

INFORMATION FOR YACHATS PUBLIC LIBRARY: Procedure for Admitting New Members to the Oregon Digital Library Consortium (ODLC)

What is the Oregon Digital Library Consortium? ODLC is a group of public and tribal libraries that join together to purchase access to downloadable material (e-books and e-audiobooks). ODLC has an annually elected Executive Committee and a Governing Board with representatives selected by each participating library (small libraries and consortiums are each represented by a single member). Through fiscal year 2022/2023, the online platform contracted with to provide an online platform for downloadable material to ODLC is OverDrive. OverDrive is also the fiscal agent for ODLC. Not all eligible libraries are members of ODLC, but all of our members must be officially recognized as a public or tribal library by the Oregon State Library. All downloadable items purchased by ODLC are available to the patrons of any participating library.

According to the current by-laws, the Governing Board must approve all new member libraries at least 90 days prior to the new contract year. This means that new members must request membership by February 1st, in order to give the Board time to take a ratification vote at the Spring Governing Board Meeting. After the Governing Board ratifies membership, new members will need to sign a contract with OverDrive. OverDrive invoices members in early July each year, and OverDrive service for new members would begin July 1st. OverDrive reserves the right to approve new members to the consortium.¹

Costs

1. How platform and content fees are calculated for member libraries

This amount is based on the size of the library member's service population combined with projected content use. While this number is an estimate the first year, it will change based on actual usage after the initial year and as content use by each ODLC member is periodically reassessed. Estimates for prospective members is generally based on the contribution from a similarly-sized library.

2. OverDrive's one-time set up fee

This is determined by OverDrive. In the past that has been in the neighborhood of \$1,500, but it has been \$0 as of 2019. This could change if OverDrive ever decided to reinstate the fee.

3. SIP license

This is the preferred method to authenticate users. Some ILS (Integrated Library System - examples include SirsiDynix and Polaris systems) vendors will not charge extra for an additional license and some will. This can

cost anywhere from \$1,500 – \$5,000. If this is cost-prohibitive, there are other options such as EZproxy or OverDrive's Library Card Manager. Check with your ILS vendor for clarification on the SIP license. Learn more about authentication with OverDrive under *Authentication* here:

<https://company.overdrive.com/libraries/public-libraries/faqs/>

4. Annual hosting fee

ODLC's total hosting fee is determined by ODLC's contract with OverDrive, valid from July 1, 2019 to June 30, 2023. It is up to ODLC how to split the hosting fee costs.

5. Annual content contribution

The ODLC Governing Board determines each member's content contribution amount by December 1st before the next fiscal year. There is no guarantee neither as to what the content contribution will be each year, nor how much the content contribution may increase from year to year. The annual collection fee assessed to each library includes a proportional share of a per title cost of \$1.50 for OCLC MARC records. If desired, these records may be downloaded and added to the individual online catalogs of each member and associate member library.

6. Advantage program membership

ODLC member libraries may optionally join the Advantage program. There may be a cost associated with this, beyond the cost of Advantage titles. Check with OverDrive for details.

Conditions of membership

1. The member library must agree to abide by the separately attached by-laws. The way a prospective new member library agrees to abide by these by-laws will vary depending on the type of library: a special district should have their governing board pass a resolution, while a city or county library may have an agreement to this effect signed by a city/county manager.
2. The member library must sign an agreement with Overdrive.
3. Any prospective member must be prepared to provide proof that they are a public or tribal library as recognized by the Oregon State Library (OSL). A letter from OSL to this effect is acceptable.

From the OverDrive Digital Library Reserve Consortium Access Agreement: "OverDrive shall have sole discretion to approve any and all new libraries that seek to join Consortium."

Application for Membership in the Oregon Digital Library Consortium

Library Name: Yachats Public Library

Library Mailing Address: P.o. Box 817 Yachats OR 97498

Library Service Population (most recent number from OSL report): 745

ODLC Primary Contact Name: David Rivinus

ODLC Primary Contact Email Address: david@teacherofdreams.com

ODLC Primary Contact Phone Number: 541-547-3048

ILS used:

Do you share an ILS with other libraries? No

If so, with which libraries do you share?

