DOUGLAS COUNTY LIBRARIES BOARD BUSINESS MEETING

Wednesday, April 24, 2024, 5:30 p.m., Philip and Jerry Miller Library, Castle Rock, CO

Agenda Topic	Presenter	Page	
Call meeting to Order	Terry Nolan		
Attendance			
Public Comment			
Consent Agenda Recommendation(s) Memo	Terry Nolan	<u>3</u>	
 Minutes 3/27/24 Board Business Meeting 2nd Reading Policy Addition for Monuments Revised Castle Pines Lease 2nd Amendment 		<u>4</u> 8 10	
Library Business Terry Nolan Do any board members have a conflict of interest to disclose regarding any of the below matters? If so, please recuse yourself, and return to the meeting after discussion has ended.			
 <u>Executive Committee</u> Report 2nd Reading Policy Update for Construction Project Clarification 		<u>16</u>	
 <u>Executive Library Director</u> Castle Rock Firefighter's Memorial Request Report 	Bob Pasicznyuk	<u>27</u> <u>34</u>	
 Partner Reports Partnership of Douglas County Governments Douglas County Youth Initiative Urban Libraries Council Foundation 			
Truston Commonts			

Trustee Comments

Upcoming Board Meetings

- May 9, 2024, Executive Committee Meeting, Castle Pines Library, Castle Pines
- May 29, 2024, Philip & Jerry Miller Library, Castle Rock
 - Board Study Session, 4:00 p.m. (Dinner at 5:00 p.m.)
 - Board Annual Business Meeting, 5:30 p.m.

Meeting addition/changes to note:

- Changed Board Annual Retreat, June 18, 2024, Parker Library, 5:00 p.m.
- Added **Board Special Meeting** for Executive Session Executive Library Director Review, Wednesday, October 23, 2024 at 5:30 p.m. at the Philip & Jerry Miller Library in Castle Rock.

Other Meetings:

- May 7, 2024, Board only dinner with Board of County Commissioners, DC BOCC Offices, Castle Rock, 5:00 p.m.
- May 15, 2024, Partnership of Douglas County Governments, TBA

Adjourn

MEMO

То:	Douglas County Libraries Board of Trustees
Date:	April 24, 2024
From:	Patti Owen-DeLay
Subject:	Consent Agenda Recommendation(s)

ISSUE: Review and approve Consent Agenda item(s).

DISCUSSION: The Consent Agenda follows the process outlined below:

- Items will be recommended as norm or appropriate for the Consent Agenda
- Any board member can suggest adding or pulling items from the Consent Agenda
- It takes a motion and unanimous vote to add items to the Consent Agenda
- Any one board member can request to pull consent items for further discussion, which will then be moved for discussion and possible action under Library Business
- Motion recommendation will be accepted as proposed; if an amended motion is needed, we
 will pull the item from the Consent Agenda to accomplish this

Consent Agenda Items for this meeting are:

- 1. Minutes 3/27/24 Board Business Meeting
- 2. 2nd Reading Policy Addition for Monuments
- 3. Revised Castle Pines Lease 2nd Amendment

<u>RECOMMENDATION</u>: Move to approve the consent agenda items as presented, or as amended (if an item or items were pulled).

Motion in the minutes will itemize included items.

DOUGLAS COUNTY LIBRARIES Board of Trustees Business Meeting March 27, 2024 Castle Rock, CO

President Nolan called the business meeting to order at 5:30 p.m.

This meeting was held and was noticed in compliance with both Colorado Open Meeting Law and the Douglas County Libraries Bylaws.

The following were present:

TRUSTEES: Suzanne Burkholder, Jessica Kallweit, Rick LaPointe, Terry Nolan, Meghann Silverthorn, and Ted Vail

Meghann Silverthorn attended via conference phone.

A quorum was present.

Zach McKinney was absent, and the absence was excused.

STAFF: Bob Pasicznyuk, Terrell Brown, and Patti Owen-DeLay

SECURITY: Castle Rock Police Officer Yowell

GUESTS: Jeff Holwell, Director of Economic Development and Public Affairs, and Matthew Gordon, Economic Development and Housing Policy Specialist, both with City of Lone Tree

PUBLIC: Bill Rink

PUBLIC COMMENT: None

The board welcomed new Safety and Security Manager, Terrell Brown.

CONSENT AGENDA

- 1. Minutes February 28, 2024, Annual Meeting
- 2. Budget Capital Expenditures Threshold Approvals PC Replacements
- 3. Budget Capital Expenditures Threshold Approvals IT Switches
- 4. Castle Pines Lease 2nd Amendment
- 5. 2025 Board Meeting Dates

No items were removed from the consent agenda.

MOTION 24-03-01: LaPointe moved and the motion carried unanimously to approve the minutes of the February 28, 2024; budgeted capital expenditures of \$200,000 for

computer replacements; \$324,000 for districtwide upgrade to the Cisco IT switches; the Castle Pines Lease 2nd Amendment; and the 2025 board meeting dates. Burkholder seconded the motion.

LIBRARY BUSINESS

No trustee declared any conflict of interest for any business before the board during this meeting.

Executive Committee Report

- Nolan shared that the committee discussed:
 - This month's board meeting agendas.
 - The upcoming meeting with the Board of County Commissioners (BOCC), which is currently being rescheduled.
 - An update on Highlands Ranch library flood restoration work.
 - The upcoming Executive Library Director's review process and, in April, the first of two annual surveys for input by trustees on Pasicznyuk's work to date.
 - A proposal to have a memorial for Castle Rock firefighters located on the library property. Pasicznyuk shared details about the request coming to the board in April.
 - The possibility of making board meetings virtual. This issue is on hold as we see the outcome of pending state legislation.
 - Pasicznyuk reviewed upcoming policy changes, on the agenda below.
- Lone Tree Urban Renewal Authority (URA) Intergovernmental Agreement (IGA)

Presentation by Jeff Holwell, Director of Economic Development and Public Affairs.

Holwell reviewed the URA planned by the City of Lone Tree, and answered board questions about the project and the IGA with Douglas County Libraries coming before the board in April or May. The board suggested that Pasicznyuk negotiate around sharing tax-increment revenue, ability to review terms prior to 25-year term end, excluding residential property tax, and allowing agreement to end when funds desired to be achieved are met. Holwell indicated an openness by the City of Lone Tree to such negotiation.

- Lone Tree Special District Representative for Lone Tree URA letter. This letter confirms the board's February action designating South Metro Fire District as the Special District representative on the Library's behalf for the Lone Tree URA Commission.
- Background checks for Library trustees. Owen-DeLay reported that trustees will be receiving an email to have a background check done as is standard for DCL employees and volunteers. Future trustee background checks will be handled by the BOCC prior to appointment to the Library board.

EXECUTIVE LIBRARY DIRECTOR'S REPORT

- Pasicznyuk highlighted report items:
 - Ransomware incident. Notified both current and a swatch of past employees of a possible breach of Social Security information and offering a security monitoring package at Library expense. Insurance claims for the incident are in process and an accounting report will be presented and ratified by the board at a future meeting.
 - The Highlands Ranch library flood renovation is completing. Insurance claims are in process. An accounting report will be presented and ratified by the board at a future meeting.
 - State Bill 24-049 mentioned in the packet has died in committee.
 - There has been a third offer of land by Sterling Ranch. Staff is reviewing for suitability and will bring a Memorandum of Understanding to the board at a future date, once this land review is complete.
- In response to Trustee LaPointe's question about the large story books in disrepair at the park adjacent to the Highlands Ranch library, Pasicznyuk reported that the books are a project of the Highlands Ranch Metro District, which is working on restoration of the books.
- The Library Facilities and Spaces Policy is up for amendment in order to clarify the relationship around memorials on library property. This is pre-work based on a request by Castle Rock Fire Department to relocate a memorial on the site of the library in Castle Rock.

