

MOORPARK CITY COUNCIL AGENDA REPORT

TO: The Honorable City Council

FROM: Jennifer Mellon, Senior Management Analyst 

DATE: November 30, 2007 (Meeting of January 16, 2008)

SUBJECT: Consider Revised Moorpark City Library Material Selection and Circulation Policies and Consider Adopting a Revised Library Fine and Fee Schedule Resolution and Rescinding Resolution No. 2007-2593

EXECUTIVE SUMMARY

The City Council is being asked to consider and approve changes to the Moorpark City Library Materials Section Policy, Council Policy 37, and Library Circulation Policy, Council Policy 39. In addition to cleaning up language, the changes address the sale, donation and discard of weeded books and materials as well as authorize minors between the ages of 14 and 17 to obtain library cards with restrictive privileges. Council is also being asked to consider and adopt a revised Moorpark City Library fine and fee resolution which is being amended to adjust fines and borrowing limits.

DISCUSSION

On December 20, 2006 Council approved and adopted the Moorpark City Library Circulation Policy and the Moorpark City Library Materials Selection Policy. Subsequently, Council approved and adopted a revised City Council Policies Resolution No. 2007-2636 on October 3, 2007, that incorporated Library policies, and adopted a Library fine and fee schedule resolution on May 16, 2007. The two Library policies that are proposed to be amended are attached with changes shown in legislative format as Exhibits A and B. The proposed amendments to the fine and fee schedule are shown with legislative format in attached Exhibit C. These policies are also posted on the Moorpark City Library website.

Materials Selection Policy – City Council Policy 37

The Materials Selection Policy explains how material is selected for the library and the parameters followed to ensure a well rounded collection that fills the cultural,

educational, and recreational needs of the community. The revisions to this policy are minor and address the weeding and/or discarding of library material in order for library staff to efficiently and effectively make decisions about surplus and damaged materials.

The proposed changes clarify that weeded materials determined to have re-sale value will be offered to the Moorpark Friends of the Library with all proceeds from their sale benefiting the Moorpark City Library. Any materials the Friends wish to discard remain their responsibility. If the Friends decline the City's weeded materials, the City may hold a public sale, sell the materials to a profit party, or donate them to a non-profit, charitable organization. If the books are determined to have no value, the City may dispose of them in an appropriate manner.

Circulation Policy – City Council Policy 39

The Circulation Policy governs the terms by which materials may be borrowed from the library and outlines requirements to obtain a library card. Currently, minors under the age of 18 must obtain the signature of a parent or legal guardian before they can be issued a library card.

The Moorpark Library staff has received a number of requests for cards from teenagers, particularly high school students, wishing to check out books. In an effort to support a teen's interest in reading, staff is recommending that teens between the ages of 14 and 17, be issued a one-time temporary library card prior to obtaining the signature of their parent or legal guardian. Just as an adult, teenagers would have to provide a photo ID and something that shows their current address to receive the temporary card which would allow the teen a one-time check-out of up to two books only. The books would be due in three weeks and a letter sent home with the teenager explaining the temporary card policy. The letter states that in order to make the card permanent which would allow continued check-out of books, use of the public computers, and/or the ability to check out DVD's and CD's, teens are required to obtain the signature of a parent or guardian. Allowing a teenager the ability to check out a book, prior to securing the signature of a parent or guardian, affirms the mission of the library to encourage and support reading.

Other revisions to the Circulation Policy recommended by staff involve the collection of fines/fees. Language has been added to refer the collection of overdue fines to the City's Finance Department and is consistent with Council Policy 26. The maximum fine threshold triggering suspension of borrowing privileges has also been proposed to increase from \$5.00 to \$20.00 with the ability for the City Librarian to work with patrons who have financial hardships; providing alternate payment options and noting such agreements on the patron record.

Moorpark City Library Fine and Fee Schedule

Staff recommends changes to the fine/fee schedule that include a maximum limit of 30 items to be borrowed per library card; a decrease in the number of books that can be

borrowed for specific topic areas; decreases in the daily fine of audio books and maximum fine amounts for audio books, CDs, Videos, and DVDs; an increase in the replacement costs of audio book cases; and the addition of inter library loan fines.

