



Legislation Details (With Board Report)

File #:	RES 21-199	Name:	Adopt Resolution to Amend Master Fee Resolution
Type:	BoS Resolution	Status:	Passed
File created:	11/2/2021	In control:	Board of Supervisors
On agenda:	11/16/2021	Final action:	11/16/2021

Title: a. Approve and Adopt a Resolution amending Article VIII of the Master Fee Resolution, to authorize removal of overdue library fines, and adjust fees pursuant to the attached Fee Schedule relating to services provided by the Monterey County Free Libraries, effective January 1, 2022.
b. Approve the Library Director or her/his Designee in forgiving all outstanding overdue fines. The outstanding fines that are being requested to be forgiven is in the amount of \$155,953.20.

Sponsors:

Indexes:

Code sections:

Attachments: 1. BoardReport, 2. Attachment 1 - MCFL Fee Schedule 2015, 3. Attachment 2 Proposed Fee Schedule 2022, 4. Attachment 3 Archives Fee Schedule, 5. Attachment 4 Resolution to Amend Master Fee Resolution, 6. Completed Board Order Item No. 46, 7. Completed Resolution Item No. 46

Date	Ver.	Action By	Action	Result
11/16/2021	1	Board of Supervisors	adopted	

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RECOMMENDATION/SUMMARY:

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SUMMARY/DISCUSSION:

Public libraries continue to evolve, adapting services to community needs and aspirations, and continually innovating to bring a wider variety of resources in an increasing number of methods. Advancements in automation, changes in services desired and required from public libraries, and increasing awareness of the impact ready access to the services of a public library have on education, literacy, career preparation, and community resilience all require ongoing evaluations of the impact fines, fees, and policies have on how communities use their public library.

The Monterey County Free Libraries evaluated all service changes, fines, and fees throughout the last two years, and recommends the changes detailed below. Most significantly, we recommend joining many other

public libraries in California and throughout the nation in eliminating overdue fines. Overdue fines have been widely demonstrated to not be significantly correlated with the return of items on time, to restrict families from even using their public library, and to have an inequitable impact on those most in need.

Overdue Fines

Library patrons of all ages can equally accrue overdue fines, however not all library patrons can equally pay overdue fines. Overdue fines are simple punitive measures designed to promote returning items on time. Complete suspension of borrowing privileges can occur due to accumulated overdue fines. Each overdue fine collected requires a staff transaction, often a negative or punitive one.

The American Library Association passed a resolution on overdue fines as a form of social inequity, and research has shown the critical importance of books in the home for early literacy and school readiness. A family that fears risk of accruing fines they cannot readily pay can too easily end up not allowing their young children to bring books home during a critical reading period. A family with access blocked due to overdue fines may not be able to use other resources, such as library computers, or access resources required for school success.

A GARE (Government Alliance on Race and Equity) Issue Brief *Advancing Racial Equity in Public Libraries* specifically calls out library fines as both institutional and structural racism, stating a “library’s enforcement of fines has a disproportionate impact on people of color, who are overrepresented in among low-income populations due to the racial wealth gap” and detailing how users blocked from borrowing resources or using services such as computers then have impacts compounded across multiple institutions and throughout other areas.

[GARE Issue Brief

https://www.racialequityalliance.org/wp-content/uploads/2018/04/GARE_LibrariesReport_v8_DigitalScroll_WithHyperlinks.pdf]

Other California public library systems have stopped charging overdue fines. These include San Jose Public Library, Los Angeles County Public Library, Sonoma County Library, Tulare County Library, Santa Clara County Library, Sacramento Public Library, San Luis Obispo City/County Library, Marin County Library, and San Diego Public Library.

[ULC Fine Free Map <https://www.urbanlibraries.org/resources/fine-free-map>]

Library users with items out past the due date, and unable to be renewed, would continue to get overdue notices, and at a set period of time, the item would be listed as “lost” and the user billed for the material. Users would also still be billed for damage to materials, or loss of a critical part that is required for the materials to be used again. This would just eliminate the punitive overdue fines.