MOTION 24-03-02: Burkholder moved and the motion carried unanimously to amend the Library Facilities and Spaces Policy to add a last paragraph addressing monuments, with a change of the word "municipal" to "local." Text follows. LaPointe seconded the motion. Due to the lack of a full board, the policy change will go to a second reading at the April meeting.

Monument Text: Douglas County Libraries limits approving requests for monuments and similar large-scale memorials on Library properties to partnerships between the Library and local governments in which a Library facility resides. The Library also requires Board approval for these requests. The Library also requires that the requesting local government cover the cost of the monument along with the cost of ongoing maintenance. The Library limits monuments in keeping with space needs for the primary, missional needs of the Library. The Library may, at any time and for any demonstrated need, require partner governments to relocate any monument with appropriate notice.

• Update to the Purchasing Policy. Staff is requesting an update to the Purchasing Policy to clarify bidding in a design build project or relationship.

Trustee Silverthorn would like to understand and discuss more about the bid process. This will be added to the April agenda.

MOTION 24-03-03: LaPointe moved and the motion carried five to one to update the Library Purchasing Policy by amending the last paragraph as presented to allow for a design build process when in the Library's best interest, with bid

responsibility going to the Library's selected general contractor. Vail seconded the motion. Due to the lack of a full board, the policy change will go to a second reading at the April meeting.

PARTNER REPORTS

Partnership of Douglas County Governments No report.

Douglas County Youth Initiative (DCYI)

Nolan shared that Marsha Alston spoke at the Partnership of Douglas County Governments meeting and that the DCYI will be requesting an increase in funding.

<u>Urban Libraries Council (ULC)</u> No report.

Douglas County Libraries Foundation No report.

TRUSTEE COMMENTS

Silverthorn encouraged all to attend the spring Storybook Holiday event, Monkey Business.

UPCOMING BOARD MEETINGS

- Board Executive Committee: April 11, 2024, Castle Pines Library, 8:00 a.m.
- **Board Study Session:** April 24, 2024, Philip & Jerry Miller Library at Castle Rock, 4:00 p.m.
- Board Business Meeting: April 24, 2024, Philip & Jerry Miller Library at Castle Rock, 5:30 p.m. (Dinner at 5:00 p.m.)
- Annual Board Retreat: Change in date and location to June 15, 2024, Parker Library, 9:00 a.m. Note: This meeting was moved from April 13, 2024.

OTHER MEETINGS

• Partnership of Douglas County Governments: May 15, 2024, location to be announced, 7:00 a.m. breakfast, 7:30-9:30 a.m. meeting

ADJOURN

Nolan adjourned the meeting at 6:44 p.m.

Respectfully submitted, Suzanne Burkholder, Board Secretary Minutes prepared by Patti Owen-DeLay MEMO

To:	Douglas County Libraries Board of Trustees
Date:	April 24, 2024
From:	Bob Pasicznyuk
Subject:	Second Reading - Proposed Addition to Library Facilities and Spaces Policy
for Monuments	

ISSUE: This was approved at the March Board meeting, though due to a lack of a full board, the matter has to come before the Board for a second reading, where it can pass on a majority vote.

<u>DISCUSSION</u>: The current Library Facilities and Spaces Policy (following this memo) would be amended to add as a last section:

Monuments

Douglas County Libraries limits approving requests for monuments and similar large-scale memorials on Library properties to partnerships between the Library and municipal governments in which a Library facility resides. The Library also requires Board approval for these requests. The Library also requires the requesting municipal government cover the cost of the monument along with the cost of ongoing maintenance. The Library limits monuments in keeping with space needs for the primary, missional needs of the Library. The Library may, at any time and for any demonstrated need, require partner governments to relocate any monument with appropriate notice.

RECOMMENDATION: We recommend the board on second reading, approve on second reading, to amend the Library Facilities and Spaces Policy to add a last section on Monuments with text stating Douglas County Libraries limits approving requests for monuments and similar large-scale memorials on Library properties to partnerships between the Library and municipal governments in which a Library facility resides. The Library also requires Board approval for these requests. The Library also requires the requesting municipal government cover the cost of the monument along with the cost of ongoing maintenance. The Library limits monuments in keeping with space needs for the primary, missional needs of the Library. The Library may, at any time and for any demonstrated need, require partner governments to relocate any monument with appropriate notice.

LIBRARY FACILITIES AND SPACES POLICY

Douglas County Libraries (the "Library") facilities are a community resource and are offered in keeping with our citizens' constitutional rights for free speech and to assemble. The Library's <u>Access Policy</u> is the basis for use of Library facilities— resources made available in an equitable and impartial manner. Limitations on the use of Library facilities must reflect the <u>Customer Code of Conduct</u> or be due to practical business needs and availability.

Displays

Staff creation and management of displays will align with both the Library's <u>Access</u> <u>Policy</u> and <u>Curating Library Collections and Content Policy</u>.

The Library will make exhibit, displays, and bulletin board space available to citizens engaged in cultural, intellectual, recreational, civic, educational, or charitable activities.

The Library will apply guidelines equitably to the manner, method and timing of bulletin boards, exhibits and displays. These guidelines may also prohibit items that are in violation of any laws—content that is obscene or deemed to be derogatory or offensive to civil standards.

Use of the Library's facilities for displays, exhibits or notices does not constitute agreement or endorsement of the views presented by the Library, its Board of Trustees, or staff.

Event and Meeting Spaces

The Library will make event and meeting spaces available to citizens engaged in business, cultural, intellectual, recreational, civic, educational, or charitable activities.

The Library may charge for services tied to value-added services for event and meeting spaces.

A group's use of Library event and meeting spaces does not imply any endorsement of that group's opinions or views by the Library, its Board, or staff.

Petitions and Free Speech Activities

The Library recognizes and values free speech and is cognizant of our role as a respected, impartial provider of information and services. The Library is a welcoming community space. The Library endeavors to ensure that customers can enter and exit facilities safely, unimpeded, and without being unduly hindered. Members of the public may use designated exterior areas for free speech activity, subject to time, manner and place limitations. These time, manner and place limitations apply to everyone at all Library locations.

MEMO

То:	Douglas County Libraries Board of Trustees
Date:	April 24, 2024
From:	Bob Pasicznyuk
Subject:	Revised Castle Pines Lease Extension

ISSUE: The Library is requesting the Board validate its lease adding structure to the City of Castle Pines use of the facility there.

DISCUSSION: At the March 2024 Board meeting the Board approved the 2nd Amendment to lease with the City of Castle Pines for use of library storage and meeting room spaces for municipal meetings. Upon receiving the documents, The City of Castle Pines noticed that they missed a couple requests that are consistent with how they have been using the library spaces in 2023 and the first quarter of 2024. They request we amend the lease to reflect their actual use, and staff concurs that it is in everyone's interest that the use is accurately reflected.

This v5 of the 2nd Amendment reflects those updates. You will see them on the document highlighted in yellow.