Technical Contact for OverDrive: Rebecca Bloch

Technical Contact Email Address: bbloch0558@gmail.com

Technical Contact Phone Number: 541-547-3048 (for David Rivinus)

Email address for patrons to send technical questions to: bbloch0558@gmail.com

By signing this application, you are agreeing to the terms as outlined in the procedures including intent to sign the by-laws and contracts as required. This initial application does not obligate you to any fees. Once the actual fees are known you will be sent a copy of the form which appears on the next page in which the actual estimate of fees for July 1, 2021 – June 30, 2022 will be filled in. You will be expected to sign this additional form which obligates you to pay the fees as presented at that time.

Name: Shannon Beaucaire

Title: Yachats City Manager

Signature: 

Date: 1/25/21

In order to join the Oregon Digital Library Consortium, please complete the following steps by February 1 prior to the fiscal year your library/consortium plans to join ODLC:

- **Please email a brief letter of intent to the ODLC chair along with the following:**
 - **A signed copy of the ODLC bylaws**
 - **A completed ODLC application for membership**
- **The original signed documents should additionally be mailed to:**

Michael Grutchfield

Chair of Oregon Digital Library Consortium

Jackson County Library Services

412 East Main Street

Medford, OR 97501

ODLC Statement of Fees FY 2021-2022: Yachats Public Library

Based on service population of: 745

This estimate does not reflect any additional fees assessed by OverDrive or your ILS.

Hosting Fee:	97.90
Content Contribution:	3833.19
Total Cost:	\$3931.09

Bylaws of the Oregon Digital Library Consortium

Approved November 7, 2005

Revisions approved October 30, 2006; April 4, 2008; March 20, 2009; June 30, 2010; March 2011;
January 2013; November 2014; April 2015; April 2017; June 2020

Article 1. Organization

The name of this organization shall be the Oregon Digital Library Consortium (ODLC).

Article 2. Charge

- a. The Oregon Digital Library Consortium is charged with negotiating subscriptions to digital content including but not limited to downloadable audiobooks and videos. Negotiations can be either direct with commercial providers or through a third party business agent (hereafter referred to as business agent).
- b. The ODLC recommends subscription contracts to its member libraries and manages those subscriptions.

Article 3. Membership and Governance

Section 1. Membership

A member library in ODLC is a single library or a group of libraries involved in a cooperative relationship that contracts for a subscription. There are two (2) levels of membership.

a. Full membership

Full membership includes all members from libraries or libraries involved in a cooperative arrangement with a service population of 50,000 or greater, as determined by the Oregon State Library.

b. Associate membership

Associate membership includes all members from libraries or libraries involved in a cooperative arrangement with a service population 49,999 or less, as determined by the Oregon State Library.

Section 2. Governance

- a. The Governing Board shall consist of one representative from each full member library and one representative elected from all associate member libraries. Libraries involved

in a cooperative arrangement separate from the ODLIC are entitled to one representative on the Governing Board. The associate member representative will be elected by a majority vote of all associate members in an election to take place before the annual meeting.

- b. The Governing Board shall elect a Chair, Vice-Chair/Chair-Elect and Secretary. Chair and Secretary shall serve one-year terms. The Vice-Chair/Chair-Elect shall serve a two-year term with the second year as Chair. Elections shall be held at the annual meeting.
- c. The Governing Board may appoint an Executive Committee.

Section 3. Appointment, Term of Office, and Duties of the Chair

- a. The duties of the Chair include facilitating meetings, helping set agendas, serving as a liaison between the Governing Board and the subscription vendors or the business agent, and conferring with and keeping committee member libraries informed.
- b. The Chair shall be the previous year's Vice-Chair/Chair-Elect.
- c. A vacancy in the Chair may be filled by an election of the Governing Board for the unexpired portion of the term for the vacant office. Until an election can be held the Vice-Chair/Chair-Elect shall serve as Interim Chair.

