 2015 as the “West End: Arts and Culture.”
2. The city and library district will collaborate on any proposed changes that will materially impact the library’s ability to provide services or impact the library’s financial obligations. Any such proposed changes will be jointly approved by the city and library district.
 - a. Any future development or expansion of the Main Library will consider the performance criteria developed in the Civic Area Plan for the “West End” (see page 25 of that plan).
 - b. If future development of the Main Library results in changes to the building shell, the library district will consider the performance criteria for Building Form and Massing in the Civic Area plan in plans submitted for the city site review process.
3. The library district will manage the Main Library consistent with the seven guiding principles enumerated in The Master Plan for Boulder’s Civic Area:
 - a. The Civic Heart of Boulder
 - b. Life & Property Safety
 - c. Outdoor Culture & Nature
 - d. Celebration of History & Assets
 - e. Enhanced Access & Connections
 - f. Place for Community Activity & Arts
 - g. Sustainable & Viable Future
4. The agreement will recognize and continue to support the longstanding community desire to have a main library in the downtown area that mutually benefits the city and library patrons. The agreement will recognize that the Main Library has a longstanding role within the downtown as part of the historic land use fabric, and as a cornerstone of social, cultural, and economic vitality for businesses, non-profit organizations and downtown visitors.
5. The Main Library should be accessible to all (i.e. those who drive themselves, walk, bike, or take public transportation, those who are ambulatory and non-ambulatory, etc.).
6. Any future amendments to the common-interest community agreement will be undertaken consistent with [BVCP policy 8.13: Support for Community Facilities \(see Appendix D.\)](#)
7. The Main Library and Civic Area are part of a previous development site review approval under the Boulder land use code. Amendments to the site review approvals require written consent of the owners of all property to be included in the development. The city, as the owner of the land, will need to coordinate and cooperate with the library district on any major redevelopment efforts.

B. Transfer of Other Assets

The LDAC recommends that the city:

1. Transfer assets located in the libraries for library purposes such as furniture, equipment, and collections to the library district. The Library currently stores property from other departments, such as IT and that property will remain property of the city.
2. Transfer art purchased by or donated to the Library to the Library District. Art purchased by the city or where provenance is unknown will remain property of the city.
3. Transfer existing Memorandums of Understanding (MOUs) for historic collections held by the Carnegie Library for Local History archive to the library district, and develop a new MOU between the city and the library district for historic materials donated to the archive by the city.
4. Transfer the balance of funds collected by the city or the library for library purposes in existing city accounts to the library district. This includes grants to the library; the current .333 mill property tax revenues; the Blystat-Laesar House Fund (for Carnegie Library for Local History), gifts and donations; and balances in the Facilities Replacement & Renewal Fund, Old Library Fund Reserve, Development Excise Tax revenues and Impact Fees collected for the Library.

C. Library District Board of Trustees

The LDAC recommends:

1. The library district board of trustees should have seven members, and appointments should reflect the demographic and geographic diversity of community members in the library district.
2. Following initial board appointments, the City Council and Board of County Commissioners will delegate authority to the library district board of trustees to recommend new trustees to the appointing bodies for all future board appointments.

D. Incorporation of Boulder Valley Comprehensive Plan (BVCP)

The BVCP guides decisions about growth, development, preservation, environmental protection, economic development, affordable housing, culture and arts, urban design, neighborhood character and transportation. BVCP policies and sustainability principles inform decisions about the manner in which urban services are to be provided, including library services. LDAC recommends that the library district embrace the BVCP Sustainability Principles, and commit to continuing its important role in social sustainability. The Boulder Public Library has been a leader in social sustainability by providing free library services that allow community members of all incomes, ages, and backgrounds to stand on equal footing with regard to information access. The library district should continue this legacy.

LDAC recommends the following with respect to incorporation of the library district into the BVCP.

1. To ensure social equity is addressed and improved for community members, the city, the county, and the library district will adhere to the BVCP social equity policy section 8.03. The library district will uphold the [American Library Association Bill of Rights](#) and the [American Library Association Code of Ethics](#).

2. The library district will strive to promote a healthy community and address social, cultural, racial, and ethnic inequities by respecting and valuing cultural, social, racial, and ethnic diversity and providing free library services that allow community members of all incomes, ages, and backgrounds to stand on equal footing with regard to information access.
3. Boulder Public Library will continue to serve as a community center, providing services for a wide variety of public gatherings and cultural events.
4. The parties agree to actively collaborate in supporting and implementing BVCP policies and sustainability principles relevant to library services and programs.
5. The parties to the IGA acknowledge and agree that the BVCP policies set forth in Appendix D will serve as guiding principles in implementation of the IGA, and in any initiatives, projects, negotiations, and interactions among the Parties and their partners.
6. The city and county agree to actively engage with and consult with the library district during updates to the BVCP.
7. The library district agrees to periodically update its strategic plan in collaboration with the city and the county. This includes expanding the geographic purview of the 2018 Boulder Public Library Master Plan to include the library district’s areas of influence; the use of relevant economic and demographic data and projections developed by the city and county; robust community engagement as defined in BVCP policy 10.02; referral of drafts for comment to appropriate city and county departments and boards; and review and comment by the city and county.

III. Community Engagement

The **LDAC recommends** that City Council:

- A. Commit to conduct a robust public engagement process to gather input from city of Boulder community members on how current library funds may be reallocated, and related sales tax levies may be reduced or eliminated.
- B. Commit to eliminating the .333 mill levy dedicated to the Library when a library district is funded.
- C. To improve community understanding on what services the library district would provide with the revenues generated from a library district mill levy, the LDAC recommends the city consider the following for community engagement:
 1. Initiate community engagement as early as possible to ensure there is enough time to reach as many people as possible. Provide factual, clear information about the cost impacts and benefits of funding a library district.
 2. Empower and allow library staff to answer questions about all aspects of the library district proposal. Coach library staff to answer questions without advocating or electioneering.
 3. Conduct community information sessions to help answer questions and engage in discussions with the community, with staff and LDAC members present. Sessions should provide balanced and impartial information about:
 - a. How the Library serves the community (beyond books).
 - b. Why a library district is being proposed.
 - c. What is in the library district proposal, the positive and negative impacts of forming and funding a library district.
 4. Reach out to unincorporated Boulder County community members and businesses.
 5. Collaborate with the county, and utilize the county’s existing communication mechanisms (e.g., newsletter and annual meetings with residents).

Attachment B- Boulder Library District Advisory Committee Recommendation Report
Boulder LDAC Recommendation – Approved January 21, 2022

6. Reach out to the business community, as they pay a higher rate of property taxes (start with Boulder Chamber of Commerce).
7. Include the city's Community Connectors to serve as a link to those who are marginalized, excluded, or underrepresented within the proposed library district boundaries.

Appendix A: LDAC Members

First Name	Last Name	City/Area	Affiliations (if any)
Chip	.	Boulder	Downtown Boulder Partnership
Annette	Dula	Unincorporated Boulder County	
Michelle Denaë	Garcia-Morrissey	Niwot	
Kevin	Miller	Boulder	
Peter	Pollock	Boulder	
Deborah	Read Fowler	Niwot, Unincorporated Boulder County	Niwot Business Association
Joanna	Rosenblum	Boulder	Past Library Foundation Board member
Cara	Schenkel	Unincorporated Boulder County	
Alicia	Seidle	Boulder	Library Foundation, Library Commission (former)
Miho	Shida	Gunbarrel, Unincorporated Boulder County	Library Champions
Jane	Sykes Wilson	Boulder	Library Champions, Library Commission, Library Foundation (former)
Katharine (Joni)	Teter	Boulder	Library Champions, Library Commission (former)

APPENDIX B: LDAC Charter

Boulder Library District Advisory Committee Charter

Adopted: October 13, 2021

This is a charter for the Library District Advisory Panel requested by City Council during the May 19, 2021 council meeting.

Committee Purpose: The primary purpose of the Library District Advisory Committee will be to make recommendations to the City Manager and City Council about an Intergovernmental Agreement (IGA) required by statute C.R.S. § 24-90-107(2)(e) to be established between the City of Boulder, Boulder County and the Boulder Library District and to advise on the format of community education and engagement on the formation of a library district. (LDAC's recommendation will be independent of any recommendations made by the city staff.)

The Committee will:

Purpose

1. Develop consensus agreements on recommendations to the City Manager and City Council on:
 - a. District boundaries
 - b. Services the District should provide
 - c. Mill levy override amount to put on the Nov. 2022 ballot, and the tax implications
 - d. IGA elements
 - i. Asset transfer
 - ii. Administrative and maintenance services to contract from the City of Boulder
 - iii. Staff transfer
 - iv. Deadline for passing funding (draft says LD dissolves if funding isn't passed by 2024 [NOTE: Not discussed by the LDAC])
 - e. Ballot measure community engagement plan (methods)

LDAC is not a decision-making body and will not direct city staff.

2. Serve as the touchpoint for the community to: ensure that anticipated impacts of a library district on community members who reside within the district's proposed boundaries are considered and evaluated prior to a recommendation to the City Manager and City Council; ascertain the community's support for formation of a library district; and understand the community's desires concerning the specific content and decision points in the IGA.

Decision Making and Process

3. Work toward consensus recommendations. Consensus means everyone (minus one) can live with the agreement, not everyone loves it, but they can live with it. If consensus is not possible, decisions will be made by a formal vote, a majority confirms the recommendation. If necessary, a minority report may be generated for certain items.
4. Operate as a whole group but may establish subgroups when necessary.
5. Meet no more than 3 hours for any single meeting, unless agreed to; and meetings will start at 5pm or 6pm (to be decided by LDAC at their first meeting).

6. Attend 75% of all meetings to ensure they are a part of the evolution of thinking over the whole process.
7. Review and approve meeting summaries are accurate via email, providing edits, comments or asking questions before the deadline for review.
8. Engage in thoughtful discussion by:
 - Being open to other points of views, different outcomes, and all members’ perspectives
 - Listening – being curious to understand, rather than preparing a response
 - Being respectful
 - Not interrupting, but also not talking so long someone has to interrupt
 - Disagreeing without being disagreeable
 - No personal attacks
 - Speaking briefly and to the point, leaving time for all to participate
 - Committing to being prepared for each session, being on time, honoring the agenda, and getting up to speed if you miss a meeting
 - Acting in good faith
 - Working to build consensus agreements, not just win the argument

Public Input

1. Take public comments during a 15-minute sessions in the LDAC meetings and via a web comment form.

Communication with other Organizations, Individual and Media

2. Agreeing to speak only for themselves when communicating outside the Committee, especially with media, and avoid characterizing the personal position or comments of other members.
3. Not communicating with others as a representative of the Committee. If the committee wants to communicate as a group, they will build consensus agreement on the message and method.
4. Refrain from undermining the work of the Committee.

