



AGENDA
REGULAR MEETING
STILLWATER PUBLIC LIBRARY BOARD
STILLWATER PUBLIC LIBRARY
NORTH BUILDING CONFERENCE ROOM
1107 SOUTH DUCK, 3RD FLOOR RECEPTION AREA
STILLWATER, OK. 74074
JANUARY 24, 2023, 12:00 NOON
library.stillwater.org

1. CALL MEETING TO ORDER

2. CONSENT DOCKET

Items listed on the consent docket are routine administrative matters that may be approved by a single vote with or without discussion. The Library Board will take action at this meeting (including a vote or series of votes) on these items collectively as part of the Consent Docket.

- a) Minutes: Jan. 10, 2023, Special Meeting
- b) Stillwater Public Library December 2022 Financial Reports
- c) Stillwater Public Library December 2022 Activity Reports

3. PUBLIC COMMENT ON AGENDA ITEMS

Taxpayers or residents of the city, or their authorized legal representatives, may address the Library Board at a regularly scheduled meeting on any item of business listed on the meeting agenda provided they have submitted a written request prior to the meeting.

4. GENERAL ORDERS

The Library Board will discuss and take action at this meeting (including a vote or series of votes) on each item listed under General Orders unless the agenda entry specifically states that no action will be taken.

- a) Consider acceptance of FY21-22 State Aid from Oklahoma Department of libraries for \$17,432.00 (pending review by City Attorney)
- b) Consider acceptance of the Adult Online High School grant from Oklahoma Department of Libraries for \$8312.50 (pending revision by ODL)
- c) Update on library staff proposal for the FY23-24 Operating and Materials budget
- d) Consider Bylaw Committee's proposed Library Board Bylaws

5. REPORTS FROM OFFICERS & BOARDS

Announcements and remarks about matters of general interest may be made by the Board Members or Director at this time. Items of Library business that may require discussion or action (including a vote or series of votes) are listed below.

- a) Miscellaneous items from the Library Director
- b) Miscellaneous items from the Library Board
 - i. Discussion about scheduling items for upcoming meetings

6. ADJOURN

The City of Stillwater encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, please notify the Library Director at least 48 hours prior to the meeting by calling 405.372.3633 ext 8124.

On _____, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 723 S. Lewis Street.



MINUTES

SPECIAL MEETING

STILLWATER PUBLIC LIBRARY BOARD
STILLWATER PUBLIC LIBRARY
NORTH BUILDING CONFERENCE ROOM
1107 SOUTH DUCK, ROOM 119
STILLWATER, OK. 74074
JANUARY 10, 2023, 12:00 NOON
library.stillwater.org

Board members present: Mike Woods, Martha McMillian, Kathryn Ross, Donna Sinnes

Staff present: Stacy DeLano, Naomi Brown, Ashlyn Garis

1. CALL MEETING TO ORDER Woods called the meeting to order at 12 p.m.

2. CONSENT DOCKET

Items listed on the consent docket are routine administrative matters that may be approved by a single vote with or without discussion. The Library Board will take action at this meeting (including a vote or series of votes) on these items collectively as part of the Consent Docket.

a) Minutes: Dec. 13, 2022, Regular Meeting

McMillian inquired about the City of Stillwater's Blue Cross Blue Shield insurance status regarding Stillwater Medical Center physicians. Human Resources is investigating possible solutions.

Sinnes/McMillian moved to approve the consent docket. The votes are as follows: Woods, yes; McMillian, yes; Ross, yes; Sinnes, yes. Motion approved.

3. PUBLIC COMMENT ON AGENDA ITEMS

Taxpayers or residents of the city, or their authorized legal representatives, may address the Library Board at a regularly scheduled meeting on any item of business listed on the meeting agenda provided they have submitted a written request prior to the meeting.

No comments

4. GENERAL ORDERS

The Library Board will discuss and take action at this meeting (including a vote or series of votes) on each item listed under General Orders unless the agenda entry specifically states that no action will be taken.

a) Presentation and discussion of proposed Fiscal Year 2023-2024 operating budget

The intent of the presentation and discussion is to provide information on the library's expenditures and to answer questions about how to reading the expenditure report. The Board will not be voting on the operating and material budget at this meeting. DeLano addressed the following points in the proposed FY23-24 operating budget:

- **The A preliminary fiscal year budget is created by itemizing all known expenses, assessing how well unfixed expenses were covered in the last year, and attempting to place a figure on those unfixed expenditures. Expenditures for unfixed expenses were calculated by categorizing all expenditures made from July 1 through November, calculating a monthly expense for each category, and then multiplying the monthly figure by 12.**
- **Some operating accounts differ significantly from the funding requests for this fiscal year due to efficiencies made by staff. For example, the postage and equipment rental accounts were reduced because the Business Office Manager now uses the City Hall postage meter on her daily visits. This eliminated the cost of renting a postage meter and eliminates almost all of the postage funding.**
- **DeLano is also eliminating funds for expenses that may or may not occur either by asking for certain repairs to be funded from the City's contingency fund or by setting up a contingency fund for the library. For example, the library budgets for repair of leaks in the fire suppression system each year whether they actually occur or not.**
- **DeLano also explained that her preference is to use any end of year remaining funds on infrastructure needs agreed upon by the City Manager's office.**
- **McMillian asked if the estimated book account includes grants. DeLano answered that the operating and materials budget only reflects the base funding provided by the City.**
- **DeLano will be changing the formatting of fiscal years to make them easier to understand. For example, this year is FY23. DeLano will now**

refer to it as FY22-23 to reflect the two years the fiscal year encompasses.

