



# Office of the County Attorney

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## MEMORANDUM

TO: Board of County Commissioners

FROM: Olivia Lucas, Senior Assistant County Attorney

DATE: April 27, 2023

RE: Ratification of Boulder Library District Board of Trustee Nominations

The purpose of this agenda item is for the Board of County Commissioners to consider ratifying the appointment of seven trustees to the Boulder Public Library District Board of Trustees. The citizen petition to form and fund the Boulder Public Library District (the “District”) was approved by the electors on November 8, 2022. Pursuant to Colorado Library Law, C.R.S. § 24-90-107(3)(g), once the voters approved formation of the District, the Boulder City Council and the Board of County Commissioners for Boulder County (“BOCC”) must establish the District forthwith. The Colorado Library Law also requires Boulder City Council and the BOCC to appoint two of its members to a committee to select the initial District Board of Trustees (the “Selection Committee”). C.R.S. § 24-90-108(2)(c). Mayor Brockett and Council Member Speer were nominated and appointed to represent the City and Commissioner Levy and Commissioner Loachamin were nominated and appointed to represent the County on the Selection Committee.

As required by state law, the initial trustee appointments must be for terms of one, two, three, four, and five years respectively. C.R.S. § 24-90-108(3)(a). The Selection Committee agreed that seven trustees should be appointed to the initial District Board of Trustees. According to state law, two trustees will have four-year terms and two will have five-year terms. *Id.* The remaining trustees will be appointed to the residual terms. *Id.* Thereafter, the length and number of terms is determined by the bylaws developed by the Library District. *Id.* Trustees may only be removed by a majority vote of the Boulder City Council and the BOCC upon a showing of good cause. C.R.S. § 24-90-108(5). Trustees shall not receive a salary nor other compensation for their service as a trustee but will be reimbursed for necessary travel and expenses directly related to service. C.R.S. § 24-90-108(4).

The Selection Committee met for one hour each on February 6, March 8, and April 3, 2023. In these three meetings, the Selection Committee agreed to: 1. proceed with recommending a seven-member board of trustees, 2. the written application process, 3. the written application questions 4. the candidate interview questions, and 5. the candidate interview process.

The candidate application collected demographic information that included address, age, race and ethnicity as well as seven substantive questions. The questions posed were meant to collect information on a candidate’s desire to serve on the Board of Trustees, experience with

serving on a nonprofit or governmental board, what skills they believe are needed to get a library district up and running, personal characteristics that would make them a good candidate for the board, related decision making skills, equity work, and whether they or a family member have worked or served for the City of Boulder or Boulder County.

The application process included a three-week window in which applicants could submit their application via a link on the county's website. The application opened on March 8 and closed on March 29, 2023. Thereafter, City staff verified eligibility of each applicant and on March 31, 2023, sent the Selection Committee a packet of 30 applications for review. At the April 3 meeting, the Selection Committee agreed to move 11 of the 30 applicants to the interview process. The Selection Committee took care to make sure that a broad demographic was represented in the final 11 candidates.

The Selection Committee held 20-minute virtual interviews with each of the 11 candidates on April 10, April 11, and April 20, 2023. April 10 included four interviews; April 11 included two interviews; and April 20 included five interviews.

On April 24, 2023, the Selection Committee came together to nominate and recommend appointments to the board of trustees. Below is the nomination process that the Selection Committee followed.

- i. Appoint by seat, with longest seats first.
- ii. Committee members made nominations, and members spoke to the nominees' qualifications. Once all individuals were nominated, Committee members took a vote.
- iii. Appointments were made by majority vote. A majority of committee members, three, must have voted for a candidate for an appointment to be made. A tie meant no appointment.
- iv. The Committee strove to meet rough proportionality of district population within the City of Boulder and unincorporated county.
- v. Appointment order:
  1. Seat 1: 5 years – must reside within the jurisdiction of unincorporated Boulder County
  2. Seat 2: 5 years – must reside within the jurisdiction of the city of Boulder
  3. Seat 3: 4 years
  4. Seat 4: 4 years
  5. Seat 5: 3 years
  6. Seat 6: 2 years
  7. Seat 7: 1 year

The Committee has appointed the following community members to the initial Boulder Public Library District Board of Trustees:

<u>Seat</u>	<u>Term Length</u>	<u>Appointee</u>	<u>Jurisdiction</u>
1	5 years	Benita Duran	City of Boulder
2	5 years	Jennifer Yee	Unincorporated Boulder County
3	4 years	Sylvia Wirba	City of Boulder
4	4 years	Doug Hamilton	City of Boulder
5	3 years	Cara O'Brien	Unincorporated Boulder County
6	2 years	Sam Fuqua	City of Boulder
7	1 year	Joni Teter	City of Boulder

The action item on this agenda is for the BOCC to vote to ratify these appointments to the initial Boulder Public Library District Board of Trustees.