The Facilitator will:

1. Remain impartial – not favor any particular outcome or member.
2. Prepare and seek to send agendas and supporting materials a week in advance of meetings (not always possible), for members to be prepared.
3. Prepare draft meeting summaries for Committee review and approval within two weeks of the meeting. The summaries will be summaries of key interests, concerns, and suggestions, as well as agreements and actions. Summaries are not transcripts, and will not include attribution – Committee considers all perspectives in discussion regardless of who said it.

The Library and City Staff will:

1. Provide all materials and data desired by the LDAC (without overloading staff) and any support services needed (e.g., meeting location or online service)
2. Be succinct in presentations leaving time for LDAC discussions and agreement building.
3. Ask “why” more often than defend a position during LDAC discussions.

Library District Advisory Committee Meeting

December 8, 2021

Tax Impact Slides

Tax Impact: Renter Example

2 Bedroom apartment in 4-unit apartment building

- **Average monthly rent:** \$1,500 + utilities = \$1,750 per month.
- **Taxable value of entire building:** \$1.8M = \$468 annually in library district property tax.

Tax increase divided between 4-units equates to:

- \$117 annually for each tenant
- \$9.75 per month increase in rent
- 0.0055% increase or half of 1% increase

Tax Impact: Small Business Example

A Baseline Road Mall-Type Address

- 1,315 sq. ft. retail space in 99,000 sq. ft. commercial building
- Valued at \$38.6 M
- Total library district property tax = \$41,417 annually

Tenant Costs for a Small Business Owner

- Rent \$32 plus \$21 NNN (triple net lease)*/ sq. ft.
- Annual rent = \$42,080
- Annual NNN cost = \$27,785
- Total annual cost = \$69,865 (rent, tax, maintenance, utilities)

Library district property tax increase = 1.3 % of building value & equates to:

- \$538 annually
- \$44.80 per month,
- 007 % increase or ¼ of 1%

* A triple net lease (triple-net or NNN) is a lease agreement on a property whereby the tenant or lessee promises to pay all the expenses of the property including real estate taxes, building insurance, & maintenance.

Tax Impact: Affordable Housing

- Boulder Housing Partner sites are not assessed property tax.
- Fixed affordable units are taxed at fixed value.
 - **House A.** market rate valued at \$1M.
 - **House B.** fixed affordable valued at \$280,000. Property tax assessed on fixed value.

Tax Impact: Small Businesses

- 50% of all small businesses are home based.
- Roughly 10% of small businesses own their own building.
- 40% lease. Lease payments are 100% deductible creating a tax advantage.
- The State of Colorado charges a business tax on all consumable goods, but a home-based business is primarily taxed at a residential property tax rate.
- Buying buildings limits the flexibility of a business to shrink or grow with the vicissitudes of the economy.
- If you are sure your business is going to be in the same spot for roughly 7 years, it probably makes sense for you to buy property if you have the financial wherewithal to do so. Examples: McGuckins, Brasserie TenTen

APPENDIX D: Relevant Boulder Valley Comprehensive Plan Policies

[Policies below are indexed by page number in the BVCP and policy number]

P. 24

1.01 Regional & Statewide Cooperation

Intergovernmental Cooperation

Therefore, the city and county will actively pursue cooperative planning opportunities, intergovernmental agreements, broader information exchange and communication, collaborative initiatives and closer cooperation with each other and with other entities in the region and state. This may include other cities, counties, unincorporated communities, the region and state. This may include other cities, counties, unincorporated communities, the University of Colorado, the school districts, regional organizations and other policymaking bodies. These entities will be encouraged to identify and address issues of shared concern for which a multi-jurisdictional perspective can best achieve mutually beneficial solutions.

P. 46

2.20 Role of the Central Area

Boulder's Central Area will continue as the regional service center of the Boulder Valley for office, retail, financial, governmental, civic, cultural and university activities. As such, it will remain the primary activity center and focal point of the Boulder Valley. The Central Area includes distinct, interrelated centers such as the Downtown Business District, Civic Area, University Hill and Boulder Valley Regional Center. It also includes the University of Colorado Main Campus and Canyon Boulevard Cultural Corridor. A variety of land uses surround the centers and complete streets and multimodal transportation alternatives provide direct connections between them.

P. 69

5.02 Regional Job Center

The city supports strategies that recognize Boulder's continued role as a regional job center, consistent with economic sustainability goals and projected employment growth. The city and county recognize the importance of regional planning and partnerships for housing and transportation and will continue to address impacts on housing affordability and transportation related to their role as a regional job center.

P. 70

5.05 Support for Local Business & Business Retention

The city and county value the diverse mix of existing businesses, including primary and secondary employers of different sizes, in the local economy. Nurturing, supporting and maintaining a positive climate for the retention of existing businesses and jobs is a priority. The city recognizes the vital role of small, local and independent businesses and non-profits that serve the community and will balance needs of redevelopment in certain areas with strategies that minimize displacement of existing businesses and create opportunities for startups and growing businesses. The city will continue to proactively analyze trends in market forces to shape its activities, plans and policies regarding local business and business retention. The city and county will consider the projected needs of businesses and their respective employees, such as commercial and office space, when planning for transportation infrastructure, programs and housing.

5.06 Affordable Business Space & Diverse Employment Base

The city and county will further explore and identify methods to better support businesses and non-profits that provide direct services to residents and local businesses by addressing rising costs of doing

business in the city, including the cost of commercial space. The city will consider strategies, regulations, policies or new programs to maintain a range of options to support a diverse workforce and employment base and take into account innovations and the changing nature of the workplace .

P. 71

5.08 Funding City Services & Urban Infrastructure

The city will encourage a strong sustainable economy to generate revenue to fund quality city services and recognizes that urban infrastructure, facilities, services and amenities are important to the quality of life of residents, employees and visitors to the community. A strong and complete local and regional multimodal transportation system and transportation demand management programs are essential to a thriving economy, as they offer options for commuters, help attract and retain key businesses, employers and visitors and provide regional access to global markets. The city will continue to plan for and invest in urban amenities and infrastructure (e.g., bike paths, parks, shared and managed parking, public spaces, quality gathering places, cultural destinations and public art) as well as community services (e.g., open space and mountain parks, high speed internet, fire-rescue, public safety and senior services).

5.10 Role of Arts, Cultural, Historic & Parks & Recreation Amenities

The city and county recognize arts and culture, historic, and parks and recreation amenities as important contributors to the city's economic vitality and quality of life. The city and county will work to support and, as appropriate, enhance the resiliency, sustainability and innovation of arts, cultural, historic, and parks and recreation amenities so they continue to contribute to the economic vitality of the community, provide unique offerings and foster meaningful connections to Boulder among its residents, workforce and visitors.

P. 72

5.17 Partnerships to Support Economic Vitality Goals

The efforts of the city, county and the private sector to enhance the economic prosperity of the community are directly and indirectly supported by many organizations and entities. The city and county work in partnership with a number of organizations, including but not limited to the Boulder Chamber, Boulder Convention and Visitors Bureau, Boulder Economic Council, the Boulder Independent Business Alliance, Boulder Small Business Development Center, Boulder Valley School District, CO-LABS, Downtown Boulder Partnership, Innosphere, Latino Chamber of Boulder County, the University of Colorado and other diverse and emerging groups to support economic vitality goals. The city and county acknowledge that although each of these organizations and entities has an independent focus, their work contributes to the overall quality of life enjoyed within the community.

P. 73

5.18 Support for the University of Colorado & Federal Labs

The city and county understand the important role that federally funded labs and the University of Colorado play in the economy and will continue to work with state and federal elected officials to foster their important economic contribution. The city will take an active role in efforts to preserve the state and federal funding for these entities to ensure they remain in Boulder and will pursue mutually beneficial partnerships. The city recognizes the importance of having strong and thriving institutions for higher education and programs for continuing education and workforce training. The city supports the seminal role of the University of Colorado, a world-class research university, and the federal labs in business support technology transfer and tech startups. The city will work with the University of

Colorado to further the community’s goals for sustainable urban form as university-owned land is developed or redeveloped.

5.19 Diverse Workforce, Education & Training

The city and county will encourage and support the Boulder Valley School District and post- secondary educational institutions to offer quality continuing education and technical training. The city will work with employers, educators and partners to support programs designed to help develop and attract workers in multiple fields with specialized skills and experience and foster a well- educated, highly skilled and creative workforce.

5.20 Support for Living Wage

In support of economic vitality and opportunities for all residents, the city and county will encourage all employers in the city and county to provide access to living wage, health care and transit passes to all workers.

P. 75

6.02 Equitable Transportation

The city and county will equitably distribute transportation investments and benefits in service of all community members, particularly vulnerable populations, ensuring that all people benefit from expanded mobility options. Providing more transportation options – like walking, biking, transit and shared options – in areas where people are more reliant on various modes will have a greater benefit to overall mobility. New transportation technologies and advanced mobility options provide Boulder with an opportunity to expand affordable transportation choices to those who need them the most, including those who cannot use existing fixed route transit such as service and shift workers.

P. 77

6.08 Accessibility and Mobility for All

The city and county will continue development of a complete all-mode transportation system accommodating all users, including people with mobility impairments, youth, older adults, non-English speakers and low-income persons. This will include increased support for mobility services for older adults and people with disabilities, reflecting the expected increases in these populations. Efforts should focus on giving people options to live well without a car and may include prioritizing affordable public transportation and transit passes, new technologies such as electric bikes, mobility services and prioritizing connections between multimodal transportation and affordable housing to facilitate affordable living.

6.09 Transportation Safety

The city and county recognize safety for people of all ages using any mode within the transportation system (i.e., walking, bicycling, transit riding and driving) as a fundamental goal. The city's and county's Vision Zero policies aim to eliminate traffic deaths and severe injuries involving people using all modes of travel, focusing on crash trends and mitigation strategies identified in the Safe Streets Boulder Report and on-going local, regional and statewide safety assessments. Improving travel safety is based on a holistic combination of the four E's: Engineering, Education, Enforcement, Evaluation and relies upon our whole community to keep people safe. To achieve Vision Zero, the four E's approach helps ensure we are addressing travel safety from all angles. This means dangerous travel behaviors, such as distracted and impaired travel, can be countered through enforcement efforts and safety education outreach, while engineering treatments and innovative street design can help prevent intersection conflicts for example. Applying all four E's is the most comprehensive way to help prevent crashes.

P. 88

8.03 Equitable Distribution of Resources

The city and county will work to ensure that human services are accessible, available and affordable to those most in need. The city and county will consider the impacts of policies and planning efforts on low- and moderate- income and special needs populations regardless of immigration status and ensure impacts and costs of sustainable decision-making do not unfairly burden any one geographic or socioeconomic group in the city. The city and county will consider ways to reduce the transportation burden for low-income, older adult and disabled populations regardless of immigration status and enable equal access to community infrastructure. The city recognizes that equitable access to employment opportunities is an important element to economic mobility.

