



TO: Library Advisory Commission Members

FROM: Allison Gray, Library Director

SUBJECT: Black Gold Cooperative Library System: History and Current Events

RECOMMENDATION:

Receive a presentation from the Library Director about the history and current events of the Black Gold Cooperative Library System.

BACKGROUND:

The Black Gold Cooperative Library System initially formed in 1964 and consisted of the following jurisdictions: County of Ventura, Santa Paula Union High School Public Library District, City of Santa Barbara, City of Lompoc, City of Santa Maria, County of San Luis Obispo, City of El Paso De Robles, and City of Thousand Oaks. Over time, it evolved into a consortium of the following seven entities: City of Blanchard/Santa Paula, City of Santa Barbara, City of Goleta, City of Lompoc, City of Santa Maria, City of El Paso De Robles, and County of San Luis Obispo. As of July 1, 2022, an eighth jurisdiction will be added with the new City of Carpinteria zone.

The Joint Powers Agreement (JPA) was formed to “provide for the exercise of the common power of each of the parties to provide public library services.” It was meant to increase each jurisdiction’s ability to provide more services to their communities by pooling resources.

Section 13 of the JPA states: “It is understood and agreed among the parties that System-wide programs shall be accepted by each party. Each party shall have an affirmative obligation to cooperate in the performance and execution of all System-wide programs and System policies.”

DISCUSSION:

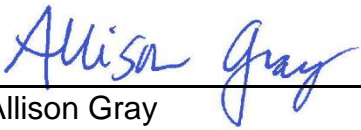
Recently, the Santa Barbara Library System and the San Luis Obispo Library System have announced they no longer wish to participate in a shared catalog and therefore no longer to share resources amongst libraries in the way the Consortium has been doing since it first formed. They have mentioned sharing via a third-party vendor which would cost the patron or library a minimum of \$15 per item they requested from either of those

systems versus the current no-cost to the patron of borrowing from other Black Gold jurisdictions.

Many are unclear about what it is that Black Gold does, thinking that it is mainly an avenue for materials sharing. However, the Consortium does much more than that and it would be extremely difficult and expensive for the Goleta and Santa Ynez Valley Libraries to provide the services we do now without being a member of Black Gold.

In this presentation, will be a number of questions and answers which will illustrate exactly what Black Gold does as well as the impacts to our patrons if Santa Barbara and San Luis Obispo withdraw from some aspects of Black Gold services (the legality of which is in question).

Review By:



Allison Gray
Library Director

Approved By:



Kristine Schmidt
Assistant City Manager

ATTACHMENTS:

1. Goleta Valley Library, Black Gold Cooperative Library System PowerPoint Presentation.
2. Letter from City of Goleta to several entities RE: City of Santa Barbara's decision to withdraw from the Black Gold System's shared catalog and software system.

Attachment 1

Goleta Valley Library, Black Gold Cooperative Library System PowerPoint Presentation.



Black Gold: What it Is, What it Does



SHARED MATERIALS

Patrons have always had access to the nearly 900,000 items in the shared catalog. Shipment of these materials from one jurisdiction to another is paid for by money given by the CA Library Services Act to Black Gold.



INTERLIBRARY LOAN

When jurisdictions say they'll leave the shared catalog but continue to share materials, what we think they mean is that we will all have to join a third-party vendor that charges a minimum of \$15 per item requested by a patron.



MATERIAL DELIVERY

There are multiple deliveries each week of materials between zones to the main libraries (Goleta is one) so that patrons receive their hold requests in a timely fashion. This is paid for with CA Library Services Act money. If not a member of Black Gold, a library system would not be eligible for this funding to deliver items among its branches.



CENIC

CENIC (Corporation for Education Network Initiatives in California) contracts with Black Gold to connect to their data center and the BG member libraries to increase Internet bandwidth and speed. There is quite a bit of ongoing work involved. Of note: this is done on a 5-year contract; should a library jurisdiction withdraw from Black Gold they would be charged significant fines.



ADMINISTRATION OF THE ILS

A dedicated system administrator at Black Gold maintains and does all updates to the shared circulation/cataloging/acquisitions system. He is available 24/7 to fix any issues and frequently visits the libraries to do so. A system cataloger manages authority control and all digital collections.



DIGITAL RESOURCES

Black Gold negotiates contracts for the following digital resources: Overdrive, Hoopla, Enki, Mobile WiFi hotspots, databases made available for free from the CA State Library.

Any State Library money leftover from Materials Shipment is put into Overdrive to purchase additional e-materials for sharing by the consortium.



PROFESSIONAL DIGITAL RESOURCES

Black Gold constantly searches for new products to help conduct business efficiently. They found systems for: simplifying Overdrive use, online library card registration, automated notification of holds and overdues, databases to assist in weeding unused materials, computer reservation systems, and more.