- Woods inquired about the large decrease in the HVAC repair account. DeLano explained that the HVAC account has always included an amount for the replacement of a heat pump. This expense will be one of the items that now goes into a contingency account.
- DeLano explained that the book processing fee under the books account reflects her decision to outsource the processing of books to the library's book distributor. This allowed the library divert one half of a position to archival work which then allowed the library to eliminate one open position resulting in approximately \$8,000 of annual savings.

DeLano then provided information about reading and understanding the monthly expense report:

- The top section, designated by account numbers beginning with a 4, describes library revenue and includes 3 grant revenue accounts, including 43000 for non-state or federal grants and is not often used at this time because the library currently does not seek foundation grants; 43100 for federal grants which is used most often because Oklahoma Department of Libraries usually is administering federal funds; and 43200 for state grants for funds emanating directly from the State of Oklahoma, such as State Aid.
- Each grant is assigned its own project number, and the project's more granular data is more helpful to view.
- Lines 45000 – 48700 reflect revenue generated by the library itself, including fees for fines, room rentals, and copies. These funds automatically go back into the City's general fund.
- The donation account is similar to the grants account in that actual donations have more granular sub-accounts, or projects. Often, a negative value is reflected in the total. This indicates funds received that need to go through City Council as a budget amendment. It is not a negative amount in the account. These funds can also be carried forward, which allows the library to use the funds for high priority needs. The bulk of the donation account is Friends of the Library funding as most other donations are earmarked for the Trust.
- The next section of the report includes expenditure accounts that begin with a 5.
- Lines 51001-51031 are related to the personnel budget. Full and part time staff wages are approved by board. The other accounts are determined by Finance, such as Social Security, Retirement, etc.

- Lines 52012-53023 and 53049-53071 reflect the operating budget. These are the accounts the Board will vote on when DeLano submits a proposed budget.
- The Cash short account reflects when the library's deposit is short or long. It's a tool staff can use to gauge the accuracy of cashier activity. If the account reflects a negative balance at the end of the fiscal year, DeLano will do a budget revision.
- The grant and donation expenditure accounts are also listed in this section. The totals will not match the totals in the revenue section because grants and donations often carry forward multiple years. These carried forward funds will be reflected in the expenditure accounts.
- 54012 reflects a capital expenditure. This year, the library installed fire door mechanism to secure the North building. Those funds came for the capital improvement budget which is requested separately and voted on by a city staff committee. New capital projects are currently on hold.
- Lines 56000 and 56001 are internal Finance department accounts administered by the Finance department and not the library.
- Other funds are listed at the end. Library administrative accounts have the "key" designation 1015510. Below the 1015510 key accounts are the 6400000 key accounts which designate Trust accounts. Below the Trust revenue lines is a Trust expenditure account. These were funds DeLano requested from the Trust Board for use for Centennial activities and a new donor recognition installation.

McMillian inquired about a streamlined report and provided an example. DeLano explained that the account categories are determined by a list of categories provided by Finance. Woods asked if reformatting the reports was possible. DeLano requested that the Business Office manager and director work toward reformatting the report for the summer.

b) Presentation and discussion on library's funding sources

The Library has multiple funding resources, as follows:

- The City provides funding for a personnel budget; base operating and material needs through a second budget; capital improvement funds if the library has a selected project; and sometimes funds from the City's contingency account to complete necessary building repairs or equipment replacement.
- The library also received two kinds of grants. Some grants, such as State Aid, are not competitive. The library receives the funds if the library and City of Stillwater meet certain criteria. Erate funds provide all patron

internet service. The erate funding is not competitive. As long as the library fulfills all requirements, it will receive funds.

- The library also receives funding through competitive grants and has had success in getting several projects funded including RFID installation, community reading series, and archives.
- Funds from non-Trust donations typically are those from the Friends of the Library used to fund all non-staffing programming costs. Funds are also donated for the purchase of memorial and honor books or for specific purposes such as increasing the number of new fiction selections.
- Whenever possible, DeLano attempts to pair these different funding mechanisms to meet matching requirements or to extend the reach of funds.
- The Trust currently could generate about \$20,000 in distributions each year. Currently, DeLano is limiting the number of Trust requests so that the Trust corpus will provide a larger yearly distribution that will help the library complete much larger projects.
- Library expenses are paid by the following sources:
 - Staffing - City personnel budget
 - Basic necessities - City operating budget
 - Building/Equipment – City capital improvement; Operating budget for maintenance; City contingency funds
 - Staff computers/networks – City IT department
 - Programming - Friends of the Library and Grants
- The library has several funding gaps including:
 - Any expense related to patron computer use
 - Patron equipment (ex. microfilm reader)
 - Overall refurbishment of collections
 - Software to make staff work more efficient (ex. Adobe Illustrator)
 - Anything more than bare minimum databases for patrons, including better library catalog tools.
- Currently, DeLano attempts to fill these gaps by seeking all possible grants and pairing funding opportunities; however, the retail transition from outright purchases to subscription based models makes this difficult. DeLano's goal is to fund these annual expenses from the Trust once the corpus has grown.