P. 89

8.04 Addressing Community Deficiencies

The city and county will use community feedback in conjunction with robust data resources to identify barriers to development and provision of important basic human services and will work closely with community partners and non-profits to find solutions to critical deficiencies.

8.05 Diversity

The community values diversity as a source of strength and opportunity. The city and county will support inclusion of racial, ethnic, socioeconomic, and cultural diversity into physical, social, cultural and economic environments. Furthermore, the city and county will promote opportunities for community engagement and formal and informal representation of diverse community members in civic affairs. The city and county value, embrace and promote diversity in all of their hiring and employment practices.

8.06 Mutual Respect

The city and county value all residents and visitors and promote mutual respect. The city and county strive to ensure community members are safe from discrimination and physical violence.

P. 91

8.13 Support for Community Facilities

The city and county recognize the importance of educational, health, cultural and non-profit community agencies that provide vital services to the residents of the Boulder Valley and will work collaboratively with these agencies to reasonably accommodate their facility needs and consider location based on transportation accessibility or other needs.

P.93

8.18 Libraries

Library facilities and services of the Boulder Valley will be responsive to the needs of all populations, providing an adequate range of informational, educational and intellectual opportunities for all residents.

8.19 Information Resource/Community Center

The city will facilitate access to information through a variety of formats providing materials, technology and services to enhance the personal development of the community's residents. In its role as the community's public and civic information center, the library will provide venues for community group meetings and resources and services to meet the needs of the community's multicultural and special

populations. Other community gathering spaces and information sources include the city and county websites, municipal buildings and recreation and senior centers.

8.20 Education Resources

The city will seek to provide educational, cultural and literacy resources and opportunities for the community. The city will develop and maintain resources to assist learners and students of all ages, including support for formal education programs, and provide public workspaces and independent learning resources. The city will develop collaborative relationships with community educational institutions and function as a research center for residents.

8.21 Arts & Cultural Facilities

The city and county recognize the ability of cultural facilities and activity to positively contribute to community members' well-being, sense of community and cultural understanding. The city and county will encourage the provision of venues and facilities for a wide range of arts and cultural expression that are available and affordable to everyone. The city supports neighborhood-serving arts and cultural amenities, including public sculptures, murals, plazas, studio space and community gathering spaces.

P. 100

10.02 Community Engagement

The city and county recognize that environmental, economic and social sustainability of the Boulder Valley are built upon full involvement of the community. The city and county support better decision-making and outcomes that are achieved by facilitating open and respectful dialogue and will actively and continually pursue innovative public participation and neighborhood involvement. Efforts will be made to:

1. Use effective technologies and techniques for public outreach and input;
2. Remove barriers to participation;
3. Involve community members potentially affected by or interested in a decision as well as those not usually engaged in civic life; and
4. Represent the views or interests of those less able to actively participate in the public engagement process, especially vulnerable and traditionally under-represented populations.

Therefore, the city and county support the right of all community members to contribute to governmental decisions through continual efforts to maintain and improve public communication and the open, transparent conduct of business. Emphasis will be placed on notification and engagement of the public in decisions involving large development proposals or major land use decisions that may have significant impacts and/ or benefits to the community.

P. 101

10.03 Communication Capacity for Resilience

The city and county recognize that engaged communities and residents are better prepared to support themselves in the event of a disruption and encourage community engagement in conjunction with risk education and preparedness. The city and county will continue to support ongoing, robust communication and outreach to communities and vulnerable residents to educate and prepare for disruption.

10.04 Informed Community

The city and county commit to gathering and sharing information to support and encourage open, participatory government and an informed community. To encourage vibrant public discourse, the city and county strive to provide participants with the information they need to participate in a meaningful way. The city and county strive to ensure high-quality language services in order to communicate effectively with limited English-proficient residents.

10.05 Support for Volunteerism

The city recognizes the value of community volunteers to help achieve the organization and community goals. The city supports volunteer programs that engage residents to improve their community and participate in addressing local issues. City volunteer programs connect residents with city staff to enhance programs and policies while improving community relations. These programs are intended to be mutually beneficial, offering skills and experience for volunteers and assisting staff with reaching community goals.

10.06 Youth Engagement

The city and county support youth engagement and partner with organizations in the community to offer opportunities to youth for civic engagement and education. This activity is intended to foster innovative thinking and leadership.

RESOLUTION _____

A RESOLUTION TO FORM A LIBRARY DISTRICT WITH BOULDER COUNTY TO BE KNOWN AS THE BOULDER LIBRARY DISTRICT, TO BE FUNDED WITH A MILL LEVY OF NOT TO EXCEED 3.8 MILLS, PROPERTY TAXES OF \$19.5 MILLION AND A REQUIREMENT THAT THE ELECTORS OF THE LIBRARY DISTRICT APPROVE ANY OF THE TAX LEVY NOT PREVIOUSLY APPROVED, AND SETTING FORTH RELATED DETAILS.

THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO FINDS AND RECITES THAT:

A. An advocacy group circulated a petition to establish a library district with a service area that includes the City of Boulder and parts of Boulder County.

B. The Boulder Library Commission unanimously recommended the creation of a library district as the best path toward a long term financially sustainable library system.

C. The City of Boulder Charter provides for an appropriation of not less than .333 mills in property tax as dedicated funding for the Boulder Public Library. The remaining library operating budget comes from the city's General Fund, grant funds and donations.

D. On September 4, 2018, City Council accepted the 2018 Boulder Public Library Master Plan.

E. The Boulder Public Library provides service and approximately one-third of its library cards to persons outside of the Boulder city limits.

F. The proposed service area for the library district extends to areas in Boulder County that are directly served by the library.

G. The Boulder Public Library Master Plan outlines three proposed service levels: maintain service levels, meet community demand, and service expansion/vision and identified funding needs.

H. On November 27, 2018, staff presented City Council with an in-depth analysis of the funding needs of Boulder Public Library for each service level outlined in the library master plan.

I. On February 23, 2021, staff presented City Council with a thorough analysis of the cost of providing library services and funding options.

J. The library's 2019 budget provided ongoing funding for the "maintain service levels" of the library master plan and the 2022 approved budget funds the library to achieve items within the "meet community demand" service level of the Library Master Plan.

K. The library district would ask voters to fund the district at the service expansion/vision service level with an ad valorem property tax mill levy not to exceed 3.8 mills.

L. Section 24-90-107(1), C.R.S. provides that a library district may be formed by "the legislative bodies of one or more governmental units, each proceeding to adopt a resolution or an ordinance to that effect."

M. Section 24-90-107(2), C.R.S. provides procedures for the establishment of the library district and the contents of the resolutions required by § 24-90-107(1), C.R.S.

N. The formation of the library district is contingent upon the approval of a mill levy from the electors of the district by the November 2024 election. If a mill levy to fund the district by 2024 is not approved, the library district shall be dissolved. The electors of the district must approve any amount of tax levy of the district not previously established by resolution or ordinance nor previously approved by the electors before the library district can be established.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, THAT:

1. Formation. Upon approval of library formation resolution by the Board of County Commissioners of Boulder County, the City of Boulder hereby forms a library district with boundaries described and shown on Attachment A. The district shall be a political subdivision of the State of Colorado pursuant to § 24-90-103(5), C.R.S.

2. Name. The library district shall be known as the Boulder Library District ("District").

3. Purpose. The District shall be a "public library" as defined in § 24-90-103(13)(a) C.R.S. and shall have the powers and responsibilities set forth in the Colorado Library Law, §§ 24-90-101, et seq., C.R.S. Its purpose is to obtain financial support from its electors and other sources to provide facilities, materials, media, computers, programming, public meeting spaces, community services and other facilities and services provided by library districts in the State of Colorado.

4. Financial Support. Upon adoption of this Resolution, the District shall obtain financial support from donations and other sources. The City will provide additional support as required by § 24-90-107(2)(d), C.R.S., and no financial support will be required of the County.

5. Mill Levy. The electors of the District must approve any tax levy of the District not previously established for the Boulder Public Library nor previously approved by the electors before the library can be established. As required by § 24-90-107(2)(b) and (c), C.R.S., an election on a tax levy not to exceed 3.8 mills shall be held on November 3, 2020 election and subsequent elections as determined by the Library District.

6. Initial Board of Trustees. The Board of Trustees of the District shall consist of seven members appointed from the residents within the legal service area of the District. In accordance with §24-90-108, C.R.S., the initial Board of Trustees is as follows:

<u>Name:</u>	<u>Term of Office (Expiry Date)</u>
1.	March 31, 2023
2.	March 31, 2024
3.	March 31, 2024
4.	March 31, 2025
5.	March 31, 2025
6.	March 31, 2026
7.	March 31, 2026

7. Intergovernmental Agreement. The City of Boulder will enter into an intergovernmental agreement with Boulder County and the District within 90 days of the date of the District’s formation as required by § 24-90-107(2)(e), C.R.S., to provide for appointment of trustees, rights, obligations and responsibilities, financial and otherwise of the City and for the transition of ownership, if any, of municipal library property to the District. City Council anticipates that intergovernmental agreements between the District and Boulder County required by § 24-90-107(2)(e), C.R.S., will reference and cede all responsibility to the City and the District.

8. Dissolution of the District. To the extent a mill levy is not approved by December 31, 2024, the District shall be deemed dissolved.

9. Contingency. This Resolution is contingent upon adoption by Boulder County of a similar resolution establishing the District.

APPROVED this ____ day of _____ 2022.

Aaron Brocket,
Mayor

Attest:

Elesha Johnson
City Clerk

Attachment 1: Map of Service Area

DRAFT
INTERGOVERNMENTAL AGREEMENT
AMONG
THE COUNTY OF BOULDER, COLORADO
THE CITY OF BOULDER, COLORADO
AND
THE BOULDER LIBRARY DISTRICT

The Board of County Commissioners of Boulder County, the Boulder City Council, and the Board of Trustees of the Boulder Library District (collectively the “Parties”) enter into this Intergovernmental Agreement regarding operations of the Boulder Library District, pursuant to § 24-90-107(2)(e), C.R.S.