RECOMMENDATION: We recommend that the board adopt the updated 2nd Amendment v5 to the lease with the City of Castle Pines for use of library meetings and storage space for those meetings, as presented, and in doing so negate the previously approved version.

SECOND AMENDMENT TO LEASE AGREEMENT BY AND BETWEEN DOUGLAS COUNTY LIBRARIES AND THE CITY OF CASTLE PINES, COLORADO

This Second Amendment to Lease Agreement (the "**Second Amendment**") is made and entered into as of the 1st day of April, 2024 (the "**Effective Date**"), by and between Douglas County Libraries, a library district formed in Douglas County pursuant to the provisions of C.R.S. §§ 24-90-101 through 119 (the "Landlord"), and the City of Castle Pines, Colorado, a Colorado municipal corporation (the "Tenant," and together with Landlord, the "**Parties**," or either of the Parties individually, the "**Party**").

RECITALS

A. **WHEREAS,** The Parties have previously entered into that certain Lease Agreement dated June 30, 2016, (the "**Lease Agreement**") pursuant to which the Landlord agreed to make space within the Castle Pines Library available for lease to Tenant as described therein; and

B. **WHEREAS,** the Parties entered into that certain First Amendment to Lease Agreement dated April 1, 2023, to modify and extend the terms of use of the Castle Pines Library for shared and designated public purposes; and

C. **WHEREAS**, the Parties desire to further extend the Initial Term of such First Amendment with this Second Amendment, with a purpose to extend the Lease Agreement (as amended by the First Amendment) and to clarify the dates for designating Tenant use related thereto.

THEREFORE, in consideration of the mutual promises herein, contained and other good and valuable consideration, the Lease Agreement is modified as follows:

TERMS AND CONDITIONS

1. **Defined Terms**. Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Lease Agreement.

2. <u>Amendment to Paragraph 1</u>. Paragraph 1 of the First Amendment to Lease Agreement is amended as follows:

"1. Leased Premises.

- A. Paragraph 1.A. and its associated Exhibit is expired and deleted in its entirety.
- B. Paragraph 1.B(i), related to Shared Use spaces defined in Exhibit C is updated as follows:

(i) (Related to notice requirements for Shared use spaces as described in Exhibit C, "Event Hall"):

Shared use with the Landlord of a meeting/hearing room suitable for public and municipal meetings and functions within the Building described in **Exhibit C** (the "**Event Hall**"), provided that the Tenant shall be entitled to exclusive use of the Event Hall for the following City of Castle Pines meetings and purposes:

(a) City Council meetings scheduled for the 1st, 2nd and 4th Tuesday of each month from 4:00 p.m. to when the meeting concludes.

(b) Planning Commission meetings scheduled for the 4th Thursday of each month from 4:00 p.m. to when the meeting concludes.

(c) Parks and Recreation Advisory Board meetings scheduled for the 3rd^h Thursday of each month from 4:00 p.m. to when the meeting concludes.

(d) Municipal Court meetings scheduled for the 2nd Friday of each month from 6:30 am to 10:30 am. Second Thursday of each month from 5:00 p.m. on for setup of Municipal Court meetings.

(e) City Council meeting takedown and/or staff meetings all Wednesdays from 8:00 a.m. – noon.

"The Landlord's Community Engagement Department (the "**Community Engagement Department**") shall be notified annually of the Tenant's next year's meeting schedule on or before March 31 of the prior year, which meeting schedule will be subject to final approval by the City Council in January. Landlord and the Community Engagement Department shall be notified of any and all proposed changes to scheduled meetings at least ten (10) business days in advance of the changed meeting via electronic mail at the address provided in Paragraph 18. Use of the Event Hall at other times should be scheduled in advance with the Community Engagement Department. Landlord does not make any representation or guarantee of availability for the Event Hall for Tenant meetings other than those specifically described in Paragraph 1(B)(i);"

(ii) Shared use with the Landlord of study and conference rooms available to the public, provided that the Tenant shall be entitled to the exclusive use of a conference room for the following City of Castle Pines meetings and purposes:

(a) City Council executive session meetings scheduled on the 2^{nd} and 4^{th} Tuesday of each month from 4:00 p.m. to close.

The Landlord's Community Engagement Department shall be notified annually of the Tenant's next year's meeting schedule on or before March 31 of the prior year, which meeting schedule will be subject to final approval by the City Council in January. Landlord and the Community Engagement Department shall be notified of any and all proposed changes to scheduled meetings at least five (5) business days in advance of the changed meeting via electronic mail at the address provided in Paragraph 18. Use of the study and conference rooms at other times shall be scheduled in advance through the Landlord's customary meeting room scheduling process with the Community Engagement Department. This process provides for advance scheduling of specific study and conference rooms up to one year in advance.

(iii) Shared use with the Landlord of one storage area adjacent to the Event Hall for the sole purpose of storing one dais, Council and staff tables and chairs used for City Council meetings. The Tenant shall not store anything other than the dais, public podium, flags, AV rack, council and staff tables and chairs in the storage area and the Tenant agrees to work with the Landlord to organize the dais and chairs so as to maximize space available within the storage area for the Landlord's storage needs.

(iv) Shared use with the Landlord of one storage area under the stairs within the City Space for the sole purpose of storing microphones used for City Council meetings. The Tenant shall not store anything other than the microphones in the storage area and the Tenant agrees to work with the Landlord to organize the microphones so as to maximize space available within the storage area for the Landlord's storage needs.

The City Space and the Shared Spaces shall be referenced collectively herein as (the "Leased Premises")."

3. <u>Amendment to Paragraph 2, Term</u>. Paragraph 2 of the Lease Agreement, as amended, is further amended as follows:

- A. Paragraph 2.A., related to the "City Space", is expired and deleted in its entirety.
- B. Paragraph 2.C. is amended in its entirety as follows:

"As to the Shared Use spaces of the Leased Facilities, the Initial Term is renewed for an additional one-year term pursuant to this Second Amendment (the "Renewal Term"). No sooner than ninety (90) days or later than thirty (30) days prior to the expiration of the Renewal Term, the Parties shall meet to determine whether to renew the Lease Agreement, as amended, beyond this Renewal Term. The rent for any subsequent Renewal Term shall be calculated as set forth in the First Amendment to Lease Agreement. All of the other covenants, conditions and provisions provided in the Lease Agreement, with its amendments, shall remain in full force and effect unless modified in writing by the Parties."

3. <u>Amendment to Paragraph 3</u>. Paragraph 3 of the Lease Agreement, as amended, is further amended as follows:

"3. <u>Rent</u>.

- A. <u>City Space Term Rent</u>. The City Space Rent Term is expired and deleted in its entirety.
- B. <u>Shared Space Renewal Term Rent</u>. The Tenant shall pay to the Landlord on the Effective Date, rent in the amount of twelve dollars (\$12.00) (the "**Shared Space Renewal Term Rent**." The Shared Space Renewal

Term Rent shall be remitted to: Director of Finance, Douglas County Libraries at the Philip S. Miller Library located at 100 S. Wilcox, Castle Rock, CO 80104.

4. <u>**Prior Provisions Effective**</u>. Except as specifically provided herein and amended hereby, all of the terms and provisions of the Lease Agreement, and the First Amendment to Lease Agreement, shall remain in full force and effect.

5. **<u>Further Amendment</u>**. The Lease Agreement, as amended by the First and Second Amendment, may be further amended or extended, in whole or in part, by a written instrument executed by each Party.

