

**Jean Birmingham Council
Chambers, City Hall**
401 South Alamo
Marshall, TX 75670
903-935-4421



Members
Amy Ware, District 4 - Mayor
Risa Jordan-Anderson, District 1
Leo Morris, District 2
Dathaniel Campbell, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6
Micah Fenton, District 7

PLEASE SILENCE ALL DEVICES REGULAR CITY COUNCIL MEETING

**April 24, 2025
6:00 PM**

1. Call to Order and Roll Call

2. Invocation and Pledges

3. Citizen Comments

Texas Government Code, Sec. 551.007 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on the agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on the agenda. Those who wish to speak are requested to fill out a public comment form and will have three (3) minutes to speak unless additional time has been requested.

4. Items to be Withdrawn From Consent Agenda

5. Consent Agenda

The items on the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Councilmember may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

- A. Consider approval of the minutes from the April 10, 2025, Regular Council meeting. (City Secretary)
- B. Consider approval of an agreement with Dr. Jeffrey McWilliams for Physician Director Services for the Emergency Medical Services System for a total annual cost of \$18,000. (Fire)
- C. Consider approval of an Interlocal Agreement with Harrison County for Animal Shelter Services. (Finance)
- D. Consider approval of the Harris County Interlocal Agreement - TxWarn Radio System. (Support Services)

6. Consideration of Items Withdrawn From the Consent Agenda

7. Action Items for City Council Consideration

- A. Consider approval of updates to the Marshall Public Library Circulation Policy to include a fine-free initiative on all library materials. (Community & Neighborhood Services)

- B. Consider approval and authorization for the Mayor to execute a Contract with Strategic Government Resources (SGR) for Interim Services in Support of the Finance Department in the Preparation of the FY26 Budget. (City Manager)
- C. Consider approval of updates to the Marshall City Council Travel Policy. (Councilmembers Jordan-Anderson, Morris, Godfrey/City Secretary)
- D. Consider approval of a Change Order to PSI. (Support Services)

8. Discussion and Reports for City Council Consideration and Direction

- A. Presentation of the 2024 Marshall Public Library Annual Report submitted to the Texas State Library and Archives Commission. (Community & Neighborhood Services)
- B. Presentation by the Carver CPR Providing an Overview and Discussion of Potential Partnerships with USA Netball and the City of Marshall. (Councilman Morris and City Manager)
- C. Discussion of the Need to Initiate a Charter Review and Provide Direction. (Councilwoman Godfrey & Councilman Morris)

9. Executive Session

- A. An executive session pursuant to Texas Govt. Code Section 551.071 to consult with the City Attorney to seek advice on pending or contemplated litigation and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Contracts for Park Improvements.

10. Adjournment

Posted: April 21, 2025

5:00 PM

N. Smith

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 72-hour notice prior to the meeting. To make arrangements for these services, please call the City Secretary's Office at 903-935-4446.



TO: City Council
DATE: April 24, 2025
ITEM #: 5.A
SUBJECT: Consider approval of the minutes from the April 10, 2025, Regular Council meeting. (City Secretary)

Recommendation for Action: Consider approval of the minutes from the April 10, 2025, Regular Council meeting.

Executive Summary: Minutes from the April 10, 2025, Regular Council meeting.

Budget Cost: N/A

Staff Contact: Nikki Smith, City Secretary

Attachments: 1. 4-10-25 Minutes

**Jean Birmingham Council
Chambers, City Hall**
401 South Alamo
Marshall, TX 75670
903-935-4421



Members
Amy Ware, District 4 - Mayor
Risa Jordan-Anderson, District 1
Leo Morris, District 2
Dathaniel Campbell, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6
Micah Fenton, District 7

MINUTES
PLEASE SILENCE ALL DEVICES
REGULAR CITY COUNCIL MEETING
April 10, 2025
6:00 PM

1. Call to Order and Roll Call

Mayor Pro-Tem Amanda Abraham called the Regular meeting to order in the Council Chambers, City Hall at 06:00 AM.

PRESENT:

Mayor and Council Members:

Councilmember Leo Morris
Councilmember Reba Godfrey
Councilmember Amanda Abraham
Councilmember Micah Fenton
Councilmember Dathaniel Campbell
Councilmember Risa Jordan-Anderson

ABSENT: Councilmember Amy Ware **Motion to Excuse: Councilmember Godfrey**
Second: Councilmember Jordan-Anderson Vote: 6:0

ADMINISTRATIVE STAFF PRESENT:

Melissa Vossmer, Interim City Manager David Rainwater, Fire Chief
Cliff Carruth, Police Chief Scott Rectenwald, City Attorney
Eric Powell, Public Works Director
Christol Hall, HR/Civil Service Director
Kristina Hamilton, Interim Finance Director
Randy Pritchard, Support Services Director
Nikki Smith, City Secretary/Payroll Accountant
Reggie Cooper, Planning & Development Director
Marina Garcia-Heredia, Parks & Recreation Director
Anna Lane, Community & Neighborhood Services Director
Alex Agnor, Asst. City Manager/Economic Develop. & Strategic Initiatives Dir

2. Invocation and Pledges

Councilmember Campbell

3. Presentations & Proclamations

A. Presentation of the Employee of the Month - April. (Employee Engagement Committee)

Kristina Hamilton, Employee Engagement Committee, presented the Employee of the Month for April 2025, Ronald Duke, Public Works. The sponsor of the month is Butler Construction.

Ronald Duke thanked the Council and Staff for this recognition.

4. Citizen Comments

Texas Government Code, Sec. 551.007 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on the agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on the agenda. Those who wish to speak are requested to fill out a public comment form and will have three (3) minutes to speak unless additional time has been requested.

There were no citizen comments.

5. Items to be Withdrawn From Consent Agenda

There were no items withdrawn from the Consent Agenda.

6. Consent Agenda

The items on the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Councilmember may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

Councilmember Godfrey made a motion to approve the Consent Agenda.

Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 6:0.

A. Consider approval of the minutes from the March 24, 2025 Special-Called Council meeting and the March 27, 2025 Regular Council meeting. (City Secretary)

B. Consider approval of an appointment to the Parks Advisory Board. (Parks & Recreation)

7. Consideration of Items Withdrawn From the Consent Agenda

There were no items withdrawn from the Consent Agenda.

8. Resolution

A. Consider approval of a resolution updating the authorized signatories for the City of Marshall's banking transactions. (Finance)

Kristina Hamilton, Interim Finance Director, asked the Council for approval of a resolution updating the authorized signatories for the City of Marshall's banking transactions to add Alex Agnor, Assistant City Manager, and remove Dawn Jones, Finance Director.

Councilmember Godfrey made a motion to approve Consider approval of a resolution updating the authorized signatories for the City of Marshall's banking

transactions. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 6:0.

- B. Consider approval of a resolution updating the authorized representatives for the City of Marshall and the Marshall Economic Development Corporation with TexPool. (Finance)
Krisitna Hamilton asked the Council for approval of a resolution updating the authorized representatives of the City of Marshall and the Marshall Economic Development Corporation (EDC) with TexPool to add Melissa Vossmer, City Manager, and Alex Agnor, Assistant City Manager, and remove Dawn Jones, Finance Director.

Councilmember Godfrey confirmed that Rush Harris, Executive Director of Marshall EDC, is on the authorized representatives list.

Councilmember Godfrey made a motion to approve a resolution updating the authorized representatives of the City of Marshall and the Marshall Economic Development Corporation with TexPool. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 6:0.

9. Action Items for City Council Consideration

- A. Consider approval of an engineering design task order for KSA to provide design and construction services for the replacement of the backup generator at the WWTP and West End Lift Station, a new generator installed at the Convention Center and a new portable generator (\$237,751). (Public Works)
Cory Owen, Assistant Director - Treatment Services, provided background information about the process of applying for a Hazard Mitigation Grant from FEMA for the replacement of three generators. The total project cost is \$2,524,306, which the City will be required to fund 10% of the cost, totaling approximately \$252,430.60. Cory Owen provided a cost summary by location, indicating the WWTP Generator would be approximately \$1,457,990, with the City's portion being \$145,799; the Civic Center Generator would be approximately \$809,856, with the City's portion being \$80,985.60; and the West End Lift Station & Portable Generators would be approximately \$256,460, with the City's portion being \$25,646.

Councilmember Jordan-Anderson asked about the cost obligation slide and the agreement to ensure the amount the City is responsible for is 10% of the grant. Councilmember Jordan-Anderson also asked that "Interim" be removed from the City Manager's title in the agreement.

Councilmember Godfrey asked about the timing of this FEMA grant, which is from 2020 and was awarded in December 2024.

Councilmember Godfrey made a motion to approve an engineering design task order for KSA to provide design and construction services for the replacement of the backup generator at the WWTP and West End Lift Station, a new generator installed at the Convention Center and a new portable generator (\$237,751), with the correction of removing "Interim" from the City Manager's title. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 6:0.

- B. Consider approval of additional services related to the Clean Water State Revolving Fund (CWSRF) wastewater project which will amend the existing design task order\agreement already in place. (\$396,040). (Public Works)
Cory Owen provided information regarding the original agreement and stated additional services would provide for CCTV inspections, GPS location of 58 manholes and documentation. The cost of the additional services is estimated at \$396.040, funded by TWDB.

Councilmember Jordan-Anderson asked about the additional services and if they would provide information regarding missing sections, and broken pipes. Councilmember Jordan-Anderson stated this was needed in order to see where the issues were, and asked if the initial services were completed, which they had not at that time.

Melissa Vossmer, City Manager, asked Cory Owen to explain the infiltration and what it is doing to the plant. Cory Owen stated sand and grit are coming into the plant and causing issues.

Councilmember Abraham asked how many feet of pipe this would cover, which was said to be approximately 37,500 feet.

Councilmember Campbell asked staff to bring back a report showing what was found.

Councilmember Godfrey made a motion to approve additional services related to the Clean Water State Revolving Fund (CWSRF) wastewater project which will amend the existing design task order\agreement already in place at a cost of \$396,040. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 6:0.

- C. Consider approval to authorize the purchase of the second set of bunker gear for the Fire Department as approved in FY25 budget. The approved budget item was \$162,000.00, and the actual purchase amount is \$154,745.00. (Fire)
David Rainwater, Fire Chief, stated there was a correction to the amount listed on the agenda from \$162,000 to \$160,000. David Rainwater asked for authorization to purchase a second set of bunker gear for the Fire Department at a cost of \$154,745, which is under budget.

Councilmember Godfrey made a motion to approve the authorization of the purchase of the second set of bunker gear for the Fire Department as approved in the FY25 budget at a cost of \$154,745.00. Councilmember Campbell seconded the motion, which passed by a vote of 6:0.

10. Discussion and Reports for City Council Consideration and Direction

- A. Presentation of an update\overview regarding Municipal Drainage Utility (MDU). (Councilmembers Godfrey & Morris)
Eric Powell, Public Works Director, provided an update and background information regarding the Proposed Drainage Projects for 2018 at the request of Councilmembers Morris and Godfrey.

Stan Hayes, Hayes Engineering, presented a map of project locations and photos

regarding the Proposed Drainage Projects for 2018, including a list of 15 initial projects and 20 future projects. An updated list of completion items and a revised opinion of cost for items has not been completed at this time.

Councilmembers asked questions about the following locations and what could be done to address them:

Inman Street - location of culverts. Is there a need/ability to add some?

Frank Street - location culverts. Is there a need/ability to add some?

Whetstone & Sanford - why were the culverts placed in their current location, and does it help with the flooding issue?

Elm Street - double barrel box replaced in 2010 is not helping with the flooding issue.

What can be done to address the concern?

The areas of public safety concern and/or top priority for the biggest drainage issues were listed as:

N. Franklin Street at the railroad underpass, no good solution available.

Bel Cut-Off at the railroad underpass, no good solution available.

Country Club flooding, add inlets to Ambassador Blvd. would help.

It was said that some of the locations would be better off if purchased by the City, since no other feasible solution was available.

Councilmember Campbell asked if any of the items on the 2018 list were funded and not complete. Stan Hayes stated he felt the intent was to address the first 15, which Councilmember Abraham stated there was no knowledge of what was budgeted for in regard to the listed items.

A discussion was held regarding houses built over drainage pipes. This occurred because at the time of the construction of the house there were no requirements or guidelines in place to specify buildings in certain locations. It was stated that FEMA defines the flood zones and has funds available to raise houses.

It was asked how the items were placed on this list, which most are because of being brought to the attention of staff by complaints from citizens.

- B. Presentation of the 2024 Annual Report for the Marshall Fire Department. (Fire)
David Rainwater presented the 2024 annual report for the Marshall Fire Department, listing accomplishments and statistics.

David Rainwater stated upon his arrival he discovered the following challenges: outdated policies and procedures, a stagnant training program, and a strategic plan needing updating, and budgetary issues. David Rainwater stated he also found strong leadership and organizational culture and that he intends to incorporate new programs, technologies and processes.

David Rainwater stated the 2025–2026 goals are to reopen Station 4, response analysis of department, complete a strategic plan, apply for accreditation, work on becoming an American Red Cross training site, and establish a citizens fire academy.

Councilmember Jordan-Anderson asked about the cost of training new employees and if there was a contract in place to ensure the employee stays with the City for a designated period of time and if there is a way that the City can be reimbursed if the employee resigns prior to the designated timeframe.

Councilmember Abraham asked about the CAD system and if it monitored the location of the employees, and stated we need to ensure whichever company is being used is working.

Councilmember Campbell asked for a press release to be sent out informing the citizens of the accomplishments and achievements of the department.

Councilmember Morris expressed his support for a training facility and asked if the locations of any new fire stations would be created to accommodate female firefighters.

Melissa Vossmer asked David Rainwater to explain how the Capital Improvement Plan would fit in with the strategic plan.

- C. Presentation of the 2024 Annual Report for the Marshall Police Department. (Police)
Cliff Carruth, Police Chief, presented the 2024 Annual Report for the Police Department, provided the vision and mission statements and stated the department is building trust through presence at community events.

Cliff Carruth stated the department has worked to be re-accredited, and noted that only 8% of Texas agencies hold this accreditation. Cliff Carruth also stated the Police Department is working to invest in personnel and system upgrades, is in compliance with the Sandra Bland Act and all state requirements, and is unified to fight violent crimes. Cliff provided the total calls for service, and stated some goals for the department are to complete ALERRT training for all officers, expand the drone program, increase crisis response and wellness programs, facility improvements, and invest in technology.

Councilmember Abraham stated she was glad to see that officers had been hired, and that she is looking forward to the completion and installation of the new radio system and asked about the progress of the dispatch room.

Councilmember Campbell inquired about the building repairs and the violent crimes ratio.

Councilmember Jordan-Anderson asked Cliff Carruth to expand on the Sandra Bland Act and how the police department is in compliance with this Act. Cliff Carruth explained the reasoning of the Act and stated the Police Department is in compliance by prohibiting racial profiling, creating a complaint process, providing annual reporting, data audits, and mental health training.

A discussion was held regarding the process of holding an individual suffering from mental health issues, location of facilities, and any funding or grants that might be available to the City.

11. Executive Session

Councilmember Godfrey made a motion to convene in the Executive Session. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 6:0. The time was 8:39 PM.

- A. An executive session pursuant to Texas Govt. Code Section 551.071 to consult with the City Attorney to seek advice on pending or contemplated litigation and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Contract for Improvements at Airport Park.

The council reconvened from the Executive Session. The time was 9:56 PM.

12. Adjournment

Councilmembers Fenton and Godfrey were not present during the adjournment.

Councilmember Campbell made a motion to adjourn. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 4:0.

APPROVED:

Mayor of the City Council
of the City of Marshall, Texas

ATTEST:

City Secretary



TO: City Council
DATE: April 24, 2025
ITEM #: 5.B
SUBJECT: Consider approval of an agreement with Dr. Jeffrey McWilliams for Physician Director Services for the Emergency Medical Services System for a total annual cost of \$18,000. (Fire)

Recommendation for Action: Authorize the City Manager to enter into the Medical Director Contract for Emergency Medical Services with Dr. Jeffrey McWilliams on behalf of the City of Marshall.

Executive Summary: Background: The City of Marshall requires the professional services of a qualified physician to serve as Medical Director for the Emergency Medical Services (EMS) provided by the Marshall Fire Department. Dr. Jeffrey McWilliams has previously served in this capacity and has extensive experience in emergency medicine.

Contract Terms:

- Term: One-year contract from May 1, 2025, to April 30, 2026
- Compensation: \$18,000 annually, paid in monthly installments of \$1,500
- Services to be provided include:
 1. Medical oversight and direction for the EMS system
 2. Development of patient transfer protocols and agreements
 3. Establishment of standing orders for all EMT certification levels
 4. Coordination of critical care plans for various emergency scenarios
 5. Conducting monthly training (minimum six hours) for EMS personnel
 6. Quality assurance and medical guidance

Recommendation: Staff recommends approval of the contract for Dr. Jeffrey McWilliams to serve as Medical Director for the Marshall Fire Department EMS system for the specified term and compensation.

Fiscal Impact: \$18,000 for FY 2025-2026, which has been included in the current budget.

Action Requested: Authorize the City Manager to enter into the Medical Director Contract for Emergency Medical Services with Dr. Jeffrey McWilliams on behalf of the City of Marshall.

Budget Cost: The total annual cost is \$18,000.00 paid in 12 installments at \$1500.00 per month.

Staff Contact: David Rainwater, Fire Chief

- Attachments:**
1. Executive Summ Medical Director Contract April 2025
 2. Medical Director Contract 2025-26

To: Melissa Vossmer, City Manager
Date: 4/10/2025
From: David Rainwater, Fire Chief
RE: Consider approval of an agreement with Dr. Jeffrey McWilliams for Physician Director Services for the Emergency Medical Services System

Background: The City of Marshall requires the professional services of a qualified physician to serve as Medical Director for the Emergency Medical Services (EMS) provided by the Marshall Fire Department. Dr. Jeffrey McWilliams has previously served in this capacity and has extensive experience in emergency medicine.

Contract Terms:

- Term: One-year contract from May 1, 2025, to April 30, 2026
- Compensation: \$18,000 annually, paid in monthly installments of \$1,500
- Services to be provided include:
 - Medical oversight and direction for the EMS system
 - Development of patient transfer protocols and agreements
 - Establishment of standing orders for all EMT certification levels
 - Coordination of critical care plans for various emergency scenarios
 - Conducting monthly training (minimum six hours) for EMS personnel
 - Quality assurance and medical guidance

Recommendation: Staff recommends approval of the contract for Dr. Jeffrey McWilliams to serve as Medical Director for the Marshall Fire Department EMS system for the specified term and compensation.

Fiscal Impact: \$18,000 for FY 2025-2026, which has been included in the current budget.

Action Requested: Authorize the City Manager to enter into the Medical Director Contract for Emergency Medical Services with Dr. Jeffrey McWilliams on behalf of the City of Marshall.