RECITALS

- A. Pursuant to § 24-90-107(2), C.R.S., on April 5, 2022, the City Council of the City of Boulder, a Colorado home rule city (“City”) adopted Resolution No. XXXX to approve the formation of the Library District and a levy of not more than 3.8 mills on all property within the Library District subject to a vote of the electorate approving such mill levy.
- B. Pursuant to § 24-90-107(2), C.R.S., on _____, 2022, the Board of County Commissioners of the County of Boulder, a political subdivision of the State of Colorado (“County”) adopted Resolution No. XXXX to approve the formation of the Library District and a levy of not more than 3.8 mills on all property within the Library District subject to a vote of the electorate approving such mill levy.
- C. The “legal service area” of the Library District defined in § 24-90-103(4.5), C.R.S., is depicted in **Exhibit A** (“Service Area”).
- D. Pursuant to § 24-90-108(1), C.R.S., the City and the County appointed a seven-member board of trustees in which the management and control of the Library District has been vested. The first meeting of the Boulder Library District Board of Trustees was held on _____, 2022. A list of the appointed Trustees and their elected officers is attached as **Exhibit B**.
- E. Pursuant to § 24-90-107(2)(e), C.R.S., the legislative bodies of the County, the City, and the Library District are required to enter into an intergovernmental agreement within ninety days of the appointment of the board of trustees, or within such time

frame is otherwise agreed by the Parties, that “shall set forth fully the rights, obligations, and responsibilities, financial and otherwise,” of the Parties.

- F. The Parties desire to enter into this intergovernmental agreement (“Agreement”) to ensure that the transfer to the Library District of assets and liabilities held by the City for the benefit of the former City of Boulder Public Library (“BPL”), including all real and personal property, be effectuated in a manner that serves the best interests of the community members of the County, the City, and the Library District.
- G. The Parties’ goal is a transfer of management and operation of BPL from the City to the Library District on December 31 of the year following approval of a tax measure as set forth herein.

NOW, THEREFORE, the Parties agree that their rights, obligations, and responsibilities are as set forth in this Agreement.

AGREEMENT

ARTICLE I. OBLIGATIONS AND RESPONSIBILITIES OF THE LIBRARY DISTRICT

Section 1.1 **General Obligations.** The Library District shall operate, provide, and maintain public library services for community members residing within its Service Area at the “Service Expansion Level” identified in the 2018 Boulder Public Library Master Plan, and in a manner consistent with the Colorado Library Law, § 24-90-101, *et seq.*, C.R.S., as amended, this Agreement, and the bylaws and policies of its Board of Trustees.

Section 1.2 **Powers of Trustees.** The Board of Trustees shall have all powers and duties delegated to it under § 24-90-109, C.R.S., as amended from time to time.

Section 1.3 **Transitional Costs.**

Section 1.3.1 **Transition Year.** The City will continue to operate the Boulder Public Library for the remainder of the fiscal year that the Library District is formed at a funding level that is approved by the Boulder City Council. In addition, the City, and its employees, will continue to operate the Boulder Public Library through the year following approval of a Library District tax measure pursuant to the Taxpayer Bill of Rights (“tax measure”), Article X, Section 20 of the Colorado Constitution, so long as a tax measure is approved by 2024. The year following approval of a Library District tax measure described in Section 1.8 is defined as the “Transition Year”.

Section 1.3.2 **Cost Reimbursement.** For the Transition Year, the Library District shall reimburse the City for the actual costs to provide library services and cost of providing support services as identified by the most recent Cost Allocation Plan as described in Section 2.1. according to the following schedule:

- a. One-third of the total financial support no later than June 1 of the year following the Transition Year.
- b. One-third of the total financial support no later than June 1 of the second year following the Transition Year.
- c. One-third of the total financial support no later than June one of the third year following the Transition Year.

Section 1.3.3 The City will loan an amount not greater than two million dollars to the Library District to be used to support the Library District in providing library services in the Transition Year. This loan shall bear interest at the prime rate at the time the loan is extended plus 1% and be repaid by the Library District by December 31 of the third year following the Transition Year.

Section 1.4 Public Library Fund. Pursuant to § 24-90-112(2)(a), C.R.S., as amended, all moneys generated for Library District purposes shall be delivered to the custody of the City Chief Financial Officer and credited to a special fund known as the “Public Library Fund.”

Section 1.4.1 Pursuant to § 24-90-112(2)(a), C.R.S., as amended, effective January 1 of the Transition Year, money held in the Public Library Fund shall be expended only upon approval by the President of the Board of Trustees or his or her designee as established in the Library District Finance Policy.

Section 1.4.2 No sooner than the year following the Transition Year, the Board of Trustees of the Library District may require the City Finance Director to transfer all or a portion of the Public Library Fund into the custody of the Board of Trustees pursuant to § 24-90-112(2)(c), C.R.S., as amended. However, in the event the Board of Trustees does so, it shall carry a bond for such purpose, make monthly accountings and cause an annual audit to be performed as required by law.

Section 1.4.3 Pursuant to § 24-90-112(2)(a), C.R.S., as amended, all moneys in the Public Library Fund, together with all interest income that accrues thereon, shall continue to be used only for library purposes at the direction of the Library District. Individual expenditures must be made only in accordance with the Library District’s bylaws, and after adoption of an approved budget.

Section 1.5 Policy and Plan. The Library District will establish an emergency reserve as required by Article X, Section 20(5) of the Colorado Constitution and may establish other financial reserves consistent with Board of Trustee-adopted policy. The Library District will report to the City and the County on the status of the reserves on an annual basis, pursuant to the annual report required below.

Section 1.6 **Annual Report.** No later than March 31 of each year, beginning the year following the Transition Year, the Library District will provide a written annual report to the City and the County (“Annual Report”). The contents of the Annual Report shall include, but not be limited to, the current state of the library system, goals and projections for the coming year, a summary of the current adopted budget, status of reserve accounts, and such other statistics and information as the Board of Trustees deems to be of public interest. The information in the Annual Report shall also be presented publicly to the City Council and to the Board of County Commissioners at such times as each body and the Library District may agree. The Library District shall also make available to the City and the County a copy of its audited financial statements for the previous fiscal year when available and submitted to the Office of the State Auditor in compliance with Section 29-1-606(3), C.R.S.

Section 1.7 **Annual Meeting.** The City Council and Board of Trustees, or subcommittees thereof, shall meet annually (or as otherwise agreed between them) to discuss issues of common interest and concern, upon the request of either party. The annual verbal report to Council in a public meeting, as required by Section 1.6, may, upon mutual agreement, be sufficient to meet this requirement. This requirement shall remain in effect for five years following the Transition Year and shall be thereafter renewable, by mutual agreement, in three-year increments. The Library District shall provide notice of this meeting to the Board of County Commissioners and invite the Board of County Commissioners to participate.

Section 1.8 **Library District Tax Measure.** In the General Election on November 8, 2022, the Library District will place a measure on the ballot asking electors of the Library District to vote to approve a mill levy not to exceed 3.8 mills to support the Library District. In the event this measure is not approved in 2022, the Library District will place the measure on the 2023 ballot. In the event this measure is not approved in 2023, the Library District will place the measure on the 2024 ballot. In the event the measure is not approved by the 2024 election, the Library District shall be dissolved and this IGA shall terminate. The cost of each such election shall be the responsibility of the Library District unless the tax measures fail, in which case responsibility for the cost of each such election shall be negotiated between the establishing entities.

ARTICLE II. OBLIGATIONS AND RESPONSIBILITIES OF THE CITY

Section 2.1. **Support Services.** Beginning January 1 of the Transition Year, the City will provide the following administrative and support services (“City Support Services”) to the Library District at cost: Accounting and Accounts Payable, Payroll, Human Resources, Risk Management including Insurance Coverage, Purchasing, Parks Maintenance, and Facilities Maintenance. In purchasing these services, the Library District intends to follow the City’s policies and procedures. Where the City Manager or City Council has the authority to make exceptions to policies and procedures on behalf of the City, the Library District Director or Board of Trustees, respectively, will have the same authority to make exceptions to these policies and procedures on behalf of the Library District. The services that are available to the Library District are described in more detail in **Exhibit C** (“City Support Services”).

Section 2.1.1. The City will provide any or all of the City Support Services to the Library District at cost through December 31 of the Transition Year. The City and the Library District believe it is in the best interest of the parties to retain their distinct operations. However, there may be extraordinary circumstances in which the District may require additional City Support Services beyond the Transition Year. The Library District Board of Trustees shall request by formal action any City Support Services required beyond the Transition Year by June 1 of the year preceding the year for which services are sought. The Library District shall repay the City for the actual costs of providing City Support Services, in accordance with the schedule in Section 1.3.2, above.

Section 2.1.2. Upon request from the Library District, the City may renew the City Support Services at the beginning of any fiscal year, upon adoption of the annual city budget by Boulder City Council. All City Support Services are subject to annual budget adoption and appropriation by the Boulder City Council.

Section 2.2. Technology Services. The City and the Library District believe it is in the best interest of the people of Boulder and the Library District to establish and retain their distinct technological systems where feasible.

Section 2.2.1. Meeting room technology in all branches of BPL will remain at the branches and become the property of the Library District following approval of a tax measure as set forth in section 1.8.

Section 2.2.2. The City and the Library District agree to cooperate to develop an intergovernmental agreement with a detailed transition plan for technology services, to be completed within five years following approval of a tax measure as set forth in section 1.8.

Section 2.3. Library Finances. The City has revenue sources that are restricted for library services only. Except as otherwise provided herein, the City will provide historic schedules for and transfer the audited fund balances, if any, to the Library District by July 1 of the year following the Transition Year:

Section 2.3.1. Charter Section 134 Library Fund.

- a. City of Boulder Charter section 134 established a Library Fund to hold revenues from a dedicated .333 mill tax levied upon each dollar of assessed valuation of all taxable property in the City.
- b. The Boulder Library Foundation, a Colorado nonprofit organization (“Foundation”), provides supplemental funding for BPL events, activities, and programs through private donations. Funding from the Foundation is deposited into the Library Fund, and balances, if any, would be transferred according to this Section 2.3.

Section 2.3.2. **Taxes and Fees.** The City currently collects a Capital Facility Impact Fee pursuant to section 8-9-5, “Capital Facility Impact Fee to be Earmarked,” B.R.C. 1981 (“Capital Facility Impact Fee”). The City shall continue to collect the Capital Facility Impact Fee and allocate it as directed by the City Council and the Library District shall not make any claim for such fee. The City will collect the Capital Impact Fee up to date of conveyances of real property as set forth in Article IV. Following such conveyances the City will discontinue allocation of the Capital Facility Impact fee for public library facilities and transfer any remaining audited fund balance to the Library District.

Section 2.3.3. **Community, Culture and Safety Tax (“CCS”).** The City currently collects tax revenues from the CCS approved by the electors of the City in 2014 and extended by the electors in 2017. Revenues collected are dedicated to city capital improvement projects including approximately \$5,000,000 toward the new North Boulder library project. The expectation is that the construction of and funding provided to the North Boulder library project will be completed prior to the end of the Transition Year. If there are any funds dedicated for the new North Boulder library project remaining after the Transition Year, the audited fund balance will be transferred to the Library District by July 1 of the year following the Transition year. The Library District shall not make any claim for any other CCS funds.