Woods inquired about a presenting a multiple year chart showing the trends of library funding. DeLano will inquire about a report that will more easily pull that information and account for changes that take place over the year.

5. REPORTS FROM OFFICERS & BOARDS

Announcements and remarks about matters of general interest may be made by the Board Members or Director at this time. Items of Library business that may require discussion or action (including a vote or series of votes) are listed below.

a) Miscellaneous items from the Library Director

None

b) Miscellaneous items from the Library Board

McMillian mentioned there have been several great articles about the library in the Stillwater News Press recently.

i. Discussion about scheduling items for upcoming meetings

None

6. ADJOURN

McMillian/Sinnes moved to adjourn. The votes are as follows: Woods, yes; McMillian, yes; Ross, yes; Sinnes, yes. Meeting adjourned at 1:43.

The City of Stillwater encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, please notify the Library Director at least 48 hours prior to the meeting by calling 405.372.3633 ext 8124.

Prepared by: Naomi Brown, Recording Secretary

Approved by:

Chair, Stillwater Public Library Board

December 2022

City of Stillwater, OK

50% of Fiscal Year 2023 Elapsed

Budget to Actuals with Encumbrances by Key and Object

Report Date: 12/31/2022

Object - Description

Budget

**Month to date
Actual**

**Year to date
Actual**

Encumbrance

Balance

**Pct.
Rem.**

Key: 1015510 - Library administration

Revenue

43000 - Grant Revenue	0.00	0.00	0.00	0.00	0.00	0.00
43100 - Federal Grant Revenue	231,369.00	0.00	142,000.00	0.00	89,369.00	38.62%
43200 - State Grant Revenue	8,313.00	0.00	0.00	0.00	8,313.00	100.00%
45000 - Fines & Forfeitures	15,000.00	1,596.89	11,407.19	0.00	3,592.81	23.95%
47012 - Misc Fees	9,000.00	583.52	4,452.47	0.00	4,547.53	50.52%
47501 - Room Rental	6,300.00	3,041.25	5,213.75	0.00	1,086.25	17.24%
48700 - Miscellaneous Revenue	0.00	0.00	0.00	0.00	0.00	0.00%
48701 - Donations	3,990.00	2,089.95	3,990.60	0.00	-0.60	-0.01%
48702 - Reimbursements	0.00	0.00	0.00	0.00	0.00	0.00%
Revenue Total:	273,972.00	7,311.61	167,064.01	0.00	106,907.99	39.02%

Expenditure

51001 - Full Time	629,701.00	46,793.75	284,292.31	0.00	345,408.69	54.85%
51002 - Part Time	254,800.00	16,699.86	100,941.22	0.00	153,858.78	60.38%
51003 - Overtime	1,400.00	0.00	331.73	0.00	1,068.27	76.30%
51004 - Allowance	0.00	0.00	0.00	0.00	0.00	0.00%
51005 - On-Call	0.00	0.00	0.00	0.00	0.00	0.00%
51021 - Social Security	67,771.00	4,668.20	28,416.07	0.00	39,354.93	58.07%
51022 - Retirement	37,866.00	2,807.61	17,082.82	0.00	20,783.18	54.88%
51031 - Pension Benefits	0.00	0.00	0.00	0.00	0.00	0.00%
52012 - Vehicle Repair Parts	500.00	0.00	0.00	0.00	500.00	100.00%
52031 - Office Supplies	1,700.00	308.30	607.41	181.33	911.26	53.60%
52034 - Postage	220.00	0.00	109.30	0.00	110.70	50.31%
52036 - Janitorial Supplies	6,100.00	185.01	1,822.57	0.00	4,277.43	70.12%
52040 - Books & Publications	88,300.00	7,310.55	37,502.38	43,240.90	7,556.72	8.55%
52041 - Clothing & Uniforms	600.00	0.00	100.00	0.00	500.00	83.33%
52042 - Food	0.00	0.00	10.00	0.00	-10.00	0.00%
52043 - Vehicle Fuel & Oil	450.00	0.00	85.69	0.00	364.31	80.95%
52046 - Supplies	21,549.00	8,773.63	11,227.24	3,851.43	6,470.33	30.02%
53001 - Natural Gas	3,000.00	597.19	1,195.99	0.00	1,804.01	60.13%
53004 - Telecommunications	7,640.00	52.15	312.97	0.00	7,327.03	95.90%
53011 - Equipment Rental	4,800.00	264.97	1,755.75	2,444.25	600.00	12.50%
53020 - Repair-Structures	21,837.00	450.00	10,392.64	4,012.50	7,431.86	34.03%
53023 - Repair-HVAC	31,448.00	0.00	22,661.91	0.00	8,786.09	27.93%
53041 - Donations	17,482.00	399.50	1,808.78	1,764.62	13,908.60	79.55%

