



ADMINISTRATIVE COUNCIL MINUTES - AMENDED
Friday, February 18, 2022
10:00 am – Webinar

Presiding: FY 2021/22 Chair Jessica Cadiente, SB

Attending: Attending: Ned Branch, SP; Jessica Cadiente, SB; Sarah Bleyl, LM; Dawn Jackson, SM; Christopher Barnickel, SLO; Angelica Fortin, PR; Allison Gray, GV; Jody Thomas, Carpinteria; Bev Schwartzberg, State Library; Glynis Fitzgerald, BG; Kristina Uvalle, BG. Members of the General Public.

<ul style="list-style-type: none"> • Agenda and business meeting addenda (compiled PDF) @http://ats.blackgold.org • Auxiliary Receive and File addenda PDFs @ http://ats.blackgold.org 	
Symbol	Key
<i>M</i>	Move to approve
*	PDF accompanies posted agenda
<i>p.</i>	Associated addendum page number(s) located @ top center of compiled agenda PDF.
**	Item to be provided later
▶	Item updated in the Administrative Council Notebook @ http://ats.blackgold.org

1. **10:03a.m. CALL TO ORDER**

2. *M* - **ADOPTION OF AGENDA – Move item K after G and before H.** 1st NB/ 2nd AF. Roll call: PR – yes, SLO – no, SM – yes, LM – yes, GV - yes, SB – no, SP – yes. **Move item O to A.** 1st JC/2nd CB. Roll call: PR – yes, SLO – yes, SM – yes, LM – yes, GV - yes, SB – yes, SP – yes. Approved as amended.

3. **PUBLIC TESTIMONY – N/A**

4. *M* - **CONSENT CALENDAR**

- a. *Administrative Council Minutes – 01.21.22
- b. *Net Borrowing/Lending – January 2022

1st NB/ 2nd AF. Roll call: PR – yes, SLO – no, SM – yes, LM – yes, GV - yes, SB – no, SP – yes. Approved as amended.

5. **AUXILIARY RECEIVE AND FILE** — [posted @ <http://ats.blackgold.org>]

- a. Departmental Resources
 - i. Circulation - ATS Checkout & Renewal Statistics – January 2022
 - ii. Cataloging – January 2022
 - iii. Hoopla Recap – January 2022

6. **STATE LIBRARY REPORT – February Report** -provided by Bev Schwartzberg (State Library)

7. **NEW BUSINESS**

- a. **M* - **Administrative Chair (SP)**

Santa Barbara is currently Admin Council chair in accordance with the normal south-to-north rotation. However, Santa Barbara has notified Black Gold of its withdrawal as a member effective July 1, 2022. Decisions made by Admin Council, such as decisions relating to the migration to a new ILS and to the inclusion of Carpinteria as a full Black Gold member, have impacts far beyond June 30, 2022. Santa Barbara has made it clear that its interests and those of the libraries that will continue to comprise Black Gold are not aligned. It would be in the best interest of Black Gold for Santa Barbara to relinquish the chair of Black Gold Administrative Council.

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Amended to add: DISCUSSION: There was a disagreement between directors as to whether Mr. Shupe's letter was considered a threat of litigation or a matter of declaratory relief to the court for interpretation of a contract. NB(SP) stated that Declaratory Relief is a legal way to ask a court to interpret a contract—it is not threatened litigation. JC(SB) stated that the SB City attorney interpreted the letter as a threat of litigation. The discussion ended with no motion being made and the topic was closed.

No Motion

b. Discussion – Status update for renewal cut-off dates

GF (BG) reported the Cooperative Libraries tentatively decided on March 1st as a cut-off date for auto-renewals. JC (SB) agreed to the March 1st deadline. CB (SLO) reported that SLO would like to continue with auto-renewals.

ACTION ITEM: GF(BG) will have Kim turn off auto renewals for all libraries excluding SLO starting March 1st.

c. *M - Duplicate Patron cards (BG)

Due to SLO and SB announcement to withdraw from the Cooperative, existing BG patrons are already approaching neighboring jurisdictions to obtain an additional card at the library that they will lose access to. Example: SLO patrons asking for PR cards; SM patrons asking for SLO cards; SB patrons asking for GOL cards.

Our current policy requires staff to ask patrons to relinquish their existing BG card in order to change their home library and not create a duplicate patron. When we move to separate ILS's, the patron would no longer be a duplicate patron.

A motion was made to allow patrons to get up to triplicate cards from neighboring libraries prior to the Koha migration date. 1st CB/ 2nd AG. Roll call: PR – yes, SLO – yes, SM – yes, LM – yes, GV - yes, SB – yes, SP – yes. Approved.

d. *Polaris ILS - Freeze data (BG)

Polaris will be used by all libraries through 4/22/2022. SLO and BG will migrate data as of that date to Koha. We need to freeze Polaris as of that date or we risk losing data integrity. If we keep Polaris active for SB until they migrate the following week, there will be no way to prohibit patrons of the other libraries from accessing Polaris. Any new online patron registrations, changes to account data, even holds could be placed on items in the Polaris database for SLO and BG patrons during this time when Koha is the active system. Those transactions could be lost without patron or staff knowledge. The only way to prohibit potential access is to deactivate the connection of blackgold.org from Polaris. This will restrict any activity by SB for that week.