6. <u>**Counterpart Execution**</u>. This Second Amendment may be executed in counterparts, each of which shall constitute an original and all of which when taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Second Amendment to Lease Agreement as of the Effective Date.

DOUGLAS COUNTY LIBRARIES

By: _____

Title: TR Nolan, Board President

Attest: By: _____ Title: Suzanne Burkholder, Board Secretary

THE CITY OF CASTLE PINES

By: _____

Title: City Manager

Attest:

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By: _____ Title: City Attorney MEMO

To:	Douglas County Libraries Board of Trustees
Date:	April 24, 2024
From:	Bob Pasicznyuk
Subject:	SECOND READING - Update to Purchasing Policy

ISSUE: The Board updated Library financial policies in 2024. Staff has discovered an area of ambiguity in those policies that I'm recommending we reduce – support for CM/GC and Design Build project management.

DISCUSSION: In order to ensure clarity with construction projects, staff is recommending an update to the Library Purchasing Policy. The Board passed this policy update on first reading at the March meeting. Due to a lack of a full board, it is on this agenda for second reading, where it can pass with a majority vote.

Current Purchasing Policy text with suggested addition/change in red:

The Board assures the most efficient use of taxpayer dollars through the use of fair and consistent purchasing procedures, maximum market competition, and compliance with Colorado statutes. The Executive Library Director is responsible for maintaining the proper procedures.

Such procedures shall provide for:

- Purchases under cooperative purchasing ventures with other library organizations or government agencies.
- Purchases from sole source suppliers, when only one vendor can meet specifications.
- Solicitation of multiple quotes to ensure competitive pricing, when possible.

In addition, Douglas County Libraries ("Library") purchasing policies and procedures with respect to contracts shall provide for:

- Use of standard Library or industry templates, where considered appropriate.
- Inclusion of language requiring annual appropriation.

Specific to major capital projects requiring a general contractor (estimated costs in excess of 75k), the Library will perform due diligence when selecting a general contractor, via a formal competitive selection process, every 5 years. The Board is responsible for approving the project's scope and resource allocation. For all other For those expenditures requiring Board approval, the award of formal bids shall be made by the Board at a public meeting. The Board shall not be bound to select the supplier submitting the lowest dollar bid and reserves the right to accept the bid deemed to be in the best interest of the Library. Further, the Board may reject any and all bids and may waive, at its discretion, any informalities, irregularities, omissions, or deficiencies contained in said bid.

<u>RECOMMENDATION</u>: Move to update the Purchasing Policy as presented by adopting the added text clarifying major construction projects.

Delivering Capital and Maintenance Improvements Methods, Competition, and Transparency

Summary and Introduction: There are many ways to deliver capital projects. The players don't change, but reporting relationships, where to demand competition, and how to determine cost and value vary. The Library has used two delivery methods across the decade, but each delivery method is legal and well-used across industry and governments.

In the past eight years, our Library replaced or renovated all of our facilities. Most years, we manage high-dollar capital maintenance projects to maintain those assets. The Library self-performs little of this work relying on contractors, sub-contractors, designers, and other vendors to support the work.

Capital projects have high visibility, even though their cost is much less than sums for staffing and other, less-glamorous services. Citizens and vendors have a stake in process competition and transparency. Citizens expect accountability that public dollars yield value. Businesses expect fair and open access to the work.

Please consider this brief summary of common, capital project delivery methods highlighting the opportunities for competition and transparency for each.

Design-Bid-Build (DBB): The most traditional method – especially in government projects.

- Design
 - Owner hires project designers.
 - Owner and designer create construction documents describing design deliverables.
- Bid: Contractors respond to design documents through a bid answering requirements and cost.
- Build: Contractors build to document specifications with change orders altering the original bid.

Competition and Transparency:

- Designer selection is an open competition, but against predominately subjective factors.
- Contractors win the project predominately on cost. Bids are available for inspection.
- Sub-contractor selection is at the discretion of the GC. The low bid presumes competition for subs.
- Change orders alter the original bid. They are public record, but they aren't competitively bid.

Risk: The owner carries significant risk relying on document clarity and cost estimation to mitigate risk.

Advantages. Transparency, Objectivity, Economy

Disadvantages. Change orders, cost overruns, quality disputes, designer influence.

Design-Build (DB): Oft used in private environments and for projects with design focus.

- Design
 - Owner hires a General Contractor (GC).
 - Designers report to the GC. Their selection is either at GC discretion or GC/Owner discretion.
 - GC and owner set project boundaries scope, program, guaranteed maximum cost (GMP).
 - GC and owner work with a team (designer, subs) to create the design and documents.
- Build
 - GC works with the owner throughout the build to stay within the GMP.
 - GC bids each part of the project to subs (plumbing, dry wall, more).

Risk: The GC carries significant risk relying on subs, designers, and their own preconstruction cost estimation to mitigate risk.

Competition and Transparency:

- GC selection is an open competition, but against predominately subjective factors.
- Designers work for a percentage detailed in the GMP.
- Sub-contractors are selected through open bids cost and history to perform.
- Change orders respond to scope changes from the original GMP.

Advantages. Speed, Low change orders, Collaboration, Flexibility

Disadvantages. Quality, GC-centric design-making, DBB perceived as the standard.

Construction Manager Related Delivery Methods

Construction Manager General Contractor (CMGC) Construction Manager at Risk (CMAR) Construction Management Multi-Prime (CMMP)

Construction Management firms mitigate the frisk to the organization. They can work through multiple delivery methods. CM can support the owner acting as general contractor (CMMP) or manage the entire project for a set maximum price (CMAR). CMGC is similar to Design Build with 2 exceptions.

- 1. The owner hires a Construction Management firm to oversee the process, GC and designers.
- 2. Both the GC and designers report to the owner.

Competition and Transparency:

- CM selection is an open process usually around subjective factors.
- CM deliver can support competition at every level GC, Designers, subcontractors.

Advantages: CM augments staff expertise; CM mitigates owner risk.

Disadvantages: CM adds expense to projects. GC and Designer disputes handled by CM.

Public-Private Partnership (P3): A private company and government entity collaborate to achieve a project. Typically, the government provides funding and the private company delivers the project using any tools and their disposal or through an agreed-upon delivery method.

Competition and Transparency:

- The government agency can select the private company through an open competition, but against predominately subjective factors.
- The private company can use the competitive leverage of any delivery method depending on the constraints negotiated by the partnership.

Risk: Project failures leave the government funder at risk.

Advantages. Motivates or incentivizes redevelopment or other economic development aims.