City of Stillwater, OK

Budget to Actuals with Encumbrances by Key and Object

Report Date: 12/31/2022

Object - Description	Budget	Month to date		Year to date		Encumbrance	Balance	Rem.
		Actual		Actual				
53045 - Grant Expenditure	273,300.00	46,152.38		162,640.88		17,307.18	93,351.94	34.15%
53049 - Cash Short	0.00	2.50		-28.75		0.00	28.75	0.00%
53054 - Dues & Subscriptions	689.00	0.00		103.00		0.00	586.00	85.05%
53055 - Training	1,300.00	0.00		167.10		0.00	1,132.90	87.14%
53062 - Refunds	200.00	0.00		0.00		0.00	200.00	100.00%
53064 - Contract for Services	8,585.00	528.15		2,399.30		6,185.70	0.00	0.00%
53066 - Miscellaneous Services	250.00	0.00		35.00		0.00	215.00	86.00%
53068 - Travel Expense	750.00	0.00		0.00		0.00	750.00	100.00%
53071 - Software Maintenance	40,118.00	1,320.00		35,909.34		3,188.76	1,019.90	2.54%
54012 - Building & Structures	0.00	0.00		0.00		0.00	0.00	0.00%
56000 - Direct Costs	702.00	59.00		354.00		0.00	348.00	49.57%
56001 - Indirect Costs	851.00	71.00		426.00		0.00	425.00	49.94%
Expenditure Total:	1,523,909.00	137,443.75		722,662.65		82,176.67	719,069.68	47.18%
Key Total:	(1,249,937.00)	(130,132.14)		(555,598.64)		(82,176.67)	(612,161.69)	48.97%
Key: 1055510 - Library Expenditure								
54012 - Building & Structures	0.00	0.00		0.00		0.00	0.00	0.00%
Expenditure Total:	0.00	0.00		0.00		0.00	0.00	0.00%
Key Total:	0.00	0.00		0.00		0.00	0.00	0.00%
Key: 6400000 - Library Revenue								
46001 - Interest-Investments	0.00	0.00		1,973.18		0.00	-1,973.18	0.00%
46004 - Interest-CD's	0.00	585.12		1,379.02		0.00	-1,379.02	0.00%
46201 - Unrealized Gain/Loss on Invest	0.00	0.00		0.00		0.00	0.00	0.00%
48701 - Donations	0.00	400.00		5,991.86		0.00	-5,991.86	0.00%
Revenue Total:	0.00	985.12		9,344.06		0.00	(9,344.06)	0.00%
Key Total:	0.00	985.12		9,344.06		0.00	(9,344.06)	0.00%

Key: 6405510 - Library administration

City of Stillwater, OK

Budget to Actuals with Encumbrances by Key and Object

Report Date: 12/31/2022

Object - Description	Budget	Month to date Actual	Year to date Actual	Encumbrance	Balance	Pct. Rem.
Expenditure						
53041 - Donations						
	6,000.00	793.83	793.83	129.51	5,076.66	84.61 %
Expenditure Total:	6,000.00	793.83	793.83	129.51	5,076.66	84.61 %
Key Total:	(6,000.00)	(793.83)	(793.83)	(129.51)	(5,076.66)	84.61 %

PUBLIC SERVICES

USER SERVICES

STILLWATER PUBLIC LIBRARY PATRON PROFILE

CITY RESIDENTS/NON-CITY RESIDENTS

19,027 / 2,479

ESTIMATED ADULT REFERENCE

ESTIMATED CHILDREN'S REFERENCE

PROGRAMMING

TECHNICAL SERVICES

MATERIALS ADDED & PROCESSED

(81,777) 80,030 TOTAL NUMBER OF BOUND VOLUMES IN THE LIBRARY

() FIGURES IN BRACKETS ARE FOR THE SAME MONTH LAST YEAR

STILLWATER PUBLIC LIBRARY ACTIVITIES REPORT DECEMBER 2022

ADULT SERVICES

<u>4,067</u>	<u>Reference Questions</u>	<u>0</u>	Outreach	<u>0</u>	Participants
	<u>2,808</u>		in person	<u>6</u>	Number of Adult Programs
	<u>819</u>		by phone	<u>63</u>	Attendance at Adult Programs
	<u>440</u>		directional	<u>2</u>	Number of Young Adult Programs
		<u>28</u>	Attendance at Young Adult Programs		
<u>146</u>	Meeting Room Usage	<u>10</u>	Number of Volunteers		
		<u>56.50</u>	Total Volunteer Hours		
		<u>15</u>	Displays		

