



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 JUN 30 PM 5:03

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Gerry Garzón
Director of Library Services

SUBJECT: Pilot Project to Modify Library
Fines & Fees for Oakland Youth

DATE: June 24, 2016

City Administrator Approval

Date:

6/30/16

RECOMMENDATION

Adopt An Ordinance To Authorize The City Administrator and The Director Of Library Services, As Part Of a One-Year Pilot Project, To Modify The Oakland Public Library (OPL) Fines And Fees Affecting Youth (18 Year-Olds And Under) In Order To Reduce A Substantial Barrier To Library Use By Oakland Youth.

EXECUTIVE SUMMARY

Approval of the recommended action will allow the Department of Library Services to reduce one of the significant obstacles to library use by young people and improve access to all Oakland youth by providing options for reducing and resolving outstanding debt due to the accrual of fines for overdue and lost or damaged library materials, and fees to replace materials. A one-year pilot project will test and establish various fine and fee parameters that affect youth (18 year-olds and under) in order to maximize library use by students.

BACKGROUND/LEGISLATIVE HISTORY

Library systems have traditionally used fines and fees as a means of ensuring that library books and other materials available for check-out to patrons are returned on time and in good condition so that all patrons may have equitable access to the collection. The City Council has oversight over library fines and fees through the Master Fee Schedule.

Overdue fines are charged when materials are returned late (past the due date). Overdue fines remain on a patron's account until paid even when the item has been returned, up to a maximum of \$6 per overdue item.

While children's and teens books and music CDs do not accrue fines if returned late, DVDs and video games do, at the rate of \$1 per day up to \$6 per item. All materials, if not returned, are subject to a replacement fee usually based on the original retail cost of the item.

Item: _____
Life Enrichment Committee
July 12, 2016

Replacement fees are:

- Assessed when an item such as a book, DVD, or CD, are more than 30 days overdue and deemed unreturned
- Removed from a patron's account if the item is subsequently returned or an acceptable substitute item is provided
- Generally assessed at full retail cost even when a book or DVD has been heavily used and may not have any current market value

When fines and fees reach a cumulative total of \$12.50 on a patron's library card account, library policy prevents further check-out of materials until such time as the fines and fees are paid down to less than \$12.50.

In the context of an initiative of the OPL and the Oakland Unified School District (OUSD) to provide an "**Oakland Promise Card**" to OUSD students, the current fine and fee structure prevents maximum adoption and success because student access will be blocked when the \$12.50 threshold is reached. For example, a student who checks out 3 books and 3 DVDs and returns all items one week late will owe nearly \$20 and will not be allowed to check out any additional materials until the overdue fines are paid to an amount lower than \$12.50. Currently, for many Oakland youth, this financial predicament stops them from using the library altogether.

To ensure that OUSD students with an Oakland Promise Card and all other Oakland youth with an OPL library card are not restricted from library use based on excessive overdue fines or replacement fees, OPL is proposing a one-year pilot project to modify library overdue fines and replacement charges in order to maximize library use by Oakland students.

ANALYSIS AND POLICY ALTERNATIVES

In Fiscal Year (FY) 2014-15, the Library collected a total of \$204,792 for overdue fines and replacement fees. As noted above, Oakland Public Library does not currently charge overdue fines for teen and children's print materials or music CDs, most of the revenue collected during FY2014-15 was generated by overdue fines for DVDs, Tools, adult print materials and replacement fees for unreturned materials.

The proposed one-year pilot project will reduce Library revenue, but an exact fiscal impact cannot be known since overdue fines and replacement fees generate from patron behavior that has not yet occurred. However, the Library will track fiscal impacts during the one-year pilot period and perform analysis comparisons based on prior years' revenue. The most significant revenue reductions will likely stem from the elimination of overdue fines for youth (18 year-olds and under), the reduction of overdue fines for DVDs and the reduction of replacement fees for unreturned materials.

Some offset to revenue reduction will be achieved through increased efficiency and use of staff time. In an estimate below, over \$300,000 in staff time is spent annually in the collection of library fines and fees. While library staff will continue to collect revenue, the amount of time spent on cash-handling tasks will be reduced allowing staff to devote more resources to direct patron service.