**PHYSICIAN DIRECTOR CONTRACT
EMERGENCY MEDICAL SERVICES SYSTEM**

The State of Texas
County of Harrison

This agreement is made and entered into by and between the CITY OF MARSHALL, TEXAS, as GRANTEE and DR. JEFFREY MCWILLIAMS, hereinafter referred to as CONTRACTOR, beginning May 1, 2025 and ending on April 30, 2026.

WITNESSETH

WHEREAS, CONTRACTOR has services and professional medical expertise which are needed by GRANTEE and desires to furnish and provide said service to GRANTEE; and

WHEREAS, DR. JEFFREY MCWILLIAMS, an Independent Contractor, serves as emergency department physician and has extensive experience in the practice of emergency medicine; and

WHEREAS, GRANTEE, desires to purchase said professional medical expertise of CONTRACTOR for the purpose of directing the Emergency Medical Services of the City of Marshall, Texas.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the GRANTEE and CONTRACTOR do hereby agree as follows:

Scope of Services: The said CONTRACTOR does hereby promise and agree that he shall and will for the consideration hereinafter mentioned, furnish all services as hereinafter stated;

SECTION I

For and in consideration of the payments and commitments to be made and performed by the GRANTEE, the CONTRACTOR agrees and promises to perform and provide the following:

1. Function as advisor and director concerning medical matters to the Fire Chief and EMS Coordinator.
2. Aid with the development and implementation of medical control.
3. Provide written guidelines or consult in the development of such concerning:
 - a. Patient Transfer Protocols
 - b. Patient Transfer Agreements

4. Coordinate and direct physicians and nurses in the development and documentation of:
 - a. Pre-hospital care and evaluation of Critical Care Plans, including but not limited to:
 - i. Spinal cord injuries
 - ii. Pre-natal problems
 - iii. Behavioral disturbances
 - iv. Burns
 - v. Cardiac Care
 - vi. Poisoning and drug abuse
 - vii. Multiple trauma
5. Develop and establish standing orders for EMT-Basic, EMT-Intermediate, and EMT-Paramedic to be used in the field in emergency situations.
6. Conduct on-going training programs for all EMT certification levels, evaluation and certifying their skills, providing post-response evaluations and providing continuing education, to consist of a minimum of six hours per month. Scheduling of continuing education classes to be determined by the Marshall Fire Department EMS Coordinator and CONTRACTOR.

SECTION II

For and in consideration of the service furnished by the CONTRACTOR and described in SECTION I of this agreement, GRANTEE agrees to pay the CONTRACTOR a total of \$18,000.00 as follows:

1. \$1,500.00 each month in twelve (12) monthly installments beginning thirty (30) days after work begins.

SECTION III

1. **Contractor Responsibility:** The CONTRACTOR will require the EMT-Basic, EMT-Intermediate and EMT-Paramedic to comply with applicable provisions of the Texas Medical Practice Act.
2. **Grantee Responsibility:** GRANTEE, under this Agreement, is not to be considered as engaging in a joint venture or partnership with CONTRACTOR for any purpose whatsoever, it being understood between the parties hereto that GRANTEE is merely a purchaser of services and is in no way authorized to make any contract agreement,

warranty or representation on behalf of CONTRACTOR or to create any obligation expressed or implied on behalf of CONTRACTOR.

3. **Successors and Assigns:** The CONTRACTOR and the GRANTEE each binds itself, himself and his partners, successors, executors, administrators and assigns of each party, with respect to all covenants of this agreement.
4. **Severability:** If any provision of this Agreement shall be construed to be illegal or invalid, it shall not affect the legality or validity of any of the other provisions hereof, and any illegal or invalid provision shall be deemed as if never incorporated herein, but all other provisions shall continue in full force and effect.
5. **Termination of Contract:** The contract term shall be for one year.

If, through any cause, the CONTRACTOR or GRANTEE shall fail to fulfill in timely and proper manner his obligation under this Agreement, or if the CONTRACTOR shall violate any of the covenants, agreements or stipulations of this Agreement, the CONTRACTOR and GRANTEE shall thereupon have the right to terminate this Agreement immediately by giving the other thirty (30) days written notice, specifying the reason for termination, and the effective date thereof. Either CONTRACTOR or GRANTEE may terminate this Agreement upon sixty (60) days notice without cause by giving the other not less than sixty (60) days written notice. If the contract is terminated, contractor should receive compensation which is prorated to the final date of service.

6. **Summary Termination:** CONTRACTOR shall maintain residences within a 50-mile radius of Marshall, Texas and shall personally provide the service to be rendered herein. In the event CONTRACTOR ceases to maintain their residence, ceases to personally provide services as provided herein, GRANTEE shall have the option to terminate this Agreement immediately with notice as provided in Paragraph 5 herein.
7. **Technicians:** GRANTEE shall provide technicians known as Emergency Care Attendants (ECA), Emergency Medical Technicians (EMT), Emergency Medical Technician-Intermediate (EMT-I), and Emergency Medical Technician-Paramedic (EMT-P). Said technicians shall be employed and paid by GRANTEE.

CONTRACTOR has the authority to recommend removal of any technician from service, and to require further training or retraining of any technician. To the extent allowed under Texas State Law, CONTRACTOR may recommend and proceed with decertification by the Texas Department of Health in accordance with that agency's established revocation procedures.

8. **Audit or Records:**
 - a. The CONTRACTOR agrees that the GRANTEE, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access only to pertinent books, documents, papers, and records of the CONTRACTOR which are directly involved in the operation of EMS so long as the patient's medical confidentiality is respected and will be subject to the Texas Open Records Act.

- b. All pertinent records as referenced in **8.a** above shall be retained for a period of three (3) years by GRANTEE.
9. **Compliance with Laws:** GRANTEE shall comply with all applicable local and state laws, ordinances, and codes in implementation of programs provided by this Agreement as set forth in the Texas Medical Practice Act.
10. **Applicable Law:** This Agreement shall be construed according to the laws of the State of Texas. GRANTEE and CONTRACTOR stipulate, acknowledge and agree that the proper venue for any action to enforce or construe any of the provisions of this contract shall be in Harrison County, Texas.
11. **Compliance with Local Laws:** The parties shall comply with all applicable laws, ordinances and codes of state and local governments.
12. **Liability Coverage for Medical Director:** CONTRACTOR, as serving in an official capacity as a public official for the GRANTEE, is covered to the extent provided by the terms of the insurance agreement between TML and the GRANTEE. Coverage is limited to CONTRACTOR's role as Medical Director for the Marshall Fire Department.
13. **Entire Agreement:** The GRANTEE and the CONTRACTOR mutually agree that this Agreement shall be subject to the provisions hereof and represent the entire Agreement between the GRANTEE and CONTRACTOR. This agreement may only be amended or repealed by a duly executed written instrument.

IN WITNESS WHEREOF, the parties have made and executed this Agreement on this day, _____:

GRANTEE:

CONTRACTOR:

CITY OF MARSHALL

Jeffrey McWilliams

BY: _____
City Manager

BY: _____
Jeffrey McWilliams, MD

ATTEST:

By: _____
City Secretary



TO: City Council
DATE: April 24, 2025
ITEM #: 5.C
SUBJECT: Consider approval of an Interlocal Agreement with Harrison County for Animal Shelter Services.
(Finance)

Recommendation for Action: Requesting approval of the Interlocal Agreement with Harrison County for Animal Shelter Services.

Executive Summary: The Interlocal Agreement for Animal Shelter Services for October 2024–September 2025 has been approved by the Harrison County Commissioners. We are requesting approval from the City Council.

Each year the agreement is presented for approval. The amount for the Animal Shelter Services remained the same at \$39,100.

Budget Cost: N/A

Staff Contact: Kristina Hamilton, Interim Finance Director

Attachments: 1. 2024-2025 Animal Shelter Services Interlocal Agreement

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF MARSHALL, TEXAS AND
HARRISON COUNTY, TEXAS FOR ANIMAL SHELTER SERVICES FOR HARRISON
COUNTY FOR 2024-2025**

STATE OF TEXAS

COUNTY OF HARRISON

THIS AGREEMENT is by and between the City of Marshall, Texas, a Texas Home-Rule Municipality, acting by and through its City Manager, heretofore duly authorized by the City Commission of said City, hereinafter called "City of Marshall" and Harrison County, Texas, and acting by and through its County Judge, hereunto duly authorized by the Commissioners' Court of said County, hereinafter called "Harrison County", upon the terms, provisions and conditions set forth below:

WHEREAS, Chapter 791 of the Texas Government Code authorizes all local governments to contract with each other to provide a governmental function or service that each party to the contract is authorized to perform individually and in which the contracting parties are mutually interested, such as police protection and public health and welfare; and

WHEREAS, the City operates Animal Shelter/Impoundment Services in its normal duties for the purpose of reducing general animal control problems in the City, including but not limited to, reporting human exposure to rabies, quarantine and testing of biting animals, reduction of the stray animal population, restraint of dangerous animals, protecting its citizens from the dangers and problems associated with animals at large; and other related services as prescribed by the Texas Health and Safety Code; and

WHEREAS, the County has a need for certain Animal Shelter Services and is not equipped to render such services and the County has historically relied on the City to provide such animal shelter services; and

WHEREAS, the City's records indicate that Harrison County citizens, residing outside of the city limits of Marshall, delivered, dropped off, or otherwise deposited animals that were impounded at the Marshall Animal Shelter during the year; and

WHEREAS, both the City and the County find it mutually desirable to enter into this Agreement to enable the City of Marshall to continue to provide Animal Shelter and Impoundment Services to the citizens of the County and the City;

NOW, THEREFORE in consideration of the mutual covenants hereinafter set forth, the County and City agree:

1. City of Marshall, through the Marshall Police Department, Animal Control Division, agrees to furnish animal shelter services to the citizens of Harrison County, Texas, for a period of one (1) year, beginning October 1, 2024 and ending September 30, 2025, in accordance with the terms, provisions and conditions as set forth below.

2. The City shall secure and hold certification with the State Health Department for animal control and quarantine services, as evidence of qualification.

3. In consideration of the Animal Shelter services to be provided by the City of Marshall pursuant to this agreement, Harrison County agrees to pay, to the City of Marshall the total sum of \$39,100.00. The cash sum shall be paid to the City of Marshall in twelve (12) equal monthly installments of \$3,258.33. These funds paid by the County must be used by the City of Marshall to operate and maintain the Marshall Animal Shelter and the services provided at that facility.

4. The City of Marshall will furnish and operate an animal shelter facility within the corporate city limits of Marshall for use by Harrison County and City of Marshall residents. In addition, the City of Marshall Animal Control Division will perform such duties as required within Harrison County to assure proper impoundment of suspected rabid domestic pets or other cats or dogs that have been legally impounded by the Harrison County Animal Control authority. The City's Animal Shelter Services do not include trapping nuisance animals, removal of deceased animals or conducting cruelty investigations.

5. The City, except as otherwise provided in this Agreement, shall have the sole control, administration, and direction of policies and operations of the Marshall Animal Shelter.

6. No party to this Agreement waives or relinquishes any immunity or defense on behalf of itself, its officers, employees, and agents as a result of its execution of this Agreement and performance to the covenants contained herein. Each party specifically reserves any claim it may have to sovereign, qualified, or official immunity as a defense to any action arising in conjunction with this Agreement.

7. This agreement shall be for a period of one (1) year, beginning October 1, 2024 and ending September 30, 2025.

8. It is understood and agreed by and between the City and County that either party to this agreement shall have the right to cancel this agreement on the 1st day of each month during the term covered by this Agreement, provided that the party desiring to cancel the same shall notify

the other party in writing of its desire to cancel this agreement at least sixty (60) days before the desired date of cancellation of same.

WITNESS THE EXECUTION HEREOF, in duplicate, this ____ day of _____, 2024.

ATTEST:

CITY OF MARSHALL

BY: _____
City Secretary

BY: _____
City Manager

ATTEST:

HARRISON COUNTY

BY: _____
County Clerk

BY: _____
County Judge



TO: City Council
DATE: April 24, 2025
ITEM #: 5.D
SUBJECT: Consider approval of the Harris County Interlocal Agreement - TxWarn Radio System. (Support Services)

Recommendation for Action: Request approval to enter into an interlocal agreement with Harris County for access to the TxWARN radio system.

Executive Summary: This is the standard agreement that is used by Harris County Universal Services for shared access to the TxWarn radio system. Harrison County has already approved this same agreement.

Budget Cost:

Staff Contact: Randy Pritchard

Attachments: 1. City of Marshall Texas_Standard Interlocal Agreement_081224



UNIVERSAL SERVICES ★ HARRIS COUNTY

Sindhu Menon, Interim Executive Director & Chief Information Officer

August 12, 2024

Hilton Poindexter
City of Marshall Texas
410 S. Alamo
Marshall, Texas 75670

REF: Agreement between Harris County and City of Marshall Texas for use of Harris County's 800 Megahertz Radio System

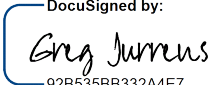
Dear Hilton Poindexter:

Attached is the original agreement related to the above referenced matter. We ask that you please review this agreement and execute. Upon receipt of the required signatures, **please return the fully executed agreement document to:**

Harris County Radio Services
Attention: Keenan P. Johnson
2318 Greens Road
Houston, Texas 77032

Upon Commissioners Court approval, an original of these documents will be mailed to you for your records. Should you have any questions or require any information, do not hesitate to contact Keenan Johnson at 713.274.8840.

Respectfully submitted,

DocuSigned by:

92B535BB332A4E7...
William G. Jurrens
Director, Public Safety Operations

WGJ/JH/KPJ

Enclosures

cc: Justin Hart, Senior Manager, Radio Services
City of Marshall Texas-ILA File
Chron

INTERLOCAL AGREEMENT FOR USE OF PUBLIC SAFETY COMMUNICATIONS SYSTEMS

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Agreement is made pursuant to chapter 791 of the Texas Government Code and entered into by and between **Harris County, Texas** (the “County”), acting by and through its governing body, the Harris County Commissioners Court, and **City of Marshall, Texas** (the “User”), acting by and through its governing body and in accordance with the Interlocal Cooperation Act Tex. Gov’t Code §§ 791.001, *et. seq*, as amended.

RECITALS:

The County owns a public safety trunked radio system that is licensed by the Federal Communications Commission (the “FCC”), which permits radio communications and transmissions via radio units;

The County operates a Mobility Services Program which builds, procures, hosts and/or administers mobile technologies including mobile applications, devices and supporting equipment;

The User desires to obtain access to the County’s communications systems in order to communicate among various public safety units;

The County finds that allowing User access to the County’s communication systems will predominantly serve a public purpose;

The County will ensure the public receives a proper return benefit for allowing User access to the County’s communication systems; and

The County will retain sufficient control over all network equipment to ensure the public purpose is maintained.

NOW, THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

TERMS:

I.

For purposes of this Agreement, the following definitions apply:

A. Primary Dispatch System:

A communications system upon which the User, its agents, employees or assigns rely primarily when it desires or attempts the engagement of radio communications or radio transmissions of energy among its Radio Units;

B. User:

1. Eligible Public Safety Pool communications user as defined by the FCC in Title 47, § 90.20.
 - a. Any territory, possession, state, city, county, town or similar governmental entity is eligible to hold authorizations in the Public Safety Pool to operate radio stations for transmission of communications essential to official activities of the licensee, or;
 - b. Persons or organizations other than governmental entities eligible to hold authorizations in the Public Safety Pool to operate radio stations for transmission of communications under specific public safety use cases as detailed by the FCC in Title 47, § 90.20.

C. Priority Access:

An assigned level of system access that determines the choice of access to the Radio System between two or more Radio Units seeking use simultaneously;

D. TxWARN:

Texas Wide Area Radio Network. Current operating name of the Project 25 Regional Radio System.

E. Project 25 Regional Radio System:

Combination of multiple Trunked Radio System(s) in and about Harris County operating under a single centralized controller as a regional radio system and managed by Harris County Universal Services;

F. Trunked Radio System:

Two-way radio system that uses a control channel to automatically assign frequency channels to groups of users.

G. Radio Unit:

Mobile, stationary, or portable voice radio communication units communicating among themselves at certain air wave frequencies; and

H. System Code Identification Number:

An identification number that allows Radio Units to gain access to the Radio System to enable the Radio Units to communicate among themselves at certain airwave frequencies, providing a Primary Dispatch System for a User's Radio Units;

I. Radio Authentication:

Radio authentication utilizes the Project 25 TIA102.AACE Link Layer Authentication standard. It is over-the-air compatible with other P25 manufacturer's equipment that incorporates the Link Layer standard. One of the key issues a system manager must address is minimizing the use of unauthorized radios, whether they have been lost or stolen, or have been cloned illegitimately. The Radio Authentication solution provides an extra level of verification, every time a radio registers to the system; and

- J. Project 25 (P25) Phase 2 TDMA
(P25) Phase 2 refers to P25 requirements and standards for a digital Common Air Interface (CAI), Time Division Multiple Access (TDMA) based, which provides one voice channel per 6.25 kHz channel spectrum efficiency. The current standards effort focuses on 2-slot TDMA which provides two voice traffic channels in a 12.5 kHz allocation.
- K. Interoperable Mobile Applications
Products and services made available at User's option to access the County's public safety communication systems using various technologies beyond land mobile radio.
- L. MANET
Mobile Ad Hoc Networking. Agencies subscribed to the TxWARN radio system are deploying MANET devices and tethering MPU5 Radios to the TxWARN radio system. The MPU5 and the MANET Network create a data mesh network to relay data and radio traffic between an MPU5 radio and an APCO 25 subscriber radio to the TxWARN Radio system.

II.

The County agrees that during the term of this Agreement, it will provide one or more of the following Services, in accordance with User's signed quote(s):

- A. Allow the User to have access to its Radio System to engage in radio communications among its Radio Units as a Primary Dispatch System, which includes the following;
 - i. Providing the User with a Systems Code Identification Number for a maximum of six hundred (600) Radio Units combined;
 - ii. Upon being notified that one or more of the User's Radio Units have been lost or stolen, attempting to disable the lost or stolen Radio Units;
 - iii. Providing the same level of Priority Access to the Radio System for the User as that afforded the County;
- B. Provide installation and repair services on a Time and Material Basis, to the extent resources are available and solely at its discretion, to equipment used on the Radio System; and
- C. Provide Users with the option to adopt or subscribe to various products and services as part of its Mobility Services Program.

III.