CHILDREN'S SERVICES

<u>310</u>	<u>Reference Questions</u>				
	<u>228</u>		in person		
	<u>28</u>		by phone		
	<u>54</u>		directional		
<u>0</u>	Number of pre-school programs		(daycare & Headstart)		
<u>0</u>	Attendance at pre-school programs				
<u>11</u>	Number of storyhours				
<u>173</u>	Attendance at storyhours				
<u>0</u>	Number of programs/school visits for school age children		(here or away)		
<u>0</u>	Attendance at programs for school age children				
<u>0</u>	Number of programs for Summer Reading Program				
<u>0</u>	Attendance at Summer Reading Program				
<u>10</u>	Displays				
<u>1</u>	Number of volunteers				
<u>10.00</u>	Total volunteer hours				

REGISTRATION

<u>129</u>	<u>Total new borrowers</u>		
	<u>104</u>	Adults	
	<u>25</u>	Juveniles	

STILLWATER PUBLIC LIBRARY ACTIVITIES REPORT

DECEMBER 2022

ADULT

Total Book & Non-Book Material Checkouts

2020	2021	2022	
3,355	3,313	3,648	Fiction
1,536	1,102	1,229	Nonfiction
1,231	1,064	1,263	New books
13	8	20	Multi-language items
6,135	5,487	6,160	Total Book Checkouts
21	38	21	Devices
251	298	166	CD books
34	25	57	Music cds
182	264	161	DVDs & Blu-rays
70	50	50	Book Club Bks
5	12	23	Kits
563	687	478	Total Checkouts
132	331	190	In-library use
59	38	24	ILL
7,276	6,040	6,231	Ebooks
4,034	4,089	4,531	Downloadable audios
471	379	0	Emagazines
4	7	0	Streaming videos
11,976	10,884	10,976	Total Checkouts

25,429 25,347 25,873 **GRAND TOTAL CIRCULATION**

CHILDREN'S

Total Book & Non-Book Material Checkouts

2020	2021	2022	
4,621	5,928	6,068	Fiction
987	1,101	616	Nonfiction
467	423	632	New books
18	79	88	Multi-language items
6,093	7,531	7,404	Total Book Checkouts
258	322	430	CD books
5	21	6	Music cds
216	226	276	DVDs & Blu-rays
4	11	15	Kits
483	580	727	Total Checkouts
179	178	128	In-library use

OUTREACH

3	Homebound patron deliveries	6	Facility deliveries
19	Homebound items/materials	12	Deposit collections
		240	Outreach books

Natalie Currie
Director



J. Kevin Stitt
Governor

To: Public Library Directors

From: Natalie Currie, Director, State Librarian and Archivist
Oklahoma Department of Libraries

Date: December 30, 2022

Re: State Aid to Oklahoma Public Libraries for FY 2023

It is with pleasure that we again distribute **State Aid Grants to Oklahoma Public Libraries and Library Systems**. Please follow these instructions for the enclosed rules and regulations, agreement, and claim form.

Rules and Regulations for State Aid Grants to Public Libraries:

Please read the State Aid qualification requirements and contact your library consultant if you have any questions.

Agreement for FY 2023 State Aid Recipients:

Print a copy of the agreement. The agreement must be **signed and dated** by the **library director** and your city's **authorized representative** (mayor, city manager, or library board chairperson). Return a scanned copy of the agreement and keep the original copy for your records. This document serves as a contract between your library and the Oklahoma Department of Libraries.

Claim Form:

The claim form must be signed by the city's **authorizing official** and **notarized**. The official should sign in the lower left corner of the page as the "Claimant."

State Aid funds must be obligated or expended by July 31, 2023.

Please scan the signed agreement and the notarized claim form and email to tara.mccleod@libraries.ok.gov. Email is preferred.

If you need to mail your documents, please send them to:

Oklahoma Department of Libraries
Attn: Tara McCleod
200 NE 18th Street
Oklahoma City, OK 73105

AGREEMENT

For
2023 State Aid Recipients

WHEREAS, the State of Oklahoma and the Oklahoma Department of Libraries wish to improve library service in the State.

THEREFORE, in consideration of the mutual covenants contained herein and as set forth in the Oklahoma Administrative Code Title 405, Chapter 25;

The Department will distribute funds as per approved formula. State aid funds are dependent on the Oklahoma Department of Libraries having sufficient funds to pay awards. In case of revenue failures, payments to libraries will be reduced uniformly.

All funds shall be administered according to 11 O.S. § 17-207 (2011), which states, "Any monies received or expended by a municipality must be accounted for by fund and account."

In accepting state aid funds, the undersigned representative of a public library agrees that said library meets the standards as adopted by the Oklahoma Department of Libraries Board on April 1, 1999, amended in 2017, 2019 and 2022, or are covered by the waivers approved by the Board on December 16, 2022, that address impacts on hours of operation and Maintenance of Effort. Said library agrees to adhere to the adopted standards and to notify the Department if such standards cannot be maintained. Said library agrees to apply state aid funds for the improvement of public library services. All funds will be expended or obligated on or before July 31, 2023.