Item: _____
Life Enrichment Committee
July 12, 2016

Average Cost to Collect Fines and Fees

The Library estimates that on average, at each of its 16 branch locations, plus the Tool Lending Library, the Main Library and the Financial Office staff, on a conservative basis, approximately \$304,504 in staff time is spent annually to conduct the activities listed below, including,

For the Branches:

1. Negotiation and collection of fines & fees
2. Daily management of the cash drawer
3. Daily reconciliation of the cash drawer
4. Preparation and delivery of cash deposit to Main Library from Branches

For the Finance Office:

5. Reconciling 16 Branch deposits weekly
6. Preparing twice weekly deposits and verifications to Treasury
7. Main Point of Service (POS) daily counts

FISCAL IMPACT

The fiscal impacts associated with this project are difficult to assess at this time. As stated earlier, the total amount of fines and fees collected in FY 2014-15 was \$204,792. However, conservatively it costs the City almost 50 percent more in staff time to collect that income. As of mid-April, 2016, the total owed in fines and fees is \$3.037 million cumulative of more than a decade since the adoption of electronic circulation software. The current number of patrons owing more than \$12.50 is 58,515 patrons, almost 21.0 percent of the existing 279,738 registered patrons.

PUBLIC OUTREACH / INTEREST

This report contains information of public interest as it is directly related to the education of Oakland youth within the Oakland Unified School District and all students citywide. OPL will publicize modifications to overdue fines and replacement fees in print material available at all Oakland Public Library locations and on the Oakland Public Library website. Additional promotion and training will occur for students, parents and teachers who receive OUSD Oakland Promise cards.

COORDINATION

In the preparation of this staff report, staff coordinated with the Controller's Bureau and the Office of the City Attorney.

Item: _____
Life Enrichment Committee
July 12, 2016

EVALUATION AND FOLLOW-UP

Should City Council approve this proposed ordinance, the Library will implement a one-year pilot project to test and establish various fine and fee parameters that affect youth (18 year-olds and under) in order to maximize library use by students.

Evaluation criteria will track impacts over the course of a year to the following:

- Number of youth in Oakland with library cards and Oakland Promise Cards
- Number of youth with "blocked" cards
- Number of unreturned library materials
- Circulation of library materials by Oakland youth and OUSD students
- Use of online resources (databases and e-books)
- Circulation activity by youth formerly "blocked" from library use

Following the one-year pilot project, Library overdue fines and replacement fees will be reviewed annually by City Council as part of the budget process. As well, the Library will review the specific results of the pilot project with the Finance Department and the City Administrator and based on the results of the data and success of the Oakland Promise Card, will make a determination regarding future amendments to library fines and fees.

SUSTAINABLE OPPORTUNITIES

Economic: This joint effort will have long term benefits for Oakland by assuring improved access to Oakland students by providing options for resolving outstanding debt due to the accrual of fines for overdue and lost or damaged library materials.

Environmental: There are no environmental opportunities associated with this report.

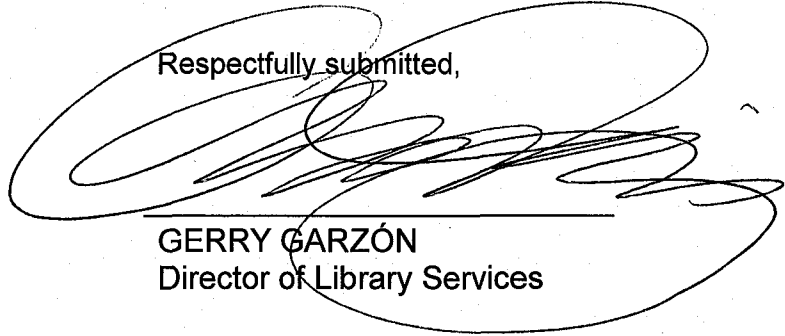
Social Equity: By recognizing that many families in Oakland cannot pay library fines and replacement costs, OPL seeks to break the barrier that keeps many young people from using the library on a regular basis. And breaking this barrier promotes sustainable relationships between the Oakland Public Library and its young people in Oakland.

