

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: September 10, 2019 [] Consent [X] Regular
[] Ordinance [] Public Hearing

Department:

Submitted By: County Library/Administration

Submitted For: County Library/Administration

I. EXECUTIVE BRIEF

Motion & Title: Staff recommends motion to approve: (A) the elimination of overdue fines for library card members; and B) changes to the fee policy effective October 1, 2019.

Summary: The Palm Beach County Library System was founded in 1969. Overdue fines were first assessed in 1991 at the direction of the Board of County Commissioners and were intended as a revenue generator. Staff is asking for approval of the following policy changes to be made effective on October 1, 2019:

- Eliminate overdue fines for late material for all library card account types
Raise the block limit of accrued fees or monies owed from \$5.00 to \$25.00
Charge card holders the replacement cost for items still checked out seven days after the due date
Charges for lost items will be removed from the member's account upon return of the overdue items
Raise the Collection Agency referral limit from \$25.00 to \$50.00

Library PPM CLO-106 sets the current overdue fine rate at ten cents per item per day, up to a maximum of \$5.00 per item. Currently library card accounts that accrue \$5.00 or more in fines and fees are blocked until their accounts are paid down below that threshold. Members who lose or damage items are charged the full replacement cost.

In Fiscal Year 2018, the library generated \$407,686 in overdue fines. With the introduction of automatic renewals of borrowed items at the start of Fiscal Year 2019, the current ten month revenue from overdue fines is \$143,393; which reflects a 58% reduction from the prior year ten month collection of \$340,902. Fines currently assessed to member's accounts will remain in place. The Library Department will pursue alternative sources of revenue to compensate for the elimination of overdue fines.

Public libraries across the United States have been eliminating overdue fines as they are perceived to be an impediment to service. Studies appear to show that fines do not incentivize people to return items on time. It is also argued that fines disproportionately effect those of limited financial means. Fines can create a negative customer interaction that may deter people from using the library. Since overdue fines can result in restricted borrowing and use of the library, they appear to run counter to the library's educational mission to connect communities, inspire thought, and enrich lives. (Countywide) (AH)

Background and Policy Issues: In Florida, the Tampa-Hillsborough Library System and the Miami-Dade Library System have eliminated overdue fines since 2018. Tampa reported increased use of the library in terms of library cards issued and number of items borrowed after fines were eliminated. Examples of other major cities whose library systems have eliminated fines include Baltimore MD, Cleveland OH, Columbus OH, Dallas TX, Denver CO, Kansas City MO, Nashville TN, Oakland CA, Richland SC, Salt Lake City UT, St. Paul MN, San Diego CA, Toledo OH, and Washington DC. In June 2019, the Board approved Fine Forgiveness month resulted in forgiveness of \$76,222.59 from 13,887 accounts. 5675 accounts moved out of blocked status during that month. As of August 26, 2019, \$919,853.50 in overdue fines remains in the system with some records dating back to 2003. As of August 26, 2019, the library had 548,262 registered card holders.

Attachment: Draft update to Library PPM CLO-106

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Recommended By: [Signature] (Douglas Crane) 8.26.19
Department Director Date

Approved By: [Signature] (Todd Bonlarron) 9/5/19
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>172,071</u>	<u>172,071</u>	<u>172,071</u>	<u>172,071</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u><u>0</u></u>	<u><u>172,071</u></u>	<u><u>172,071</u></u>	<u><u>172,071</u></u>	<u><u>172,071</u></u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Is Item Included in proposed Budget?			Yes <u>X</u>	No <u> </u>	
Budget Account No.:	Fund <u>1180</u>	Dept <u>320</u>	Unit <u>3200</u>	Source <u>5200</u>	

Does this item include the use of federal funds? Yes No X

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Sources:

Impact: This reduction in revenue has been reflected in the FY 2020 budget submission.

C. Departmental Fiscal Review: Alicia Larrow
(Director, Library Finance and Facilities)

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Dev. And Control Comments:

Lisa R. Glavin
8/19 BR 8119 OFMB

Ann J. Jacobson 8/27/19
Contract Dev. And Control
8/29/19 TD

B. Legal Sufficiency:

Anne Delgant 8-28-19
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

PALM BEACH COUNTY LIBRARY
Draft Policy Change

TO: ALL LIBRARY STAFF

FROM: DOUGLAS CRANE
LIBRARY DIRECTOR

PREPARED BY: AURORA ARTHAY
ASSISTANT LIBRARY DIRECTOR

SUBJECT: Fees
PPM #: CLO - 106

ISSUE DATE
October 1, 2019

EFFECTIVE DATE
October 1, 2019

PURPOSE: To establish policy governing charging of fines for library materials returned overdue.