Section 2.3.4. **Blystat-Laeser House Proceeds.** BPL has funds remaining from the proceeds from the sale of the Blystat-Laeser House at 1117 Pine St., which was purchased in late 1986 to supplement the archival storage needs of the Carnegie Library for Local History. After the purchase, the house was determined to be inadequate for the intended use, and when it was sold in 2002, the City’s intention was to use sale proceeds to fund other archival storage options.

Section 2.3.5. **Facilities Renovation & Replacement Fund.** The FR&R accounts for major maintenance, renovation, and replacement projects for city-owned buildings, structures, and property. The City will transfer the balance of direct contributions from the Library Fund to the FF&R Fund to the Library District by April 1 of the Transition year.

Section 2.3.6. **Old Library Fund Restricted Reserve.** The balance in the Library Fund prior to the 2015 City of Boulder Charter change is held in a restricted reserve for BPL’s use for one-time expenditures.

Section 2.4. **Appointment and Removal of Trustees.**

Section 2.4.1. **Appointment of Trustees.**

- a. The City and the County shall be responsible for appointing trustees to the initial Library District Board of Trustees, which will be done through a committee made up of two members of each legislative body with ratification of appointments by both legislative bodies, pursuant to § 24-90-108, C.R.S. Thereafter, the committee shall delegate the authority to recommend trustees to the Board of Trustees. Following the appointment of the initial Library District Board of Trustees the

Library District Board of Trustees shall be responsible for appointing trustees and filling vacancies to the Board of Trustees, subject to ratification of appointments by the County and the City, pursuant to § 24-90-108, C.R.S., as amended.

- b. The Board of Trustees should reflect the demographic and geographic diversity of community members within the Service Area.
- c. For the initial Library District Board of Trustees, the City and the County shall appoint seven members from the residents within the Service Area. One member shall serve one year; two members shall serve two-year terms; two members shall serve three-year terms; and two members shall serve four-year terms.
- d. The Board of Trustees shall elect from its members a president and a secretary. Four members of the Board of Trustees constitute a quorum, and the Board shall only act on an affirmative vote of at least four members.
- e. The Board of Trustees shall make all necessary rules and regulations for managing and discharging its duties and for its own governance and procedure and for the preservation and protection of the Public Library Fund.

Section 2.4.2. Removal of Trustees.

- a. Until the adoption of the Library District Bylaws by the Board of Trustees, the Boulder City Council may remove any member of the Library District Board of Trustees by majority vote for conflict of interest violation, any other violation of applicable law, regulation, or policy, nonattendance to duty, failure to attend three consecutive regularly scheduled meetings without a leave of absence approved by a majority of the Library District Board of Trustees, or for other good cause as determined by Boulder City Council.
- b. Following adoption of the Library District Bylaws, the Board of Trustees may remove any member of the Library District Board of Trustees by majority vote for cause as defined in the Library District bylaws.

Section 2.4.3. Vacancies. If a member of the Library District Board of Trustees is removed as provided in Section 2.4.2.a, Boulder City Council shall fill any vacancy for the remainder of the term of the removed director. If a member of the Library District Board of Trustees is removed as provided in Section 2.4.2.b, the Library District Board of Trustees shall fill any vacancy for the remainder of the term of the removed director.

ARTICLE III. EMPLOYMENT AND PERSONNEL

Section 3.1. BPL Employees. The City will provide the Library District with a list of BPL employees as of November 1 of the Transition Year, not including those employees who report to or the Arts Manager (“BPL Employees”). BPL Employees shall continue to be employees of the

City through 11:59 p.m. December 31 of the Transition Year, at which time their employment with the City will terminate.

Section 3.2. **Transfer of BPL Employees to the Library District.** The expectation is that all BPL Employees employed on December 31 of the Transition Year will become Library District library employees by the process described herein.

Section 3.2.1. On or before December 1 of the Transition Year, the Library District shall make offers of employment to all BPL Employees to be effective the following January 1 at 12:00 a.m.

- a. The Library District commits to paying all employees of the District a living wage and will strive to offer salaries, pay grades and benefits generally comparable to those provided by the City for the BPL Employees, subject to appropriation by the Board of Trustees.
- b. Commencing at 12:00 a.m. January 1 of the year following the Transition Year, the Library District shall be responsible for the payment of employee salary and wages; its share of any retirement benefits; medical, dental, vision, and voluntary benefits; state and/or federal taxes; workers compensation insurance; and unemployment insurance for these employees, and shall be responsible for the defense and indemnification of such employees pursuant to the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S., as amended.
- c. Commencing at 12:00 a.m. January 1 of the year following the Transition Year, the Library District shall be responsible for the payment of annual leave time and sick leave for its eligible employees.

Section 3.2.2. At 12:00 a.m. January 1 of the year following the Transition Year, the City will eliminate all BPL Employee positions and will no longer have BPL Employees.

- a. The City will remit BPL Employees' accrued vacation leave in accordance with the City policies and Boulder Municipal Employee Association contract in effect as of December 31 of the Transition Year.
- b. BPL Employees may redeem their Well-Being@Work dollars earned through 11:59 p.m. December 31 of the Transition Year in accordance with the Cigna™ policy in effect as of December 31 of the Transition Year.
- c. Through 11:59 p.m. December 31 of the Transition Year, the City shall be responsible for the payment of salary and wages, and its share of retirement benefits, state and/or federal taxes, workers compensation insurance, and unemployment insurance for BPL Employees, and shall be responsible for the defense and indemnification of such employees pursuant to the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S., as amended.

Section 3.2.3. The City agrees to allow Library District employees to participate in City-sponsored training classes when space allows and if the Library District pays any required fees.

ARTICLE IV. REAL PROPERTY

Section 4.1. City Library Facilities.

Section 4.1.1. The City owns and/or operates real property on which public library facilities are situated, as more specifically described in **Exhibit D**, attached hereto and incorporated herein by this reference (“City Library Facilities”). The City Library Facilities are located at the following addresses:

- a. Downtown Main Library Building – owned and operated by the City (1001 Arapahoe Avenue).
- b. Carnegie Library for Local History– owned and operated by the City (1125 Pine Street).
- c. George Reynolds Branch Library– owned and operated by the City (3595 Table Mesa Drive).
- d. New North Boulder library – City owns the land and is developing plans for a public library facility on the site (4540 Broadway).
- e. Meadows Branch Library– leased and operated by the City (4800 Baseline Road).
- f. North Boulder Corner Library—leased and operated by the City (4600 Broadway).

Section 4.1.2. The Library District has commenced and will complete within 18 months of the date of this Agreement preparation of a strategic plan which will evaluate how the Library District can best utilize the above City Library Facilities to carry out its voter-mandated charge to provide library services (“Strategic Plan”). The Strategic Plan will take into account the conveyance and use of property and rights relating to the City Library Facilities set forth in Section 4.2, below.

Section 4.2. Conveyance Use of Property and Rights.

Section 4.2.1. Carnegie Library for Local History, George Reynolds Branch Library. On or before December 31 of the Transition Year, the City shall convey by quit claim deed, fee simple determinable interest in and to the Carnegie Library for Local History and the George Reynolds Branch Library. Such conveyance will be subject to any easements of record, and with the City retaining any necessary easements for existing City utilities running on, under or through the property, and shall be subject to [a right of first refusal] [automatic reversion] as set forth in Section 4.2.5, below.

Section 4.2.2. **New North Boulder Library.** Using Community Culture and Safety tax revenues, other capital funds, library-specific funds, donations, and funds from the general fund, the City will complete the construction, tenant finish, furnishing (including equipping with Information Technology infrastructure) and the purchase of a materials collection for the new North Boulder library. Within six months following completion of construction, the City will convey by quit claim deed, fee simple determinable interest in and to the new North Boulder library. Such conveyance will be subject to any easements of record, and with the City retaining any necessary easements for existing City utilities running on, under or through the property, and shall be subject to [a right of first refusal] [automatic reversion] as set forth in Section 4.2.5, below

Section 4.2.3. **Assignment of Leases.**

- a. The Meadows Branch Library is currently subject to a 20-year lease in effect through 2029. On or before December 31 of the Transition Year the Library District will assume the lease and all of the City's rights and obligations under that lease.
- b. The North Boulder Corner Library is currently subject to a year-to-year renewable lease in effect through 2022. On or before December 31 of the Transition Year, the Library District will assume the lease and all of the City's rights and obligations under that Lease. The North Boulder Branch Library will close once the new North Boulder library is opened.
- c. If the lessors of the Meadows Branch Library or North Boulder Corner Library will not agree to release the City from the leases, the Library District shall indemnify and hold harmless the City against any and all damages to property or injuries to or death of any person or persons arising from the Library District's use or operation of these properties, and shall indemnify and hold harmless the City from any and all claims, demands, suits, actions or proceedings of any kind or nature, of or by anyone whomsoever in any way resulting from or arising out of the Library District's operations of the properties in connection with the leases.

Section 4.2.4. **Downtown Main Library.** The City and Library District recognize that the Main Library is located in the Civic Area and an integral part of downtown Boulder. The Library District agrees to continue providing services out of the downtown Main Library.

- a. Transfer of Building Ownership. On or before December 31 of the Transition Year, the City and the Library District shall convey the library building to the Library District by quit claim deed subject to the conditions of sections 4.2.4.c and 4.2.5 herein. Such conveyance will be subject to any easements of record, and with the City retaining any necessary easements for existing City utilities running on, under or through the property.
- b. Ownership of Land. The City will retain ownership of the land in and under the downtown Main Library building.

- c. Common-interest Agreement. The City and Library District agree to establish a collaborative partnership to manage the land under and around the downtown Main Library (“Main Library Area of Influence”) in the best interests of the community, in the location generally bordered by 9th Street, Broadway, Canyon Boulevard and Arapahoe Avenue. The City and Library District agree the Library District will not have influence on City plans outside of the Main Library Area of Influence. The City and the Library District agree to cooperate to develop a common-interest agreement in the year following the Transition Year to manage the Main Library Area of Influence and to guide future planning and development of Boulder Civic Area within the Main Library Area of Influence. Concepts to address in such common-interest agreement include (in no priority order):
- i. The City and Library District will have an equal partnership regarding management, planning and development of the Main Library Area of Influence.
 - ii. The City and Library District are committed to partner together to agree on any proposed changes that will materially impact the Library District’s ability to provide library services or impact the District’s financial obligations. Any such proposed changes will be jointly approved by the City and Library District.
 - iii. The City and Library District are committed to partner together to identify the various interests that need to be funded, including but not limited to snow removal, park maintenance, and parking lot maintenance; and to describe the standard of service that will apply to each.
 - A. In any future redevelopment the City and Library District will consider the performance criteria developed in the 2015 Civic Area Plan for the West End.
 - B. If future development of the downtown Main Library results in changes to the building shell, the Library District will consider the performance criteria for Building Form and Massing in the 2015 Civic Area Plan in plans it submits for the City site review process.
 - iv. The Library District will manage the downtown Main Library consistent with the seven guiding principles enumerated in the 2015 Civic Area Master Plan:
 - A. The civic heart of Boulder.
 - B. Life and property safety.
 - C. Outdoor culture and nature.