ACCESS TO MATERIALS

If an agency leaves the shared catalog, their patrons would lose free access to approximately 830,000 physical items and all e-materials.



E-RATE MANAGEMENT

Black Gold does all of the annual management and grant reporting that allows jurisdictions to get E-Rate discounts on Internet fees. Pending City Council approval, Goleta will be joining the rest of Black Gold in getting E-Rate funds.



BLACK GOLD FEES

Base Fee = 20% of local funds

Resource Fee = 25% circulation/50% population/
25% network devices

E-Content Fee= based on % of total usage

Hoopla & Kanopy = based on exact usage of the
pay-per-play services

Impact of the Contribution Formula

Preliminary Budget FY 2021-2022

2021-2022		BASE %		WEIGHT CIRC		WEIGHT POP		WEIGHT DEVICES					
		20%		25%		50%		25%					
		BASE	RESOURCES	E-CONTENT	TOTAL CONTRIBUTION		\$ Increase	% Increase	HOOPLA	Cybrarian	Collection HQ	Movie Licensing	Total Payments to Black Gold
Blanchard/Santa Paula	\$	30,139	\$ 30,304	\$ 3,720	\$	64,163	\$ 3,108	5%	\$ 3,731	\$ -	\$ 1,246	\$ 322	\$ 69,463
Lompoc	\$	30,139	\$ 60,144	\$ 13,473	\$	103,755	\$ (1,429)	-1%	\$ 10,678	\$ -	\$ 1,977	\$ 617	\$ 117,027
Santa Maria	\$	30,139	\$ 152,045	\$ 25,507	\$	207,691	\$ 11,142	6%	\$ 16,238	\$ -	\$ -	\$ 1,606	\$ 225,535
Paso Robles	\$	30,139	\$ 38,045	\$ 19,310	\$	87,494	\$ 2,230	3%	\$ 11,208	\$ 232	\$ 1,422	\$ 326	\$ 100,451
San Luis Obispo	\$	30,139	\$ 323,165	\$ 132,815	\$	486,119	\$ 18,311	4%	\$ 66,375	\$ 3,288	\$ 7,525	\$ 2,570	\$ 562,589
Santa Barbara	\$	30,139	\$ 131,889	\$ 58,319	\$	220,347	\$ (9,782)	-4%	\$ -	\$ -	\$ 3,930	\$ 1,271	\$ 225,548
Goleta	\$	30,139	\$ 108,302	\$ 38,219	\$	176,660	\$ 1,994	1%	\$ 68,785	\$ 706	\$ 2,995	\$ 1,195	\$ 249,634
		\$ 210,973	\$ 843,892	\$ 291,364	\$	1,346,230	\$ 25,575		\$ 177,015	\$ 4,226	\$ 19,095	\$ 7,908	\$ 1,550,247

**e-Content Budget Allocation Zinio & Overdrive for 2021-2022 Budget Year
using 2019-2020 checkout statistics**

	RBdigital/Zinio Stats		2021-22 OD Magazine Budget
	2019-20	2019-20	
	checkouts	percentages	
SP	642	1.0%	\$ 431.09
LOM	2730	4.1%	\$ 1,833.14
SM	5436	8.1%	\$ 3,650.17
PR	2953	4.4%	\$ 1,982.88
SLO	24533	36.6%	\$ 16,473.45
SB	24277	36.2%	\$ 16,301.55
GOL	6445	9.6%	\$ 4,327.70
	67016	100.0%	\$ 45,000.00

Enki Stats		2021-22 Enki Budget
2019-20	2019-20	
checkouts	percentages	
48	0.8%	\$ 16.59
701	12.1%	\$ 242.31
634	11.0%	\$ 219.15
319	5.5%	\$ 110.27
2888	49.9%	\$ 998.27
845	14.6%	\$ 292.08
351	6.1%	\$ 121.33
5786	100%	\$ 2,000.00

Overdrive Stats		2021-22 Overdrive Budget
2019-20	2019-20	
checkouts	percentages	
7686	1.3%	\$ 3,272.55
26768	4.7%	\$ 11,397.30
50819	8.9%	\$ 21,637.74
40437	7.0%	\$ 17,217.29
270898	47.2%	\$ 115,343.11
97998	17.1%	\$ 41,725.65
79314	13.8%	\$ 33,770.36
573920	100%	\$ 244,364.00

Proposed 2021-22 e-Content
\$ 291,364.00
\$ 3,720.23
\$ 13,472.75
\$ 25,507.07
\$ 19,310.44
\$ 132,814.84
\$ 58,319.29
\$ 38,219.39
\$ 291,364.00

Attachment 2

Letter from the City of Goleta to several entities RE: City of Santa Barbara's decision to withdraw from the Black Gold System's shared catalog and software system.