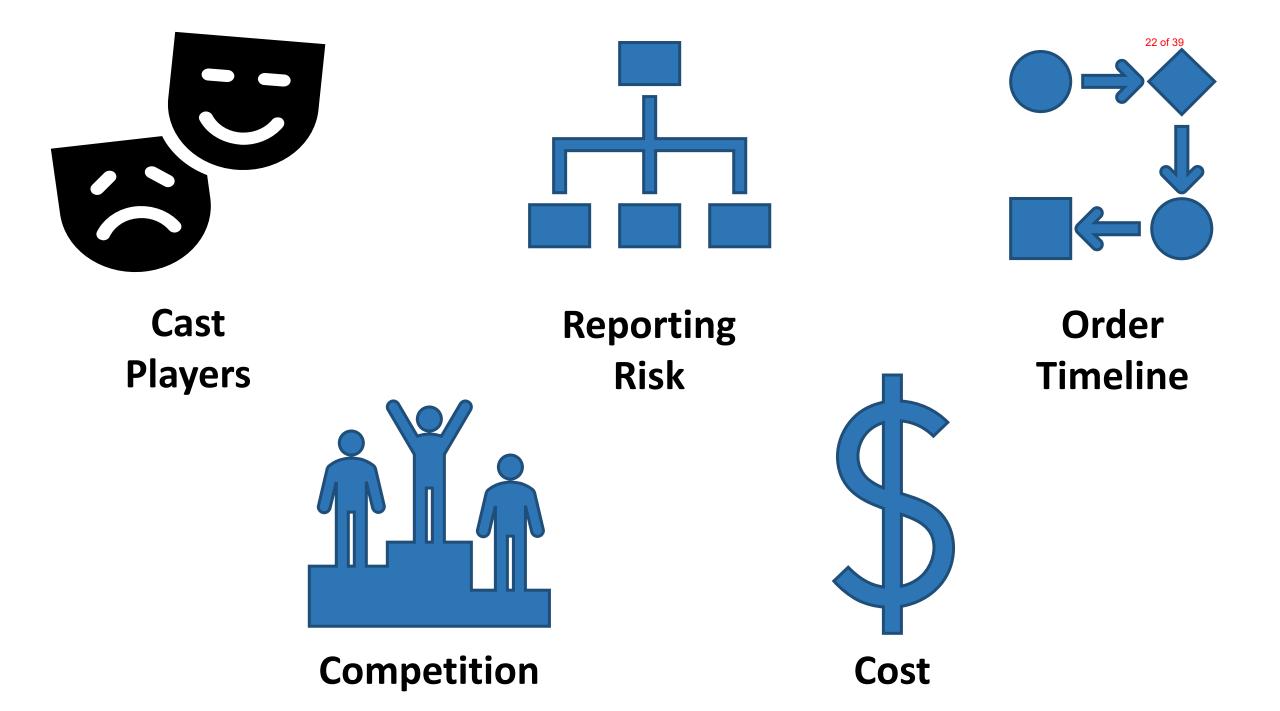
Disadvantages. Entangles government with private failures. Removes risk as a motivator since the private is backed by public funds.

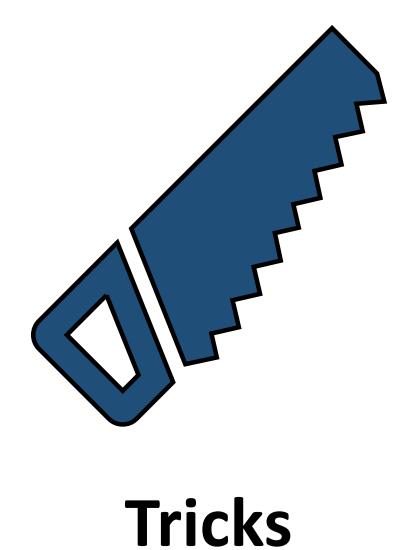
Capital Delivery



Delivery Options

- DBB: Design-Bid-Build
- DB: Design-Build
- CM: Construction Management CMGC CMAR CMMP