During the term of this Agreement, the User agrees to:

- A. Affirm that the County assumes no cost or responsibility for providing the Radio Units that will have access to the County's Radio System;
- B. Give the County at least ten (10) days prior written notice of its intent to increase, decrease, or otherwise change the number of Radio Units that have access to the County's Radio System, or to make changes to interoperable mobile application subscription services. However, notwithstanding the previous sentence, in no event may the User increase the number of Radio Units above the maximum number of units set forth in Paragraph II (A);
- C. Notify the County that one or more of its Radio Units have been lost or stolen within twenty-four (24) hours of determining that the Radio Units have been lost or stolen;
- D. Use the System Code Identification Number described in this Agreement to access the County's radio system as a Primary Dispatch System;
- E. Observe and abide by all applicable statutes, laws, rules and regulations, including, but not limited to, those of the FCC. In addition, the User agrees to observe and abide by any applicable administrative rules promulgated by the County from and after the date such rules become effective and have been delivered to User. Further, the User acknowledges that, should any of these statutes, rules, regulations or administrative rules change during the term of this Agreement and if the change necessitates a modification of the Agreement, the modification may be effectuated by the County without incurring any liability for this modification. Should the County notify the User of any such change, the User shall have thirty (30) days to review and agree to any proposed changes made to this Agreement. If assent to the change is not given, this Agreement terminates; and
- F. Affirm that the County assumes no cost or responsibility for communication failures that occur while using the MANET, MPU5 radios, or other tethered mobile ad hoc networking devices used in concert with the TxWARN Radio System. The County intend for the use of these devices in the TxWARN region as an extension of the TxWARN into a facility that may be experiencing reduced coverage or tactical situations where the TxWARN system is interfered with or degraded. The MANET and MPU5 devices are not the sole deployable network on the market making them non-interoperable with other manufacturers; therefore, this acknowledgement is applicable to any device that is tethered into the TxWARN radio system.

IV.

If the User requests access to the Radio System, the User expressly understands and agrees to pay the County for said access at a rate specified in the Fee Schedule attached hereto and incorporated herein. The User expressly agrees to pay said monthly charges in full after the end of each month during the term of this Agreement, based upon the number of the Radio Units then in service.

Should the User change the number of Radio Units in service during a monthly billing period, the monthly charge will be increased or decreased proportionally. Notwithstanding any provision to the contrary, the parties agree that the County may provide such monthly invoices to the User by email sent to a mutually agreed upon email address.

V.

The User expressly understands and agrees to pay the County for the programming of the User's radios for use on the Radio System at a rate specified in the Fee Schedule, attached hereto and incorporated herein, upon initial access to the Radio System. Should the User's Radio Units require maintenance that destroys the original programming referred to above, after such maintenance each radio will be reprogrammed to the standard configuration at the rate specified in the attached Fee Schedule. In any instance in which the County performs Radio Unit programming services, the User agrees to pay the County the entire amount owed for the programming of Radio Units within thirty (30) days of the invoice date of such services.

VI.

If the User desires to gain access to the County's Radio System for use of any Radio Units, all radios, regardless of Manufacturer, must contain active P25 Phase 2 TDMA and Radio Authentication options. Any radio without these featured options will not be activated.

VII.

To the extent resources are available and solely at its discretion, County may provide radio equipment installation and radio services upon request of the User. If these services are provided, the User agrees to pay the County on a Time and Material basis at the rate specified in the Fee Schedule attached hereto and incorporated herein. The County agrees to invoice the User after the services are rendered, and the User agrees to pay invoices within thirty (30) days of the invoice date. Solely at the discretion of the County, the User may purchase certain additional parts and accessories from the County at a price set by the County. The County agrees to invoice the User after the parts and/or accessories are supplied to the User. The User agrees to pay the invoice within thirty (30) days of the invoice's date.

It is expressly understood that the County neither warrants nor assumes any responsibility for installation or use of equipment or for the reliability or adequacy of services provided hereunder. Further, by requesting that the County provide these services, the User assumes the total risk of any loss associated with the installation of the radio equipment; any loss resulting from the use of the radio equipment so installed; and any loss resulting from the use of radio equipment to which other radio services have been provided by the County.

VIII.

Mobility Services Program: The County provides Users with the option of adopting the following products and services at the rates specified in the Fee Schedule for various interoperable mobile applications (“apps”) and other technologies beyond land mobile radio:

A. Mobile Apps

- i. App licenses- County will bill monthly subscriptions for end user licenses for applications selected by User;
- ii. App administration- includes account creation/deletion, group management, will be bundled into the monthly subscription fee;
- iii. App setup- includes planning and configuration for app deployment;
- iv. App training- end user training of mobile apps;
- v. App support- may be bundled into the monthly subscription or billed separately depending on the application and end user preferences.

B. Equipment

- i. Equipment rental
- ii. Equipment programming and configuration
- iii. Inventory management

The User expressly agrees to pay monthly charges for interoperable mobile applications products and services selected by User in full after the end of each month during the term of this Agreement. Notwithstanding any provision to the contrary, the parties agree that the County may provide such monthly invoices to User by email sent to a mutually agreed upon email address.

IX.

It is expressly understood and agreed that the County may increase the fees provided in this Agreement by giving the User written notice of its intention to increase fees at least ninety days (90) before the effective date of the proposed increase. Should such increase become effective during a term of this Agreement, the increase will be prorated based upon the number of months remaining in the then current term of this Agreement. In the event of such mid-term fee increase, the User agrees to pay the total, prorated fee increase on or before thirty (30) days after the effective date of the fee increase. The User agrees to pay the County the entire amount owed from the fee increase within thirty (30) days of receiving notice. Notice may be in the form of an invoice.

X.

The term of this Agreement is one (1) year and shall commence on the date this Agreement is executed by the Parties. Thereafter, this Agreement will automatically renew for successive one-year terms for a maximum of five (5) years unless it is terminated by either party by giving the other party prior written notice of its intention to terminate not less than thirty (30) days prior to the expiration of the term of this Agreement. Notwithstanding the preceding, this Agreement terminates:

- A. Immediately if all or substantially all of the authorization held by the County or the User is revoked by the FCC or its successor agency; or
- B. Upon either party giving the other party thirty (30) days prior written notice of its intent to terminate. Should the User terminate this Agreement as provided in this paragraph, the User agrees that payment in full of all obligations owed to the County by the User is a condition precedent to termination. Should either party terminate the Agreement, the User is entitled to a refund of the pro rata share of any prepayment.

XI.

If the User fails to make any payment of any sum due under this Agreement and such failure continues for forty-five (45) days after the County has given the User written notice of such failure, then the User is in default under this Agreement. In the event of the User's default, the County has the right to terminate the Agreement, deny the User any service provided by the County under this Agreement, and retain all moneys paid to the County pursuant to the terms and conditions of this Agreement as liquidated damages. Each and every right and remedy of the County and User are cumulative to and not in lieu of each and every other such right and remedy afforded by law and equity.

XII.

Should the County fail to perform as provided under the terms of this Agreement, the User's sole remedy is termination of this Agreement, and the County agrees to make a refund to the User of the portion of the pre-paid fee based upon that fractional part of the one-year term remaining under this Agreement.

XIII.

It is expressly understood and agreed that one hundred percent (100%) coverage of any area at all times is improbable. There may be adverse transmission condition such as short-term unpredictable meteorological effects and sky-wave interference from distant stations that can interrupt the Radio System. Likewise, there are other causes beyond reasonable control of the County, including, but not limited to, motor ignition and other electrical noise that may be minimized by corrective devices at the User's expense. Any surveys, studies, research, or other measures taken to ensure the adequacy of coverage provided to the User under this Agreement are the sole responsibility and expense of the User.

XIV.

All notices and communications permitted or required under this Agreement are to be mailed by United States Postal Service, certified mail, return-receipt requested, to the following addresses:
FOR THE COUNTY: All notices and communications must be mailed as follows:

Original to: 1. Universal Services
406 Caroline, 4th Floor
Houston, TX 77002-2027

and

Copy to: 2. Commissioners Court of Harris County
Harris County Administration Building
1001 Preston, 9th Floor
Houston, TX 77002-1891
Attention: Clerk of Commissioners Court

FOR THE USER: City of Marshall, Texas
Attn: Hilton Poindexter
401 S. Alamo
Marshall, TX 77901

E-Invoicing Address: pritchard.randy@marshalltexas.net

These addresses may be changed upon giving prior written notice to the other party. All mailed notices and communications are deemed given and complete upon depositing them in the United States Mail. Notwithstanding any provision to the contrary, the parties agree that the County may provide monthly invoices to the User by email sent to a mutually agreed upon email address.

XV.

Neither party hereto shall sell, assign, or transfer any of its rights or obligations under this Agreement in whole or in part, without the prior written consent of the other party. This Agreement shall bind and benefit the County and the User and shall not bestow any rights upon any third party.

XVI.

This Agreement is governed by and construed according to the laws of the State of Texas. Exclusive venue of any action or claim arising out of this Agreement is Harris County, Texas. Failure of either party hereto to insist on the strict performance of any of the agreements herein or to exercise any rights or remedies accruing hereunder upon the default or failure by an appropriate remedy, shall not be considered a waiver of strict compliance with any other obligation hereunder, and shall not be considered a waiver of the exercise of any rights or remedies occurring as a result of any future development or failure of performance.

XVII.

The User will pay its obligations hereunder from available current revenues. User shall have the right to cancel this Agreement at the end of any current fiscal year (fiscal year defined as September 1 through August 31) if funds are not allotted for the next fiscal year to continue this Agreement.

XVIII.

This instrument contains the entire Agreement between the parties relating to the rights granted and the obligation assumed. Any modifications concerning this Agreement are of no force and effect unless in writing and executed by both parties except for those modifications effectuated pursuant to the provisions of Paragraph III (E).

This Agreement may be executed in multiple counterparts, each having equal force and effect of an original. This Agreement shall become binding and effective only after it has been authorized and approved by the governing bodies of each governmental entity, as evidenced by the signature of the appropriate authority.

CITY OF MARSHALL, TEXAS

HARRIS COUNTY

By: _____
Name

Title

By: _____
Lina Hidalgo
County Judge

Date: _____

ATTEST:

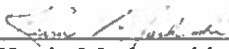
APPROVED AS TO FORM:

By: _____
Name

Title

CHRISTIAN D. MENEFE
County Attorney

Date: _____

By:  _____
Kevin Markowski
Assistant County Attorney
CAO File No.: 24GEN2134

System Owner Radio System Maintenance Fee Schedule "Exhibit A"

	<u>Fees Basis</u>	<u>Fee</u>
Service Fees – Hourly Labor Rate	Actual billable hours	\$72.00
Professional Services – Hourly Labor Rate	Actual billable hours	\$100.00
Flat rate service agreement quoted upon request.		
System Access		
Primary user (Voice)	Monthly per unit	\$39.00
Non-Primary user (Voice)	Monthly per unit	\$15.00
Mobile Digital Terminal	Monthly per unit	\$12.75
WAVE (onetime)	Initial setup per unit	\$15.00
WAVE PTX (onetime)	Initial setup per unit	\$20.00
WAVE	Monthly per unit	\$15.00
WAVE PTX	Monthly per unit	\$20.00
Operational Patch	Monthly per minute	\$8.00
Radio Management	Yearly per unit	\$15.00
Applications		
Response	Monthly per user	\$8.00
Moxtra	Monthly per user	\$8.00
Activate	Monthly per user	\$5.00
Bundle Application Package (Response, Moxtra & Activate)	Monthly per user	\$15.00
Programming		
Radio Unit (Voice)		
Portable	One-time based on 0.5 hours	\$36.00
Mobile	One-time based on 0.5 hours	\$36.00
Template Creation		
Template Update	Update Existing Template	\$72.00
Template	Per 3 Zone increments	\$216.00
Vender Support Maintenance Fees		
Genesis		
Genesis CMAF	Yearly per connection	\$6,164.67
Genesis Remote Access	Yearly per connection	\$1,000.00
Dispatch Wireline Console		
Technical Support	Annual per Dispatch Center	\$840.34
Infrastructure Repair via Harris County Depot	Annual per Operator Position	\$286.09
Infrastructure Repair via Harris County Depot	Annual per Dispatch	\$779.09
Infrastructure Repair via Harris County Depot	Annual per AIS	\$286.09
Pre-Tested SUS	Annual per Dispatch Center	\$2,891.49
RSUS	Annual per Dispatch Center	\$445.23
Port Connect Fee (Master Site)	Annual per Dispatch Center	\$2,618.31
Zone, Subscriber, Backhaul Technical Resource and System Administration (Does not include on-site 3 rd party cost.)	Annual per Dispatch Center	\$2,565.00
RF Infrastructure		
Technical Support	Annual per Prime Site	\$8,660.74
Technical Support	Annual per Site	\$421.03
Infrastructure Repair via Harris County Depot	Annual per Repeater	\$257.51
Infrastructure Repair via Harris County Depot	Annual per Prime Site	\$2352.40
Infrastructure Repair via Harris County Depot	Annual per Site	\$779.09
Port Connect Fee (Master Site)	Annual per Site	\$2,618.31
Zone, Subscriber, Backhaul Technical Resource and System Administration (Does not include on-site 3 rd party cost.)	Annual per Site	\$2,565.00

6/26/2024



TO: City Council
DATE: April 24, 2025
ITEM #: 7.A
SUBJECT: Consider approval of updates to the Marshall Public Library Circulation Policy to include a fine-free initiative on all library materials. (Community & Neighborhood Services)

Recommendation for Action: Approve updates to the Marshall Public Library Circulation Policy.

Executive Summary: The mission of Marshall Public Library is to “educate, empower, and enrich the community through exemplary programs, resources, and services” in order to meet the community’s educational, informational, and recreational needs. One way the library works towards its mission is to ensure that all in the community are provided with consistent and equitable services.

The proposed circulation policy updates the eligibility, parameters, and terms of borrowing materials at the Marshall Public Library since the Circulation Policy was last approved in 2006. The major update to the Circulation Policy includes the adoption of a fine-free initiative for overdue materials.

Historically, fines were intended to be an incentive to return overdue items. Research, however, suggests that fines have a different effect:

- Higher number of suspended accounts and subsequently lost materials
- Disproportionate impact on lower-income families
- Negative impact on participation and engagement in programs and activities

Research also shows that libraries who have adopted a fine-free approach report:

- Better return rate and increased circulation of library materials
- Improved customer service to patrons and increased goodwill
- Higher attendance at library programs and increased usage of library resources

In addition to aligning with the library's mission, the proposed 2025 Circulation Policy will meet the city’s strategic outcomes in the areas of Supportive & Engaged Community, Valued Parks & Cultural Amenities, and Fiscal Responsibility and its core values of Customer Service, Excellence, Innovation, and Efficiency and will ensure the maximum use of the library’s programs, resources, and services by the greatest number of people.

The proposed Circulation policy was unanimously approved by the Library Board of Trustees on April 2, 2025.

Budget Cost: n/a

Staff Contact: Terri Nalls, Library Director
Anna Lane, Director of Community & Neighborhood Services

- Attachments:**
1. 2025 Circulation Policy
 2. 2006 Circulation Policy Red-Lined
 3. Fine Free Texas Public Libraries (map)
 4. American Library Association Resolution on Library Fines
 5. Overdue Fines--Advantages, Disadvantages, and How Eliminating Them Can Benefit Public Libraries (journal article)

MARSHALL PUBLIC LIBRARY

Circulation Policy

Approved by the Board of Trustees
April 2, 2025

Approved by the City Council

CIRCULATION POLICY
TABLE OF CONTENTS

INTRODUCTION	2
LIBRARY CARDS	2
CHECK OUT LIMITS	3
CIRCULATION PERIODS	3
OVERDUES.....	4
OVERDUE NOTICES.....	4
LOST MATERIALS.....	4
CLAIMS RETURNED/CLAIMS NEVER HAD.....	5
DAMAGED MATERIALS.....	5
INTERLIBRARY LOAN.....	5
RESERVES.....	6
PRIVACY/CONFIDENTIALITY OF LIBRARY RECORDS.....	6
APPENDICES.....	7

MARSHALL PUBLIC LIBRARY CIRCULATION POLICY

The Marshall Public Library is a department of the City of Marshall. The library serves all residents of the City of Marshall and, through interlocal agreement, other citizens of Harrison County. Other service agreements may also be in effect (see Appendices). Service will not be denied or abridged because of religious, racial, social, economic, or political status; mental, emotional, or physical conditions; age; or sexual orientation.

The use of the library may be denied for due cause. Such causes may be failure to return library materials or to pay fines, destruction of library property, disturbance of other library patrons, any other illegal, disruptive, or objectionable conduct on library property, or violation of other adopted library policies.

LIBRARY CARDS

To check out materials or access a computer, a library patron must present a Marshall Public Library card. The first library card for Texas residents is free. To obtain a library card, an individual must present a valid Texas driver's license or Texas state ID. Individuals with temporary Texas driver's license or temporary Texas state ID must also present photo identification. Other acceptable documents include a Harrison County voter registration card or Harrison County property tax receipt presented with photo identification. Other documents verifying residency may be accepted at Library Director's discretion.

Out-of-state local college students (ETBU, Panola, TSTC, and Wiley University) must show a current, valid student ID along with their valid driver's license or state ID. Out-of-country local college students (ETBU, Panola, TSTC, and Wiley) must show a current, valid student ID along with their valid passport. Interlocal agreements between each college and the City of Marshall will be pursued and handled in separate documentation.

Out-of-state visitors wishing to check out materials must pay a non-resident fee annually (see Appendices).

Individuals with an expired library card who have overdue books or outstanding fines must clear delinquent accounts before receiving a new library card.

Each library card application (both paper and online version) must be signed, thereby assuming responsibility for use of the card and constituting an agreement to abide by the rules set forth by the City of Marshall. The agreement on the library card application states:

“Present this card each time you check out items. Report loss of this card or change of address immediately. Cardholder is responsible for fines incurred and for lost or damaged materials borrowed on this card.”

The Marshall Public Library will not issue a card to individuals under 18 years of age when a parent or legal guardian is not present. Because a parent or legal guardian assumes responsibility for children’s fines, fees, damages, or loss of materials, a parent or legal guardian must apply for a library card before or at the same time as their child(ren). A parent or legal guardian’s signature is required on library card applications for children under the age of eighteen (18). If a parent or legal guardian is concerned about their child(ren)’s access to materials, the Marshall Public Library requires them to accompany their child(ren) and assist them in making their selections. The library does not act *in loco parentis*.

Cardholders are responsible for keeping their library card; the Marshall Public Library cannot be responsible for safeguarding a library patron’s library card. Replacement cards are charged a minimal fee (see Appendices) which must be paid at the time the replacement card is issued. At the discretion of the library staff, replacement card fees will not be charged when a library patron’s card is worn out or the library patron has changed his/her name.

Visitors to the Marshall Public Library are granted a guest pass for computer access by showing a valid driver’s license, state ID, military ID or passport, by reading and agreeing to abide by the Marshall Public Library Internet Use Policy, and Library Code of Conduct which constitutes an agreement to abide by the rules set forth by the City of Marshall.