DISCUSSION: JC (SB) reported SBPL has moved up its migration date to April 15th.

ACTION ITEM: GF(BG) will check to see if it is possible to suppress the SBPL collection starting April 16th.

No Motion.

e. *M - Delivery after July 1st (BG)

Many Black Gold patrons have been accustomed to visiting different jurisdictions for years. With the ability to have cards at SLO, SB, and a Black Gold library, many patrons will be checking items out from multiple libraries at the same time. The reality is that they will probably be returning items to the wrong libraries – for example, items may be turned in at PR for SLO, SLO for SM, GOL for SB, etc. Staff can refuse to accept the items, but many will be dropped in the book drops.

A motion was made to continue delivery between all jurisdictions one time per month starting after July 1st for 90 days. 1st CB/ 2nd AF. Roll call: PR – yes, SLO – yes, SM – yes, LM – yes, GV - yes, SB – yes, SP – yes. Approved.

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f. ***M - Shared Materials request (SB & SLO)**

According to Bywater there is no "ILL fee" associated with sharing materials between jurisdictions using KOHA. Courier costs could be split amongst the participating jurisdictions. After Aspen is developed to allow patrons to place their own holds through separate instances, we would like to add that functionality as previously discussed.

DISCUSSION: GF (BG) reported per Bywater, the Koha ILL does not work on a consortium level. They are testing the process, but it will not be ready by the conversion date. Several directors expressed concern over the staff costs associated with the way Koha handles ILL requests. It was suggested to wait on deciding until the test server was up and ready to see how the process would work.

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ACTION ITEM: BG to put back on the agenda when the timing is more appropriate.

g. ***Informational – Reimbursables (SLO)**

Currently the County of San Luis Obispo Public Libraries pays for Hoopla, Hotspots, Cybrarian, and movie licensing as reimbursable payments to Black Gold. As we will be contracting these services independently, we need to know when the contracts expire and can transition away from reimbursable payments. We prefer a mid-May timeline so we can ensure Koha is stable and operational.

DISCUSSION: CB (SLO) and GF (BG) worked out the details. GF (BG) provided an update for various contracts that are expiring before the July 1st.

h. ***M - CENIC Contracts for SLO and SB (BG)**

We have been asked by CENIC and the State Library to consider allowing continuation of services on the existing Black Gold contract for SLO and SB for a period of time if required, due to installation dates for these libraries after the proposed disconnect date. Note that SLO has asked BG for a possible month-to-month accommodation, while SB has not.

DISCUSSION: CB (SLO) discussed the possibility of maintaining the status quo until separate CENIC contracts can be finalized. GF (BG) stated it was possible to create a service level agreement with SLO and SB with a base monthly fee for services.

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ACTION ITEM: BG to revisit once GF (BG) has worked out agreements with SLO and SB for final approval.

i. ***Discussion - CalPERS Pension Liability (BG)**

In September 2018, the State of California approved Assembly Bill 1912:

- An act to amend Sections 6508.1 and 20575 of, to add Sections 6508.2 and 20574.1 to, and to repeal and add Section 20577.5 of, the Government Code, relating to public agencies, and making an appropriation therefor.

In short, the bill obligates all members of a JPA the responsibility for payment of their share of unfunded pension liabilities. The bill specifies that the provisions apply to both current members and former members of the JPA. We have been informed by CalPERS that members who withdrew from the JPA prior to this bill would not be held liable (Ventura County).

The latest Hypothetical Termination Liability from the CalPERS Actuarial Valuation of June 30, 2020 is \$8,453,276. The unfunded portion of this is \$5,555,111.

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DISCUSSION: It was determined that any decisions to be made on the pension liability was out of the hands of the library directors. Any agreement will need to be worked out with the governing bodies involved.

ACTION ITEM: GF (BG) will send out a breakdown of the 12 years of data use in the example provided.

RECESS AT 11:55 AM/RESUME AT 12:27 PM

j. ***M - Overdrive Content (SB & SLO)**

SBPL and SLO have provided notice of intent to withdraw from the Black Gold Cooperative effective 7.1.22. To that end, both jurisdictions would like to discuss options for splitting the current Overdrive content. SLO and SBPL have contributed the majority of funds towards Overdrive content in years past and as a gesture of good faith we request that the one user one book content be split among jurisdictions.

DISCUSSION: The JPA states that departing parties are not allowed to take any assets unless agreed upon by all members. Some directors stated that with so many other financial issues to be settled it was too soon to discuss any distribution of assets. SB and SLO patrons could continue to have access to the Overdrive catalog by obtaining a Black Gold Library card.

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k. ***M – System Administrator Retirement Date Extension**

The BG System Administrator intends to retire – her final effective workday at Black Gold would be February 28, 2022. Because of the crucial role she is playing in the next two months, we have asked if she would consider extending her retirement date.

