



## Legislation Text

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Staff Report for a City of San Leandro City Council Resolution to approve a one-time amnesty program that waives all outstanding uncollectable overdue fines as of January 4, 2021, and to remove Overdue Fines and the Non-Resident San Leandro Worker and Non-Resident Family Fee Card from the City of San Leandro's Fee Schedule

### **SUMMARY AND RECOMMENDATIONS**

- A. Staff recommends that the City Council approve a resolution to remove Overdue Fines and remove the Non-Resident San Leandro Worker and Non-Resident Family Fee Card from the City of San Leandro's Fee Schedule.
- B. Staff also recommends that the City Council approve a resolution to authorize the San Leandro Public Library to implement a one-time amnesty and removal of all outstanding uncollectable overdue fines as of January 4, 2021.

### **BACKGROUND**

The Library Department is an important and vital part of the City of San Leandro's services. The San Leandro Public Library reviews policies and procedures regularly, evaluating how to better serve the San Leandro community.

The American Library Association (ALA), the largest library-related professional organization in the world, seeks to promote and preserve public libraries as unique institutions where all people enjoy free and equal access to information. The ALA has officially recommended that all libraries eliminate overdue fines. In January of 2020, Library Administration and the Circulation Supervisor presented a proposal to the City of San Leandro Library-Historical Commission recommending the removal of Library overdue fines to provide better customer service and make the Library more equitable.

Section 18743 of the California Education Code encourages "equal access by allowing libraries to participate in universal borrowing, allowing anyone to check out items from their library regardless of residence, and requiring all member libraries of a Cooperative Library System to provide equal access to all residents of the system, not just those in the library's immediate area". The Library Department's policy of charging non-residents for library cards, and therefore access, is not consistent with this standard. In November of 2020, Library Administration and the Circulation Supervisor presented a proposal to the Library-Historical Commission recommending eliminating the Fee Card policies to adhere to this standard.

The Library-Historical Commission unanimously recommended that Library staff take both proposals to the City Council for their approval, which Library staff did on January 4, 2021. The City Council unanimously endorsed the two proposals.

### **Analysis**

Library overdue fines are daily overdue, or late fines, which are charged on items when they are returned after their due date. These fines range from .25 cents per day on a children's book to \$1 per day on a DVD. If a patron accrues more than \$10.00 in fines, then they are unable to checkout additional items from the library.

Studies have found that overdue fines are not effective incentives for returning library materials on time, in part, because there is no sense of urgency since the fines are so nominal.

Overdue fines pose an economic barrier for patrons to access library resources. These fines can quickly surpass the \$10 threshold thereby blocking a patron's access to additional library materials. This presents an economic barrier to all patrons falling hardest on those who may lack the ability to pay and who need access to the library's free resources the most.

The Library currently offers free library accounts only to residents of incorporated San Leandro as well as City employees. Non-residents are charged either \$60 per year for a household fee card, or \$30 per year for a non-resident worker card to have access to San Leandro's library resources and daily computer use.

The purpose of all libraries is to provide equitable access to the entire community. Equitable access means free, fair, and impartial use of library resources and services. All San Leandro residents can obtain a free library card from all Bay Area public libraries; however, residents of those communities cannot get a free library card from San Leandro Public Library.

Approval of these two proposals will mean that the San Leandro Public Library will no longer collect overdue fines, and, will no longer collect library card fees from non-San Leandro residents. All Californians will qualify for a free San Leandro library card.

### **Previous Actions**

- None

### **Board/Commission Review and Actions**

- The Library-Historical Commission unanimously approved the elimination of overdue fines at the January 21, 2020 meeting.
- The Library-Historical Commission unanimously approved the elimination of the fee cards at the November 17, 2020 meeting.

### **Legal Analysis**

- None

### **Fiscal Impacts**

The impact of these resolutions will reduce the Library Department's estimated General Fund

revenue. Eliminating overdue fines will reduce estimated revenue approximately \$65,000 per fiscal year. Eliminating the Fee Card policy will reduce estimated revenue approximately \$23,000 per fiscal year.

The authorization of a one-time amnesty on outstanding overdue fines will remove approximately \$227,000 in fines that the Library Department has determined to be uncollectable due to the Library Department not pursuing the collection of overdue fines and not employing a collection agency.

## **ATTACHMENT(S)**

### **Attachment(s) to Staff Report**

- Library-Historical Commission Minutes, January 21, 2020
- Library-Historical Commission Minutes, November 17, 2020

### **PREPARED BY:**

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