CHECKOUT LIMITS

For the first 90 days after receiving a library card, adults may check-out 3 items (including 1 video), children (ages 6-17) may check out 3 items, and babies (ages 5 and under) may check out one Easy book at one time. After 90 days, adults may check out 10 items (including a maximum of 3 videos), and children may check out 10 items. Babies are limited to one Easy book until their 6th birthday. Children and babies may not check out videos of any type. Library patrons may only check-out a maximum of 5 best-sellers at a time due to their popularity and limited number of copies available. Out-of-state visitors may check out only 3 items per visit during their annual membership.

CIRCULATION PERIODS

Most circulating items are checked out for 2 weeks (14 days). Some items (hotspots, musical instruments) may have a 3 week checkout as set forth in the circulation rules of the automated library system. Reference material and magazines (including prior years’ issues) are non-circulating and must remain in the library at all times. Any circulating item may be renewed by phone, at the circulation desk, or online via the library’s website for an additional check out period with the exception of best-sellers (materials with red dots on the cover and/or spine)

and materials on hold. Once the renewal limit has been reached and the item(s) returned, an individual may not check out the same material(s) again until the item(s) have been on the shelf for a period of 24 hours.

OVERDUES

Library materials that are not returned on or before the due date are considered overdue. Once materials are overdue, a library patron's account is blocked and the library patron will lose library checkout privileges until the overdue material is returned or the replacement fees of the material are paid.

OVERDUE NOTICES

Overdue items may be renewed one time. If an item is overdue by 1 week, an overdue notice is generated. 1st, 2nd, 3rd and Final overdue notices are generated for library patrons who have overdue items. For the first notice, overdue items are searched for on the shelf by library staff. If the item is not located, then the library patron is notified. Library patrons are notified by method they have selected (email, text or phone). All final notices are mailed.

At any point after the final notice, library patrons may be notified that if the material(s) is not returned by a specified date, City Ordinance Section 16 A-6 will be invoked and/or their account will be charged for the material(s) plus a processing fee per overdue item. Once the material(s) is charged to a library patron's account, the item(s) becomes the property of the library patron. To check-out additional item(s), all charges must be paid off.

LOST MATERIALS

When library patrons claim their library material is lost, they will be responsible for the replacement price of the item(s) plus a processing fee for each item. The replacement price is listed in the library's database. Those items without a replacement price noted will be assessed the default replacement price. Once the material(s) is claimed lost and replacement fees are charged, the Marshall Public Library will not accept the material(s) or give a refund if the material is later found. Failure to pay the assessed charges will result in the loss of library checkout privileges until the matter is resolved.

Replacements for lost items will sometimes be accepted. Items must be an exact match (title, author, publisher, pages) and in pristine condition in order to be accepted as a replacement copy.

CLAIMS RETURNED/CLAIMS NEVER HAD

While there are instances of library patrons claiming library material has been returned or never checked-out, these cases are rare. As these situations arise, library staff will intervene as appropriate with the Library Director making the final decision. A record of the number of times a library consumer makes such claims will remain part of library records which will be consulted for determination of action.

DAMAGED MATERIALS

Library patrons are responsible for all materials checked out on their library card and are liable for the damages which may occur to library materials. A parent or legal guardian assumes responsibility for a child's fines, fees, damages and loss of materials. The library staff will notify the library patron of payment due for the replacement of the damaged items. Materials that are damaged will be charged a minimal fee or a replacement fee plus a processing fee as determined by the library staff (see Appendices). Damages include, but are not limited to, torn, marked, or wet pages, cover breakage, pages that have been removed, or other problems that make the material unusable. Other damaged items not requiring replacement will be charged mending fees.

Replacements for damaged items will sometimes be accepted by the library. Items must be an exact match (title, author, publisher, pages) and in pristine condition in order to be accepted as a replacement copy.

INTERLIBRARY LOAN

Materials from the collections of other public, academic, and special libraries may be borrowed through Interlibrary Loan (ILL). Libraries typically do not lend rare or fragile items, audio-visual materials or items in high demand. Most libraries do not lend new releases, genealogy, microfilm, or items designated as reference in their catalog. Materials labeled "For Library Use Only" must remain in the library, but access to the material will be available. Libraries are under no obligation to lend materials.

Library patrons with a valid library card in good standing may request books, audio books, videos, or copies of journal or periodical articles which are not in the library's collection. Interlibrary Loan request forms are available at the library. One form per request is required. Limits may apply at the discretion of the Library Director. A minimum fee to cover postage costs (see Appendices) may be charged to the library patron's account when ILL items are received. Lending libraries may charge for journal or periodical articles. In this instance, the Marshall Public Library will pass on the charges to the library patron. Lending libraries also set due dates which are enforced by the Marshall Public Library.

The library patron who requests items through Interlibrary Loan must be the one to pick them up. Library patrons who fail to pick up the material after notification by library staff must still pay the minimum fee, if originally assessed, for each unclaimed title. Library patrons with overdue ILL items will not be allowed to check-out materials from the Marshall Public Library until the overdue ILL material is returned. Additionally, lost Interlibrary Loan items will be assessed charges by the rules in effect for the lending library and this must be resolved before checkout privileges resume at Marshall Public Library.

RESERVES

Any library patron with a valid library card and in good standing (those without overdue items) may reserve up to 5 items at a time with a limit of 3 best-sellers at any given time. Initially, library patrons must register with library staff, giving a Personal Identification Number (PIN). Library patrons are responsible for remembering their PIN as the library staff cannot access the information once it is entered into the circulation system. Library patrons may reserve any checked-out item online through the library's website or through the online catalog in the library. Library patrons may also update their account, renew items, and change their PIN.

Library staff will notify library patrons when the requested item is available for pick-up. Items not picked up by the end of the next library business day following notification may be returned to the shelf or given to the next library patron on the waiting list.

PRIVACY/CONFIDENTIALITY OF LIBRARY RECORDS

The Marshall Public Library supports every library patron's right to have his or her records remain confidential. Records of patron transactions are kept only as long as is required to collect administrative statistics and then are erased. Library records will only be disclosed under court order, subpoena, or warrant as outlined in the state statute, Texas Government Code, Section 552.124 and the surveillance provisions included in The USA PATRIOT Act (Public Law 107-56).

COLLECTION DEVELOPMENT POLICY
APPENDICES

LIBRARY CARD APPLICATION.....	8
FINES & FEES	9
SERVICE AGREEMENTS.....	10
LIBRARY BILL OF RIGHTS.....	11
PRIVACY: AN INTERPRETATION OF LIBRARY BILL RIGHTS.....	12
THE USA PATRIOT ACT OF 2001: SECTION 5.....	15

MARSHALL PUBLIC LIBRARY CARD APPLICATION

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

 If Marshall resident, do you live inside or outside City limits? **inside** **outside**

Primary Phone Number: (_____) _____ please circle: cell home work

Secondary Phone Number: (_____) _____ please circle: cell home work

Email address (please print): _____

Birthday: ____/____/____ Library PIN (choose at least 4-10 characters): _____

Please Circle One Answer for Each Question:

 How would you like to receive a warning when items are almost due? text email

 How would you like to receive an overdue notice? text email

 How would you like to receive notice that a reserved or requested book has arrived? call text email

 Would you like a list of items that you've checked out sent to your email? yes no

Got Kids? Please complete the following information for each child.

Child's Name	Birthday	Internet access?	STAFF USE ONLY	
			Type	Number
		yes no		
		yes no		
		yes no		
		yes no		

Parents/guardians are responsible for children's fines, overdue items, and replacement costs for lost/damaged items.

I am responsible for all materials borrowed on this card as well as materials borrowed on my children's card(s). I accept responsibility for all fines, charges for all lost or damaged materials, collection and attorney fees incurred on this card or on my children's card(s). I agree to abide by the policies of the Marshall Public Library and ensure my children do as well.

I understand my library card must be presented for Internet use and each loan. Replacement cards are \$1.00.

Signature

Date

MARSHALL PUBLIC LIBRARY STAFF USE ONLY

ID Provided: _____ Member Type: _____ Staff Initials: _____ Staff Initials: _____

FINES AND FEES

ITEM		FEE
LIBRARY CARDS	Replacement Card	\$1.00 each
	Out-of-State Card	\$25.00 per year
LOST MATERIALS	Library Book, Audio Recording, Video	Replacement price plus \$1.00 processing fee
	Interlibrary Loan (ILL)	Cost assessed by lending library
DAMAGED MATERIALS	Library Material	Replacement price plus \$1.00 processing fee
	Hotspot charger	\$5.00
	Hotspot carry case	\$5.00
	Audio Case	\$3.50-\$10.00 per case
	Video Case	\$3.50 -\$10.00 per case
	Interlibrary Loan (ILL)	Cost assessed by lending library
	Other	As determined by Library Director
DEFAULT FEES FOR MATERIALS	Easy and Juvenile Book	\$20.01 per item
	Adult Book	\$25.01 per item
	Audio recording	\$75.01 per item
	Videos	\$15.01 per item
	DVDs	\$25.01 per item
OTHER FEES	Photocopying/computer prints (black & white)	.10 per sheet
	Photocopying/computer prints (color)	.25 per sheet

SERVICE AGREEMENTS

TexShare

Marshall Public Library participates in the TexShare card program which is a reciprocal borrowing program established by the Texas State Library and Archives Commission. It is designed as a service to offer wider access to information and services. This card allows the cardholder borrowing privileges at all TexShare libraries throughout the state of Texas. This includes libraries at all public and most private colleges and universities, as well as participating public libraries that belong to one of the regional library systems.

The card program allows registered users of participating TexShare libraries to obtain a TexShare card at their home library and use the card to borrow materials directly from other participating libraries.

Library consumers must have a valid TexShare card from their own library, a valid driver's license or state issued ID card with photo showing their home address, a valid library card from their home library, and a parent's signature of library consumers under sixteen (any or all of these stipulations, according to your library's policy).

The cardholder should return items to the lending library and is solely responsible for any expense involved in returning the items and for all fines and fees accrued at other libraries. Library consumers may have their TexShare card revoked if they have outstanding fees or fines with any TexShare Library. Failure to return materials or to pay outstanding charges will result not only in the cancellation of TexShare privileges, but also in the suspension of borrowing privileges with the Marshall Public Library.

LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.
Amended February 2, 1961, and January 23, 1980,
inclusion of "age" reaffirmed January 23, 1996,
by the ALA Council.

PRIVACY

An Interpretation of the *Library Bill of Rights*

Introduction

Privacy is essential to the exercise of free speech, free thought, and free association. The courts have established a First Amendment right to receive information in a publicly funded library.ⁱ Further, the courts have upheld the right to privacy based on the Bill of Rights of the U.S. Constitution.ⁱⁱ Many states provide guarantees of privacy in their constitutions and statute law.ⁱⁱⁱ Numerous decisions in case law have defined and extended rights to privacy.^{iv}

In a library (physical or virtual), the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf.^v

Protecting user privacy and confidentiality has long been an integral part of the mission of libraries. The ALA has affirmed a right to privacy since 1939.^{vi} Existing ALA policies affirm that confidentiality is crucial to freedom of inquiry.^{vii} Rights to privacy and confidentiality also are implicit in the *Library Bill of Rights*⁸ guarantee of free access to library resources for all users.

Rights of Library Users

The *Library Bill of Rights* affirms the ethical imperative to provide unrestricted access to information and to guard against impediments to open inquiry. Article IV states: "Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas." When users recognize or fear that their privacy or confidentiality is compromised, true freedom of inquiry no longer exists.

In all areas of librarianship, best practice leaves the user in control of as many choices as possible. These include decisions about the selection of, access to, and use of information. Lack of privacy and confidentiality has a chilling effect on users' choices. All users have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.

Users have the right to be informed what policies and procedures govern the amount and retention of personally identifiable information, why that information is necessary for the library, and what the user can do to maintain his or her privacy. Library users expect and in many places have a legal right to have their information protected and kept private and confidential by anyone with direct or indirect access to that information. In addition, Article V of the *Library Bill of Rights* states: "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." This article precludes the use of profiling as a basis for any breach of privacy rights. Users have the right to use a library without any abridgement of privacy that may result from equating the subject of their inquiry with behavior.⁹

Responsibilities in Libraries

The library profession has a long-standing commitment to an ethic of facilitating, not monitoring, access to information. This commitment is implemented locally through development, adoption, and adherence to privacy policies that are consistent with applicable federal, state, and local law. Everyone (paid or unpaid) who provides governance, administration, or service in libraries has a responsibility to maintain an environment respectful and protective of the privacy of all users. Users have the responsibility to respect each other's privacy.

For administrative purposes, librarians may establish appropriate time, place, and manner restrictions on the use of library resources.¹⁰ In keeping with this principle, the collection of personally identifiable information should only be a matter of routine or policy when necessary for the fulfillment of the mission of the library. Regardless of the technology used, everyone who collects or accesses personally identifiable information in any format has a legal and ethical obligation to protect confidentiality.

Conclusion

The American Library Association affirms that rights of privacy are necessary for intellectual freedom and are fundamental to the ethics and practice of librarianship.

ⁱ Court opinions establishing a right to receive information in a public library include *Board of Education. v. Pico*, 457 U.S. 853 (1982); *Kreimer v. Bureau Of Police For The Town Of Morristown*, 958 F.2d 1242 (3d Cir. 1992); and *Reno v. American Civil Liberties Union*, 117 S.Ct. 2329, 138 L.Ed.2d 874 (1997).

ⁱⁱ See in particular the Fourth Amendment's guarantee of "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," the Fifth Amendment's guarantee against self-incrimination, and the Ninth Amendment's guarantee that "[t]he enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

This right is explicit in Article Twelve of the Universal Declaration of Human Rights: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks." See: <http://www.un.org/Overview/rights.html>. This right has further been explicitly codified as Article Seventeen of the "International Covenant on Civil and Political Rights," a legally binding international human rights agreement ratified by the United States on June 8, 1992. See: http://www.unhchr.ch/html/menu3/b/a_ccpr.htm.

ⁱⁱⁱ Ten state constitutions guarantee a right of privacy or bar unreasonable intrusions into citizens' privacy. Forty-eight states protect the confidentiality of library users' records by law, and the attorneys general in the remaining two states have issued opinions recognizing the privacy of users' library records. See: <http://www.ala.org/alaorg/oif/stateprivacylaws.html>.

^{iv} Cases recognizing a right to privacy include: *NAACP v. Alabama*, 357 U.S. 449 (1958); *Griswold v. Connecticut*, 381 U.S. 479 (1965); *Katz v. United States*, 389 U.S. 347 (1967); and *Stanley v. Georgia*, 394 U.S. 557 (1969). Congress recognized the right to privacy in the *Privacy Act of 1974 and Amendments* (5 USC Sec. 552a), which addresses the potential for government's violation of privacy through its collection of personal information. The Privacy Act's "Congressional Findings and Statement of Purpose" state in part: "the right to privacy is a personal and fundamental right protected by the Constitution of the United States." See: http://caselaw.lp.findlaw.com/scripts/ts_search.pl?title=5&sec=552a.

^v The phrase "Personally identifiable information" was established in ALA policy in 1991. See: *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* (http://www.ala.org/alaorg/oif/pol_user.html). Personally identifiable information can include many types of library records, for instance: information that the library requires an individual to provide in order to be eligible to use library services or borrow materials, information that identifies an individual as having requested or obtained specific materials or materials on a particular subject, and information that is provided by an individual to assist a library staff member to answer a specific question or provide information on a particular subject.

Personally identifiable information does not include information that does not identify any individual and that is retained only for the purpose of studying or evaluating the use of a library and its materials and services. Personally identifiable information does include any data that can link choices of taste, interest, or research with a specific individual.

^{vi} Article Eleven of the *Code of Ethics for Librarians* (1939) asserted that “It is the librarian’s obligation to treat as confidential any private information obtained through contact with library patrons.” See:

<http://www.ala.org/alaorg/oif/1939code.html>. Article Three of the current *Code* (1995) states: “We protect each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted.” See: <http://www.ala.org/alaorg/oif/ethics.html>.

^{vii} See these ALA Policies: *Access for Children and Young People to Videotapes and Other Nonprint Formats* (http://www.ala.org/alaorg/oif/acc_chil.html); *Free Access to Libraries for Minors* (http://www.ala.org/alaorg/oif/free_min.html); *Freedom to Read* (<http://www.ala.org/alaorg/oif/freeread.html>); *Libraries: An American Value* (http://www.ala.org/alaorg/oif/lib_val.html); the newly revised *Library Principles for a Networked World* (<http://www.ala.org/oitp/prinintro.html>); *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* (http://www.ala.org/alaorg/oif/pol_user.html); *Policy on Confidentiality of Library Records* (http://www.ala.org/alaorg/oif/pol_conf.html); *Suggested Procedures for Implementing Policy on the Confidentiality of Library Records* (<http://www.ala.org/alaorg/oif/sugpolcn.html>).

⁸ Adopted June 18, 1948; amended February 2, 1961, and January 23, 1980; inclusion of “age” reaffirmed January 23, 1996, by the ALA Council. See: <http://www.ala.org/work/freedom/lbr.html>.

⁹ Existing ALA Policy asserts, in part, that: “The government’s interest in library use reflects a dangerous and fallacious equation of what a person reads with what that person believes or how that person is likely to behave. Such a presumption can and does threaten the freedom of access to information.” *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* (http://www.ala.org/alaorg/oif/pol_user.html)

¹⁰ See: *Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities* (http://www.ala.org/alaorg/oif/pol_reg.html).

Adopted June 19, 2002 by the ALA Council

The USA Patriot Act in the Library

Background

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 ("USA Patriot Act") became law on October 26, 2001. The legislation originated with Attorney General John Ashcroft, who asked Congress for additional powers that he claimed were needed to fight terrorism in the wake of the events of September 11, 2001. Few amendments were made to Ashcroft's initial proposal to Congress, and the bill became law without any hearings or markup by a Congressional committee.

The Patriot Act amended over 15 federal statutes, including the laws governing criminal procedure, computer fraud and abuse, foreign intelligence, wiretapping, immigration, and the laws governing the privacy of student records. These amendments expanded the authority of the Federal Bureau of Investigation and law enforcement to gain access to business records, medical records, educational records and library records, including stored electronic data and communications. It also expanded the laws governing wiretaps and "trap and trace" phone devices to Internet and electronic communications. These enhanced surveillance procedures pose the greatest challenge to privacy and confidentiality in the library.

Section 215: Access to Records Under Foreign Intelligence Security Act (FISA)

- Allows an FBI agent to obtain a search warrant for "any tangible thing," which can include books, records, papers, floppy disks, data tapes, and computers with hard drives.
- Permits the FBI to compel production of library circulation records, Internet use records, and registration information stored in any medium.
- Does not require the agent to demonstrate "probable cause," the existence of specific facts to support the belief that a crime has been committed or that the items sought are evidence of a crime. Instead, the agent only needs to claim that he believes that the records he wants may be related to an ongoing investigation related to terrorism or intelligence activities, a very low legal standard.
- Libraries or librarians served with a search warrant issued under FISA rules may not disclose, under penalty of law, the existence of the warrant or the fact that records were produced as a result of the warrant. A patron cannot be told that his or her records were given to the FBI or that he or she is the subject of an FBI investigation.
- Overrides state library confidentiality laws protecting library records.