November 5, 2021

CITY COUNCIL

Paula Perotte
Mayor

James Kyriaco
Mayor Pro Tempore

Roger S. Aceves
Councilmember

Stuart Kasdin
Councilmember

Kyle Richards
Councilmember

CITY MANAGER
Michelle Greene

THE BLACK GOLD COOPERATIVE LIBRARY SYSTEM
580 Camino Mercado
Arroyo Grande CA 93420

RE: City of Santa Barbara's decision to withdraw from the Black Gold System's shared catalog and software system

To Whom It May Concern:

The purpose of this letter is to address the recent unilateral decision of the City of Santa Barbara to withdraw from the Black Gold Cooperative Library System ("Black Gold System") shared catalog and software program, while continuing to participate in other Black Gold System-wide programs, as announced at the January 15, 2021, Black Gold System Council meeting. This action was seemingly confirmed by the Santa Barbara City Council when it recently approved moving forward with its own catalog at its October 12, 2021, City Council meeting.

As an initial matter, the express terms of the Joint Powers Agreement ("JPA") creating the Black Gold System obligates the parties to accept and participate in all "System-wide programs":

13. Obligation to Accept Service.

It is understood and agreed among the parties that System-wide programs shall be accepted by each party. Each party shall have an affirmative obligation to cooperate in the performance and execution of all System-wide programs and System policies.

(See JPA, Section 13 [enclosed herewith].)

The shared catalog has always, since 1964, been at the heart of the Black Gold JPA. While not all Black Gold System programs have been System-wide programs, the shared catalog and software program most certainly is a System-wide program. There was initially a centralized cataloging system at Black Gold, which still exists on microfiche, which

then moved to a CD-ROM based cataloging system, then the Dynex system, Millennium, Carl X, Polaris, and now Aspen/Koha. Pursuant to the terms of the JPA, each party has an affirmative obligation to accept and carry out this decided service. As you know, Black Gold has contracted with Bywater Solutions for implementation of the Aspen Discovery System and is in contract negotiations with Bywater Solutions for implementation of Koha Integrated Library System (ILS). Both of these components were selected to replace the existing Polaris ILS system for the System-wide shared catalog and software program, which allows patrons of the JPA member libraires to borrow seamlessly from other member libraries without a fee to either the patron or the requesting library.

Under the clear terms of the JPA, the City of Santa Barbara is not permitted to pick and choose the System-wide services and programs from the Black Gold System in which it will participate. Section 13 of the JPA contemplates that the member agencies of the Black Gold System all rely upon each other in operating and participating in System-wide programs. The City of Santa Barbara's unilateral decision to reverse course and withdrawal from the System-wide share catalog and software program is detrimental to the other members and not permitted. Accordingly, the City of Goleta expects Black Gold System to confer with its legal counsel and take appropriate action with respect to notifying the City of Santa Barbara of its obligations under the JPA.

As a secondary matter, the Black Gold System is obligated, as a separate entity apart from the participating members, to pay the debts, liabilities, and obligations of Black Gold System. The separation of debts, liabilities, and obligations is expressly authorized by law (see Government Code section 6508.1; see also *Tucker Land Co. v. State of California* (2001) 94 Cal. App. 4th 1191, 1197–99) and the Black Gold System JPA itself:

B. Authority of Council. The Council is authorized in accordance with Section 6508 of the Government Code in the name of the System to do any or all of the following in furtherance of the purpose expressed in Article 2 hereof:

(1) To make and enter into contracts;

...

(5) To incur debts, liabilities or obligations, which debts, liabilities and obligations shall not constitute the debts, liabilities and obligations of any party,"

(JPA, Section 4.)

Should Black Gold System neglect to enforce the JPA agreement with the City of Santa Barbara for the System-wide programs, any resulting contractual liability will be the responsibility of Black Gold System—not the remaining participating members—and will undoubtedly negatively impact Black Gold System's operation.

The City of Goleta urges Black Gold System to evaluate these issues and take action to prevent the possible faltering of the System-wide shared catalog and software program and, ultimately, the potential dissolution of Black Gold System. Given the recent actions by Santa Barbara, Goleta is concerned that other member cities will attempt to initiate

proceedings to withdrawal from Black Gold System by the next fiscal year if this matter is not adequately addressed. (See JPA, Section 14.)

The City of Goleta recognizes that Black Gold System and its participating members have gone to great lengths to facilitate regional cooperation to preserve the shared library catalog for future generations. It would be extremely disappointing for participating members of the Black Gold System and their residents not to realize the benefits of this effort.

Sincerely,



Michelle Greene
City Manager

Enclosures

cc: Goleta City Councilmembers
Santa Barbara City Councilmembers
City Managers, Black Gold Member Agencies
Allison Gray, Library Director, City of Goleta
Jessica Cadiente, Library Director, City of Santa Barbara