Section 4. Appointment, Term of Office, and Duties of the Vice-Chair/Chair-Elect

- a. The duties of the Vice-Chair/Chair-Elect include assisting the Chair as requested, acting in capacity for the Chair when the Chair is unavailable and preparing to serve as Chair the following year. The Vice-Chair/Chair-Elect shall also serve as Secretary if the position of Secretary is vacant or absent.
- b. The Vice-Chair/Chair-Elect shall be elected annually by the Governing Board at the annual meeting. The election may be held electronically. The new Vice-Chair/Chair-Elect shall serve a two-year term, effective July 1. The first year is as Vice-Chair/Chair-Elect and the second as Chair.
- c. A vacancy in the Vice-Chair/Chair-Elect may be filled by an election of the Governing Board for the unexpired portion of the term for the vacant office. Until an election can be held the position of Vice-Chair/Chair-Elect shall remain vacant.

Section 5. Appointment, Term of Office, and Duties of the Secretary

- a. The duties of the Secretary include taking and distributing minutes at any scheduled meetings, handling correspondence, maintaining membership lists for the Governing

Board, standing committees and ad hoc committees membership lists, and maintaining public records as required by law.

- b. The Secretary shall be elected annually by the Governing Board at the annual meeting. The election can be held electronically. The new Secretary shall serve a one-year term, effective July 1st.
- c. A vacancy in the Secretary position may be filled by an election of the Governing Board for the unexpired portion of the term for the vacant office. Until an election can be held the position of Vice-Chair/Chair-Elect shall serve as interim Secretary.
- d. The duties of the Vice-Chair/Chair-Elect include assisting the Chair as requested, acting in capacity for the Chair when the Chair is unavailable and preparing to serve as Chair the following year. The Vice-Chair/Chair-Elect shall also serve as Secretary if the position of Secretary is vacant or absent.
- e. The Vice-Chair/Chair-Elect shall be elected annually by the Governing Board at the annual meeting. The election may be held electronically. The new Vice-Chair/Chair-Elect shall serve a two-year term, effective July 1. The first year is as Vice-Chair/Chair-Elect and the second as Chair.
- f. A vacancy in the Vice-Chair/Chair-Elect may be filled by an election of the Governing Board for the unexpired portion of the term for the vacant office. Until an election can be held the position of Vice-Chair/Chair-Elect shall remain vacant.

Section 6. Appointment, Term of Office, and Duties of the Selection Committee Chair

- a. The duties of the Selection Committee Chair include overseeing and coordinating the work of selectors purchasing materials for the Oregon Digital Library Consortium. The Selection Committee Chair shall present an annual purchasing plan to the ODLC Governing Board at the annual spring meeting for review and discussion. The Selection Committee Chair is a non-voting member of the Executive Committee.
- b. The Selection Chair shall be elected bi-annually by the Governing Board at the annual spring meeting. The election can be held electronically. The new Selection Committee Chair shall serve a two-year term, effective July 1st.
- c. A vacancy in the Selection Chair position may be filled with an appointment by the Executive Committee to ensure no interruption in ordering. A new Selection Chair will then be elected at the next Governing Board Meeting for the unexpired term.

Section 7. Appointment, Term of Office, and Duties of the Executive Committee

- a. If deemed necessary, the Governing Board shall appoint an Executive Committee.
- b. The Executive Committee shall be composed of the Chair, Vice-Chair/Chair-Elect, Secretary, the Selection Committee Chair and two members at large elected from the member libraries of the Governing Board by a majority vote at the annual meeting. The election may be held electronically.
- c. The term of office shall be one year for the members at large. The other Executive Committee members shall follow the terms of office as defined for officers in the previous sections.
- d. The Executive Committee shall be authorized to carry out the work of the Governing Board as described herein, based on a majority vote of the Executive Committee members. The Executive Committee can appoint and dismiss Ad Hoc Committees, act on recommendations of ad hoc and standing committees, refigure cost allocations based on the established formula(s) and perform other duties as determined by the Governing Board. The Executive Committee cannot amend the by-laws, accept officer resignations, remove an Officer from office or vote to dissolve the consortium.

Section 8. Resignation and Removal

- a. An officer may resign at any time by delivering written notice to the Governing Board. A resignation shall be effective when received or at a subsequent effective date which is stated in the resignation and acceptable to the Governing Board.
- b. An officer may be removed from office, with or without cause, by a two-thirds majority vote of the members then serving on the Governing Board.

