



Legislation Details (With Text)

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On agenda: 11/1/2022 **Final action:** 11/1/2022
Title: Approve the discontinuation of Library Services overdue fines as recommended by the Community & Library Services Commission, and waive all accumulated unpaid overdue fines
Attachments: 1. Att#1 Library Master Fee & Charges Schedule, Page 57 of 60

Date	Ver.	Action By	Action	Result
11/1/2022	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Al Zelinka, City Manager

VIA: Chris Slama, Director of Community & Library Services

PREPARED BY: Jessica Framson, Community & Library Manager

Subject:

Approve the discontinuation of Library Services overdue fines as recommended by the Community & Library Services Commission, and waive all accumulated unpaid overdue fines

Statement of Issue:

The Community & Library Services Department (Department) has historically assessed fines on overdue items in accordance with the City’s Master Fee and Charges Schedule. While these fines constitute a very small percentage of the overall Department revenues, their assessment creates barriers to library access for residents, inequitably impacting the lowest income residents of Huntington Beach.

Financial Impact:

The Library purges expired accounts, including accounts with late library material overdue fines that are over seven years past expiration, including accounts with lost items. Based on this process, the amount of accumulated unpaid overdue fines totals just under \$139,000. In February 2019, the revenue from fines dropped significantly with the introduction of automatic material renewal. Due to the closure of the Library during the pandemic years, the impact of the automatic material renewal system is challenging to determine, but staff estimates eliminating the overdue material late fines would result in a General Fund annual revenue loss of \$22,000 - \$25,000.

Nonetheless, staff simultaneously anticipates that this annual loss would be offset by a corresponding

reduction in lost material replacement costs. The estimated cost of accumulated lost materials is \$267,000. While it is not possible for staff to estimate what the offsetting amount would be, based on the experience of other libraries that have eliminated overdue late fines, material replacement costs decreased considerably. This is because the lost materials were returned at a higher than usual rate following the elimination of late fines and associated fees.

Recommended Action:

A) Approve the discontinuation of the Children’s, Regular, and Media overdue fines from the City’s Master Fee and Charges Schedule (Items L-3 through L-5 on Attachment 1) as recommended by the Community & Library Services Commission; and direct staff to:

B) Waive all accumulated unpaid overdue fines; and,

C) Bring back at a later date, a revised fee resolution removing the Children’s, Regular and Media overdue fines from the City’s Master Fee Schedule (items L-3 through L-5 on Attachment 1).

Alternative Action(s):

Do not approve the recommended action, and direct staff accordingly.

Analysis:

Recently, the American Library Association (ALA), the oldest and largest professional association of libraries in the world, instituted a “Resolution on Eliminating Monetary Library fines as a Form of Social Justice”. The ALA also updated language in the Library Bill of Rights on intellectual freedom and access to information saying, “[ALA] asserts that the charging of fees and levies for information services, including those services utilizing the latest information technology, is discriminatory in publicly supported institutions providing library and information services.” Some of the conclusions leading to this resolution cite that fines are economically discriminatory and act as a barrier to access, as well as mounting evidence that the elimination of fines increases library card adoption and library usage. The ALA also resolved to encourage all libraries to move toward actively eliminating fines for overdue materials.

Currently in Huntington Beach, there are approximately 38,500 residents with active (non-expired) library cards. Approximately 3,500 users are barred from borrowing library materials due to outstanding fines over \$20 or having a lost item remain unresolved on their card. The largest amount of outstanding fines is in the 92647 area code, and the highest average fines is at the Oak View Branch Library. Approximately 25% of blocked accounts belong to children. The majority of fines owed are due to lost items, not fines, with almost 10,000 items marked lost after being overdue for 60 days.

Staff recommends a permanent elimination of overdue fines for Huntington Beach Library patrons as recommended by the ALA. If approved by City Council, the Department would implement ALA “Fine Free Basics” best practices, including:

- No new late fines would be charged
- Existing fines would be canceled
- Library users would still be charged for lost or damaged items

Historically, overdue fines charged by public libraries were seen as a way to encourage the timely return of borrowed items. Over 100 libraries across the country have moved to eliminate fines, and, as of June 30, 2021, 44% of libraries in the state of California do not charge fines. These include large systems such as Los Angeles, San Francisco and Orange County Public Libraries, to smaller cities such as Mission Viejo and the City of Orange. San Francisco Public Library voted in 2019 to eliminate late fees after concluding that fines do not consistently result in the return of library items and that fines disproportionately affect low income communities, racial minority communities, and communities with lower educational attainment. The City of Los Angeles arrived at similar conclusions as they instituted the Library Commission’s “Recommendation to establish a Fine-Free Policy for the Los Angeles Public Library to remove barriers for access” on December 2, 2019. They reasoned that “Libraries that have eliminated fines have reported increases in material circulation and card registrations, staff morale, and customer satisfaction. In addition, staff have more time to focus on increased customer service experiences, library operations, and one-on-one interactions with patrons.” When the Chicago Public Library eliminated late fees in 2019, it resulted in a 240 percent increase in the number of books returned. A year after Salt Lake City eliminated late fees, they reported a 16 percent increase in the number of items borrowed and an increase of 26,000 library cardholders. Orange County Public Library reported in the first two months after eliminating fines they had 9,062 lost items returned, for a total cost of \$173,294.22. For comparison, in the entire calendar year 2018, they had 3,697 lost items returned.

To date, more than 100 public library systems have eliminated overdue fines across the nation. Below is a sampling of local public libraries that have joined this initiative:

Library System	Number of Branches/Locations	Overdue Fees Eliminated for
Orange County Public	33	Everyone
Los Angeles City	72	Everyone
Santa Monica	5	Children & Teens
Mission Viejo	1	Everyone
Buena Park	1	Everyone
City of Orange	3	Everyone
Santa Ana	2	Everyone

Fines constitute less than 1% of the Huntington Beach Library Services budget but present a barrier to access for many individuals and families in the City. The Library is meant to be a welcoming and inclusive place that provides equal access to services. By eliminating fines, the City will increase access to materials, encourage more citizens to obtain Library cards, and support the Library’s mission of welcoming, empowering and enriching our community.

On October 12, 2022, the elimination of overdue fines for library services items and removal from the City’s Master Fee and Charges Schedule was presented to the Community and Library Services Commission. The Commission approved the item and recommended it be forwarded to the City Council.

Environmental Status:

Not applicable.

Strategic Plan Goal:

Community Engagement

Attachment(s):

- 1) Library Master Fee and Charges Schedule, Page 57 of 60