Stillwater Public Library

Authorized Representative

Library Director

Print Name and Title

Date

Date

CONTRACT
BETWEEN THE OKLAHOMA DEPARTMENT OF LIBRARIES
AND CITY OF STILLWATER

I. CONTRACTING PARTIES

The Adult Online High School Grant program is a partnership between the Oklahoma Department of Libraries and the Oklahoma Department of Commerce's Oklahoma Office of Workforce Development (OOWD). The OOWD houses Oklahoma Works, the State's workforce development initiative, and administers the federal Workforce Innovation and Opportunity Act Title 1-financially assisted programs/activities under the U.S. Department of Labor.

The contracting parties are the Oklahoma Department of Libraries, a state agency (Department), and the City of Stillwater, the Contractor, collectively known as the Parties.

I. TERMS OF THE CONTRACT

- a. This contract shall begin on December 9, 2022, and shall terminate three months after the completion of the last purchased seat in the program.
- b. In the event Contractor fails to comply with the terms and conditions of this Contract, the Department may, upon written notice of such non-compliance to the Contractor, cancel the Contract effective upon receipt of notice. Such cancellation shall be in addition to any other rights and remedies provided for by law. This Contract may be terminated without cause by either party upon thirty (30) days written notice to the other party, or in accordance with the provisions set forth herein.
- c. The Parties to this Contract understand and acknowledge any future contracts or renewals are not automatic nor implied by this Contract.

III. OBLIGATIONS OF THE CONTRACTOR

The Contractor shall render diligently and competently the services as indicated and in the manner set forth herein which shall be binding on the Parties of this Contract. The Contractor shall:

- a. Use grant funds to purchase items as described in the approved application.
- b. Fully expend all grant funds by the termination of this contract.
- c. The Oklahoma Department of Libraries, Oklahoma Department of Commerce and Workforce Innovation and Opportunity Act must be referenced in all publicity.
- d. Maintain receipts for five (5) years after the completion of the last seat for all purchases paid with grant funds.
- e. Collect required statistics and maintain copies of all related information.
- f. Participate in quarterly Zoom meetings.
- g. Submit quarterly reports until the contract terminates.

IV. OBLIGATIONS OF THE DEPARTMENT

The Department shall carry out the subsequent administrative responsibilities:

- a. Approve application and provide a contract and claim form.
- b. Process grant payment to the Contractor upon receipt of notarized claim form.
- c. Facilitate quarterly Zoom meetings with pilot sites.
- d. Review and approve quarterly reports.

V. PROJECT FUNDING

In accordance with the terms of this Contract, the Department will pay **Eight Thousand Three Hundred Twelve Dollars and Fifty Cents (\$8,312.50)** to the contractor.

- a. Expenditures for this project must conform to the approved budget and to applicable local, state, and federal laws and regulations, and are subject to all conditions of this Contract. Any deviations from the approved budget must be approved in writing by the Department.
- b. Payment will be made via electronic deposit within 45 days of receipt of the notarized claim form.
- c. The Contractor assures that expenditures under this Contract will be included in its next regular audit.

VI. GENERAL PROVISIONS

- a. Notices

Any notices to be given herein are deemed to be given when deposited with the United States Postal Service, certified or registered mail, return receipt requested, which sufficient postage prepaid, addressed as specified below. Parties may at any time designate any other address by giving written notice to the Department.

As to the Department:

Oklahoma Department of Libraries
Attn: Cassandra Spindle
200 NE 18 Street
Oklahoma City, OK 73105-3205

As to the Contractor:

Stillwater Public Library
Attn: Emily States
1107 S Duck St
Stillwater, OK 74075

- b. No Grant of Authority

Nothing herein shall be construed as conferring upon the Contractor or Director the authority to assume or incur any liability or obligation of any kind, expressed or implied, in the name of or on behalf of the Department. The Contractor agrees not to assume or incur any such liability without the prior written consent of the Department.

- c. Performance Suspension

Performance may be suspended by either party for any act of God, war, riots, fire, explosion, strike, injunction, inability to obtain fuel, power, labor, or transportation, accident, national defense requirements, or any cause beyond the control of such party, which prevents the performance of such party. An alleged breach of this Contract by either party shall be grounds for immediate suspension of

performance.

VII. RECORDS MAINTENANCE AND ACCESS REQUIREMENTS

The Contractor agrees to keep and maintain appropriate books and records reflecting the services performed and costs and expenses incurred in connection with its performance of the services, including accounting procedures, practices or any other items relevant to this Contract, for a period of five (5) years from the ending date of this Contract. Upon reasonable notice, the Department, the State Auditor's Office, the State Purchasing Director, or their representatives, shall be entitled to any books, records, and other documents and items directly pertaining to charges to the Department thereunder for purpose of audit and examination, at Contractor's premises during normal business hours. The Contractor further agrees to provide appropriate access by the aforementioned parties to any subcontractor's associated records. In the event any audit, litigation, or other action involving these pertinent records is started before the end of the five (5) year period, the Contractor agrees to retain these records until all issues arising out of the action are resolved or until the end of the five (5) year period, whichever is later.