STAFF RECOMMENDATIONS (Roll Call Vote for Resolution)

1) Approve and adopt the revised Moorpark City Library Materials Selection Policy 37 and Circulation Policy 39 and authorize the City Clerk to incorporate said changes in the next scheduled update of the City Council Policies Resolution; and 2) Adopt Resolution No. 2008-____, revising the Fine and Fee Schedule.

Exhibit A – Revised Moorpark City Library Materials Selection Policy 37 in legislative format

Exhibit B – Revised Moorpark City Library Circulation Policy 39 in legislative format

Attachment A: Resolution

Exhibit A

SECTION 37. POLICY 37 - MOORPARK CITY LIBRARY MATERIALS SELECTION

1. Mission

The Moorpark City Library provides information, lifelong learning, inspiration and enjoyment to people of all ages through reading and technology. This Materials Selection Policy sets guidelines used by the Library for the selection of books and other print and electronic materials.

2. General Governing Factors

The selection of materials for the Library is governed by four factors:

- A. The needs of the individual and of the community.
- B. The individual merit of each work.
- C. The existing collection, budget and services of the Library.
- D. The Library adheres to the *Library Bill of Rights* and *The Intellectual Freedom Statement* (copy is available at the Moorpark Library Circulation Desk and at the City Clerk's office).

3. Principles of Selection

- A. The Library aims to obtain and make readily accessible materials that fill the cultural, educational and leisure needs of City residents.
- B. Materials are selected from a number of sources. The basic consideration for the selection of any item is whether it is of proven or potential interest to the community served.
- C. Additional criteria include:
 - Availability and cost of the material
 - The amount of similar material already in the collection
 - The availability of the material elsewhere in the community
 - The physical makeup of the material
 - Opinions expressed by critics or reviewers
 - Local interest or demand
- D. In Selecting Materials to reflect the diversity of the needs and interests of the residents of Moorpark, it should be recognized that some materials chosen may be offensive or trivial to some persons while being meaningful

or significant to others. The Library does not endorse or agree with all opinions expressed in the materials in the collection.

- E. Materials shall be made as accessible as possible to the public. The Library does not serve as censor of the reading of any person. The Library recognizes the importance in an open and democratic society of allowing individuals to form their own opinions on issues and, therefore, acquires materials that may be of a controversial nature.
- F. Responsibility for the use of Library materials by minors rests with their parents or guardians. The selection of materials for the Library will not be governed by the possibility that these materials may come into the possessions of minors. The Library cannot be expected to act *in loco parentis*.

4. Responsibility for Selection

- A. The initial responsibility for materials selection lies with the professional staff working within the area of service to children, young adults, and adults. The general public may recommend material for consideration.
- B. In making selections, Library staff shall do so in a manner based on principle rather than personal opinion, reason rather than prejudice, and judgment rather than censorship. The spirit of selection should be inclusive rather than exclusive. Variety and balance of opinion are sought whenever possible.
- C. The Moorpark City Representative shall be the City Manager or his/her designee, who shall be responsible for overseeing the development of the Library collection according to the principles set forth in this policy.

5. Placement of Materials in the Library

- A. The Public has free access to all Library materials consistent with this policy.
- B. Placement of materials within the Library is a professional decision. Criteria include:
 - Assigned Classification
 - Format
 - Susceptibility to loss or damage
 - Rarity or cost
- C. The Library labels materials for placement only, not to predispose the user for or against any materials.

6. Bindery

Only those materials of local significance, of long-term importance to the collections, or heavily used items will be bound or rebound as needed.

7. Gifts

Donations of materials or funds to enrich the collection are welcome. Gift materials must meet the same selection criteria as purchased materials. The Library reserves the right to make the final decision on use or disposition of gifts.

8. Withdrawal of Materials

Damaged, worn, obsolete, superseded, or unused items may be withdrawn from the Library upon the recommendation of the City Librarian or Library Director and with the approval of the Moorpark City Representative.