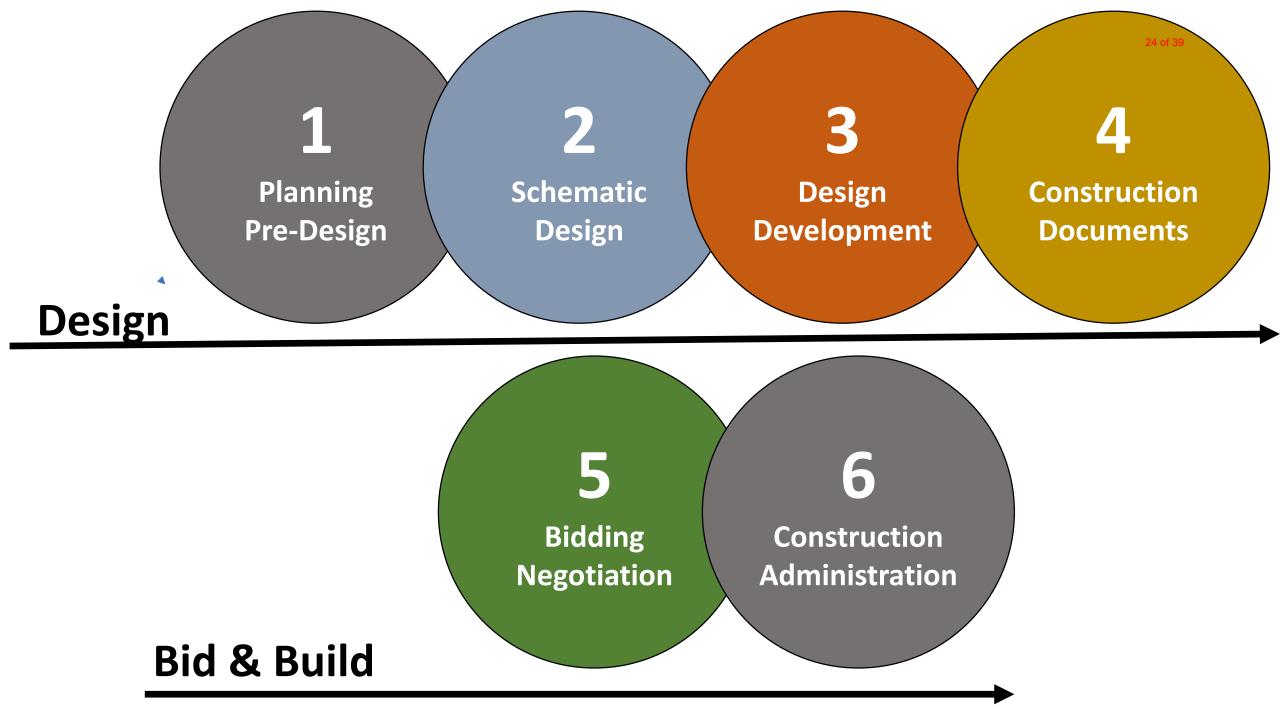


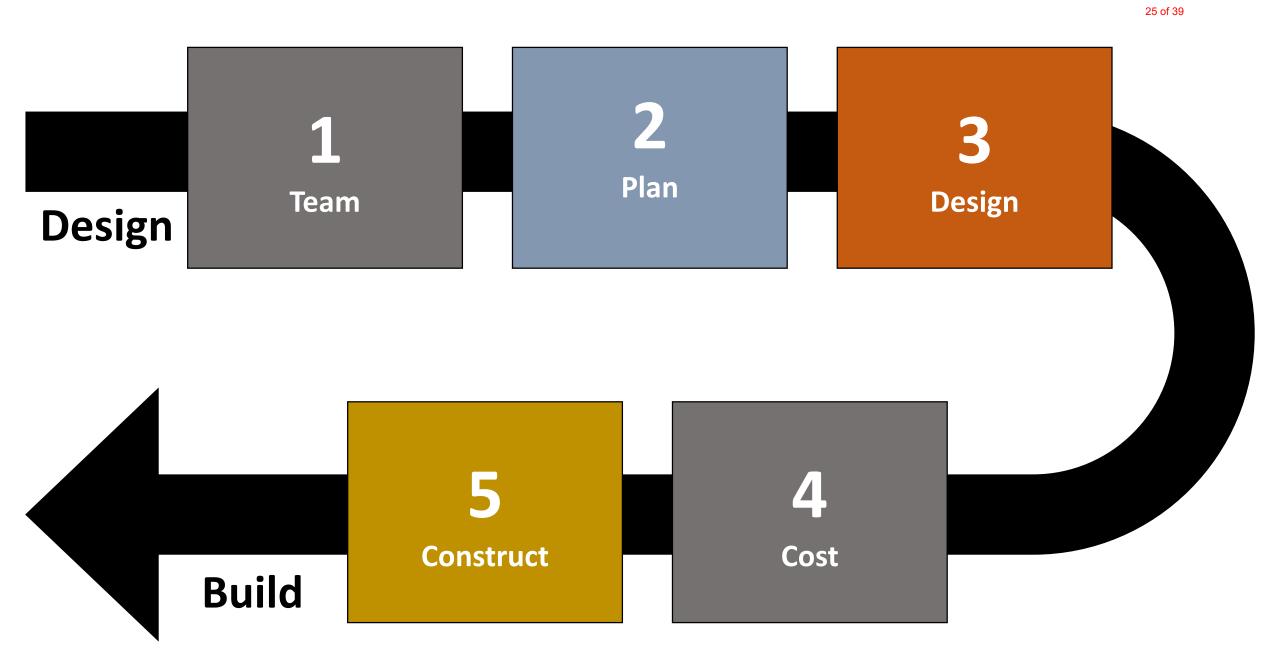
Tools

- Alternates
- Cost Estimation
- Value Engineering

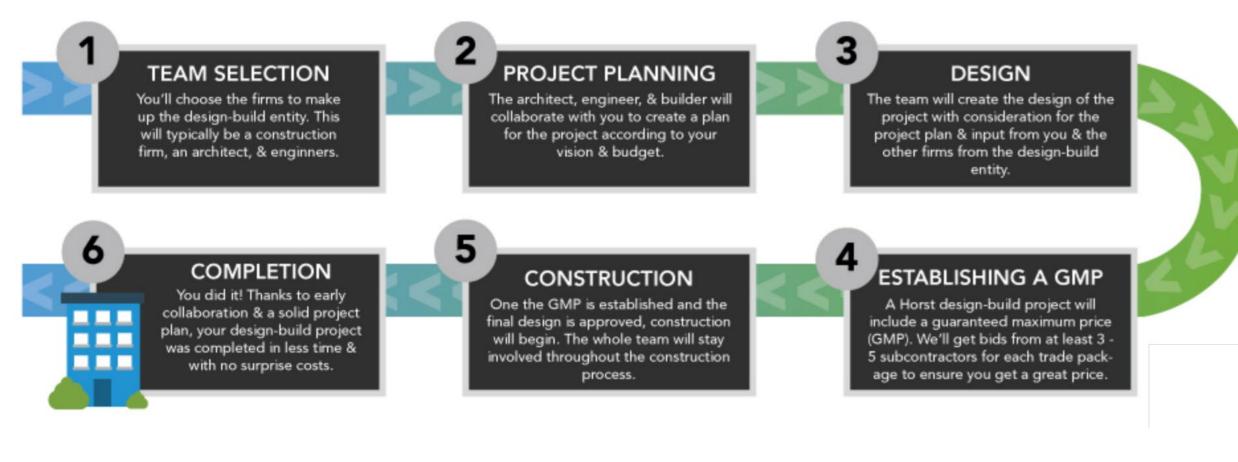
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- Private Fundraising
- Brand / Consistency





THE DESIGN-BUILD PROCESS



То:	Douglas County Libraries Board of Trustees
Date:	April 24, 2024
From:	Bob Pasicznyuk
Subject:	Castle Rock Firefighter Memorial Agreement

ISSUE: The Town of Castle Rock has requested that the Library locate a firefighter's memorial on our Castle Rock Library grounds.

DISCUSSION:

Key Agreement Terms

Location: The property (exhibit A and attached images).

Cost: The memorial's expense is being covered by the town – Library expense is immaterial. Change: Either party may initiate a change in the agreement in the future.

RECOMMENDATION: Staff recommends the agreement and doesn't believe that supporting the

memorial would negatively affect operations while supporting municipal relationships. Board Options: (1) Move to approve the agreement;

(2) Move to approve the agreement with modifications,

(3) No action or support for the agreement.

INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK, COLORADO AND DOUGLAS COUNTY PUBLIC LIBRARY DISTRICT REGARDING PLACEMENT OF CASTLE ROCK FIRE AND RESCUE DEPARTMENT MEMORIAL

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") dated March 27, 2024, is by and between the TOWN OF CASTLE ROCK ("Town"), a home rule municipal corporation, and the DOUGLAS COUNTY LIBRARIES ("DCL"), a political subdivision of the State of Colorado. The Town and DCL are sometimes collectively referred to together as the "Parties" and each as a "Party".

RECITALS

A. **WHEREAS**, DCL owns and operates public libraries at multiple locations in Douglas County, Colorado; and

B. **WHEREAS**, DCL owns and operates The Philip & Jerry Miller Library located at 100 S. Wilcox Street, Castle Rock, Colorado (the "Library Property"); and

C. **WHEREAS**, the Town is looking to relocate the firefighter memorial that was constructed in 2003 and currently located at the Castle Rock Fire and Rescue Department, Station 155, to support the accessibility and continued public use and enjoyment of the memorial now and into the future; and

D. **WHEREAS**, DCL and the Town agree that it is a public benefit to allow for the co-use of a portion of the Library Property to serve as the new location of the Castle Rock Fire and Rescue Department Firefighter Memorial (the "Firefighter Memorial") in accordance with the terms and conditions specified in this Intergovernmental Agreement ('IGA").

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and stipulations hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and DCL agree as follows:

ARTICLE I

FIREFIGHTER MEMORIAL

1.01 The parties agree the Firefighter Memorial shall be relocated to the northeast corner of the Library Property, south of Phelps Street, as depicted in *Exhibit* A, attached hereto and incorporated herein by reference. The location of the Firefighter Memorial is depicted in Exhibit A with diagonal blue lines.

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1.02 Relocation and Installation. The Town shall be solely responsible for all monetary costs associated with the relocation and installation of the Firefighter Memorial, including but not limiting to removal of existing landscaping, site preparation and installation. DCL only obligation under this IGA is providing the location on which the Firefighter Memorial will be located, which shall be provided at no cost to the Town. The Town shall also be responsible for the cost of repairing any damage to the Library Property that may occur during the installation of the Firefighter Memorial.

1.03 Electricity/Illumination. DCL agrees to provide electricity to the Firefighter Memorial for any and all lighting installed for purposes of illuminating the memorial. The Parties agree that the Town is not required to reimburse DCL for the cost of electricity used to illuminate the Firefighter Memorial and the Town shall be solely responsible for the cost of any installation of new lighting fixtures, replacement bulbs and general upkeep of any illuminating feature selected by the Town that is used to illuminate the Firefighter Memorial. The Parties agree, the Town is not responsible for replacement bulbs and general upkeep of exterior lighting at the Library Property that is not intended to illuminate the Firefighter Memorials, including but not limited to exterior building lighting.