Codified in law at 50 U.S.C. §1862
American Library Association
Office for Intellectual Freedom
April 2002

MARSHALL PUBLIC LIBRARY

Circulation Policy

Approved by the Board of Trustees
April 7, 2006

Approved by the City Commission
April 13, 2006

CIRCULATION POLICY

TABLE OF CONTENTS

INTRODUCTION	2
LIBRARY CARDS	2
CHECK OUT LIMITS	3
CIRCULATION PERIODS	4
OVERDUES.....	4
OVERDUE NOTICES.....	4
LOST MATERIALS.....	5
CLAIMS RETURNED/CLAIMS NEVER HAD.....	5
DAMAGED MATERIALS.....	5
INTERLIBRARY LOAN.....	6
RESERVES.....	6
PRIVACY/CONFIDENTIALITY OF LIBRARY RECORDS.....	7
APPENDICES.....	8

CIRCULATION POLICY
MARSHALL PUBLIC LIBRARY

The Marshall Public Library is a department of the City of Marshall. The library serves all residents of the City of Marshall and, through interlocal agreement, other citizens of Harrison County. Other service agreements may also be in effect (see Appendices). Service will not be denied or abridged because of religious, racial, social, economic, or political status; or because of mental, emotional, or physical conditions; age; or sexual orientation.

The use of the library may be denied for due cause. Such causes may be failure to return library materials or to pay fines, destruction of library property, disturbance of other library ~~consumers~~ [patrons], any other illegal, disruptive, or objectionable conduct on library property, or violation of other adopted library policies.

LIBRARY CARDS

To check out materials or ~~use the~~ [access a] computer, a library ~~consumer~~ [patron] must present a Marshall Public Library card. The first library card for ~~Harrison County~~ [Texas] residents is free. To obtain a library card, an individual must present a valid Texas driver's license or Texas state ID. Individuals with temporary Texas driver's license or temporary Texas state ID must also present photo identification. Other acceptable documents include a Harrison County voter registration card or Harrison County property tax receipt presented with photo identification. ~~These four documents are the only documents which will be accepted for library card application.~~ [Other documents verifying residency may be accepted at Library Director's discretion.]

Out-of-state local college students (ETBU, Panola, TSTC, and Wiley) must show a current, valid student ID along with their valid driver's license or state ID. Out-of-country local college students (ETBU, Panola, TSTC, and Wiley) must show a current, valid student ID along with their valid passport. Interlocal agreements between each college and the City of Marshall will be pursued and handled in separate documentation.

Out-of-state visitors wishing to check out materials must pay a non-resident fee annually (see Appendices).

Individuals with an ~~old~~ [expired] library card ~~(without a photo)~~ who have overdue books or outstanding fines must clear delinquent accounts before receiving a new library card ~~(with barcode and photo)~~.

Each library card application (both paper and online version) must be signed, thereby assuming responsibility for use of the card and constituting an agreement to abide by the rules set forth by the City of Marshall. The agreement on the library card application states:

~~*"I am responsible for all materials borrowed on this card, which must be presented for Internet use and each loan. I accept responsibility for all fines, charges for all lost or damaged materials, collection and attorney fees incurred on this card, etc. I agree to abide by the policies of the Marshall Public Library."*~~

{Insert: "Present this card each time you check out items. Report loss of this card or change of address immediately. Cardholder is responsible for fines incurred and for lost or damaged materials borrowed on this card."}

The Marshall Public Library will not issue a card to individuals under 18 years of age when a parent or legal guardian is not present. Because a parent or legal guardian assumes responsibility for children's fines, fees, damages, or loss of materials, a parent or legal guardian must apply for a library card before or at the same time as their child(ren). A parent or legal guardian's signature is required on library card applications for children under the age of eighteen (18). ~~Married individuals under 18 years of age must bring a marriage license.~~ If a parent or legal guardian is concerned about their child(ren)'s access to materials, the Marshall Public Library requires them to accompany their child(ren) and assist them in making their selections. The library does not act *in loco parentis*.

Cardholders are responsible for keeping their library card; the Marshall Public Library cannot be responsible for safeguarding a library ~~consumer's~~ [patron's] library card. Replacement cards are charged a minimal fee (see Appendices) which must be paid at the time the replacement card is ~~printed~~ [issued]. At the discretion of the library staff, replacement card fees will not be charged when a library ~~consumer's picture is no longer recognizable, the~~ [patron's] card is worn out, or the library ~~consumer~~ [patron] has changed his/her name.

Visitors to the Marshall Public Library are granted ~~one 30-day temporary~~ [a guest pass for] computer-access ~~during a twelve-month period~~ by showing a valid driver's license, state ID, military ID or passport, by reading and agreeing to abide by the Marshall Public Library Internet Use Policy, ~~and by signing a library card application (paper version)~~ [and Library Code of Conduct] which constitutes an agreement to abide by the rules set forth by the City of Marshall.

CHECKOUT LIMITS

For the first 90 days after receiving a library card, adults may check-out 3 items (including 1 video), children (ages 6-17) may check out 3 items, and babies (ages 5 and under) may check out one Easy book at one time. After 90 days, adults may check out 10 items (including a maximum of 3 videos), and children may check out 10 items. Babies are limited to one Easy book until their 6th birthday. Children and babies may not check out videos of any type. Library ~~consumers~~ [patrons] may only check-out a maximum of 5 best-sellers at a time due to their popularity and limited number of copies available. Out-of-state visitors may check out only 3 items per visit during their annual membership.

CIRCULATION PERIODS

All [Most] circulating items are checked out for 2 weeks (14 days). [Some items (hotspots, musical instruments) may have a 3 week checkout as set forth in the circulation rules of the automated library system]. Reference material and magazines (including ~~past~~ [prior] years' issues) are non-circulating and must remain in the library at all times. Any circulating item may be renewed by phone, at the circulation desk, or online via the library's website for an additional ~~2-weeks~~ [check out period] with the exception of best-sellers (materials with red ~~or green~~ dots on the cover and/or spine) ~~or~~ [and] materials on hold. Once the renewal limit has been reached and the item(s) returned, an individual may not check out the same material(s) again until the item(s) have been on the shelf for a period of 24 hours.

~~FINES AND OVERDUES~~

~~Overdue books, sound recordings (audio books, CDs), videos, and DVDs will accrue a minimum fine per day, per item up to the maximum. Interlibrary loan materials are charged a minimum late fee per day with no maximum. Library consumers with outstanding fine balances must pay off fines in order to check out library materials or have computer access. (See Appendices)~~

Library materials that are not returned on or before the due date are considered overdue. Once materials are overdue, a library consumer's account is blocked and the library ~~consumer~~ [patron] will lose library [checkout] privileges ~~(including computer access and Interlibrary Loan)~~ until the overdue material is returned or the replacement fees of the material are paid.

OVERDUE NOTICES

Overdue items may be renewed one time ~~to stop fines from accruing~~. If an item is overdue ~~for 2-weeks~~ [by 1 week], an overdue notice is generated ~~by Library Solution (Marshall Public Library's automation system)~~. 1st, 2nd, [3rd] and Final overdue notices are generated ~~and printed twice weekly~~ for library ~~consumers~~ [patrons] who have overdue items. For the first notice, overdue items are searched for on the shelf by library staff. If the item is not located, then the library ~~consumer~~ [patron] is notified ~~via a recorded message by PhoneTree, the library's overdue management system. Library consumers not contacted by phone are mailed an overdue notice~~ [by the method they have selected (email, text or phone)]. All final notices are mailed.

At any point after the ~~first~~ [final] notice, library ~~consumers~~ [patrons] may be notified that if the material(s) is not returned by a specified date City Ordinance Section 16 A-6 will be invoked [and/]or their account will be charged for the material(s) plus a processing fee per overdue item. Once the material(s) is charged to a library ~~consumer's~~ [patron's] account, the item(s) becomes the property of the library ~~consumer~~. To check-out additional item(s), all charges must be paid off.

LOST MATERIALS

When library ~~consumers~~ [patrons] claim their library material is lost, they will be responsible for the replacement price of the item(s) plus a processing fee for each item. ~~If a lost item is overdue at the time a library consumer wishes to pay for the item, the overdue fine is not charged.~~ The replacement price is listed in the library's database. Those items without a replacement price noted will be assessed the default replacement price. ~~Some materials (such as cassettes and CDs) may be assessed additional charges to cover shipping and handling.~~ Once the material(s) is claimed lost and replacement fees are charged, the Marshall Public Library ~~cannot~~ [will not] accept the material(s) or give a refund if the material is later found. Failure to pay the assessed charges will result in the loss of library [checkout] privileges until the matter is resolved.

Replacements for lost items will sometimes be accepted ~~by~~ [at] the [discretion of the] Library Director ~~and will be charged the fine plus processing fee.~~ Items must be an exact match (title, author, publisher, pages) and in pristine condition in order to be accepted as a replacement copy.

CLAIMS RETURNED/CLAIMS NEVER HAD

While there are instances of library ~~consumers~~ [patrons] claiming library material has been returned or never checked-out, these cases are rare. As these situations arise, ~~the Circulation Supervisor, Public Services Librarian, Assistant Director, and/or Director~~ [library staff] will intervene as appropriate [with the Library Director making the final decision]. A record of the number of times a library consumer makes such claims will remain part of library records which will be consulted for determination of action.

DAMAGED MATERIALS

Library ~~consumers~~ [patrons] are responsible for all materials checked out on their library card and are liable for the damages which may occur to library materials. [A parent or legal guardian assumes responsibility for a child's fines, fees, damages and loss of materials.] The library staff will notify the library ~~consumer~~ [patron] of payment due for the replacement of the damaged items. Materials that are damaged will be charged a minimal fee or a replacement fee plus a processing fee as determined by the ~~Circulation Supervisor~~ [the library staff] (see Appendices). Damages include, but are not limited to, torn, marked, or wet pages, cover breakage, pages that have been removed, or other problems that make the material unusable. ~~If a damaged item is overdue at the time a library consumer wishes to pay for the item, only the replacement price plus processing fee will be charged.~~ Other damaged items not requiring replacement will be charged mending ~~fees and overdue fines.~~

Replacements for damaged items will sometimes be accepted by the Library Director ~~and will be charged any overdue fine plus processing fee~~. Items must be an exact match (title, author, publisher, pages) and in pristine condition in order to be accepted as a replacement copy.

INTERLIBRARY LOAN

Materials from the collections of other public, academic, and special libraries may be borrowed through Interlibrary Loan (ILL). Libraries typically do not lend rare or fragile items, audio-visual materials or items in high demand. Most libraries do not lend new releases, genealogy, microfilm, or items designated as reference in their catalog. Materials labeled “For Library Use Only” must remain in the library, but access to the material will be available. Libraries are under no obligation to lend materials.

Library ~~consumers~~ [patrons] with a valid library card in good standing may request books, audio books, videos, or copies of journal or periodical articles which are not in the library’s collection. Interlibrary Loan request forms are available at the library. One form per request is ~~necessary~~[required]. Limits may apply at the discretion of the Library Director. A minimum fee to cover postage costs (see Appendices) may be charged to the library ~~consumer’s~~ [patron’s] account when ILL items are received. Lending libraries may charge for journal or periodical articles. In this instance, the Marshall Public Library will pass on the charges to the library ~~consumer~~ [patron]. Lending libraries also set due dates ~~and these~~ [which] are enforced by the Marshall Public Library.

The library ~~consumer~~ [patron] who requests items through Interlibrary Loan must be the one to pick them up. Library ~~consumers~~ [patrons] who fail to pick up the material after notification by library staff must still pay the minimum fee, if originally assessed, for each unclaimed title. ~~Any overdue ILL item is assessed a minimum charge (see Appendices) per day late fee with no maximum.~~ Library ~~consumers~~ [patrons] with overdue ILL items will not be allowed to check-out materials from the Marshall Public Library until the overdue ILL material is returned ~~and any fees paid~~. Additionally, lost Interlibrary Loan items will be assessed charges by the rules in effect for the lending library ~~plus a processing fee (see Appendices)~~. [and this must be resolved before checkout privileges resume at Marshall Public Library].

RESERVES

Any library ~~consumer~~ [patron] with a valid library card and in good standing (those without ~~finest and overdue~~ items) may reserve up to 5 items at a time with a limit of 3 best-sellers at any given time. Initially, library ~~consumers~~ [patrons] must register with library staff, giving a Personal Identification Number (PIN). Library ~~consumers~~ [patrons] are responsible for remembering their PIN as the library staff cannot access the information once it is entered into the circulation system. Library ~~consumers~~ [patrons] may reserve any checked-out item online through the library’s website or through the ~~Public Access~~ [online] Catalog in the library. Library ~~consumers~~ may also update their account, renew items, and change their PIN.

Library staff will ~~contact~~ [notify] library ~~consumers~~ [patrons] ~~by telephone immediately~~ when the requested item is available for pick-up. Items not picked up by the end of the next library business day following ~~telephone~~ notification ~~will~~ [may] be returned to the shelf or given to the next library ~~consumer~~ [patron] on the waiting list.

PRIVACY/CONFIDENTIALITY OF LIBRARY RECORDS

The Marshall Public Library supports every library ~~consumer's~~ [patron's] right to have his or her records remain confidential. Records of ~~consumer~~ [patron] transactions are kept only as long as is required to collect administrative statistics and then are erased. Library records will only be disclosed under court order, subpoena, or warrant as outlined in the state statute, Texas Government Code, Section 552.124 and the surveillance provisions included in The USA PATRIOT Act (Public Law 107-56).

COLLECTION DEVELOPMENT POLICY
APPENDICES

FINES & FEES	9
SERVICE AGREEMENTS.....	10
LIBRARY BILL OF RIGHTS.....	11
PRIVACY: AN INTERPRETATION OF LIBRARY BILL OF RIGHTS.....	12
THE USA PATRIOT ACT OF 2001: SECTION 215.....	15

FINES AND FEES

ITEM		FEE
LIBRARY CARDS	Replacement Card	\$5.00 [\$1.00]each
	Out-of-State Card	\$25.00 per year
OVERDUE FINES	Book or Sound Recording	.15 per day (maximum \$5.00)
	Video	\$2.00 per day (maximum \$10.00)
	Interlibrary Loan	\$1.00 per day with no maximum
DAMAGED MATERIALS	Library Material	Replacement price plus \$5.00 [\$1.00]processing fee
	Rebinding Library Material [Hotspot charger]	\$8.00-\$15.00 [\$5.00]
	Cassette Case [Hotspot carry case]	\$3.50-\$10.00 per case [\$5.00]
	CD [Audio] Case	\$10.00-\$20.00 [\$3.50-\$10.00] per case
	Video Case	\$3.50 [-\$10.00] per case
	Interlibrary Loan (ILL)	Cost assessed by lending library, plus \$25 processing fee
	Other	As determined by Circulation Supervisor [Library Director]
LOST MATERIALS	Library Book, Sound [Audio] Recording, Video	Replacement price plus \$5.00 [\$1.00] processing fee
	Interlibrary Loan (ILL)	Cost assessed by lending library, plus \$25 processing fee
	Replacement Cassette/CD	Replacement price plus shipping fee and \$5.00 [\$1.00] processing fee
DEFAULT FEES FOR MATERIALS	Easy and Juvenile Book	\$20.01 per item
	Adult Book	\$25.01 per item
	Cassette/CD [Audio recording]	\$75.01 per item
	Videos	\$15.01 per item
	DVDs	\$25.01 per item
OTHER FEES	Photocopying[/computer prints (black & white)]	.10 per sheet
	Computer Prints (black & white)	.10 per sheet
	[Photocopying/]Computer Prints (color)	.50 [.25] per sheet
	Computer Disk	\$1.00 per disk
	Computer CD	\$1.00 per disk
	Interlibrary Loan (ILL)	\$2.00 if applicable and/or other lending library charges

Loan Star Libraries

~~Loan Star Libraries is a direct state aid program for Texas public libraries. It is based on a partnership between the state of Texas and local political jurisdictions intended, in part, to:~~

- ~~*—improve public library services statewide~~
- ~~*—ensure access to adequate public library resources and services for all Texans~~
- ~~*—build the capacity of each public library to serve as the information resource and lifelong learning center for their community~~

~~As a participant in the Loan Star Libraries program, the Marshall Public Library offers the same free library services to Texas residents as it offers services to Marshall and Harrison County citizens. Texas residents with a valid Texas driver's license or state ID are eligible to receive a Marshall Public Library card at no cost.~~

TexShare

Marshall Public Library participates in the TexShare card program which is a reciprocal borrowing program established by the Texas State Library and Archives Commission. It is designed as a service to offer wider access to information and services. This card allows the cardholder borrowing privileges at all TexShare libraries throughout the state of Texas. This includes libraries at all public and most private colleges and universities, as well as participating public libraries that belong to one of the regional library systems.

The card program allows registered users of participating TexShare libraries to obtain a TexShare card at their home library and use the card to borrow materials directly from other participating libraries.

Library consumers must have a valid TexShare card from their own library, a valid driver's license or state issued ID card with photo showing their home address, a valid library card from their home library, and a parent's signature of library consumers under sixteen (any or all of these stipulations, according to your library's policy).

The cardholder should return items to the lending library and is solely responsible for any expense involved in returning the items and for all fines and fees accrued at other libraries. Library consumers may have their TexShare card revoked if they have outstanding fees or fines with any TexShare Library. Failure to return materials or to pay outstanding charges will result not only in the cancellation of TexShare privileges, but also in the suspension of borrowing privileges with the Marshall Public Library.

LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.
Amended February 2, 1961, and January 23, 1980,
inclusion of "age" reaffirmed January 23, 1996,
by the ALA Council.

PRIVACY
An Interpretation of the *Library Bill of Rights*

Introduction

Privacy is essential to the exercise of free speech, free thought, and free association. The courts have established a First Amendment right to receive information in a publicly funded library.ⁱ Further, the courts have upheld the right to privacy based on the Bill of Rights of the U.S. Constitution.ⁱⁱ Many states provide guarantees of privacy in their constitutions and statute law.ⁱⁱⁱ Numerous decisions in case law have defined and extended rights to privacy.^{iv}

In a library (physical or virtual), the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf.^v

Protecting user privacy and confidentiality has long been an integral part of the mission of libraries. The ALA has affirmed a right to privacy since 1939.^{vi} Existing ALA policies affirm that confidentiality is crucial to freedom of inquiry.^{vii} Rights to privacy and confidentiality also are implicit in the *Library Bill of Rights*'⁸ guarantee of free access to library resources for all users.