- D. Celebration of history and assets.
 - E. Enhanced access and connections.
 - F. Place for community activity and arts.
 - G. Sustainable and viable future.
- v. The common-interest agreement should recognize and continue to support the longstanding community desire to have a main library in the downtown area that mutually benefits the City and library patrons. The agreement should recognize that the downtown Main Library has a longstanding role within downtown Boulder as part of the historic land use fabric, and as a cornerstone of social, cultural, and economic vitality for businesses, non-profit organizations, and downtown visitors.
 - vi. The downtown Main Library should be accessible to all, including but not limited to patrons who drive themselves, walk, bike, or take public transportation and those who are ambulatory and non-ambulatory.
 - vii. The common-interest agreement and any amendments thereto will be consistent with Policy 8.13 of the Boulder Valley Comprehensive Plan: Support for Community Facilities.
 - viii. The downtown Main Library and Civic Area are part of a previous development site review approval pursuant to the City of Boulder Land Use Code, Title 9, B.R.C. 1981. Amendments to the site review approval requires written consent of the owners of all property to be included in the development. The City agrees to coordinate and cooperate with the Library District on any major redevelopment efforts in the Main Library Area of Interest.

Section 4.2.5. [Right of First Refusal/Offer.] [Automatic Reversion.] [The Library District agrees that it will not sell Carnegie Library for Local History, George Reynolds Branch Library, the new North Boulder library or the downtown Main Library, or any part thereof, without first offering same to City for purchase. This Agreement creates in the City a right of first refusal/offer to purchase these properties, or any part thereof, according to the terms and conditions of **Exhibit E.**] [The Library District agrees that the quit claim deed will convey title with a revisionary interest such that if Carnegie Library for Local History, George Reynolds Branch Library, the new North Boulder library or the Downtown Main Library are no longer used to provide public library services in the Service Area, full title and the right of possession shall become immediately vested in the City.]

Section 4.2.6. Prior to the conveyances by the City to the Library District as set forth in this Article IV, the Library District shall occupy such premises for the operation and

maintenance of the City Library Facilities and shall not compensate the City for such occupation in the form of rent or any other monetary payment.

Section 4.2.7. Until the date of the conveyances by the City to the Library District of the real property and improvements described in Exhibit D, the City shall continue to maintain adequate general liability, property, and casualty insurance on such properties, in at least the minimum amounts as may be required under Colorado law, either through a program of self-insurance or through a commercial insurance broker licensed to do business in the State of Colorado.

Section 4.2.8. Following the conveyances by the City to the Library district of the real property and improvements described in Exhibit D, the Library District shall be responsible for the maintenance of such property and improvements and shall maintain adequate general liability, property, and casualty insurance on such properties, in at least the minimum amounts as may be required under Colorado law, either through a program of self-insurance or through a commercial insurance broker license to do business in the State of Colorado.

ARTICLE V. TRANSFER OF PERSONAL PROPERTY

Section 5.1. No later than December 31 of the Transition Year the City shall convey to the Library District the following items of personal property that are owned by the City and were purchased with funds budgeted for library purposes or donated specifically for library use:

- a. All books, magazines and collections of other materials.
- b. All furniture, shelving, office equipment and supplies.
- c. All computers and computer software/hardware/programs subject to Section 2.2 Technology Services.
- d. All art purchased by or donated to the City specifically for library use. Art in the City Library Facilities, in storage, or in other City owned or operated facilities purchased by the City, for other than library use or where provenance is unknown will remain the property of the City.
- e. All other items of personal property otherwise used or housed exclusively in City Library Facilities.

Section 5.2. Any items of personal property located in the City Library Facilities stored for other City departments will remain the property of the City.

Section 5.3. Following conveyance of personal property as set forth in Section 5.1, above, the Library District agrees to consult with the City before it disposes of any materials related to City of Boulder government donated to Carnegie Library for Local History.

Section 5.4. The City and Library District agree to cooperate to develop an intergovernmental agreement with a detailed transition plan for retention of historic materials at Carnegie Library for Local History.

ARTICLE VI. ASSIGNMENT OF CONTRACTUAL RIGHTS AND DELEGATION OF DUTIES AND LIABILITIES

Section 6.1. To the extent legally possible, effective December 31 of the Transition Year, the Library District shall assume all contractual rights and obligations of the City entered into solely for library purposes, as more particularly described in **Exhibit F**.

Section 6.2. Following the execution of this Agreement the City shall not enter into any contracts for the benefit of BPL, whether for supplies, services, capital improvements or any other purpose, that are not within the ordinary course of library business, without consent of the Board of Trustees.

ARTICLE VII. OBLIGATION AND RESPONSIBILITY OF THE COUNTY

Section 7.1. Appointment of Trustees. The County, in cooperation with the City, shall be responsible for appointing seven members to the initial Board of Trustees from the residents within the Service Area which will be done through a committee made up of two members of each legislative body with ratification of appointments by both legislative bodies, pursuant to § 24-90-108, C.R.S. Thereafter, the committee shall delegate the authority to recommend trustees to the Board of Trustees.

ARTICLE VIII. MUTUAL UNDERSTANDINGS

Section 8.1. Boulder Valley Comprehensive Plan (BVCP). The BVCP guides decisions about growth, development, preservation, environmental protection, economic development, affordable housing, culture and arts, urban design, neighborhood character and transportation. BVCP policies and sustainability principles inform decisions about the manner in which urban services are to be provided, including library services. The Library District agrees to embrace the BVCP Sustainability Principles and commit to continuing its important role in social sustainability. BPL has been a leader in social sustainability by providing free library services that allow community members of all incomes, ages, and backgrounds to stand on equal footing with regard to information access. The Library District should continue this legacy.

- a. To ensure social equity is addressed and improved for community members, the City, the County, and the Library District will adhere to the BVCP social equity policy section 8.03. The library district will uphold the [American Library Association Bill of Rights](#) and the [American Library Association Code of Ethics](#).
- b. The Library District will strive to promote a healthy community and address social, cultural, racial, and ethnic inequities by respecting and valuing cultural, social, racial, and ethnic diversity and providing free library services that allow community

members of all incomes, ages, and backgrounds to stand on equal footing with regard to information access.

- c. Boulder Public Library will continue to serve as a community center, providing services for a wide variety of public gatherings and cultural events.
- d. The Parties agree to actively collaborate in supporting and implementing BVCP policies and sustainability principles relevant to library services and programs.
- e. The Parties acknowledge and agree that the BVCP policies set forth in **Exhibit G** will serve as guiding principles in implementation of this Agreement, and in any initiatives, projects, negotiations, and interactions among the Parties and their partners.
- f. The City and the County agree to actively engage with and consult with the Library District during updates to the BVCP.
- g. The Library District agrees to periodically update its Strategic Plan in collaboration with the City and the County. This includes expanding the geographic purview of the 2018 Boulder Public Library Master Plan to include the Library District's areas of influence; the use of relevant economic and demographic data and projections developed by the City and the County; robust community engagement as defined in BVCP policy 10.02; referral of drafts for comment to appropriate City and County departments and boards; and review and comment by the City and the County.

Section 8.2. Jurisdiction and Venue. The laws of the State of Colorado shall govern the interpretation, validity, and effect of this Agreement. The City and the Library District agree that venue for any disputes arising under this Agreement shall be in Boulder County, Colorado.

Section 8.3. Compliance with Laws. In connection with the negotiation and performance of this Agreement the Parties state that they are familiar with § 18-8-301, *et seq.*, C.R.S. (Bribery and Corrupt Influences), as amended, and § 18-8-401, *et seq.*, C.R.S. (Abuse of Public Office), as amended, and that no violations of such provisions are present. The Parties agree to comply with the privacy and security requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) when exposed to or provided with any data or records that are considered to be "Protected Health Information." The Parties agree to comply with § 24-73-101, *et seq.*, C.R.S. and any other federal or state laws concerning the confidentiality or privacy of any information contained in the records accessed under or in association with this Agreement.

Section 8.4. Assignability. Neither this Agreement nor any rights hereunder, in whole or in part, shall be assignable or otherwise transferable without the prior written consent of all Parties.

Section 8.5. **Waiver.** Waiver of strict performance or the breach of any provision of this Agreement shall not be deemed a waiver of any other provision, unless such waiver has rendered future performance impossible.

Section 8.6. **Force Majeure.** Except as otherwise provided by Colorado law, neither party shall be liable for any delay or failure to perform its obligations hereunder to the extent that such delay or failure is caused by a force or event beyond the control of such party including, without limitation, war, embargoes, strikes, riots, fires, floods, earthquakes, or other acts of God.

Section 8.7. **Notice.** Any notices given under this Agreement are deemed to have been received and to be effective: (1) three days after the same shall have been mailed via Federal Express; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that an electronic mail transmission was received. For the purposes of this IGA, any and all notices shall be addressed to the contacts listed below:

For the County:

Board of County Commissioners
Boulder County Courthouse
Third Floor
1325 Pearl Street
Boulder, CO 80302
303-441-3500

Boulder County Attorney's Office
Boulder County Courthouse
Fifth Floor
1325 Pearl Street
Boulder, CO 80302
303-441-3190

For the Library District:

Board of Trustees
Boulder Library District

Library District Attorney

For the City:

City Manager
Attn. Nuria Rivera-Vandermyde
1777 Broadway
Boulder, CO 80302
303-441-3090
riveravandermyden@bouldercolorado.gov

City Attorney
Attn. Teresa T. Tate
1777 Broadway
Boulder, CO 80302
303-441-3020
tatet@bouldercolorado.gov

Section 8.8. **Integration.** This Agreement contains the entire understanding of the Parties and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by the Parties or their authorized representatives.

Section 8.9. **Section Headings.** Section headings are inserted for the convenience of reference only.

Section 8.10. Intended Beneficiaries. Nothing expressed or implied in this Agreement is intended or shall be construed to confer upon or to give to, any person other than the Parties, any right, remedy or claim under or by reason of this Agreement or any covenant, terms, conditions, or provisions hereof. All covenants, terms, conditions, and provisions in this Agreement are for the sole and exclusive benefit of the City, the County and the Library District.

Section 8.11. Severability. If any provision of this Agreement is determined to be unenforceable or invalid for any reason, the remainder of the Agreement shall remain in effect, unless otherwise terminated in accordance with the terms contained herein.

Section 8.12. Authorization. Each party represents and warrants that it has the power and ability to enter into this Agreement, to grant the rights granted herein, and to perform the duties and obligations herein described.

DRAFT

IN WITNESS WHEREOF, the City, the County and the Library District have signed this Agreement to be effective on the date last signed below.