AUTHORITY: Action by Palm Beach County Board of County Commissioners on January 29, 1991, directing implementation of overdue fines. Further Board direction on March 18, 1997 and September 10, 2019. Palm Beach County PPM CW-F-048 Receivables Collections and Write-Offs.

POLICY: The Library System does not charge overdue fines. Items that are not returned within seven days of the due date shall be charged the full replacement cost of the item. Members who have items which are lost or damaged will be assessed the replacement cost for the item. Members who have items which were returned incomplete will be assessed the replacement cost for the items missing. Should the entire item or the missing portion of an item be returned, charges will be removed.

Members will be blocked from borrowing additional items when accrued fees or other monies owed total \$25.00. Borrowing privileges resume when the total amount owed equals \$24.99 or less. Exceptions to this blocking may be made by the Branch Manager or Access Services Manager.

The Library recognizes that members may have compelling reasons for failing to return items on or before the date due. Therefore, procedures have been established to remove fees.

Removal of Monies Owed from Member Records

Disputes from members whose debt has been referred to a collection agency should be directed to the Division Head. Those monies owed are addressed in countywide PPM #CW-F-048 and cannot be forgiven without the completion of the *Request to Forgive/Adjust Fees or Other Monies Owed* (Attachment A) and the approval of the Division Head with concurrence of the Library Director of Finance & Facilities. The request must include research of the member's borrowing record, analysis of implications and reason for recommendation. Fees or other monies owed which have not been referred to a collection agency may be forgiven and removed, without payment, from a member's record under the following circumstances:

1. Fees assessed due to Library error may be removed by Member Services staff with job classification of Library Associate II and above. Documentation of circumstances consists of a copy of the member's record attached to the *Report of Forgiven/Adjusted Fees or Other Monies Owed* (Attachment B), which is submitted to the Accounts

Receivable section within the Finance and Facilities Division.

2. At the direction of the Library Director, fees assessed due to a facility being closed at a not regularly scheduled time may be removed by Member Services staff with job classification of Library Associate II and above.
3. Fees accrued or other monies owed due to the following circumstances may be removed at the discretion of the Branch Manager or Access Services Manager:

Out of town emergencies including illness/hospitalization/accident; death; and military service. Documentation such as an obituary, a legal document (e.g., death certificate), or a letter from a treating physician may be required.

Medical emergency/hospitalization of member including recovery period at home. Documentation such as a legal document (e.g., police accident report), a hospital bill, letter from treating physician, or a newspaper article may be required.

Crimes/disasters including thefts and personal disasters that keep member from entering their home and/or destroy library materials (e.g., fire, flood). Documentation such as a police report or an insurance claim may be required.

The Branch Manager or Access Services Manager will submit, with the *Report of Forgiven/Adjusted Fees or Other Monies Owed* (Attachment B), a *Request* (Attachment A) explaining the reason for the removal of a fine, and a copy of the member's record to the Accounts Receivable section within the Finance and Facilities Division.

4. Fees accrued as a result of financial hardship of the cardholder may be removed by an Area Coordinator or a Division Head, upon the recommendation of staff, according to the following procedure:

The Branch Manager or Access Services Manager must submit *Request* (Attachment A) in writing to the Area Coordinator or Division Head, detailing circumstances and recommending forgiveness of overdue fines or other monies owed. If appropriate, documentation should be attached (e.g., welfare document, bankruptcy document, member's letter). *Request* (Attachment A) must also include research of member's borrowing record, analysis of implications and reason for recommendation. If approved by the Area Coordinator or Division Head, the *Request* (Attachment A) and any accompanying documentation is forwarded to the Accounts Receivable section within the Finance & Facilities Division with the *Report of Forgiven/Adjusted Fees or Other Monies Owed* (Attachment B).

5. Fees owed due to extraordinary circumstances not otherwise covered in this PPM may be removed at the discretion of the Division Head, upon the recommendation of staff, per the following procedure:

Branch Manager, Access Services Manager, or Area Coordinator must submit *Request* (Attachment A) in writing to the Division Head, detailing extraordinary circumstances and recommending forgiveness of overdue fines and/or other monies owed. Request must also include research of member's borrowing record, analysis of implications and reason for recommendation. If approved by the Division Head, the request is forwarded with any accompanying documentation to the Accounts Receivable section within the Finance & Facilities Division, with the *Report of Forgiven/Adjusted Fees or Other Monies Owed* (Attachment B).

CONTACT POSITION: Member Services Supervisors

APPROVED BY: _____



Douglas Crane, Library Director

Supersession History:

PPM #CLO-106:

Issued	May 15, 1991
Revised	October 7, 1992
	June 1, 1994
	August 22, 1994
	September 1, 1997
	June 1, 1998
	January 3, 2000
	August 29, 2001
	July 1, 2002
	January 15, 2003
	March 14, 2007
	January 15, 2019