Weeding and/or disposal of Library Materials shall be at the discretion of the Moorpark City Representative. Recommendation regarding resale, donation, or disposal of weeded material will be made by the City Librarian and approved by the City Representative prior to undertaking the following procedural options:

1. Materials determined worthy of re-sale or donation may will be released offered to the Friends of the Moorpark City Library for the purpose of sale(s) with all proceeds belonging to benefit the City of Moorpark for purposes of the LibraryMoorpark City Library. Items that remain unsold are the responsibility of the Moorpark Friends of the Library who will dispose of the material.
2. If the Friends of the Moorpark Library do not accept the discards worthy of re-sale or donation, the City will hold book sales or donate the material to non-profit, charitable organizations.
3. Books determined not worthy of re-sale or donation will be appropriately disposed of by the City as determined by the Moorpark City representative. Any material that can be recycled will be recycled.

9. Reconsideration of Materials

Persons objecting to the content of materials in the Library shall be invited to state their objection in writing. Any request for reconsideration will be reviewed by the Library Director in consultation with the City Representative. The decision of the Library Director shall be final.

Exhibit B

SECTION 39. POLICY 39 – MOORPARK CITY LIBRARY CIRCULATION POLICY

The following policy governs the terms by which materials may be borrowed from the Moorpark City Library.

1. Library Card Registration

Any person residing in California may borrow materials free of charge from the Moorpark City Library. Borrowers are responsible for all material checked out on their card.

Library Cards for Adults. Any person 18 years of age or older applying for a Moorpark City Library card must show proof of identity and residence. Post office boxes are acceptable as mailing addresses; however, proof of residence is required to obtain a card. Acceptable identification may be any of the following:

- A. California driver's license
- B. California identification card
- C. Check imprinted with name and address
- D. Official mail (postmarked with current address)
- E. Current bill imprinted with name and address
- F. Current monthly rent receipt
- G. Tax payment receipt.

Restricted Temporary Library Cards for Teenagers Without Parental Signature. Patrons 14 years of age through 17 years of age are classified as teenagers. Teenagers do not need a parent's or legal guardian's signature to get a restricted, temporary, one-time use card without the signature of a parent or guardian; however, teenagers must obtain a parental signature to get a permanent card which allows continued checkout of material, use of the public computers, and the ability to check out videos or DVD's. In order to obtain a temporary, one-time use card, the teenager must be a Moorpark resident and present a photo ID verifying their home address. If the photo ID does not show a current address, the teenager may present a grade report or other official document that shows the home address. The temporary, one-time use card allows teenagers to check out two written material items only. Library staff will provide the teenager with a letter for their parent or guardian which explains the temporary card. If the teenager is not a Moorpark resident their parent or guardian must be present and sign the application for the teenager to receive a permanent card.

Library Cards for Children. Children are eligible for a library card as soon as they can print both their first and last names on the applicant signature line. In the event a child is unable to print, and at least 5-years of age, parental signature will be accepted. The minor's date of birth is required on the application. The signature of a parent or legal guardian, in person at the Library, is required on applications of children under 14 years of age. ~~A parent or legal guardian must assume responsibility for materials borrowed by a person under the age of 18; therefore, the adult's identification and signature is required for registration of a minor. The Library cannot issue a borrower's card to a minor based on the~~

~~request and signature of a family member other than the parent, unless that person demonstrates that he or she is the child's legal guardian.~~

Once the library card application is signed, the user agrees to follow the rules and regulations of the Library. New borrowers are limited to borrowing two items on the day the card is issued. When those items are returned, the borrower may borrow with full privileges if in good standing.

2. Confidentiality of Library Records

California State law (*Government Code*, Title I, Division 7, Chapter 3.5, Sections 6254 (j) and 6267) protects the confidentiality of library patrons. Library staff will always operate in a manner that conforms to the requirements of the law in the handling of patron records and accounts. According to this statute, library staff may not release information to any other party regarding any item borrowed by any other person, including information released to a parent or legal guardian regarding what items their child has checked out.

As permitted by the above-cited statute, library staff may release information on a borrower's account to a third party if the borrower has provided a written notice allowing the third party access to the borrower's account information. A borrower may authorize another party to pick up and check out materials by sending his or her library card along with the written request or notice with the third party.

Demographic information may be gathered in order to plan Moorpark City Library services. This information is used anonymously and is not disclosed in any way that would identify the person registering. All information provided on the registration form is protected by the statute cited above.