VIII. VENUE AND APPLICABLE LAW

If any legal action is taken to enforce the terms of this contract, the Parties agree that venue for all legal action is Oklahoma City, Oklahoma. This contract shall be governed by and construed in accordance with the laws of the State of Oklahoma.

IX. ADDITIONAL REQUIREMENTS

- a. It is expressly agreed that the Contractor under this contract is an independent contractor and under no circumstances shall any owners, officers, employees, or volunteers of the Contractor be considered employees of the Department or the State of Oklahoma. The Contractor is responsible for all types of claims due its volunteers, employees, or any third parties. The Contractor will indemnify and hold harmless the Department and the State of Oklahoma from and against any and all claims arising out of the Contractor's, or any of the Contractor's employees' or volunteers' performance, including but not limited to the use of automobiles or other transportation.
- b. Include the following acknowledgement on any publication or presentation resulting from Contractor's participation: "The Adult Online High School Grant program is administered by the Oklahoma Department of Libraries and is supported by their partner, the Oklahoma Office of Workforce Development through the U.S. Department of Labor under the Workforce Innovation and Opportunity Act. The opinions expressed by a grant contractor do not necessarily reflect the position or policy of the OOWD or ODL, and no official endorsement by those entities should be inferred."
- c. It is expressly agreed that any solicitation for, or receipt of, funds of any type by the Contractor is for the sole benefit of the Contractor and is not a solicitation for, or receipt of, funds on behalf of the Department.
- d. The Contractor may not subcontract or assign any duties herein without the express written

consent of the Department.

X. AMENDMENTS

Any alterations, additions, or deletions to the terms of this contract shall be in writing and executed by all Parties.

XI. ENTIRE CONTRACT

This instrument constitutes the entire contract between the Parties. All oral or written agreements between the Parties relating to the subject matter of this contract have been reduced to writing and are contained herein.

XII. EXECUTION OF CONTRACT

The Contractor affirms that all information, documentation, and representations submitted in securing this contract are true and correct to the best of her knowledge.

The Contractor certifies that neither the Contractor, nor anyone subject to the Contractor's direction or control, has paid, given, or donated, or agreed to pay, give, or donate to any officer or employee of the Department or the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring this contract.

Each signatory to this contract declares that he/she has legal authority for obligating the entity he/she represents for the benefits and/or liabilities resulting under said contract and accepts liability for any misrepresentation of such authority.

IN WITNESS WHEREOF, the Contractor and the Department have each caused this contract to be executed in their behalf.

SIGNATURES

On behalf of the Contractor

Stacy Delano, Director

Signature

Date

On behalf of the Department

Natalie Currie, Director

Signature

Date

Norman McNickle, City Manager

Signature

Date

FOR USE BY THE OKLAHOMA DEPARTMENT of LIBRARIES

Assurances: Fund 405HS is encumbered for this Contract

Lead Officer Approval:

Date:

Federal Programs

Officer/Business Manager:

Date:

Bylaws of the Stillwater Public Library Board

Article I. Name

This organization shall be called the “Stillwater Public Library Board” (hereafter, “library board”), located in Stillwater, Oklahoma, established by the Oklahoma municipality of Stillwater, according to the provisions 11 O.S. §31-101 and §31-102 and as set out in Article III, Section 3-6 of the Stillwater City Charter, and exercising the powers and assuming the duties granted to it under said statutes and Charter.

Article II. Purpose and Responsibilities

The library board shall be the head of the library department. The library board shall have supervision and control of the public library or libraries of the city, and shall appoint a librarian or librarians and all other subordinates; provided that the board may authorize the librarian to appoint subordinates. The library board may adopt regulations for the administration and operation of the library or libraries, subject to ordinances which the city council may enact. The library board members will work to maintain vital public relations and act as advocates for library services in the community.

Article III. Membership

Section 1. Appointments and Terms. The library board shall be comprised of seven (7) members, appointed by the Stillwater City Council (hereafter, “city council”) for overlapping terms of three (3) years and to serve two (2) full consecutive terms or until their respective successors have been appointed and qualify. The terms of members shall begin at 7:30 p.m. on the first Monday in May every year.

Section 2. Compensation. Members shall serve without compensation

Section 3 Removal. The city council may remove a member for the good of the service. **The library board may recommend removal of a member to the city council based on an affirmative vote of the majority of board members.**

Section 4. Vacancies. The city council may appoint new board members to fill vacancies for unexpired terms.

Article IV. Meetings

Section 1. Meeting Attendance. Members shall be expected to attend all meetings except as they are prevented by a valid reason.