Rights of Library Users

The *Library Bill of Rights* affirms the ethical imperative to provide unrestricted access to information and to guard against impediments to open inquiry. Article IV states: "Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas." When users recognize or fear that their privacy or confidentiality is compromised, true freedom of inquiry no longer exists.

In all areas of librarianship, best practice leaves the user in control of as many choices as possible. These include decisions about the selection of, access to, and use of information. Lack of privacy and confidentiality has a chilling effect on users' choices. All users have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.

Users have the right to be informed what policies and procedures govern the amount and retention of personally identifiable information, why that information is necessary for the library, and what the user can do to maintain his or her privacy. Library users expect and in many places have a legal right to have their information protected and kept private and confidential by anyone with direct or indirect access to that information. In addition, Article V of the *Library Bill of Rights* states: "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." This article precludes the use of profiling as a basis for any breach of privacy rights. Users have the right to use a library without any abridgement of privacy that may result from equating the subject of their inquiry with behavior.⁹

Responsibilities in Libraries

The library profession has a long-standing commitment to an ethic of facilitating, not monitoring, access to information. This commitment is implemented locally through development, adoption, and adherence to privacy policies that are consistent with applicable federal, state, and local law. Everyone (paid or unpaid) who provides governance, administration, or service in libraries has a responsibility to maintain an environment respectful and protective of the privacy of all users. Users have the responsibility to respect each other's privacy.

For administrative purposes, librarians may establish appropriate time, place, and manner restrictions on the use of library resources.¹⁰ In keeping with this principle, the collection of personally identifiable information should only be a matter of routine or policy when necessary for the fulfillment of the mission of the library. Regardless of the technology used, everyone who collects or accesses personally identifiable information in any format has a legal and ethical obligation to protect confidentiality.

Conclusion

The American Library Association affirms that rights of privacy are necessary for intellectual freedom and are fundamental to the ethics and practice of librarianship.

ⁱ Court opinions establishing a right to receive information in a public library include *Board of Education. v. Pico*, 457 U.S. 853 (1982); *Kreimer v. Bureau Of Police For The Town Of Morristown*, 958 F.2d 1242 (3d Cir. 1992); and *Reno v. American Civil Liberties Union*, 117 S.Ct. 2329, 138 L.Ed.2d 874 (1997).

ⁱⁱ See in particular the Fourth Amendment's guarantee of "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," the Fifth Amendment's guarantee against self-incrimination, and the Ninth Amendment's guarantee that "[t]he enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

This right is explicit in Article Twelve of the Universal Declaration of Human Rights: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks." See: <http://www.un.org/Overview/rights.html>. This right has further been explicitly codified as Article Seventeen of the "International Covenant on Civil and Political Rights," a legally binding international human rights agreement ratified by the United States on June 8, 1992. See: http://www.unhchr.ch/html/menu3/b/a_ccpr.htm.

ⁱⁱⁱ Ten state constitutions guarantee a right of privacy or bar unreasonable intrusions into citizens' privacy. Forty-eight states protect the confidentiality of library users' records by law, and the attorneys general in the remaining two states have issued opinions recognizing the privacy of users' library records. See: <http://www.ala.org/alaorg/oif/stateprivacylaws.html>.

^{iv} Cases recognizing a right to privacy include: *NAACP v. Alabama*, 357 U.S. 449 (1958); *Griswold v. Connecticut*, 381 U.S. 479 (1965); *Katz v. United States*, 389 U.S. 347 (1967); and *Stanley v. Georgia*, 394 U.S. 557 (1969). Congress recognized the right to privacy in the *Privacy Act of 1974 and Amendments* (5 USC Sec. 552a), which addresses the potential for government's violation of privacy through its collection of personal information. The Privacy Act's "Congressional Findings and Statement of Purpose" state in part: "the right to privacy is a personal and fundamental right protected by the Constitution of the United States." See: http://caselaw.lp.findlaw.com/scripts/ts_search.pl?title=5&sec=552a.

^v The phrase "Personally identifiable information" was established in ALA policy in 1991. See: *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* (http://www.ala.org/alaorg/oif/pol_user.html). Personally identifiable information can include many types of library records, for instance: information that the library requires an individual to provide in order to be eligible to use library services or borrow materials, information that identifies an individual as having requested or obtained specific materials or materials on a particular subject, and information that is

provided by an individual to assist a library staff member to answer a specific question or provide information on a particular subject. Personally identifiable information does not include information that does not identify any individual and that is retained only for the purpose of studying or evaluating the use of a library and its materials and services. Personally identifiable information does include any data that can link choices of taste, interest, or research with a specific individual.

^{vi} Article Eleven of the *Code of Ethics for Librarians* (1939) asserted that “It is the librarian’s obligation to treat as confidential any private information obtained through contact with library patrons.” See: <http://www.ala.org/alaorg/oif/1939code.html>. Article Three of the current *Code* (1995) states: “We protect each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired, or transmitted.” See: <http://www.ala.org/alaorg/oif/ethics.html>.

^{vii} See these ALA Policies: *Access for Children and Young People to Videotapes and Other Nonprint Formats* (http://www.ala.org/alaorg/oif/acc_chil.html); *Free Access to Libraries for Minors* (http://www.ala.org/alaorg/oif/free_min.html); *Freedom to Read* (<http://www.ala.org/alaorg/oif/freeread.html>); *Libraries: An American Value* (http://www.ala.org/alaorg/oif/lib_val.html); the newly revised *Library Principles for a Networked World* (<http://www.ala.org/oitp/prinintro.html>); *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* (http://www.ala.org/alaorg/oif/pol_user.html); *Policy on Confidentiality of Library Records* (http://www.ala.org/alaorg/oif/pol_conf.html); *Suggested Procedures for Implementing Policy on the Confidentiality of Library Records* (<http://www.ala.org/alaorg/oif/sugpolcn.html>).

⁸ Adopted June 18, 1948; amended February 2, 1961, and January 23, 1980; inclusion of “age” reaffirmed January 23, 1996, by the ALA Council. See: <http://www.ala.org/work/freedom/lbr.html>.

⁹ Existing ALA Policy asserts, in part, that: “The government’s interest in library use reflects a dangerous and fallacious equation of what a person reads with what that person believes or how that person is likely to behave. Such a presumption can and does threaten the freedom of access to information.” *Policy Concerning Confidentiality of Personally Identifiable Information about Library Users* (http://www.ala.org/alaorg/oif/pol_user.html)

¹⁰ See: *Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities* (http://www.ala.org/alaorg/oif/pol_reg.html).

Adopted June 19, 2002 by the ALA Council.

The USA Patriot Act in the Library

Background

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 ("USA Patriot Act") became law on October 26, 2001. The legislation originated with Attorney General John Ashcroft, who asked Congress for additional powers that he claimed were needed to fight terrorism in the wake of the events of September 11, 2001. Few amendments were made to Ashcroft's initial proposal to Congress, and the bill became law without any hearings or markup by a Congressional committee.

The Patriot Act amended over 15 federal statutes, including the laws governing criminal procedure, computer fraud and abuse, foreign intelligence, wiretapping, immigration, and the laws governing the privacy of student records. These amendments expanded the authority of the Federal Bureau of Investigation and law enforcement to gain access to business records, medical records, educational records and library records, including stored electronic data and communications. It also expanded the laws governing wiretaps and "trap and trace" phone devices to Internet and electronic communications. These enhanced surveillance procedures pose the greatest challenge to privacy and confidentiality in the library.

Enhanced Surveillance Provisions Affecting Library Confidentiality

Section 215: Access to Records Under Foreign Intelligence Security Act (FISA)

- Allows an FBI agent to obtain a search warrant for "any tangible thing," which can include books, records, papers, floppy disks, data tapes, and computers with hard drives.
- Permits the FBI to compel production of library circulation records, Internet use records, and registration information stored in any medium.
- Does not require the agent to demonstrate "probable cause," the existence of specific facts to support the belief that a crime has been committed or that the items sought are evidence of a crime. Instead, the agent only needs to claim that he believes that the records he wants may be related to an ongoing investigation related to terrorism or intelligence activities, a very low legal standard.
- Libraries or librarians served with a search warrant issued under FISA rules may not disclose, under of penalty of law, the existence of the warrant or the fact that records were produced as a result of the warrant. A patron cannot be told that his or her records were given to the FBI or that he or she is the subject of an FBI investigation.
- Overrides state library confidentiality laws protecting library records.

Codified in law at 50 U.S.C. §1862.
American Library Association
Office for Intellectual Freedom
April 2002

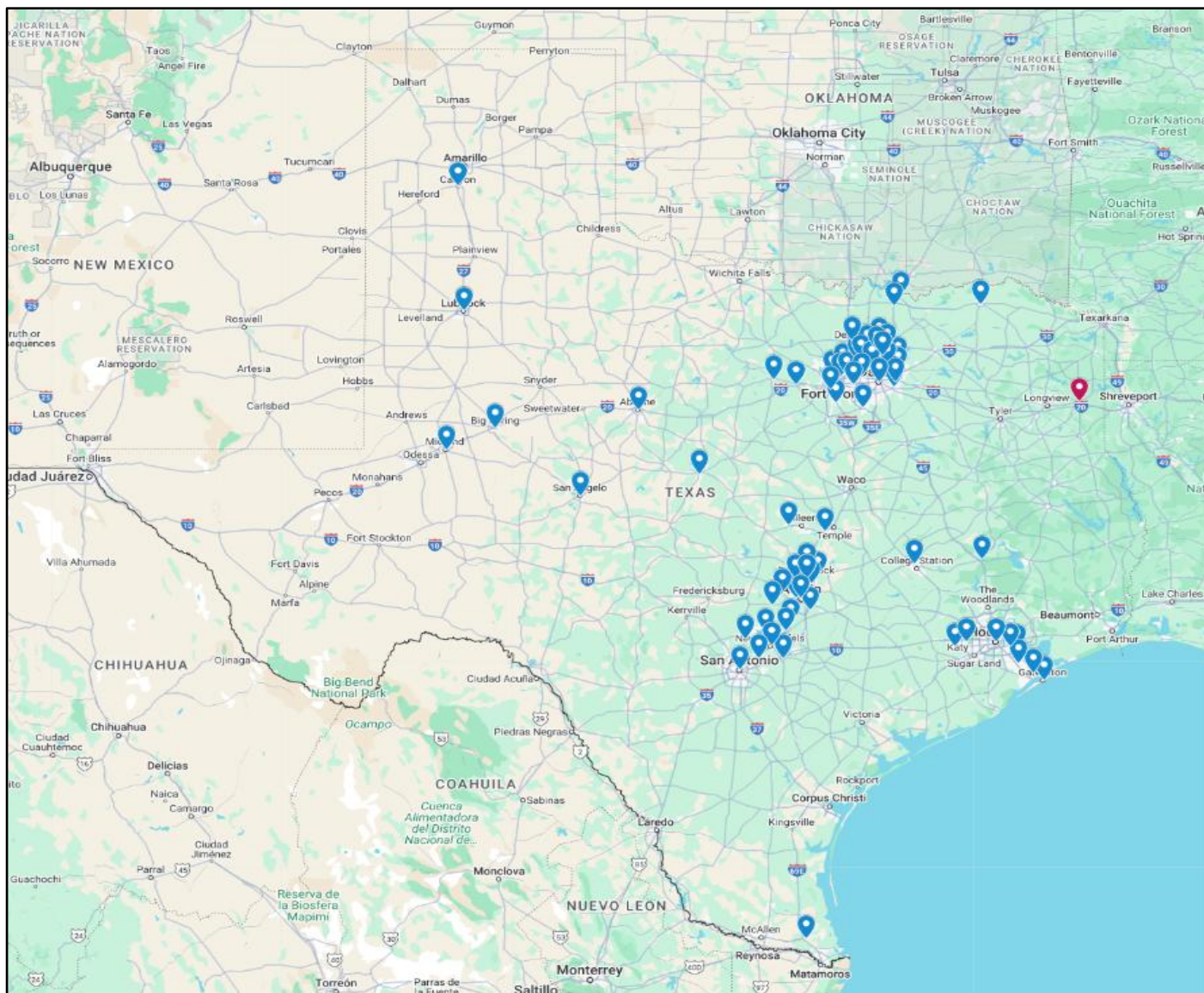
FINE FREE TEXAS PUBLIC LIBRARIES



Fine Free Libraries
Service population 23,000+



Marshall Public Library
Service population 63,384





Resolution on Monetary Library Fines as a Form of Social Inequity

Whereas monetary fines present an economic barrier to access of library materials and services;

Whereas there is mounting evidence that indicates eliminating fines increases library card adoption and library usage;

Whereas monetary fines create a barrier in public relations, and absorb valuable staff time applying, collecting, and managing dues;

Whereas the first policy objective listed in ALA Policy B.8.10 (Library Services to the Poor) as approved by ALA Council on January 28, 2019, states that the American Library Association shall implement these objectives by "Promoting the removal of barriers to library and information services, particularly fees, and overdue charges";

Whereas ALA Policy B.4.2 (Free Access to Information) "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";

Whereas in Economic Barriers to Information Access, An Interpretation of the Library Bill of Rights, ALA states "All library policies and procedures, particularly those involving fines, fees, or other user charges, should be scrutinized for potential barriers to access;

Whereas libraries will need to take determined and pragmatic action to dismantle practices of collecting monetary fines

Whereas libraries of all types are responsive to bodies, be they school districts, boards of trustees, college and university administration, or government entities and therefore need to be able to make the case to those bodies about eliminating fines; and

Whereas monetary fines ultimately do not serve the core mission of the modern library; now, therefore, be it

Resolved, that the American Library Association (ALA), on behalf of its members

1. adds a statement to the Policy Manual that establishes that "The American Library Association asserts that imposition of monetary library fines creates a barrier to the provision of library and information services.";
2. urges libraries to scrutinize their practices of imposing fines on library patrons and actively move towards eliminating them; and
3. urges governing bodies of libraries to strengthen funding support for libraries so they are not dependent on monetary fines as a necessary source of revenue.

Overdue Fines: Advantages, Disadvantages, and How Eliminating Them Can Benefit Public Libraries

By Sabrina Unrein

April 2020

Table of Contents

How to Cite.....	4
License	4
Keywords	4
About the iSchool Public Libraries Initiative	4
About the Author.....	5
Introduction.....	6
Deconstructing the arguments in favor of keeping library fines	8
1. Fines ensure materials are returned on time, making borrowing more fair	8
2. Fines supplement library budgets	10
3. Fines teach people to be civically responsible	11
Is teaching civic responsibility the library's job?	12
Arguments in favor of eliminating library fines.....	14
1. A Lack of Evidence	14
2. Fines Disproportionately Affect Lower-Income Patrons	15
3. Fines are punitive and are not effective in teaching people how to be better ..	17
4. Fines may not make up a significant portion of the library's budget.....	20
5. Eliminating fines may improve circulation	21
6. Improved Patron/Librarian relationships	23
Library Survey Results.....	24
Library Demographics	24
How does eliminating fines make a difference?	26
Motivations for Eliminating Fines	28
Disadvantages of eliminating fines	28
Advantages of eliminating fines.....	30
Alternatives to completely eliminating fines	35

Donations.....	35
Amnesty.....	36
Automatic Renewal.....	36
Conclusion	37
Appendix A:	38
Library Fines Survey.....	38
Appendix B: Libraries that completed the survey	40

How to Cite

Unrein, Sabrina. (2020). "Overdue Fines: Advantages, Disadvantages, and How Eliminating Them Can Benefit Public Libraries." Syracuse, NY: iSchool Public Libraries Initiative at Syracuse University.

License

This work is licensed under a Creative Commons Attribution-NonCommercial 4.0 International (CC BY-NC 4.0) License.

Keywords

Public libraries, library fines, overdue books, library surveys, library research, equity, access, library budgets, improving library services, library demographics

About the iSchool Public Libraries Initiative

In 2018, the iSchool at Syracuse University launched a new home for public library research called the iSchool Public Libraries Initiative (IPLI), directed by Associate Professor of Practice Jill Hurst-Wahl. The IPLI predominantly focuses on public library innovation. In researching and disseminating information about public library innovation across the United States, the IPLI hopes to give libraries more opportunities to innovate and learn from one another about innovations happening across the country. In shedding light on these unsung innovations, the IPLI hopes to increase their capacity to continue innovating.

Additionally, the IPLI gives Library and Information Science graduate students a place to conduct research and create work relevant to their studies and interests. This report was created as a result of research conducted from the fall of 2019 through the spring of 2020. It was inspired by the question: what existing data supports the near-ubiquitous use of library fines in public libraries? When I was unable to find one, I started writing

this report. I wanted to create a resource for public libraries to use in assessing their use of overdue fines.

About the Author

Sabrina Unrein is a Master's of Library and Information Science graduate student at Syracuse University graduating in May of 2020. She has worked with the IPLI for the past two years, focusing primarily on library website design and library fines. In addition to public libraries, she is interested in archives and special collections and has worked at Syracuse University's Special Collections Research Center and CNN's video archive library in Atlanta.

Introduction

There are several cultural images that are pervasive when it comes to public libraries, many unchanging for decades. Unfortunately, one of the most well-known and perpetuated today is that the library is a punitive environment. If you are too loud, you are shushed, and if you don't bring items back on time, you must pay a fine. Many of us see these as harmful and outdated ideas. However, these preconceptions cause shame to be closely associated with libraries, despite the fact that we know they are meant to be places of equity.

A way we as librarians may be able to change the cultural perception of libraries is the wide-scale elimination of library fines. This could minimize the fear of punitive consequences in public libraries. However, it is important to acknowledge upfront that no blanket prescription will apply to every single library in the country. Each library has its own community, its own challenges, and its own values. Therefore, going fine-free may not be the right option for all libraries. This report is not meant as an indictment of any library that chooses to use fines, but serves to examine why fines are so pervasive and potential benefits libraries may reap as a result of eliminating them.

It is worth noting that this report is entering into a discussion that has been ongoing for many years. There have been articles published for decades positing the elimination of library fines and motivations for doing so. Some of the most frequently cited reports about library fine data came out as early as 1983.¹ The topic periodically recurs in popular publications as well, such as articles in the *New York Times*² and the *Huffington Post*.³ If this discussion has been happening for over 35 years, what new information does this report bring to the table?