**BOARD OF COUNTY COMMISSIONERS
BOULDER COUNTY, COLORADO**

Chair

Date

ATTEST:

Approved as to form:

Boulder County Attorney

**BOULDER LIBRARY DISTRICT
BOARD OF TRUSTEES**

President

Date

ATTEST:

Approved as to Form:

Secretary

Library District Attorney

CITY OF BOULDER, COLORADO

Mayor

ATTEST:

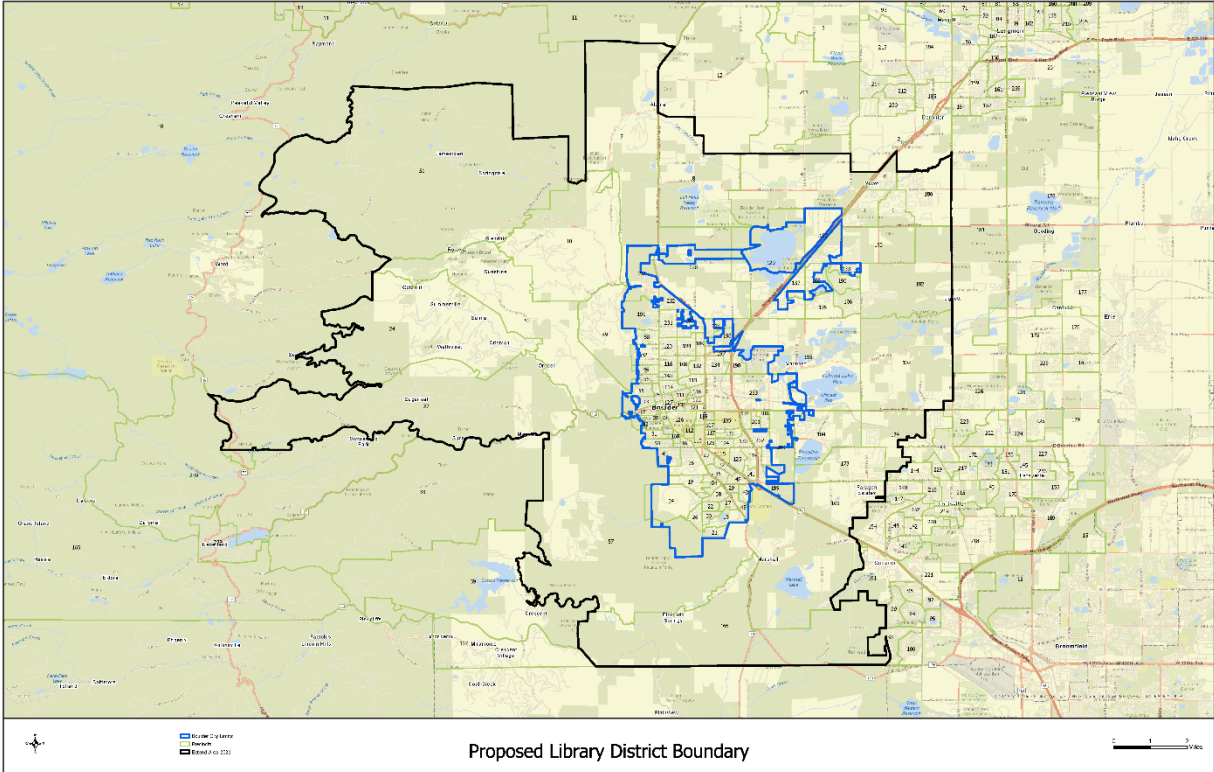
Approved as to Form:

City Clerk

City Attorney

EXHIBIT A

Library District Legal Service Area



DRAFT

EXHIBIT B

Library District Board of Trustees and Elected Officers § 24-90-108, C.R.S.

	<u>NAME</u>	<u>TERM</u>	<u>EXPIRY DATE</u>	<u>OFFICE</u>
1.		1 year	March 31, 2023	
2.		2 years	March 31, 2024	
3.		2 years	March 31, 2024	
4.		3 years	March 31, 2025	
5.		3 years	March 31, 2025	
6.		4 years	March 31, 2026	
7.		4 years	March 31, 2026	

Exhibit C

City Support Services

Accounting – Treasury

Maintain accounting records, prepare journal entries, provide banking and investment services, provide summary and detail transaction reports, provide accounting assistance as needed, notify Library District staff of any areas of concern noted.

Accounts Payable

Process and mail or make electronic vendor payments in compliance with procedures in effect for the City and adopted by the Library District. Process Library District employees purchasing card transactions and prepare and provide reports to Library District staff of purchasing card activity. Record transactions as directed by Library District staff. Assist in resolving errors and discrepancies. Prepare 1099 forms for applicable Library vendors. Provide all forms and supplies needed for the accounts payable function. Maintain documentation of transactions in compliance with established archive requirements.

Payroll

Process biweekly payroll and distribute paychecks or direct deposits to Library District staff for distribution to Library District employees. Assist in transaction analysis as requested. Provide all forms and supplies needed for the accounts payable function. Process payroll tax deposits, benefits payments and other withholdings when due. Prepare quarterly and annual payroll tax deposit forms, employee W-2's and remittance forms. Maintain documentation of payroll records in compliance with established archive requirements.

Human Resources

Provide all human resource services including maintenance and access of personnel files, application posting, acceptance and processing, drug and background investigations, benefits management, employee training and the Wellness Program. This includes access to exercise rooms and participation in special programs such as health fairs, blood drives and flu shots.

Purchasing

Process purchase orders, requisitions and other documents needed to acquire vendor goods and services. Assist in issuing and evaluating Library District bids and requests for proposals (RFP's). Provide all forms and supplies needed. Allow Library District to participate

in City bids and RFP's where appropriate (such as custodial services). Maintain purchasing records in compliance with established archive requirements.

Operations – Facilities

Provide maintenance and repair of Library District-used facilities as requested and approved by Library District staff. Materials and outside labor billed at cost.

Custodial services will be provided by the city-approved vendor.

Mail Services

Provide mail services including inter-City/Library District mail, mail pickup and delivery, and regular and bulk mailing.

DRAFT

Exhibit D

City Library Facilities

DRAFT

Exhibit E

Right of First Refusal/Offer

DRAFT

Exhibit F

Assigned Contracts

DRAFT

Exhibit G

Boulder Valley Comprehensive Plan Policies

[Policies below are indexed by page number in the BVCP and policy number]

P. 24

1.01 Regional & Statewide Cooperation

Intergovernmental Cooperation

Therefore, the city and county will actively pursue cooperative planning opportunities, intergovernmental agreements, broader information exchange and communication, collaborative initiatives and closer cooperation with each other and with other entities in the region and state. This may include other cities, counties, unincorporated communities, the region and state. This may include other cities, counties, unincorporated communities, the University of Colorado, the school districts, regional organizations and other policymaking bodies. These entities will be encouraged to identify and address issues of shared concern for which a multi-jurisdictional perspective can best achieve mutually beneficial solutions.

P. 46

2.20 Role of the Central Area

Boulder's Central Area will continue as the regional service center of the Boulder Valley for office, retail, financial, governmental, civic, cultural and university activities. As such, it will remain the primary activity center and focal point of the Boulder Valley. The Central Area includes distinct, interrelated centers such as the Downtown Business District, Civic Area, University Hill and Boulder Valley Regional Center. It also includes the University of Colorado Main Campus and Canyon Boulevard Cultural Corridor. A variety of land uses surround the centers and complete streets and multimodal transportation alternatives provide direct connections between them.

P. 69

5.02 Regional Job Center

The city supports strategies that recognize Boulder's continued role as a regional job center, consistent with economic sustainability goals and projected employment growth. The city and county recognize the importance of regional planning and partnerships for housing and transportation and will continue to address impacts on housing affordability and transportation related to their role as a regional job center.

P. 70

5.05 Support for Local Business & Business Retention

The city and county value the diverse mix of existing businesses, including primary and secondary employers of different sizes, in the local economy. Nurturing, supporting and maintaining a positive climate for the retention of existing businesses and jobs is a priority. The city recognizes the vital role of small, local and independent businesses and non-profits that serve the community and will balance needs of redevelopment in certain areas with strategies that minimize displacement of existing businesses and create opportunities for startups and growing businesses. The city will continue to proactively analyze trends in market forces to shape its activities, plans and policies regarding local business and business retention. The city and county will consider the projected needs of businesses and their respective employees, such as commercial and office space, when planning for transportation infrastructure, programs and housing.

5.06 Affordable Business Space & Diverse Employment Base

The city and county will further explore and identify methods to better support businesses and non-profits that provide direct services to residents and local businesses by addressing rising costs of doing business in the city, including the cost of commercial space. The city will consider strategies, regulations, policies or new programs to maintain a range of options to support a diverse workforce and employment base and take into account innovations and the changing nature of the workplace .

P. 71

5.08 Funding City Services & Urban Infrastructure

The city will encourage a strong sustainable economy to generate revenue to fund quality city services and recognizes that urban infrastructure, facilities, services and amenities are important to the quality of life of residents, employees and visitors to the community. A strong and complete local and regional multimodal transportation system and transportation demand management programs are essential to a thriving economy, as they offer options for commuters, help attract and retain key businesses, employers and visitors and provide regional access to global markets. The city will continue to plan for and invest in urban amenities and infrastructure (e.g., bike paths, parks, shared and managed parking, public spaces, quality gathering places, cultural destinations and public art) as well as community services (e.g., open space and mountain parks, high speed internet, fire-rescue, public safety and senior services).

5.10 Role of Arts, Cultural, Historic & Parks & Recreation Amenities

The city and county recognize arts and culture, historic, and parks and recreation amenities as important contributors to the city's economic vitality and quality of life. The city and county will work to support and, as appropriate, enhance the resiliency, sustainability and innovation of arts, cultural, historic, and parks and recreation amenities so they continue to contribute to the economic vitality of the community, provide unique offerings and foster meaningful connections to Boulder among its residents, workforce and visitors.

P. 72

5.17 Partnerships to Support Economic Vitality Goals

The efforts of the city, county and the private sector to enhance the economic prosperity of the community are directly and indirectly supported by many organizations and entities. The city and county work in partnership with a number of organizations, including but not limited to the Boulder Chamber, Boulder Convention and Visitors Bureau, Boulder Economic Council, the Boulder Independent Business Alliance, Boulder Small Business Development Center, Boulder Valley School District, CO-LABS, Downtown Boulder Partnership, Innosphere, Latino Chamber of Boulder County, the University of Colorado and other diverse and emerging groups to support economic vitality goals. The city and county acknowledge that although each of these organizations and entities has an independent focus, their work contributes to the overall quality of life enjoyed within the community.