Section 9. Compensation

No member library of the Governing Board shall receive any compensation or reimbursement for his or her services to the Governing Board.

Section 10. Joining the Consortium

- a. ODLC membership is open to public and tribal libraries in Oregon, as defined in the Oregon Administrative Rules 543-060-0010: “(1) ‘Public library’ has the meaning given to public library in ORS 357.400(3), and shall be established in accordance with ORS 357.410.... (4) ‘Tribal library’ means a library operated by any of the nine

federally-recognized tribes in Oregon.”

- b. Participation can only begin at the start of a new fiscal year, currently July 1.
- c. Prospective members must submit their application to join ODLIC by February 1st of each year. This allows enough time for the Governing Board to vote, for forms to be signed, and for OverDrive to complete its work in time for the July 1st service start date.
- d. Member libraries wishing to participate in vendor add-on programs must have the approval of the Governing Board.

Section 11. Withdrawal from the Consortium

- a. Any member library can fully withdraw from the Consortium provided notice is given to the Governing Board at least 120 days prior to the new contract year. Upon withdrawing, member library loses all rights and privileges to access the content already subscribed to. Any fees paid to date are nonrefundable.
- b. A member library can request partial withdrawal for a period of one year; defined as paying the annual maintenance but not contributing to the product selection funds, annual subscriptions, etc.
 - 1. This request must be made at least 150 days prior to the new contract year.
 - 2. This request will be considered by the Governing Board, which has 20 days to accept or reject the request and to make adjustments in the subscription allocation for all member libraries or just for the requesting member library as deemed appropriate and necessary.
 - 3. Should the request be denied, the member library will have a choice to pay the subscription allocation in full or withdraw from the Consortium as per Article 3 Section 9a.
 - 4. If approved, the member library has rights to the content subscribed to up to the point of withdrawal. If it is not technically feasible to separate access, the member library retains rights to access all content for the one-year period.
 - 5. Should a member library withdraw or partially withdraw from the Consortium, all other member libraries must state their intent to remain or withdraw within 15 days of notice to the Governing Board in the case of full withdrawal or within 15 days of the Governing Board’s decision in the case of a partial withdrawal. In this circumstance, the 120-day rule for withdrawal is waived for the remaining member libraries. However, a final decision by all the remaining member libraries must be registered with the Governing Board no more than 90 days

prior to contract renewal in order to allow adequate time to prepare and give 60 days' notice for non-renewal of the contract(s) should that be deemed the appropriate course.

Article 4. Meetings and procedures

Section 1. Frequency

- a. The Governing Board shall meet a minimum of once each fiscal year, July 1- June 30. An annual meeting shall take place in conjunction with the annual spring gathering of the Oregon Library Association.
- b. Additional meetings can be scheduled by majority vote of either the Executive Committee or the Governing Board.

Section 2. Use of Electronic and Telephonic Means

- a. If a member library of the Oregon Digital Library Consortium is not able to meet at the specified geographic location, it is acceptable to participate in the meeting by any appropriate electronic medium, provided in ORS 192.6.
- b. Votes by the Governing Board or Executive Committee may be held electronically.

Section 3. Quorum and Manner of Acting

- a. The presence of more than fifty percent (50%) of current Governing Board members shall be required as a quorum for the conduct of any business.
- b. The presence of more than fifty percent (50%) of current Executive Committee members shall be required as a quorum for the conduct of any business.
- c. An act of more than fifty percent (50%) of the Governing Board members present at a meeting at which a quorum is present shall be the act of the Governing Board.
- d. An act of more than fifty percent (50%) of the Executive Committee members present at a meeting at which a quorum is present shall be the act of the Executive Committee.

Section 4. Minutes

The Secretary shall be responsible for recording and distributing minutes of all Governing Board and Executive Committee meetings.