1 Hansel, P., & Burgin, R. (1983). Hard Facts About Overdues. *Library Journal*, 108(4), 349.

2 In San Jose, Poor Find Doors to Library Closed—The New York Times. (2016). Retrieved October 4, 2019, from <https://www.nytimes.com/2016/03/31/us/in-san-jose-poor-find-doors-to-library-closed.html>

3 Libraries Are Dropping Overdue Fines—But Can They Afford To? | HuffPost. (2017). Retrieved October 4, 2019, from https://www.huffpost.com/entry/libraries-are-dropping-overdue-fines-but-can-they-afford-to_n_5913733ae4b0b1fafd0dccc2

First of all, the discussion around library fines is rapidly evolving and there are no comprehensive reports that capture the environment as it is now in 2020. This is especially relevant due to the recent national momentum toward eliminating fines in large library systems such as the Denver Public Library, the San Francisco Public Library, and the Chicago Public Library. With systems as large as these making the change, library fine elimination has made national headlines in publications such as *National Public Radio*⁴ and *Forbes*.⁵

Furthermore, there is something missing in the current discourse: data. Librarians love to make data-driven, evidence-based decisions, but most evidence is either old or small-scale. There is an often-cited report from 1989 titled *Managing Overdues: Facts from Four Studies*,⁶ but it relies on data that is over 30 years old, and public libraries have changed a lot since then. Authors also frequently cite *Do library fines work?*, a study of the impact of fines on students' behavior in two academic libraries⁷. Not only is this a relatively small-scale study, but it does not feature public library data at all.

The popular reports informing the recent trend toward fine-elimination, including the Colorado Department of Education's whitepaper, *Removing Barriers to Access*,⁸ and San Francisco's fine-free report,⁹ used their own data collection, reviews of the literature, and synthesis to make their arguments. There is no one document that unifies the many arguments made both in favor of and against the use of library fines.

This report aims to draw all of these ideas into a comprehensive and accessible document. It hopes to spark new discussions in the community and help maintain the

4 *More Public Libraries Are Eliminating Late Fines To Address Inequity*: NPR. (2019). Retrieved January 19, 2020, from

<https://www.npr.org/2019/11/30/781374759/we-wanted-our-patrons-back-public-libraries-scrap-late-fines-to-alleviate-inequi>

5 Rowe, A. (2019). *Chicago Libraries' Late Fee Elimination Sparks A 240% Boost In Book Returns*. Forbes. Retrieved January 19, 2020, from

<https://www.forbes.com/sites/adamrowe1/2019/11/03/chicago-libraries-late-fee-elimination-sparks-a-240-boost-in-book-returns/>

6 Little, P. (1989). MANAGING OVERDUES: Facts From Four Studies. *The Bottom Line*, 2(2), 22–25. <https://doi.org/10.1108/eb025168>

7 Sung, J. S., & Tolppanen, B. P. (2013). Do Library Fines Work?: Analysis of the Effectiveness of Fines on Patron's Return Behavior at Two Mid-sized Academic Libraries. *The Journal of Academic Librarianship*, 39(6), 506–511. <https://doi.org/10.1016/j.acalib.2013.08.011>

8 Depriest, M.J. (2016). *Removing Barriers to Access: Eliminating Library Fines and Fees on Children's Materials*. Retrieved October 24, 2019 from

<http://www.cde.state.co.us/cdelib/removingbarrierstoaccess>

9 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

momentum of the fine-free movement. It addresses the arguments in favor of and against fines, any evidence that supports those arguments in the current discourse, alternatives to total fine elimination, and new data from libraries that have chosen to go fine-free. It was inspired by questioning if fines are a measurably effective tool, but evolved into a discussion about equity and if library fines align with the values driving our profession.

Additionally, this report includes new research. As previously mentioned, use of library fines has already been extensively discussed. However, there has not been much investigation into libraries that have eliminated fines, and how that change has impacted their communities. Due to the rapid increase in libraries eliminating fines, it seemed important to explore a sample of libraries that have made that change. What positive and negative effects has the library experienced in the aftermath of eliminating fines for their entire community? The survey was sent to libraries across the United States, varying in location and population. Fifteen surveys were completed, and the results can be found in this report, following the discussion of the arguments for and against fines.

Deconstructing the arguments in favor of keeping library fines

1. Fines ensure materials are returned on time, making borrowing more fair

This seems obvious: fines are used because they help remind patrons to turn in materials on time. This should be one of the easiest arguments to defend and support with data. Unfortunately, there have been few studies conducted on the subject of library fines and their effectiveness, so there is not much available data to support this assertion.

Many libraries that have eliminated fines in recent years report just the opposite. For instance, the Chicago Public Library saw a 240% increase in returned books in the month

after they eliminated fines in September of 2019.¹⁰ Salt Lake City's Public Library saw late returns drop from 9% to 4% after fines were eliminated.¹¹ Six months after fine elimination at the High Plains Library District in northern Colorado, the library saw an increase in circulation and 95% of their materials were returned within one week of their original due date.¹² In Hansel and Burgin's oft-cited study of public libraries in North Carolina, *Hard Facts About Overdues*, they observed "no significant difference in overdue rates between libraries that charged fines and those that did not."¹³ Their data suggested that libraries that did not charge fines saw higher rates of overdue materials in the short-term, but lower rates of overdue materials in the long-term.

Libraries may decide that expedient returns are not as important as other factors. When the Columbus Metropolitan Library eliminated fines in 2017, they stated that they originally enforced fines "as an incentive to see those items returned by their due dates," but began to question that notion due to what they observed in the library field industry.¹⁴ They determined that equitable access was more relevant to their library's mission.

Admittedly, the results are skewed toward favorable outcomes. This is because institutions such as those mentioned above are subject to selection bias; they volunteered to report data that promoted positive results of eliminating library fines. Because this is the only information that was readily available, they were included in this paper. The research conducted for this report found no reports of libraries that have eliminated fines and experienced changes in patron behavior that negatively impacted library usage or resulted in significantly higher return rates for materials.

10 Spielman, F. (2019, October 30). Lightfoot's decision to eliminate library fines triggers 240% increase in book returns. Retrieved November 5, 2019, from Chicago Sun-Times website: <https://chicago.suntimes.com/news/2019/10/30/20940677/chicago-public-library-no-fines-book-returns-increase-lightfoot>

11 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 6. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

12 Depriest, M.J. (2016). Removing Barriers to Access: Eliminating Library Fines and Fees on Children's Materials. Retrieved October 24, 2019 from <http://www.cde.state.co.us/cdelib/removingbarrierstoaccess>

13 Depriest, M.J. (2016). Removing Barriers to Access: Eliminating Library Fines and Fees on Children's Materials. Retrieved October 24, 2019 from <http://www.cde.state.co.us/cdelib/removingbarrierstoaccess>

14 Columbus Metropolitan Library to eliminate overdue fines beginning Jan. 1, 2017 | www.columbuslibrary.org. (2016). Retrieved November 5, 2019, from <https://www.columbuslibrary.org/press/columbus-metropolitan-library-eliminate-overdue-fines-beginning-jan-1-2017>

These numbers do not directly address the idea of fairness, which is often brought up in defense of library fines and their relationship to item return rates. Some argue that they serve to make library services more equal because they ensure that there are consequences from late returns. Some see this as a protective measure for the assumed majority of people who do return books late against the people taking advantage of the system.¹⁵

This assumes that library fines are effective deterrents for lateness, which is addressed in the section titled *A Lack of Evidence*. Additionally, fines may seem fair to those who can afford to pay their fines but negatively impact lower-income patrons. Patrons feel entitled to some kind of retribution in exchange for irresponsible patrons who break the rules. However, this feeling of entitlement assumes that everyone is able to pay fines and that imposing fines makes the system more fair. In fact, it is doing the opposite. Imposing fines on all patrons is not a marker of equity. This argument is further addressed in the section titled *Fines Disproportionately Affect Lower-Income Patrons*.

2. Fines supplement library budgets

This particular argument is highly variant, depending on the budget of the library in question, how much they collect in fines per fiscal year, and where the money ends up. If fines support the library's budget directly, the collected funds may make up a significant part of it, and may be funding the library cannot afford to lose. Library fines also help supplement the cost of replacing items, funding programming, or the cost of the human labor of librarians who spend time dealing with overdue fine collection from patrons. This is the most demonstrative argument for the fact that no blanket prescription is right for all libraries. The library might be unable to function without the money they collect from fines.

15 Jerome, J. A. 1, judy_jerome@hotmail. com. (2012). Occupy the Library. *Public Libraries*, 51(6), 6–7.

3. Fines teach people to be civically responsible

One of the most frequently-made cases in favor of the use of library fines is that overdue books demonstrate irresponsibility of the patron and a lack of respect to fellow patrons. Fines serve as a reminder to patrons that there are consequences when the library's materials are not returned on time.

In his essay on library fines, David McMenemy reinforces this idea, asking "without fines, what incentives do users have to return material in a timely fashion to ensure it is available for others to use?"¹⁶ He argues that fines help ensure equal access by instilling civic responsibility, stating that "every individual who uses that collection has a collective responsibility to that group of people," and "if customers do not return their items on time, this deprives other users of that resource." He goes on to state that the elimination of fines would mean eliminating a "vital function of any library that requires efficient and equitable circulation of stock." He asserts that patrons who return materials late have selfish intentions and a lack of respect for the library community, and therefore lack a sense of civic responsibility. Eliminating fines would "allow a system that allows disregard for the needs of other members".¹⁷

Under this logic, one must assume that patrons feel inclined to be civically responsible only if there is a threat of punishment when they are not. As put by Anthony Marx, CEO of the New York Public Library, people respond to the idea of fine elimination as if it imposes a "moral hazard" on society at large.¹⁸ Without the threat of punishment, what motivation do citizens have to be responsible library patrons?

A key misunderstanding in the discussion of eliminating fines is the idea that it will eliminate all patron responsibility in kind. Removing fines does not mean removing all

16 McMenemy, D. (2010). On library fines: Ensuring civic responsibility or an easy income stream? *Library Review*, 59(2), 78–81.

<https://doi.org/10.1108/00242531011023835>

17McMenemy, D. (2010). On library fines: Ensuring civic responsibility or an easy income stream? *Library Review*, 59(2), 78–81.

<https://doi.org/10.1108/00242531011023835>

18 The case against library fines—According to the head of New York Public Library—Quartz. Retrieved October 4, 2019, from <https://qz.com/1158839/the-case-against-library-fines-according-to-the-head-of-the-new-york-public-library/>

consequences or even removing all monetary consequences for not returning library materials. In most systems that have eliminated fines, patrons who fail to return items within a given timeframe will be charged for the replacement of the missing items. The replacement fee is waived when the item is returned, even if it is past its due date. The item was ultimately returned, so there is no need to punish the patron. Therefore, removing overdue fines is meant to offer more flexibility in book returns and does not remove all responsibility from patrons.

Is teaching civic responsibility the library's job?

A more important point to address in this argument is the idea of libraries being responsible for teaching civic responsibility in the first place. Is this one of the library's key functions? Furthermore, if it is, does its obligation to teach civic responsibility outweigh its commitments to equal access for all patrons? Equitable Access to Information and Library Services is one of the American Library Association's (ALA) key action areas, which they describe as "guiding principles for investment of energy and resources" in the organization.¹⁹ Equity is also featured in other guiding documents, such as in the ALA's stated Core Values of Librarianship.²⁰ ALA's mission states that one of its goals is to help librarians and libraries "ensure access to information for all."²¹ Teaching patrons how to be civically responsible is notably absent from these documents.

These points are not intended to dismiss the importance of responsibility, especially when interacting with resources shared by an entire community. They are, however, intended to weigh the significance of denying access to patrons that have been branded as irresponsible, and therefore as deserving of punishment or deprivation of library materials entirely, against the significance of a patron returning an item late.

19 American Library Association. (2007, April 19). Key Action Areas. Retrieved November 4, 2019, from About ALA website:

<http://www.ala.org/aboutala/missionpriorities/keyactionareas>

20 American Library Association. (2006, July 26). Core Values of Librarianship [Text]. Retrieved November 4, 2019, from Advocacy, Legislation & Issues website:

<http://www.ala.org/advocacy/intfreedom/corevalues>

21 American library Association. (2010, August 4). A.1 Mission, Priority Areas, Goals (Old Number 1). Retrieved November 4, 2019, from About ALA website:

<http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section1/1mission>

Are library fines effective tools for teaching civic responsibility? Take, for instance, the San Francisco Public Library. In a report put out by the Office of Treasurer and Tax Collector, in collaboration with SFPL, "more than one-third of library patrons hold debt on their account at any given time."²² The Phoenix Public Library, who eliminated fines in November of 2019, stated that before eliminating fines, "103,975 [cardholders], or 10 percent, were blocked from checking out materials because they had \$25 or more in fines."²³ Given statistics like that, one could conclude that turning in a library book late is a common mistake that anyone could make, and many people do make frequently. This argument is much more rational than the idea that one-third of all SFPL patrons and at least 10% of Phoenix Public Library patrons are irresponsible and disrespectful people.

Furthermore, libraries that have eliminated fines have not experienced a complete loss of patron responsibility. According to the High Plains Library District in northern Colorado, which eliminated fines in 2015, "the fear that fines were the only thing between civilization and chaos has proved unfounded: 95 percent of materials are returned within a week of their due date."²⁴

The data provided above is limited and is not intended to represent incontrovertible evidence that library fines do not teach civic responsibility. However, it is intended to question the idea, as it is one of the most frequently cited arguments in favor of the use of fines, and has been largely unsupported by data. Perhaps it feels like library fines should work, or do work, to curb patron behavior toward goodness. But if all that stands between the library and complete moral bankruptcy are fines, then fines aren't really teaching people how to be good anyhow. Being civically responsible does not mean simply acting good out of fear of being punished for wrongdoing. If patrons act irresponsibly when they are not threatened by the system, then have they learned to fear punishment, not to be responsible.

22 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 27. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

23 Phoenix Public Library to stop charging late fees in November. (2019, September 11). Retrieved October 4, 2019, from <https://www.abc15.com/entertainment/events/phoenix-public-library-to-stop-charging-late-fees-in-november>

24 Graham, R. (2017, February 6). Long Overdue: Why public libraries are finally eliminating the late-return fine. Retrieved October 31, 2019, from Slate Magazine website: <https://slate.com/culture/2017/02/librarians-are-realizing-that-overdue-fines-undercut-libraries-missions.html>

Arguments in favor of eliminating library fines

1. A Lack of Evidence

The pervasive nature of library fines suggests that there is evidence to support their effectiveness. However, there is a lack of data to support whether or not they actually work. More often than not, the justification for library fines seems to have stemmed from assumptions or feelings rather than explicit facts supported by research and data collection.

The existing writing in support of library fines must rely on data that is small-scale or old. Most proponents of library fines use Hansel and Burgin's 1981 and 1983 reports "Hard Facts About Overdues" and "More Hard Facts on Overdues." Among their findings, they reported that "libraries that don't charge fines tend to get their books back more slowly, but ultimately get more of them back; they have higher overdue rates in the short run, but lower overdue rates in the long run." Additionally they state that "libraries that restrict overdue patrons do significantly better at getting materials returned," and that "the higher the daily fine the faster the books come back."²⁵ Perhaps their most compelling conclusion of all was the fact that there are no easy answers; studies like this are difficult to conduct, and the complexity and diversity of library systems and communities make it difficult to draw large-scale conclusions based on these studies alone.²⁶

In addition to not taking a concrete stance on the effectiveness, or lack thereof, of library fines, one cannot ignore how old these studies are. No comparable study has been done between 1983 and now, in 2020. While these findings may have once presented sufficient, valid evidence to support fines much has changed since these studies were conducted. Libraries do not run the same way they did in 1983. Similarly, the role of the library and the library's relationship with its patrons may have also shifted

²⁵ Little, P. (1989). MANAGING OVERDUES: Facts From Four Studies. *The Bottom Line*, 2(2), 22. <https://doi.org/10.1108/eb025168>

²⁶ Hansel, P. (1983). Hard facts about overdue. *Library Journal*, 108(4), 350.

in the interim 37 years, and punitive action against patrons, particularly those from lower-income backgrounds, may not be as acceptable as it once was.

Another study used in support of the impact of library fines is *Do library fines work?: Analysis of the effectiveness of fines on patron's return behavior at two mid-sized academic libraries*. This study was conducted in part due to the lack of evidence to drive librarian decision-making in terms of fining patrons.²⁷ The study concludes that library fines are effective, but concedes that the use of fines may damage patron perception of the library, and may contribute to barriers to access. It is notable that this study focused on academic libraries, which function differently than public libraries. The sample size for this study is rather small, and therefore difficult from which to draw definitive conclusions.

With data this small-scale and potentially outdated, it is difficult to claim that there is a sufficient amount of data available to support the use of library fines. Librarians likely base their opinions in support of library fines on their own values and experiences working in the library. Personal experience and data collected by the library are both valuable in determining what is right for their community and their library and may be the determining factor in whether a library system uses fines. However, it is clear that in the current literature there is no strong, wide-scale evidence that supports the claim that library fines are effective for all of the reasons people use to defend them.

2. Fines Disproportionately Affect Lower-Income Patrons

While there is a lack of evidence to support library fine effectiveness, there is evidence that suggests library fines disproportionately affect lower-income patrons. A fine might seem like a small penalty for some. However, for many patrons, the consequences of returning books late is too cost-prohibitive, even if the initial checkout is free. Many

27 Phelps, S. F. (2015). Library Fines Make a Difference in Academic Library Book Return Behaviour. *Evidence Based Library and Information Practice*, 10(3), 96.
<https://doi.org/10.18438/B8H89K>

large cities leading the movement toward going fine-free have cited this as one of their main motivations.

For instance, in Seattle, “the branches with the highest proportion of accounts blocked for overdue fines are all in parts of Seattle that are both poorer and more diverse than the city as a whole.”²⁸ Similarly, in San Francisco, “patrons across all branches accrue fines at similar rates, but locations serving low-income areas have higher average debt amounts and more blocked users.”²⁹ New York City is not a fine-free library system. However, prior to its fine forgiveness program, according to the NYPL’s CEO, “20% of our 400,000 juvenile and young adult patrons had blocked library cards; nearly half of those were concentrated in the poorest quartile of our branches.”³⁰

Logistically, this makes sense. Lower-income families have less disposable income, making it harder for them to pay off any fines they might accrue. In many cases, libraries will restrict access to materials once a patron has reached a certain total of accumulated fines. This further disproportionately targets lower-income households, who likely cannot afford to purchase books. Therefore, when a library cuts off a lower-income patron from the library, they may be cutting off any access they have to books, movies, periodicals, or the many other unique items that libraries offer.

For patrons who have more disposable income, “fines are often not a meaningful deterrent” for returning items past their due date.³¹ As well-stated in Slate’s article *Long Overdue*, “for middle-class patrons, [fines] may feel like a slap on the wrist, or even a feel-good donation,”³² but not everyone shares that privilege. The consequences of overdue fines are too high for some patrons, which can affect library behavior and

28 Kroman, D. (2019). *Library fines hit Seattle’s lower-income neighborhoods hardest*. Retrieved October 4, 2019, from <https://crosscut.com/2019/03/library-fines-hit-seattles-lower-income-neighborhoods-hardest>

29 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 5. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

30 *The case against library fines—According to the head of New York Public Library—Quartz*. (n.d.). Retrieved October 4, 2019, from <https://qz.com/1158839/the-case-against-library-fines-according-to-the-head-of-the-new-york-public-library/>

31 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 20. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

32 Graham, R. (2017, February 6). *Go Ahead and Return That Book Late—Libraries Are Doing Away With the Overdue Fine*. Slate Magazine. <https://slate.com/culture/2017/02/librarians-are-realizing-that-overdue-fines-undercut-libraries-missions.html>

usage. Some patrons never check out items due to fear of accruing fines.³³ In some instances, libraries will send patrons with unpaid fines to collection agencies, further punishing them.³⁴

This goes against much of what libraries today have come to stand for. Equity, diversity, and inclusion are some of the American Library Association's biggest priorities as a professional organization.³⁵ There is much discussion in the professional literature, as well as in the education of future librarians in Master's programs, of the library's role in its community. Libraries are intended to be places of equitable access for all. Therefore, should libraries enforce policies that are, by design, inequitable, and may effectively ban lower-income patrons with too many fines from access, all in the name of "fairness"?