3. Non-Resident Borrowers

Persons residing outside of the State of California may obtain a Moorpark City Library card by paying a non-resident fee as determined by resolution of the City Council. Payment of this fee will entitle the borrower to the same borrowing privileges enjoyed by all other Library card holders.

4. Loan Periods

Reference the Moorpark City Council Resolution adopting a Library Fine and Fee Schedule (a copy of the current Schedule will be available at the Library Circulation Desk) for detail regarding loan periods. All items, except DVDs and new bestsellers, can be renewed once, for a full loan period, unless the item is on hold for another borrower. Loan periods for inter-library loaned materials will be determined by the lending institution and are generally non-renewable.

Certain new and high-demand books and other library materials in the Library's collection will be included in the Library's ~~"Hot off the Press"~~ new bestseller book collection at the discretion of Library staff. ~~"Hot off the Press"~~ New bestseller items will be available for a

one-week check-out period with no renewals and will not be available for holds. ~~“Hot off the Press”~~New bestseller items will be clearly labeled and shelved separate from other materials.

Reference materials and microforms must be used in the Library and are not available for checkout. These materials may be loaned to other libraries for in-library use only.

5. Renewals

All items, with the exception of DVDs and “Hot off the Press” books can be renewed once for the standard loan period for the item unless the item is on hold for another borrower. Patrons may renew overdue items provided they pay any outstanding fines ~~the fine in total~~ before renewing.

Cataloged materials may be renewed at the Moorpark City Library Circulation Desk, from any Library computer, via the Internet, or by phone.

6. Number of Items per Library Card

Reference the Moorpark City Library Fine and Fee Schedule for details regarding borrowing limitations for specific material.

7. Parental Control of Minors' Access to Video and DVD Materials

The Library will honor written requests by a parent or legal guardian that their minor children not be permitted to borrow any DVD or video item.

8. Reserves and Interlibrary Loan

Holds may be placed to reserve items (excluding “Hot off the Press” books) by completing a hold request form on the online catalog. Users will be notified via e-mail or by phone when items are available. Items will be held for one week from the date of notification of the users.

Items not owned by the Moorpark City Library may be requested from other libraries by filling out an “Interlibrary Loan Request” form on the online library catalog. Library users are also welcome to fill in a “Suggestion for Purchase” form, available at the library, for items not currently in the collection. A librarian will review each of these suggestions.

9. Overdue, Lost, and Damaged Material

Library users assume full responsibility for the return of materials, in good condition, on or before the due date noted on the receipt. Fines will be charged for each day the Library is open. Fines vary by item type.

Media materials may not be returned in the book drop. A charge per item (reference the Moorpark City Library Fine and Fee Schedule) will be assessed if any audio/video materials are returned in the book drop.

Library users assume full responsibility for loss or damage to materials they check out. Damage includes, but is not limited to, torn covers or pages, writing in or on materials, water damage, missing pages, missing pieces, scratched discs, and dirty or damaged cases or damaged parts. Charges for materials lost or damaged beyond repair will be the price shown in the Library's automated catalog, either the actual cost or a default cost for the type of item plus a processing fee (reference the Moorpark City Library Fine and Fee Schedule), and accrued fines (if applicable). In the cases of unusual circumstances, it will be left to the Library Director under discretion of the City to assess charges for lost or damaged materials other than as specified by the Moorpark City Library Fine and Fee Schedule.

In lieu of paying for a lost item, a patron may replace the lost material with like material of equal or greater quality. The Library Director has final authority to determine the acceptability of the substitute item. The borrower is still responsible for the processing fee and any fines accrued. Charges for damaged materials that can be repaired will be determined on a case-by-case basis by the Library Director under the discretion of the City.

For materials borrowed for a Moorpark patron from another library (interlibrary loan materials), the replacement cost is determined by the lending library. The borrower is still responsible for the processing fee and any fines accrued.