Historical Materials

Also of significant change is a new fee schedule for reproductions from the Monterey County Free Libraries’ vast archive of historical materials. These are sought by researchers, authors, publishers, and others across the country, and sometimes from around the world. The items are kept in a variety of locations, with many digitized into various archives. The items need to be handled with care, and often the dedicated services of our Local History Librarian are needed to find the required items. This new schedule expands and updates the fees charged for reproduction of items. It reflects the variety of formats for which we are asked, and charges different fees for public or research use than for for-profit or publications.

The detailed explanations of how fees will be charged for duplication of the many historical records entrusted to the care of the Monterey County Free Libraries assists the Librarian to ensure materials are handled well, carefully, and in accordance with preservation practices. They continue to allow us to serve scholars and researchers, while collecting appropriate cost recovery for what can be a technically detailed and labor-intensive process.

Other Changes

We are also recommending changes for charges for lost parts of items, which will more fully encompass new collections such as hot spots and learning kits. In addition, we recommend eliminating the lost card fee - the plastic cards cost very little in bulk, and staff time to collect a small fee is often more of a cost than simply replacing a card. This will serve to encourage people to keep their library information up to date and continue to use their public library. We are also recommending removal of the \$3.00 fee for an Inter Library Loan. This formal process is labor intensive, it has largely been supplemented by our participation in the State's "Zip Books" program, for which we are not allowed to charge a fee to the patron. For the end user, the result is the same, they get an item, and the fee does not make sense. We will absorb the loss of the fee in-house and continue to use Zip Books whenever feasible.

Removed from this policy is the section on Loan Periods, Renewals, and Returns. We recommend moving that back into policy generated by the Library, so that staff can rapidly respond to community needs without having to bring this item back for Board revision. For example, to immediately respond to the needs during the pandemic, we increased the number of automatic renewals, as branches were closed. A rapid change to how library materials flow in and out of branches, are placed on reserve, or are returned is likely to be required again as we pilot new avenues of access such as holds lockers.

Budget Impacts

The outstanding fines that are being requested to be forgiven is in the amount of \$155,953.20. No additional fines have been incurred as the library Branches have been closed for in person services when and during the COVID pandemic. July of 2021 is when the libraries opened back for in person services.

The elimination of overdue fines is anticipated to reduce the Library Department's operating budget by about \$20,000. However, it is also anticipated to eliminate over 14,000 unpleasant and punitive transactions that staff currently make with the public, along with reducing the related cash management processes. This shortens lines and frees front line library staff to provide other services including reference, readers advisory, and other assistance. It also is anticipated to improve access to the materials in the library for families across the County.

Conclusion

These changes will serve many aspects of the Monterey County Free Libraries' Strategic Plan. This includes the Strategic Pillars of effective service to traditionally underserved or marginalized communities and effective alignment of resources with outcomes and strategic goals. It serves our Library Finances outcome that "all residents of Monterey County can use the services of Monterey County Free Libraries regardless of discretionary or household income" and the specific goal, set in February 2020, to conduct an assessment of the current fine and fee structure including the expressed or implied goals of charging any fine or fee to the public.

[MCFL Strategic Plan

<<https://www.co.monterey.ca.us/government/departments-i-z/library/about-us-our-library/strategic-plan>>].

We continue to evaluate our policies and related fines and fees, along with considering new services, formats, and methods of library use. This streamlined fines and fees schedule should serve us broadly into the future, allowing staff to work with stakeholders in developing new and innovative methods of bringing the Monterey County Free Libraries to all our communities, in multiple formats, to meet evolving needs and aspirations.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the recommended action and approved as to form. A copy of the Proposed Resolution and the Proposed fee schedule are attached in this report and on file with the Clerk of the Board.

FINANCING:

The recommended actions have been reviewed and passed through the Budget Committee hearing on October 29, 2021. The elimination of overdue fines is anticipated to reduce the Library Department's revenue budget by about \$20,000. MCFL is not requesting any augmentation from the General Fund due to this reduction. Instead, MCFL will redirect raising revenue from other sources such as contributions from donating Friends of Library groups, grants, and other sources; to cover the revenue reduction.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Improve the health and quality of life through County supported policies, programs and services, promoting access to equitable opportunities for the communities it serves.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Attachments:

- CURRENT Fines and Fees (2015)
- Proposed Fines and Fees (2021)
- Fees for Reproduction of Archival Materials (2021)