ACTION REQUESTED OF THE CITY COUNCIL

Adopt an Ordinance to Authorize the City Administrator and the Director of Library Services, as part of a one-year pilot project, to modify the OPL fines and fees affecting youth (18 year-olds and under) in order to reduce a substantial barrier to library use by Oakland youth.

For questions regarding this report, please contact Jamie Turbak, Associate Director of Library Services, at 238-6610.

Respectfully submitted,

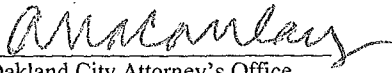


GERRY GARZÓN
Director of Library Services

Prepared by:
Jamie Turbak, Associate Director
Oakland Public Library

Item: _____
Life Enrichment Committee
July 12, 2016

2016 JUN 30 PM 5:08


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Ordinance No. _____ C.M.S.

ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR AND DIRECTOR OF LIBRARY SERVICES, AS PART OF A ONE YEAR PILOT PROJECT, TO MODIFY THE OAKLAND PUBLIC LIBRARY FINES AND FEES AFFECTING YOUTH (18 YEARS-OLD AND UNDER) IN ORDER TO REDUCE A SUBSTANTIAL BARRIER TO LIBRARY USE BY OAKLAND YOUTH

WHEREAS, the Oakland Public Library ("OPL") collection is acquired for the purpose of creating a shared resource that is informative, educational, culturally relevant, and accessible to all residents; and

WHEREAS, approval of the recommended actions will allow the Department of Library Services to reduce one of the substantial barriers to library usage by young people and improve access to Oakland students by providing options for reducing and resolving outstanding debt due to the accrual of fines for overdue and lost or damaged library materials; and

WHEREAS, as part of its New Models of Service, the Oakland Public Library began to look at its policies and procedures and developed a "people over things" philosophy, meaning that its operations should not get in the way of how we serve our patrons; and

WHEREAS, Library fines for overdue materials and fees for replacement costs represent significant and often overwhelming costs for lower-income people and as a result, patrons with fines or fees over \$12.50 (the point at which OPL restricts checkouts) who cannot pay are excluded from accessing library resources; and

WHEREAS, for our OUSD teens, fines and fees keep them out of the OPL, yet they need the OPL the most and omitting fines and fees for Oakland youth will encourage ongoing library use throughout their teenage years and will promote a habit of library use that will be carried into adulthood; and

WHEREAS, the OPL will evaluate the pilot project impact to Oakland youth who use the library over the course of a year and in consultation with the Finance Department and the City Administrator will make a determination regarding recommendations for future amendments to library fines and fees set out in the Master Fee Schedule; and

WHEREAS, OPL overdue fines and replacement fees will be reviewed annually by City Council as part of the budget process; and

WHEREAS, by recognizing that many families in Oakland cannot pay fines and replacement fees, OPL seeks to break the barrier that keeps many young people from using the library on a regular basis and breaking this barrier promotes sustainable relationships between the Oakland Public Library and its young people in Oakland;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. That the City Administrator and the Director of Library Services are authorized, as part of a one year pilot project, to modify the OPL fine and fee parameters affecting youth (18 year-old and under) in order to reduce a substantial barrier to library use by Oakland students.

SECTION 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID,
AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST:

LATONDA SIMMONS

City Clerk and Clerk of the Council of
the City of Oakland, California

NOTICE AND DIGEST

ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR AND DIRECTOR OF LIBRARY SERVICES, AS PART OF A ONE YEAR PILOT PROJECT, TO MODIFY THE OAKLAND PUBLIC LIBRARY FINES AND FEES AFFECTING YOUTH (18 YEARS-OLD AND UNDER) IN ORDER TO REDUCE A SUBSTANTIAL BARRIER TO LIBRARY USE BY OAKLAND STUDENTS

This Ordinance will authorize the City Administrator and Director of Library Services to modify Oakland Public Library fines and fees set out in the City of Oakland Master Fee Schedule in order to reduce substantial barriers to library use by Oakland Youth.