P. 73

5.18 Support for the University of Colorado & Federal Labs

The city and county understand the important role that federally funded labs and the University of Colorado play in the economy and will continue to work with state and federal elected officials to foster their important economic contribution. The city will take an active role in efforts to preserve the state and federal funding for these entities to ensure they remain in Boulder and will pursue mutually beneficial partnerships. The city recognizes the importance of having strong and thriving institutions for higher education and programs for continuing education and workforce training. The city supports the seminal role of the University of Colorado, a world-class research university, and the federal labs in business support technology transfer and tech startups. The city will work with the University of Colorado to further the community's goals for sustainable urban form as university-owned land is developed or redeveloped.

5.19 Diverse Workforce, Education & Training

The city and county will encourage and support the Boulder Valley School District and post-secondary educational institutions to offer quality continuing education and technical training. The city will work with employers, educators and partners to support programs designed to help develop and attract workers in multiple fields with specialized skills and experience and foster a well-educated, highly skilled and creative workforce.

5.20 Support for Living Wage

In support of economic vitality and opportunities for all residents, the city and county will encourage all employers in the city and county to provide access to living wage, health care and transit passes to all workers.

P. 75

6.02 Equitable Transportation

The city and county will equitably distribute transportation investments and benefits in service of all community members, particularly vulnerable populations, ensuring that all people benefit from expanded mobility options. Providing more transportation options – like walking, biking, transit and shared options – in areas where people are more reliant on various modes will have a greater benefit to overall mobility. New transportation technologies and advanced mobility options provide Boulder with an opportunity to expand affordable transportation choices to those who need them the most, including those who cannot use existing fixed route transit such as service and shift workers.

P. 77

6.08 Accessibility and Mobility for All

The city and county will continue development of a complete all-mode transportation system accommodating all users, including people with mobility impairments, youth, older adults, non-English speakers and low-income persons. This will include increased support for mobility services for older adults and people with disabilities, reflecting the expected increases in these populations. Efforts should focus on giving people options to live well without a car and may include prioritizing affordable public transportation and transit passes, new technologies such as electric bikes, mobility services and prioritizing connections between multimodal transportation and affordable housing to facilitate affordable living.

6.09 Transportation Safety

The city and county recognize safety for people of all ages using any mode within the transportation system (i.e., walking, bicycling, transit riding and driving) as a fundamental goal. The city's and county's Vision Zero policies aim to eliminate traffic deaths and severe injuries involving people using all modes of travel, focusing on crash trends and mitigation strategies identified in the Safe Streets Boulder Report and on-going local, regional and statewide safety assessments. Improving travel safety is based on a holistic combination of the four E's: Engineering, Education, Enforcement, Evaluation and relies upon our whole community to keep people safe. To achieve Vision Zero, the four E's approach helps ensure we are addressing travel safety from all angles. This means dangerous travel behaviors, such as distracted and impaired travel, can be countered through enforcement efforts and safety education outreach, while engineering treatments and innovative street design can help prevent intersection conflicts for example. Applying all four E's is the most comprehensive way to help prevent crashes.

P. 88

8.03 Equitable Distribution of Resources

The city and county will work to ensure that human services are accessible, available and affordable to those most in need. The city and county will consider the impacts of policies

and planning efforts on low- and moderate- income and special needs populations regardless of

immigration status and ensure impacts and costs of sustainable decision-making do not unfairly burden any one geographic or socioeconomic group in the city. The city and county will consider ways to reduce the transportation burden for low-income, older adult and disabled populations regardless of immigration status and enable equal access to community infrastructure. The city recognizes that equitable access to employment opportunities is an important element to economic mobility.

P. 89

8.04 Addressing Community Deficiencies

The city and county will use community feedback in conjunction with robust data resources to identify barriers to development and provision of important basic human services and will work closely with community partners and non-profits to find solutions to critical deficiencies.

8.05 Diversity

The community values diversity as a source of strength and opportunity. The city and county will support inclusion of racial, ethnic, socioeconomic, and cultural diversity into physical, social, cultural and economic environments. Furthermore, the city and county will promote opportunities for community engagement and formal and informal representation of diverse community members in civic affairs. The city and county value, embrace and promote diversity in all of their hiring and employment practices.

8.06 Mutual Respect

The city and county value all residents and visitors and promote mutual respect. The city and county strive to ensure community members are safe from discrimination and physical violence.

P. 91

8.13 Support for Community Facilities

The city and county recognize the importance of educational, health, cultural and non-profit community agencies that provide vital services to the residents of the Boulder Valley and will work collaboratively with these agencies to reasonably accommodate their facility needs and consider location based on transportation accessibility or other needs.

P.93

8.18 Libraries

Library facilities and services of the Boulder Valley will be responsive to the needs of all populations, providing an adequate range of informational, educational and intellectual opportunities for all residents.

8.19 Information Resource/Community Center

The city will facilitate access to information through a variety of formats providing materials, technology and services to enhance the personal development of the community's residents. In its role as the community's public and civic information center, the library will provide venues for community group meetings and resources and services to meet the needs of the community's multicultural and special populations. Other community gathering spaces and information sources include the city and county websites, municipal buildings and recreation and senior centers.

8.20 Education Resources

The city will seek to provide educational, cultural and literacy resources and opportunities for the community. The city will develop and maintain resources to assist learners and students of all ages, including support for formal education programs, and provide public workspaces and independent learning resources. The city will develop collaborative relationships with community educational institutions and function as a research center for residents.

8.21 Arts & Cultural Facilities

The city and county recognize the ability of cultural facilities and activity to positively contribute to community members' well-being, sense of community and cultural understanding. The city and county will encourage the provision of venues and facilities for a wide range of arts and cultural expression that are available and affordable to everyone. The city supports neighborhood-serving arts and cultural amenities, including public sculptures, murals, plazas, studio space and community gathering spaces.

P. 100

10.02 Community Engagement

The city and county recognize that environmental, economic and social sustainability of the Boulder Valley are built upon full involvement of the community. The city and county support

better decision-making and outcomes that are achieved by facilitating open and respectful dialogue and will actively and continually pursue innovative public participation and neighborhood involvement. Efforts will be made to:

1. Use effective technologies and techniques for public outreach and input;
2. Remove barriers to participation;
3. Involve community members potentially affected by or interested in a decision as well as those not usually engaged in civic life; and

4. Represent the views or interests of those less able to actively participate in the public engagement process, especially vulnerable and traditionally under-represented populations.

Therefore, the city and county support the right of all community members to contribute to governmental decisions through continual efforts to maintain and improve public communication and the open, transparent conduct of business. Emphasis will be placed on notification and engagement of the public in decisions involving large development proposals or major land use decisions that may have significant impacts and/ or benefits to the community.

P. 101

10.03 Communication Capacity for Resilience

The city and county recognize that engaged communities and residents are better prepared to support themselves in the event of a disruption and encourage community engagement in conjunction with risk education and preparedness. The city and county will continue to support ongoing, robust communication and outreach to communities and vulnerable residents to educate and prepare for disruption.

10.04 Informed Community

The city and county commit to gathering and sharing information to support and encourage open, participatory government and an informed community. To encourage vibrant public discourse, the city and county strive to provide participants with the information they need to participate in a meaningful way. The city and county strive to ensure high-quality language services in order to communicate effectively with limited English-proficient residents.

10.05 Support for Volunteerism

The city recognizes the value of community volunteers to help achieve the organization and community goals. The city supports volunteer programs that engage residents to improve their community and participate in addressing local issues. City volunteer programs connect

residents with city staff to enhance programs and policies while improving community relations. These programs are intended to be mutually beneficial, offering skills and experience for volunteers and assisting staff with reaching community goals.

10.06 Youth Engagement

The city and county support youth engagement and partner with organizations in the community to offer opportunities to youth for civic engagement and education. This activity is intended to foster innovative thinking and leadership.

Attachment E- Library District Formation by Resolution Timeline
LIBRARY DISTRICT FORMATION BY RESOLUTION TIMELINE

DATE	ITEM	STATUTE
Tuesday, Feb. 8, 2022	City Council Study Session Library District Formation and Library District Advisory Committee Recommendations.	
Thursday, Feb. 10, 2022	City Staff meet w/ Boulder County Board of Commissioners Confirm its approval of proposed library district service area boundary and mill levy for the April 5, 2022 public hearing notice.	
Friday, March 4, 2022	Notice Deadline - City Public hearing to form a library district to take place “not less than thirty nor more than 60 days” after the first publication of the notice of the public hearing.	CRS 24-90-107(2)(a)
Tuesday, March 15, 2022	City Council Meeting - Matters from the City Manager -Present summary of community engagement -Propose process for appointing Library District Board of Trustees	
Tuesday, April 5, 2022	City Council, possibly joint with Board of County Commissioners - Meeting - Public Hearing -Public Hearing to discuss purpose, powers, and financing - Council consider a resolution to form a library district - Review/comment draft IGA - Select subcommittee members to appoint Library District Board of Trustees	24-90-107(2)(a)-public hearing; 24-90-107(2)(c)-resolution No changes to the service area boundary after this.
Thursday, April 12, 2022	Board of County Commissioners Meeting - Consider resolution to form a library district - Select subcommittee members to appoint Library District Board of Trustees	
IF both City Council and Board of County Commissioners adopt a resolution to form a library district, THEN timeline continues.		
Week of Monday, April 11, 2022	Council/County Commissioner Subcommittee Meet - Appoint Library District Board of Trustees.	24-90-108(2)(c)
Tuesday, May 3, 2022	City Council Meeting - Ratification of Library District Board	
Thursday, May 5, 2022	City Staff meet w/ Boulder County Board of Commissioners - Ratification of Library District Board	
Week of May 23, 2022	Library District Board of Trustees Deadline: Notice to Boulder County of the library district service area boundary map and notice to the County Assessor of the intent to begin collecting property tax in 2022.	

Attachment E- Library District Formation by Resolution Timeline
LIBRARY DISTRICT FORMATION BY RESOLUTION TIMELINE

ITEM		STATUTE
Last June 2022 Meeting	Library District Board of Trustees Meeting Execute final IGA	
July 2022	Library District Board of Trustees - Draft TABOR ballot measure and meet election deadlines.	
August 2022	City Council Meeting Consent Agenda - Approve final IGA	24-90-107(2)(e)(IGA within ninety days of appointment of the Board of Trustees.)
August 2022	Boulder County Board of Commissioners Meeting - Approve final IGA	24-90-107(2)(e)(IGA within ninety days of appointment of the Board of Trustees.)
Oct-22	City Council Meeting Council approval of 2023 budget with library	
Tuesday, Nov. 8, 2022	TABOR Election for library district funding	
IF voters approve library district TABOR measure, THEN timeline continues.		
Nov-22	Library District Board of Trustees Notify PERA of district formation if voters approve funding for the library district.	
2023	City funding support library district during the transition year	24-90-107(2)(d)
Monday, January 1, 2024	City library employees become district employees (timing dependent on PERA plan amendment)	