1.04 Operation and Maintenance of Firefighter Memorial. The Town shall be solely responsible for all operating, maintenance and upkeep costs of the Firefighter Memorial and related landscaping and equipment such as lighting installed to illuminate the Firefighter Memorial after installation of the Firefighter Memorial. The Town shall maintain the Firefighter Memorial in a safe and reasonable manner, including but not limited to regular rubbish removal, snow and ice removal and maintenance, and landscaping maintenance, if applicable. The Town agrees to be solely responsible for insuring the Firefighter Memorial against property damage or loss to the Firefighter Memorial (including self-insurance if the Town chooses to self-insure the Firefighter Memorial), and shall be solely responsible for any claims for loss or damage, including personal injury, related from the use, operation and maintenance of the Firefighter Memorial under this Agreement.

1.05 License. DCL grants the Town a license in perpetuity allowing full access to the Firefighter Memorial for the purpose of installing, constructing, operating and maintaining the Firefighter Memorial.

1.06 Design. The Parties agree the Town will include DCL in the design process of the Firefighter Memorial to provide the opportunity that the design is acceptable to DCL. DCL shall not unreasonably withhold acceptance of the design.

1.07 Removal. Either party may request removal of the Firefighter Memorial, with or without cause, at any time by providing the non-requesting party with at least three-hundred sixty-five (365) days' written notice. Notice shall comply with Section 2.08. The requesting party shall be responsible for the entire cost of removal, including returning the Library Property to its prior condition, reasonable wear and tear excepted.

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ARTICLE II

MISCELLANEOUS PROVISIONS

2.01 Each of the parties warrants it has full right, power and authority to enter into and perform this Agreement.

2.02 This Agreement may not be assigned by the parties without the prior written mutual consent of the parties.

2.03 This Agreement constitutes the entire agreement between the parties concerning the subject matter hereof, and all prior negotiations, representations, writings, contracts, understandings or agreements pertaining to such matters are superseded by this Agreement.

2.04. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

2.05. This Agreement may only be modified upon written agreement of both parties.

2.06. This Agreement shall be governed by and construed in accordance with, the laws of the State of Colorado, and venue for any legal action arising out of this Agreement shall be in Douglas County, Colorado.

2.07. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and each of their respective successors, assigns, or heirs.

2.08. Any notice required by this Agreement shall be in writing and mailed by first class mail, postage prepaid, to the respective Parties as follows:

Castle Rock: Fire Chief, or designee Town of Castle Rock 100 N. Wilcox St. Castle Rock, CO 80104

Courtesy copy to: legal@crgov.com

Douglas County Libraries: Executive Library Director Douglas County Libraries 100 S. Wilcox Street Castle Rock, CO 80104

Such notice shall be deemed given when deposited in the United States mail. $\{00957032.DOCX / \}3$

2.09. Nothing herein shall be construed as a waiver of any protections or immunities either Party may have under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq., as amended.

2.10. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

2.11. The Recitals to this Agreement are incorporated by this reference.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment in their respective signatures, intending that this Agreement shall become effective as of the date first above written.

DOUGLAS COUNTY LIBRARIES:

By:____

TR Nolan, Board President

ATTEST:

Lisa Anderson, Town Clerk

Approved as to form:

Lindsay M. Jordan, Assistant Town Attorney

Approved as to content:

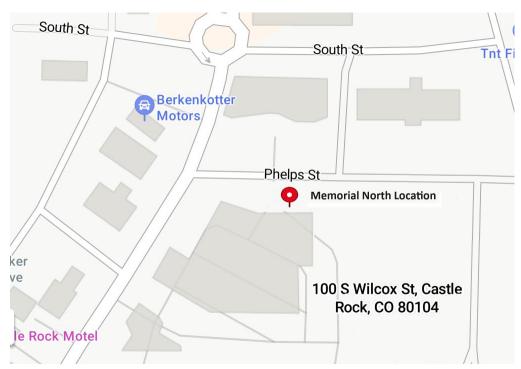
David L. Corliss, Town Manager

TOWN OF CASTLE ROCK

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Norris W. Croom III, Fire Chief

Exhibit A – Memorial Location on Grounds



1 Map of location at north side of Philip & Jerry Miller Library, 100 S. Wilcox Street, Castle Rock, CO 80104





3 Street view of location

2 Sidewalk view of location



To:	Douglas County Libraries Board of Trustees
Date:	April 2024
From:	Bob Pasicznyuk
Subject:	April Executive Library Director's Report

ISSUE: Monthly Library Report

DISCUSSION:

Communications: News and Trends.

Ransomware. The Library is working claims with our insurers. Our communications with insurers have been positive and we expect to be reimbursed for covered expenses.

Highlands Ranch Repairs. The Library is working claims with our insurers. The claims process has been positive with the expectation of recovering all covered expenses.

Legislation. SB 24-049 (regulating book challenges) did not survive the Education Committee, but is now under consideration via other avenues. The Bill now only applies to public libraries deleting school directives. I will track the Bill and report any substantive changes to the Board.

Castle Rock Library Metrics. The new Castle Rock Library opened on August 26, 2024 to about 10,000 customer visits. Here are 2 measures tracking community response.

Storytime session attendance has increased from 29 in the former library to 45.

Q4 Visit Comparisons

	2021	2022	2023
October	23328	22668	25352
November	22720	21194	24333
December	20579	20492	22579

Douglas County Youth Initiative. Our Library's contribution has been \$19,800 for years.

State of the Library Address. The date of this opportunity is now 4/16/2024. I'll give a verbal report on outcomes at the Board meeting.

Public Library Association Conference. The Library approved 10 to attend the conference – offered every other year. Attendees coordinated session, exhibit, and tour opportunities.

Northwest Library. The Library's General Contractor and architect are working now to evaluate the proposed site – size, construction conditions, and cost.

Citizen Review Request: 3/13/2024 Request and 3/25/2024 Response – Attached.

Accomplishments: Work in progress and coming soon.

Community Engagement

Accomplishments. April is Volunteer Appreciation Month. DCL is celebrating throughout the month and hosting special celebrations and activities to honor our volunteers during the week of April 22, 2024. Thank you to our amazing volunteers.

We hosted about 400 customers for the annual Storybook Holiday Spring event on Sunday, April 7. Customers celebrated spring with Curious George and friends and enjoyed an array of family-friendly entertainment, a catered brunch, and activities, including a flower truck in the East Aloha Plaza.

On April 21, DCL hosted its spring Graduation Ceremony. Students who have earned their High School Equivalency (GED or HiSet) or Career Online High School (COHS) Diploma in 2022 or 2023 celebrated their accomplishments in a graduation ceremony with DCL. DCL provided the caps, gowns, invitations, treats and plans the ceremony.

In April, Events & Hospitality hosted its first whole library after-hours rental at Philip & Jerry Miller Library. The event was a school fundraiser and was a great success. Here is a note from the customer.

"Customer Testimonial. "I want to extend a heartfelt thank you for hosting us for our school's auction. And for problem-solving with us, and working so diligently alongside us. Truly appreciate every effort and every ounce of energy. And thank you to your awesome volunteers who stepped up in a special way, who helped out the night-of. The night was a big success. Many thanks! =)~ Natalie Wong"

Coming in May. The Douglas County Libraries Foundation (DCLF) will partner again with Kendra Scott on a DCL Foundation Fundraiser.

The in-store event will be Sunday, May 5, 2-4PM at Park Meadows. Customers can shop for Mother's Day, graduation, and other spring occasions and 20% of their purchase goes to the DCLF. Customers can also participate online May 5-6 at kendrascott.com using code GIVEBACK-GGRTV. The online code valid May 5-6 only.