The Library will make every attempt to notify patrons when items become overdue. Overdue notification is made by e-mail or voice notification when items reach 7 and 21 days overdue. Overdue items are considered lost 30 days after the due date and at that time the patron account will be referred to the City of Moorpark Finance Department to be handled in accordance with the Accounts Receivable Collection Policy. Accounts with balances of \$100.00 or more will also be referred to the City of Moorpark Finance Department. Patrons are responsible for all late fines and fees whether or not they receive a notice will be referred to a collection agency. Patrons are responsible for all late fees whether or not they receive a notice.

User accounts with fines and fees totaling \$520.00 or more will be blocked from further use until all fines are paid. In financial hardship cases, the City Librarian may work with the patron to provide an alternate payment plan and will note such arrangements on the patron record for tracking purposes and will report such payment arrangements to City Staff.

RESOLUTION NO. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING REVISED MOORPARK CITY LIBRARY FINE AND FEE SCHEDULE AND RESCINDING RESOLUTION NO. 2007-2593

WHEREAS, it is appropriate for the City to establish a fine and fee schedule for the Moorpark City Library; and

WHEREAS, the City Council has determined that Resolution No. 2007-2593 should be rescinded and a revised Moorpark City Library Fine and Fee resolution should be adopted to incorporate amendments as described in the agenda report for the January 16, 2008 regular City Council meeting.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Moorpark City Library Fine and Fee Schedule shall be reviewed annually by the Parks, Recreation and Community Services Director to ensure that such fees and charges are current and are related to actual cost.

SECTION 2. The City Council hereby approves the Moorpark City Library Fine and Fee Schedule attached as Exhibit A.

SECTION 3. Resolution No. 2007-2593 is hereby rescinded.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 16th day of January, 2008.

Patrick Hunter
Mayor

ATTEST:

Deborah S. Traffenstedt
City Clerk

ATTACHMENT: EXHIBIT A – Moorpark City Library Fine and Fee Schedule

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EXHIBIT A

Moorpark City Library Fine and Fee Schedule

FINES

Item/Material	Loan Period	Borrowing Limit	Fine	Maximum Fine
Maximum items per card	Varies	30 items maximum	Varies	Varies by item
Fiction	3 weeks	None 30 titles maximum	20¢/day	\$6.00 per item
Non-Fiction	3 weeks	5-3 per subject	20¢/day	\$6.00 per item
Magazines (excluding most current issue)	3 weeks	10	20¢/day	\$6.00 per item
"Hot Off The Press" Best Seller	1 week	None	20¢/day	\$6.00 per item
New Adult Books	3 weeks	5 titles	20¢/day	\$6.00 per item
Holiday Books	3 weeks	5 titles	20¢/day	\$6.00 per item
Assignment Books (subject specific, vary throughout the year)	3 weeks	5 titles	20¢/day	\$6.00 per item
Science Fair / Project Books	3 weeks	5 titles	20¢/day	\$6.00 per item
Inter Library Loan Material	Varies	5 titles	\$1.00/day	\$30.00 per item
Audio Books	3 weeks	5 titles	\$1.00/day	\$20.00 per item
Compact Discs	1 week	5 titles	20¢/day	\$20.00 per item
Videos / DVD's	1 week	5 titles	20¢/day	\$20.00 per item

FEES

Description	Fee
Replacement Library Card	\$1.00 each
Non California Resident Library Card	\$25.00 annually
Copies - Black & White (8 1/2" x 11")	10¢/ per page
Prints - Black & White (8 1/2" x 11")	10¢/ per page
Prints – Color (8 1/2" x 11")	50¢/ per page
CD-RW (compact disk-rewritable)*	\$1.00 each
USB (universal serial bus) Flash Drive 1G (gigabyte)*	\$15.00 each
Placement of Media Materials in Book drop	\$2.00 per item
Processing Fee for Lost/Damaged Material	\$6.00 per item
Broken Replacement Audiovisual Audio Book (book on CD) Cases Replacements (excluding jewel cases)	\$510.00 each
Broken Replacement Jewel Cases Replacements or DVD Cases	\$1.00 each
Missing Barcodes	\$1.00 each

Inter Library Loan Fee	Varies based on lending library fee
Returned Checks	\$25.00 each occurrence
Delinquent Account Collection Agency Referral	\$10.00 each occurrence
*Availability Not Guaranteed	