Section 5. Standing committees

a. Selection

1. The Selection committee is charged with selecting and purchasing materials on behalf of the Consortium.
2. The Selection Committee Chair and Executive Committee make budget recommendations to the Governing Board in the form of an annual purchasing plan submitted at the annual spring meeting for review and discussion.
3. Selection procedures and policies shall be reviewed annually by the Executive Committee and Selection committee chair. Policy changes will be recommended to the Governing Board.
4. The Selection committee shall be composed of one chairperson, and can also include any interested individual(s) from any ODLC member library who wishes to participate. Committee membership will be reviewed annually.

b. Cataloging

5. The Cataloging committee is charged with the collection and distribution of MARC records (and any other relevant metadata) that accurately represent the collection of the ODLC. The committee collects MARC records and other metadata from vendors of ODLC and OCLC, and distributes the data to any ODLC member libraries that wish to use the records in their local catalog, or for any other purpose related to ODLC.
6. The Cataloging committee shall collect and distribute records and metadata in as timely a manner as possible, given the time constraints imposed by vendors and OCLC.
7. Depending upon the quality and content of the records received from vendors, the Cataloging committee may occasionally make adjustments to the data prior to distribution to ODLC member libraries.
8. The Cataloging committee provides "best practice" recommendations for the use of MARC records and any other metadata by ODLC member libraries. The use of either Cataloging committee data or best practices by ODLC member libraries is purely voluntary. ODLC member libraries are not required to load ODLC records into their local catalogs. Nor are ODLC member libraries required

to follow the related best practices.

9. The Cataloging committee shall be composed of one chairperson, and can also include any interested individual from any ODLC member library who wishes to participate.

Section 6. Ad hoc committees

The Oregon Digital Library Consortium Governing Board and Executive Committee have the authority, by a majority vote of the respective body, to establish and abolish ad hoc committees as deemed necessary and appropriate.

Section 7. Amending bylaws

- a. The Oregon Digital Library Consortium Governing Board has the authority to review periodically the Oregon Digital Library Consortium bylaws and to make any changes deemed appropriate.
- b. Proposed by-laws changes must be distributed to the Governing Board at least 30 days prior to a scheduled vote on those changes.

Article 5. Procurement Process and Responsibilities

Member libraries of the Consortium agree to provide access to this subscription service as an alternative to the regular procurement process each individual member library normally follows.

Article 6. Cost Allocation

- a. Where possible the formula for financial participation shall be based on service area population as determined by the Oregon State Library. The Governing Board, when necessitated by vendor requirements, may approve other formulas.
- b. Member libraries joining after the initial contract period shall pay the annual maintenance and product selection or subscription fees as determined by a refiguring costs as calculated in Article 6 Section a. New member libraries shall pay start up fees as determined by the vendor(s).

Article 7. Dissolution of the Oregon Digital Library Consortium

- a. Oregon Digital Library Consortium may be dissolved upon a unanimous vote of the Governing Board and can be effective only with the next fiscal year that has not yet begun. Such a vote can only be taken prior to the 60-day cancellation date required by the vendor(s) in order to give all an opportunity to cancel the service at the same time. Should a vendor require more than

60-day notice for cancellation, this dissolution vote must be taken with enough prior notice to meet the vendor's cancellation deadline.

- b. Upon dissolution all assets of the Consortium shall be divided according to the formula used for cost allocation. Each member library of the Consortium shall be responsible for managing those assets in accordance with any provisions and requirements set by the vendor(s) and/or business agent.

Article 8. Fiscal agencies for the Oregon Digital Library Consortium (ODLC)

- a. Invoicing, receivables, and billing are handled by the platform vendor as fiscal agent for ODLC.
- b. The Oregon Library Association (OLA), specifically the Public Library Division (PLD), will act as the fiscal agent, for the purposes of grant documentation and receipt/distribution of Library Services and Technology Act (LSTA) grant funds managed by the State Library of Oregon.
- c. The ODLC Executive Committee will vote to determine the fiscal agency of any other funds received by ODLC.
- d. Any changes to the fiscal agency, as outlined in (a) and (b) above, must be approved by a majority vote of the Governing Board.

RATIFICATION OF BYLAWS

As a member library of ODLC I hereby ratify these Bylaws:



Signature

Yachats Public Library

Institution

Yachats City Manager

Title

1/25/21

Date