Summer Reading pre-registration will open May 1 on dcl.org. This year's theme, <u>Flock to the Library</u>, is a colorful and vibrant package that customers are sure to love!

The 2024 summer marketing campaign will launch this month. This multi-media campaign will include both traditional and non-traditional advertising and promotional components. It will include banner/signage placements at locations such as Park Meadows Retail Shopping Center, print and radio spots, and targeted digital advertising.

Customer Experience

Accomplishments

- Division supervisors are spending much of their time modeling and leading Environmental CARE, with managers holding additional training and conversations as needed to support the implementation.
- Customer Experience (department) staff have started providing Read-Alouds at senior living facilities across the county.
- Together with Community Engagement we wrapped up a successful season of Battle of the Books with the district final taking place on March 13 at PACE in Parker. This program touches thousands of families across the district and feeds a love of reading (and competition) for participants.
- Administratively, this month we kicked off some important work in clarifying expectations and procedures: A Customer Experience Leadership Team Guidelines and Expectations Manual, updated review criteria, and a reintroduction of the procedure review process.

Looking Ahead

- Castle Pines will receive sorter upgrades at the end of April.
- A new film series Film Noir will launch this month with "Double Indemnity" (1944). Attendees will watch the film then learn from Walter Chaw, Senior Film Critic for Film Freak

^{36 of 39} Central (filmfreakcentral.net) and film professor at the University of Colorado as he leads a discussion after viewing the film.

- We will be preparing for over 30 book chats in the months of May and June at senior living facilities. The theme is Summer Reads.
- Our spring session of Reading Buddies is underway at five branches, but new this summer we are piloting a four-week drop-in program to train teen volunteer big buddies to read with little buddies on a drop-in basis. We expect that a summer drop-in program will help our little buddies avoid the "summer slide" while also addressing staff capacity during the busy summer season.
- We are finalizing plans to host The Pigeon of Mo Willems fame! The Pigeon will travel around the district spending a day at each branch. On Tuesday, June 11 we are partnering with CDOT to host an outdoor storytime "touch-a-bus" event on the same day The Pigeon will be visiting (he is not to drive the bus, of course).
- A small team is evaluating workforce management software solutions to aid teams with staffing and scheduling. We will choose a platform this summer.

Executive

In Progress

- Working on records retention for Executive, Senior Leadership folders and SharePoint folders.
- Working getting all meeting room bookings Jul 2024-Dec 2025 into the new Communico software.

Accomplished

- Operationalizing Succession Plan review by Executive Committee.
- Completed Board Manual updates.
- Completed Board Meeting folder records retention.

Finance

- A significant amount of time was dedicated to updating the Finance division's internal operating procedure manual.
- Finance is working through the final stages of the audit and will soon move on to the creation of the Annual Report
- As part of the new budget module selection process, a Budget Taskforce has been created to gain feedback on the various options. This Taskforce is comprised of Managers (who have an integral role in developing the annual budget) that have been selected by their Director to participate in application demos, and will engage in feedback and recommendation meetings with the Budget Manager.

Infrastructure Services

Accomplishments

- Capital projects:
 - The Parker library carpet replacement is largely complete except for the entryway which should be finished by the end of April.
 - Sorter upgrades at Lone Tree and Parker are complete.
- Talent management:
 - All staff have been assigned Q2 engagement goals in Paylocity. These goals are focused on increasing foundational engagement opportunities identified by our initial Gallup survey results.
 - The Leadership Development Academy (LDA) application launched for current DCL leaders. The first LDA cohort will start in June and meet monthly for a year.

The DCL Wellness Program for staff launched the Sustain challenge. This fun 4-week program is designed to help participants learn skills that reduce their ecological footprint, conserve natural resources, and lessen the impact of climate change — while deepening their connection with nature.

Looking Ahead

- Capital projects:
 - Scheduling and completing sorter upgrades at Castle Pines
 - o Ordering computers and switch stacks to replace end of life technology
 - o Planning for Highlands Ranch roof and VAV replacement project
- Talent management:
 - Launching mid-year performance reviews
- Cost containment:
 - Updating the Employee Handbook and the Emergency Manual
 - Developing the DCL Safety & Security Program

RECOMMENDATION: None; information only.

Citizen Review Request

Dougl	as
Dougl	nty
Librari	ies

We appreciate your feedback. Return this completed form to any Douglas County Libraries (DCL) location, or email it to citizenrequest@dclibraries.org. Library staff will review your request, research the item/service in question, and respond within seven business days. If further communication is required, library staff will direct you according to our Citizen Review Request Policy.

Theme/Topic of Concern: Ferrinism | womens health | trad Date: 31312024 Item/service Details (as applicable: title, author, material format, location, date seen, service, program, etc.): "Reclaiming Femininity"- book-Jessica Marie Bowingarthe location: bookshelf directly inside front dogs. Your Name Signature: Mailing Add Organization Representing. Self Phone Organization Name (if applicable): Organization Address: City: State: Zip: Are you a Douglas County Resident? VYES NO NOTE: The Citizen Review Request process is available to Douglas County citizens only.

A G (Please initial here) I have read <u>DCL's Policies</u> on Access, Children and Parents, Citizen Review Request, Curating Library Collections and Content, Library Facilities and Spaces, and Programs.

Share the details of your concern(s). Please be specific/cite examples This author's opinion of the , is dangerous to Wornen's mental emotional, & physical health. She is trying to prey on vulnerable conservative women for her own

Is there an audience for which this [material/display/service] might be appropriate? If so, please specify. NO

What topics or content can you suggest to counterbalance the point of view to which you object, or to provide

additional information on the subject? By women, about being a woman, 10m 1950-1990.

Library customers may request titles they would like to see added to the Library's collection. To make a request, visit https://titlerequest.douglascountylibraries.org

DCL2023-08

March 25, 2024



Thank you for reaching out regarding your concern with *Reclaiming Femininity*, by Jessica Marie Baumgartner. To summarize, your concern is that that the work is "dangerous to women's mental, emotional, and physical health."

In response, please allow me to cite applicable law and library policy. You can access Library Policies at https://dcl.org/board/policies/.

- 1) Library policy, state and federal laws, direct the library to not "suppress or limit customer access beyond legal requirements."
- 2) Library policy applies that directive to all works even those that "individuals, groups, or government officials find objectionable or dangerous."
- 3) "Customer demand is our priority and guide in selecting and retaining items for the inventory."

I have reviewed your concern, considering the law and DCL policies noted above, as well as neighboring libraries' policies and practices, industry reviews, and publisher data.

- The Library purchased this work as a direct result of a customer request.
- The work also fell within our collection selection guidelines.
- The Library purchases works to answer customer demand. Due to the unknown demand for the title, we purchased 1 copy alone. The title arrived in February as has been on loan one time. The Library will apply consistent use-pattern criteria to determine if it stays in our collection.

Given this review, we have decided to keep this title in the collection.

I invite you to request other titles you would like to see added to the collection. You can do this at any time by visiting https://titlerequest.douglascountylibraries.org/#/home.

Our Library is governed by its Board of citizen-trustees. They hear public comment at any of our regularly scheduled Board meetings. The schedule for those meetings is published on our website and is customarily the last Wednesday of the month. I will also include my findings for your request in our Board packet for the April Board meeting since the March Board packet has already been published as of this date.

Sincerely,

Bob Pasicznyuk Executive Library Director