DISCUSSION: It was agreed that the cost to retain the System Administrator until the migration was completed was necessary and well worth it compared to the cost from Polaris for conversion services.

A motion was made to offer the System Administrator a performance incentive for working through the end of April to complete the conversion. 1st NB/ 2nd SJB. Roll call: PR – yes, SLO – abstain, SM – yes, LM – yes, GV - yes, SB – abstain, SP – yes. Approved.

l. ***M-2022-23 Tentative Budget**

DISCUSSION: GF (BG) reviewed the tentative budget. Highlights include: CLSA funding is an estimate provided by the State Library considering the exit of SLO and SB and the addition of Carpinteria. 5% COLA included, Magellan cancelled, System Administrator position removed. Increase in Attorney fees and delivery reduced to 2 days per week, and changes with the new Koha ILS.

The allocation formula for the libraries' contributions was skewed against PR since they had engaged in reciprocal lending with SLO for most of the FY20/21 so their circ #'s were uncommonly higher relative to other libraries. Directors discussed the option to use numbers from the FY19/20 circ as opposed to the FY20/21 circ. Pulling data from the first 6 months of FY21/22 show similar circ numbers to data in FY19/20.

A motion to approve the tentative budget as presented using the 6 months circ numbers (ending 12/31/21) instead of the FY20/21 numbers. 1st NB/ 2nd AG. Roll call: PR – yes, SLO – abstain, SM – yes, LM – yes, GV - yes, SB – abstain, SP – yes. Approved.

ACTION ITEM: GF (BG) will send out the Tentative Budget with the change to allocation formula to the directors.

m. ***M - Approved Signers for bank accounts (BG)**

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According to the BG Admin Resolutions and Regulations, the approved signatures on the bank accounts are:

1. System Director
2. Staff member designated by Council
3. Director of the Library serving the community in which the Black Gold Headquarters is located.
4. Director of the Library that is the next nearest to the Black Gold Headquarters.

#1 - Chris Barnickel and Mary Housel are currently authorized to sign BG checks on both the Premier (Founders) and the Wells Fargo bank accounts. With the retirement of Mary Housel and the withdrawal of SLO from BG, we need to reassign this authorization to two other individuals.

#2 – Glynis Fitzgerald is authorized to sign checks on the Premier Bank account. Wells Fargo Bank would only accept adding GF to the bank account if she appeared at the bank with an authorized signer, but this never occurred. GF needs to be added to the WF bank account.

DISCUSSION: CB (SLO) offered to stay on the account through June 30th.

A motion was made to add Angelica Fortin to the Black Gold Premier Bank account and Angelica Fortin and Glynis Fitzgerald as signers for the Black Gold Wells Fargo account. 1st AG/ 2nd NB. Roll call: PR – yes, SLO – yes, SM – yes, LM – yes, GV - yes, SB – yes, SP – yes. Approved.

- n. **Discussion – ATS, RAS and YS committee attendees for remaining year.**

DISCUSSION: It was decided for the remainder of the year, SLO and SB participation was not necessary for the ATS, RAS and YS committees.

- o. ***M - Public Relations Committee**

There have been several enquiries from the press about what is happening at Black Gold. There have been other times when Black Gold has debuted new features when it might have been helpful to have central messaging upon which all the jurisdictions could base their own public relations.

DISCUSSION: It was agreed that with the number of changes occurring it would be good to have a clear consistent positive message going out from the libraries. A committee of the cooperative libraries would meet to work on messaging with the priority being the March 1st deadline for auto renewals.

A motion was made to form an Ad Hoc PR committee with any messaging from Black Gold to be approved by the Administrative Council. 1st AF/ 2nd DJ. Roll call: PR – yes, SLO – abstain, SM – yes, LM – yes, GV - yes, SB – abstain, SP – yes. Approved.

ACTION ITEMS: Participating libraries to provide GF (BG) contact information for committee participants.

- p. **M - Decide to hold a (AB 361) virtual meeting as allowed by Gov. Code § 54953 (e) (1) option C which states: The legislative body holds a meeting during a **proclaimed state of emergency** and **has determined**, by majority vote, pursuant to subparagraph (B) that, **as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.****

1st NB/ 2nd AF. Roll call: PR – yes, SLO – yes, SM – yes, LM – yes, GV - yes, SB – yes, SP – yes. Approved.

8. **BLACK GOLD OPERATIONS DIRECTOR REPORT – N/A**
9. **OPPORTUNITIES FOR COLLABORATION/NEW SERVICES – AF (PR) has used book trucks available if anyone needs some. GF (BG) stated Jody at Carpinteria could use some.**

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10. **ROUNDTABLE** – Remarks by Library Directors – N/A

11. **M** – **ADJOURNMENT at 1:40 p.m. 1st CB/2nd NB. Approved.**

Distribution - Email notice of web-posted agenda to Ned Branch, SP; Jessica Cadiante, SB; Sarah Bleyl, LM; Dawn Jackson, SM; Christopher Barnickel, SLO; Angelica Fortin, PR; Allison Gray, GV; Glynis Fitzgerald, BG.