



Board Agenda Item 10

DATE: September 25, 2018
TO: Board of Supervisors
SUBMITTED BY: Kelley Worman-Landano, County Librarian
SUBJECT: Amendment to Master Schedule of Fees- Library

RECOMMENDED ACTION(S):

- 1. Conduct first hearing to amend the County of Fresno Master Schedule of Fees, Charges, and Recovered Costs Ordinance to exempt active military, veterans, and children ages 0-17 from overdue fines by amending Section 1100 - Library for fees, included in subsection 1109 Overdue fines, a) Overdue Item, b) Overdue Laptop/Mobile Device; waive the reading of the Ordinance in its entirety, and set the second hearing including its requested Board adoption, for October 9, 2018;**
- 2. Designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and**
- 3. Direct the Clerk of the Board to post and publish the required summary of the proposed Ordinance in accordance with Government Code Section 25124(b)(1).**

There is no Net County Cost associated with the recommended actions. Final approval by your Board of the recommended actions will exempt active military, veterans and children ages 0-17 years old from overdue fines for library books, DVDs, games, movies and e-resources, to recognize active military and veterans for their service and help these groups of people benefit from utilizing the library and increase the use of the public library's services. Your Board's approval of the second and third recommended actions satisfies the legal requirements to publicize these proposed changes. The recommended actions will have a countywide impact.

ALTERNATIVE ACTION(S):

Your Board may choose not to amend the Master Schedule of Fees (MSF), resulting in active military, veterans, and children ages 0-17 years old (youth) continuing to be obligated to pay overdue fines.

FISCAL IMPACT:

There is no increase in Net County Cost with the recommended actions. The Library is primarily funded by Measure B Sales Tax (Measure B) and property taxes. Measure B funds cover 50% of operations costs for library materials, programming and staffing in the Library.

The amount collected for fines in FY 2017-18 was \$234,132, which represents less than 1% of the Library's FY 2017-18 actual revenues received of approximately \$31 million. It is estimated that approval of the recommended actions will result in a decreased collection of fines in the amount of \$54,108.

DISCUSSION:

The Department's request to exempt overdue fines is consistent with County of Fresno Ordinance Number 12-011.

In 2012 the voters approved Measure B Sales Tax for a 1/8 of one percent sales tax on transactions to support the Library. The proposed exemption will further complement the commitment that Measure B Ordinance revenue is to be used exclusively for public library operations, programs, acquisition of library materials and library construction within the County. The Department's goal is to continue adequate services and availability of materials in branches for the public benefit of the community.

MSF Section 1100 (Library), sets forth fees for requests for library services (i.e. replacement library cards, copies, flash drives, lost/damaged library materials, etc.). The current and proposed fee rates are shown in Attachment A. The proposed fee changes have been reviewed by the Auditor-Controller/Treasurer-Tax Collector (ACTTC) and the ACTTC concurs with the recommended actions.

Reasons for the recommended changes are outlined below:

Subsection 1109: Overdue Fines

- a) **Overdue Item (Library Materials)**
- b) **Overdue Laptop/Mobile Device**

The Library proposes renaming this subsection to:

Subsection 1109: Overdue Fines

- a) **Overdue Item (Library Materials)**
- b) **Overdue Laptop/Mobile Device**
- c) **Active Military and Veterans are exempt from these fines.**
- d) **Children ages 0-17 years old are exempt from these fines.**

Currently the Library charges \$.25 per day not to exceed \$4.00 for overdue items (i.e. books, audiobooks, games, etc.) and \$.25 per hour for overdue laptop/mobile device. The proposed change will add items c and d, which would exempt active military, veterans and youth from overdue fines.

The recommended action, if approved, will improve public access to materials and services funded by Measure B and property tax revenue for use by the community and increase awareness of public services for youth and veterans. The Library has determined that many patrons will not check out materials just to avoid the possibility of having overdue fines and this in turn can deter them from using the library altogether. The Library conducted a survey that revealed that while charging overdue fines had originally been meant to encourage people to return books on time, it resulted in acting as a barrier to use of free library services and programming. The survey assessed youth library cards since 2007 through FY 2017-18, and found that 21,300 youth were blocked from checking out library materials due to overdue fines on their accounts. Two-thirds of those were referred to collections and never resolved. The number of youth library cards that are inactive since 2012 is 3,286 (15% of the total youth in system). These overdue fines create barriers that hinder the development of early literacy skills in children. Youth in low income homes are affected the most by fees and fines. Many times, parents are discouraged from taking youth into the library to check out library materials, out of fear of incurring fines. The fiscal portion of the survey revealed overdue fees are less than .17% of total combined funding revenues sources. The FY 2017-18 collected overdue fines \$54,108 represents military (\$9,000) and youth (\$45,108) which is less than .17% of the approximate \$31 million in combined revenues.

The recommended actions recognize active military and veterans for their service and assist groups of people who could greatly benefit from utilizing the library. It is in the public's interest to promote their literacy by implementing the recommended actions, since it will ultimately result in increased use of the public library's services.

On November 15, 2016 the Board of Supervisors approved for the Library to participate as a facilitator in the Veterans Connect @ the Library program grant. The Veterans Connect project is a partnership between the California Department of Veterans Affairs, and local libraries. The focus is to use the library to provide information to reintegrate California veterans into the California workforce, into their local communities, and to provide veterans with the same quality of life as other Americans. Exempting active military and veterans from overdue fines will encourage veterans to come into the library and discover the Veterans Connect Resource Center at the Betty Rodriguez Library and the Central Library. This will increase usage of library resources by veterans who might not otherwise attempt access due to outstanding library fines.

Libraries throughout California have been exempting youth from late fines to improve literacy, build positive relationships with families who have young children, and improve access to libraries for the benefit of patrons under permanent exemptions or temporary amnesty. In December 2017, the Los Angeles County Board of Supervisors approved an exemption of overdue fines for patrons under 21 years old. The City of Berkeley's libraries have not charged youth for overdue fines in decades and on July 1, 2018, it removed overdue fines for overdue library materials for all patrons. The City of Berkeley's administration survey revealed that 11,000 people were unable to access services and materials because of unpaid overdue fines. In 2018, amnesty was approved during the summer months by City of Porterville and Kern County for children through age 18.

EFFECTIVE DATE OF ORDINANCE:

The proposed fee (rate) changes will take effect 30 days after the second reading of the proposed Ordinance, if adopted by your Board. This date is selected by the Library to coincide with Veteran's Day events during the month of November.

REFERENCE MATERIAL:

BAI # 34, November 16, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A
Ordinance
On File with Clerk - Summary of Ordinance

CAO ANALYST:

Samantha Buck