Section 2. Meeting Schedule. The regular meetings of the library board shall be held on the 4th Tuesday of each month at noon (12:00 p.m.), except for during the month of July, or as determined in advance by vote of the board.

Commented [1]: legal good with this?

Commented [2R1]: It is my position that this language conflicts with the charter. All of the proposed Article III is right in line with the Charter, Section 3-6 for each section with the exception of the highlight in Section 3.

Section 3. Special Meetings. Special meetings may be called by the chairperson, or upon the written request of four (4) members, for the transaction of business stated in the call for the meeting.

Section 4. Annual Meeting. An annual meeting date shall be designated by the board for the election of officers. The annual meeting will be in May at the established time and day of regular board meetings set in Section 2 above.

Section 5. Agendas and Notices. Meeting agendas and notices shall indicate the time, data, and place of the meeting and indicate all subject matters intended for consideration at the meeting.

Section 6. Minutes. Minutes of all meetings shall, at a minimum, indicate board members present, all items of business, all motions (except those that were withdrawn), and the result of all votes taken. Current board minutes shall be posted.

Section 7. Quorum. A quorum for the transaction of business at any meeting shall consist of four (4) members of the board present.

Section 8. Open Meetings Law Compliance. All board meetings and all committee meetings shall be held in compliance with Oklahoma's open meetings law. (25 O.S., §§ 301 to 314)

Section 9. Parliamentary Authority. The rules contained in Robert's Rules of Order, latest revised edition shall govern the parliamentary procedure of the meetings, in all cases in which they are not inconsistent with these bylaws and any statutes applicable to this board.

Section 10. Library Public Comment Policy. Taxpayers or residents of the city, or their authorized legal representatives, may address the library board at a regularly-scheduled meeting on any item of business listed on the meeting agenda. Requests to address the library board shall be submitted in writing to the library's business office prior to the start of the board meeting; the library director or designee shall prepare and distribute a form for this purpose. Only those persons that have complied with this requirement will be permitted to speak at the meeting. Each person addressing the board shall give their name and address in an audible tone of voice for the record. Such person shall be entitled to speak one time only at the meeting on any item of business listed on the meeting agenda, for three (3) minutes, unless further time is granted by the presiding officer after consultation with the board. All remarks shall be addressed to the board as a body and not to any member thereof. No person other than the board and the person with the floor shall be permitted to enter into any discussion, either directly or through a member of the board, without permission of the presiding officer after consultation with the board. No questions shall be asked of a board member except through the presiding officer.

Commented [3]: how soon before?

Article V. Officers

Section 1. The officers shall be a chair, a vice-chair, and a secretary; and the secretary need not be a member of the board. No member shall hold more than one (1) office at a time. No member shall be eligible to serve more than two (2) consecutive terms in the same office.

Section 2. A nominating committee shall be appointed by the chair three (3) months prior to the annual meeting and shall present a slate of officers at the annual meeting. Additional nominations may be made from the floor at that time.

Section 3. Officers shall serve a term of one (1) year from the annual meeting at which they are elected and until their successors are duly elected.

Section 4. The chair shall preside at meetings of the board, authorize calls for special meetings, appoint all committees, execute all documents authorized by the board, and generally perform all duties associated with the office of chair.

Section 5. The vice-chair, in the event of the absence or disability of the chair, or of a vacancy in that office, shall assume and perform the duties and functions of the chair.

Section 6. The secretary shall keep true and accurate minutes of all meetings of the board, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with the office of secretary. The library director or a member of the library staff may be designated by the board each year at the annual meeting or as deemed necessary by the board to perform any or all of the above duties in section 6.

Article VI. Committees

Section 1. Nominating Committee. A nominating committee shall be appointed by the chair three (3) months prior to the annual meeting and shall present a slate of officers at the annual meeting. Additional nominations may be made from the floor at that time.

Section 2. Ad Hoc Committees. Ad hoc committees for the study of special problems shall be appointed by the chair, with the approval of the board, to serve until the final report of the work for which they were appointed has been filed. These committees may also include staff and public representatives, as well as outside experts.

Section 3. No committee shall have other than advisory powers.

Article VII. Library Director.

The library director shall be appointed by the library board and shall be responsible to that board. The library director shall be considered the executive officer of the library under the direction and review of the board, and subject to the policies established by the board. The library director shall act as technical advisor to the board. The library director shall be invited to attend all board meetings (but may be excused from closed sessions) and shall have no vote.

Article VIII. Conflict of Interest.

Section 1. A library board member shall withdraw from board discussion, deliberation, and voting on any matter in which the board member, an immediate family member, or an organization with which the board member is associated has a substantial financial interest.

Article IX. General.

Section 1. An affirmative vote of the majority of all members of the board present at the time shall be necessary to approve any action before the board. The chair may vote upon and may move or second a proposal before the board.

Section 2. These bylaws may be amended by majority vote of all members of the board, provided written notice of the proposed amendment shall have been provided to all members at least ten (10) days prior to the meeting at which such action is proposed to be taken.

Approved by the Stillwater Public Library Board on _____.

DRAFT