3. Fines are punitive and are not effective in teaching people how to be better

As discussed earlier in this report, there is a lack of evidence to support library fines as effective tools for getting patrons to return items on time. While some of the evidence does point in that direction, there haven't been many studies done to support this claim. If they are not being used as friendly nudges toward civic responsibility, it is difficult to view them as anything other than punitive, as if seeking retribution either for the library as an institution or on behalf of the "more responsible" patrons who do not accrue fines.

David McMenemy, who ultimately argues in favor of the use of fines, summarizes the issue very well in his editorial piece *On Library Fines: Ensuring Civic Responsibility or an easy income stream?* He states,

The term fine is pejorative in nature; we associate it with punishment. We are fined when we do something wrong, something outside of the

³³ *In San Jose, Poor Find Doors to Library Closed*—*The New York Times*. (2016). Retrieved October 4, 2019, from <https://www.nytimes.com/2016/03/31/us/in-san-jose-poor-find-doors-to-library-closed.html>

³⁴ *It's Not Fine to Not Pay Your Fine* » *Public Libraries Online*. (2016). Retrieved January 19, 2020, from <http://publiclibrariesonline.org/2016/05/its-not-fine-to-not-pay-your-fine/>

³⁵ JGRAY. (2008, June 13). *Equity, Diversity, and Inclusion* [Text]. Advocacy, Legislation & Issues. <http://www.ala.org/advocacy/diversity>

expected public standard. Is it then correct and proper for the profession to perpetuate a system that places such a punishment on a library community, be it public or educational? Does such a system deter users who see it as a negative that overcomes any potential benefits in using the collection?³⁶

McMenemy ultimately concludes that the punishment fits the crime, as a system without punishment is “a system that allows the disregard for the needs of other members.”³⁷

The issue of fines as punishment is also discussed in *Putting a Sacred Cow Out to Pasture: Assessing the Removal of Fines and Reduction of Barriers at a Small Academic Library*. The authors, librarians at Vancouver Island University, eliminated fines due to their inherently punitive nature. They assert that fines, the proverbial sacred cow, have been upheld due to strong feelings in the library community, not evidence-based decision making. They break down the issue simply: the issue of library fines pertains to the library’s relationship to their patrons. Either they decide to take the “enforcer or tax collector role,” potentially at the detriment of library usage in general, or they decide against it.³⁸

While McMenemy concludes that the potential loss of patronage is worth risking in order to collect library fines, the librarians at Vancouver Island University decided it was not worth the risk. They argue that libraries now, possibly more than ever, are socially threatened by those who do not see the library as relevant. The library has too much to lose, and “holding a threat above the heads of borrowers” does not serve the library’s

36 McMenemy, D. (2010). On library fines: Ensuring civic responsibility or an easy income stream? *Library Review*, 59(2), 78.

<https://doi.org/10.1108/00242531011023835>

37 McMenemy, D. (2010). On library fines: Ensuring civic responsibility or an easy income stream? *Library Review*, 59(2), 78–81.

<https://doi.org/10.1108/00242531011023835>

38 Reed, K., Blackburn, J., & Sifton, D. (2014). Putting a Sacred Cow Out to Pasture: Assessing the Removal of Fines and Reduction of Barriers at a Small Academic Library. *The Journal of Academic Librarianship*, 40(3–4), 276. <https://doi.org/10.1016/j.acalib.2014.04.003>

image. Furthermore, in relying on library fines to support library operations, “VIU library would be tacitly supporting student failure.”³⁹

Many uphold library fines as a symbol of a patron’s respect for the library, meaning that returning items late is demonstrative of a patron’s lack of respect and inherent irresponsibility as a citizen. However, the threat of punishment should not be the thing curbing patron behavior, and there are many other ways patrons can demonstrate respect for the library as an institution. As described in SFPL and the Office of Treasurer and Tax Collector’s fine-free report, “patrons can practice responsible behavior by using the library, reading books, sharing communal spaces, and making sure materials get back to the library. Rather than a permit for irresponsible behavior, fine elimination is a way to ensure all community members continue to have opportunities to practice those skills.” They described the punitive nature of fines as one of their motivations for wanting to remove fines. They wrote, “overdue fines do not turn irresponsible patrons into responsible ones, they only distinguish between patrons who can afford to pay for the common mistake of late returns and those who cannot.”⁴⁰

Even if one feels that fining patrons is appropriate for getting books back and enforcing responsibility at the risk of deterring some patrons from using the library, it appears that it is not a very effective form of punishment with the intent to curb patron behavior. Before the New York Public Library’s fine forgiveness program, 20% of juvenile and young adult patrons had blocked library cards because of too many fines.⁴¹ In the Phoenix Public Library system, over 10% of their patrons had blocked cards because of fines.⁴² Given statistics such as these, does it seem like fines are doing their job, making

39 Reed, K., Blackburn, J., & Sifton, D. (2014). Putting a Sacred Cow Out to Pasture: Assessing the Removal of Fines and Reduction of Barriers at a Small Academic Library. *The Journal of Academic Librarianship*, 40(3–4), 275–280. <https://doi.org/10.1016/j.acalib.2014.04.003>

40 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 27. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

41 *The case against library fines—According to the head of New York Public Library—Quartz*. (n.d.). Retrieved October 4, 2019, from <https://qz.com/1158839/the-case-against-library-fines-according-to-the-head-of-the-new-york-public-library/>

42 *Phoenix Public Library to stop charging late fees in November*. (n.d.). Retrieved October 4, 2019, from <https://www.abc15.com/entertainment/events/phoenix-public-library-to-stop-charging-late-fees-in-november>

patrons more responsible, or are they simply excluding a significant number of their patrons from certain library privileges?

Going fine-free might result in more effective means of motivation to ensure timely returns. This argument against fines as an effective means of punishment comes from *If We Charge Them, Will They Come?* The authors, two librarians from the University of Massachusetts, questioned whether or not fines were effective deterrents. They describe their hypothesis as “tying a price to book tardiness should curb unwanted behavior,” and fines serve as “a price to soothe the shame of being late.”⁴³ Without the ability to wave away guilt with money, patrons face social consequences that are not so easily soothed. Wood and Almeida assert that patron responsibility will stem from “respect for policy and nothing more,” and that “patrons [would] choose not to betray social norms by disappointing” other patrons. This helps the library’s image, turning it away from its traditional image of punishment, and will make “librarians appear kind and accommodating” and “merciful, even when it is merely policy.”⁴⁴ Isn’t this kind of social contract a more effective way for patrons to display their civic responsibility, and not just behavior motivated by fear of punishment?

4. Fines may not make up a significant portion of the library’s budget

This will vary from library to library. As mentioned in the introduction, there is no singular prescription that will apply to all libraries. It is difficult to argue against a library that receives a significant part of its budget from the fines they collect. However, it did appear to be a motivating factor for many library systems when they decided to go fine-free. Several of these institutions discussed this as a motivating factor in news publications about their decision.

⁴³ Wood, E., & Almeida, J. (2017.). *If We Charge Them, Will They Come?* 56(3), p. 159.

⁴⁴ Wood, E., & Almeida, J. (2017). *If We Charge Them, Will They Come?* 56(3), p. 159.

In The San Francisco Public Library “\$333,129 collected in overdue fines in FY 2017-2018 represents 0.2 percent of the total operating budget,”⁴⁵ which they argue was likely the same amount spent on human labor in the “employee time consumed by communicating with patrons about fines and engaging in transactions...administrative costs and collections contracts.”⁴⁶ The Seattle Public Library collected about “\$1.1 million a year in overdue fines. That’s about 1.3 percent of its \$80.9 million budget for 2019.”⁴⁷ Phoenix Public Library “fines reportedly account for \$200,000 a year, which is less than one percent of the library’s annual budget.”⁴⁸ In the Detroit Public Library System, the library collected “about \$30,000 in fine payments — less than .1 percent of its total budget.”⁴⁹

These are just a few examples, and all of the aforementioned library systems are large. Therefore, it is not the most representative sample of the ratio of budget and fines. However, research later in this report shows evidence that this trend proves true in smaller library systems, too.

5. Eliminating fines may improve circulation

The elimination of fines could benefit not only patrons but the library as well. One of the ways in which the library could benefit is an increase in circulation. This result makes sense: if patrons are no longer afraid to use the library’s collections, they might be more willing to check out books. Similarly, patrons whose fines have been forgiven might return to the library and check out materials again. Clearly, they were interested in or

45 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 6. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

46 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 25. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

47 Kroman, D. (2019). *Library fines hit Seattle’s lower-income neighborhoods hardest*. Retrieved October 4, 2019, from <https://crosscut.com/2019/03/library-fines-hit-seattles-lower-income-neighborhoods-hardest>

48 *Phoenix Public Library to stop charging late fees in November*. (n.d.). Retrieved October 4, 2019, from <https://www.abc15.com/entertainment/events/phoenix-public-library-to-stop-charging-late-fees-in-november>

49 *Detroit Public Library eliminates overdue fines*. (2019). Retrieved October 4, 2019, from http://www.deadlinedetroit.com/articles/23160/detroit_public_library_eliminate_overdue_fines

needed to check out materials in the past, so the removal of any barriers to entry might lead to higher circulation.

This is more than just a thought experiment or optimism. When the High Plains Library District eliminated fines in 2015, they “saw increased circulation six months after fine elimination.”⁵⁰ More specifically, they saw an increase of 16% in their children’s department alone.⁵¹ Similarly, “The Salt Lake County Public Library experienced an 11 percent increase in the number of monthly borrowers and a 14 percent increase in the number of items borrowed in the year after they eliminated fines.”⁵² It is worth acknowledging that these numbers were not collected in a vacuum. Libraries are complex ecosystems, and as a result, the increases may not be entirely due to the elimination of fines. That being said, one could safely assume it is at least a contributing factor.

Many libraries that still use fines do allow fine forgiveness for children and teens. A notable example of this is the New York Public Library, who forgave fines for all patrons under the age of 18 in October of 2017.⁵³ Of the 41,000 young people who used the library in the month following the amnesty, 11,000 of them had not used the library in the past year. As put by the CEO of NYPL, Anthony Marx, “we know 11,000 kids and teens have rekindled their relationship with reading, learning, and libraries...we expect numbers to continue to increase as we continue to get the word out about the program.”⁵⁴

50 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 17. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

51 Graham, R. (2017, February 6). Long Overdue: Why public libraries are finally eliminating the late-return fine. Retrieved October 31, 2019, from Slate Magazine website: <https://slate.com/culture/2017/02/librarians-are-realizing-that-overdue-fines-undercut-libraries-missions.html>

52 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 17. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

53 NYC Libraries Announce Fine Forgiveness for Kids and Teens | The New York Public Library. (n.d.). Retrieved January 20, 2020, from <https://www.nypl.org/blog/2017/10/19/fine-forgiveness>

54 *The case against library fines—According to the head of New York Public Library—Quartz*. (n.d.). Retrieved October 4, 2019, from <https://qz.com/1158839/the-case-against-library-fines-according-to-the-head-of-the-new-york-public-library/>

6. Improved Patron/Librarian relationships

Fine-elimination could lead to improved patron interactions. When thinking about library fines, one might not initially imagine the potentially tense interactions that can be associated with fine collection. Some library systems circumvent this possibility by providing online payment options, but other libraries may not be able to afford this feature. These interactions are undoubtedly undesirable for both patrons and librarians and could lead to uncomfortable, if not damaging, interactions. Having to deal with the negative consequences of these painful conversations may contribute to burnout or anxiety among library staff. This is something that librarians in most large public libraries have to contend with. According to a Library Journal survey conducted in 2017, “98.0 percent of large-sized libraries have to train their staff on how to handle collecting and enforcing fines.”⁵⁵

Many publications have highlighted the benefit of improved patron and librarian relationships when writing about eliminating fines. Eliminating fines can improve the public image of librarians and staff and foster general feelings of goodwill toward the library as an institution. As discussed by the librarians at the University of Massachusetts who wrote *If We Charge Them, Will They Come?*, “the absence of fines is implied trust...The goal of lending resources is to further social progress. This intent, unobscured by penalty, evokes trust because it is supportive of the collective.”⁵⁶ The American Library Association’s 2017 president, Julie Torado, described the move toward fine elimination as one of the many ways “to maximize access and positive relationships between libraries and patrons.”⁵⁷

55 Cisneros, J. (2019). LONG OVERDUE: Eliminating Fines on Overdue Materials to Improve Access to San Francisco Public Library, p. 24. *The Office of the Treasurer and Tax Collector*. Retrieved October 24, 2019 from: <https://sfpl.org/uploads/files/pdfs/commission/Fine-Free-Report011719.pdf>

56 Wood, E., & Almeida, J. (2017). *If We Charge Them, Will They Come?* 56(3), p. 160.

57 Libraries Are Dropping Overdue Fines—But Can They Afford To? | HuffPost. (2017). Retrieved October 4, 2019, from https://www.huffpost.com/entry/libraries-are-dropping-overdue-fines-but-can-they-afford-to_p_5913733ae4b0b1fa9d0dccc2

Library Survey Results

As a part of this report, I thought it was important to hear about the experiences of libraries that have chosen to eliminate fines. I was interested in data, such as how much of their budget previously came from fines, if they saw changes in library usage after the shift, their motivations for eliminating fines, and the advantages and disadvantages they experienced after making the change.

The survey was completed by 15 libraries in 12 different states within the United States. They eliminated fines at points varying between early 2015 and the middle of 2019. The libraries varied greatly in both size of community served and budget. While there is room for growth in the number of respondents, as well as the breadth and depth of questions asked, libraries that completed the survey offered interesting and compelling answers from their experiences. As the surveyor, I ultimately found the qualitative responses about the first-hand experiences of the librarians to be the most illuminating part of the survey, but I'm including both qualitative and quantitative data in the results below.

Library Demographics

When the library eliminated fines

Year fines were eliminated	Number of libraries that eliminated fines
2015	1
2016	0
2017	3
2018	6
2019	5

Library budgets

Budget Range	Number of libraries in that range
<\$1,000,000	1
Between \$1,000,001 and \$10,000,000	5
Between \$10,000,001 and \$25,000,000	3
Between \$25,000,001 and \$50,000,000	4
Over \$50,000,000	2

Population versus number of locked accounts at time of elimination (from libraries who answered both questions)

Library Name	Library population served	Number of locked accounts	Percentage
Columbus Public Library	1,292,000	~43,890	~3%
San Diego Public Library	1,420,572	Over 174,000	~12%
Denver Public Library	705,439	20,287	2.9%
St. Paul Public Library	309,180	47,294	15%
Kent District Library	395,000	2,045	<0.10%
Contra Costa County Library	1,144,863	116,740	10%
Enoch Pratt Free Library	620,961	26,000	4%

Maximum amount allowed in fines before account privileges locked

Dollar amount	Number of libraries
\$5	3
\$8	1
\$10	7
\$15	1
\$20	2
\$25	1

How does eliminating fines make a difference?

Of the libraries who responded to the survey, two-thirds reported an increase in the total number of items borrowed in the fiscal year following the change. 40% reported an

increase in the total number of library visits. While many of them did not track average wait times for items on hold, two reported no change to wait times, and two reported an increase of one to two days of wait time, on average. 33% saw an increase in the number of new accounts opened at the library in the fiscal year after eliminating fines.

It is important to note that eliminating fines may not be the sole reason for these changes, as libraries are complex systems and there are a myriad of factors that influence library attendance and borrowing patterns. However, as the surveyor, I determined the changes noted above were significant enough to mention.

"Not spending dollars to collect dimes." - Nancy Kreiser from the Contra Costa County Library, describing an advantage to fine elimination

It may seem like an obvious statement, but in giving up fines, libraries are giving up money. One might assume that libraries rely heavily on fines for supporting their budgets. This was not the case for many of the libraries that have eliminated fines, meaning that they could afford to lose that revenue in exchange for the benefits of not fining their patrons. However, one cannot assume this is true for all libraries, which might be the motivating factor for why so many libraries continue to implement fines.

Percentage of total budget that was collected by fines

Percentage Range	Number of libraries
Between 0% and 0.5%	3
Between 0.51% and 1%	7

Between 1.01% and 1.5%	1
Between 1.51% and 2%	4
More than 2%	0

Motivations for Eliminating Fines

One section of the survey asked the librarians to rank the following motivations from 1 to 5, from most aligned with the library's motivations for eliminating fines, to least aligned:

- The library wanted to remove barriers to access.
- The library wanted to improve staff morale.
- The library wanted to improve patrons' relationship to the library.
- The library wanted to free up staff to do other work.
- The total amount collected from fines was small.

14 out of 15 libraries stated that their top motivation was removing barriers to access, and the second most important factor was improving their patrons' relationship to the library. The one library that did not answer in that order put patron relationships first and removal of barriers to access second. This suggests that the libraries were predominantly concerned with the social justice aspects of removing fines, and felt motivated by those implications over the more operational sides of eliminating fines. This speaks to earlier sections of the report, specifically the ones that detail how fines are increasingly being seen as inequitable and punitive rather than a necessary practice. These sentiments are further echoed below, in the section where libraries expressed their personal experiences in their own words.

Disadvantages of eliminating fines

*"...we can use every penny we can get each year. That said, I think the **advantages definitely outweigh the***

disadvantages.” - Jeana Gockley from the Joplin Public Library

Half of the libraries surveyed either left this section of the survey blank or specifically stated that their library has not experienced any disadvantages from making the change yet.

Not surprisingly, reduction in revenue was the most-cited disadvantage to eliminating fines. 6 out of the 15 libraries surveyed cited this as the main disadvantage. In the words of Jeana Gockley from the Joplin Public Library, “we can use every penny we can get each year. That said, I think the advantages definitely outweigh the disadvantages.”

Four librarians cited confusion as a disadvantage to the change. There are several sources of this confusion. Overdue fines are recognized as a component to library functionality, and the transition could be confusing to patrons who expect to be fined. The librarians at the High Plains Library District elaborated to say that their institution still charges for damaged and missing items, which patrons might not understand when they hear that their library is fine-free. Libraries such as the Sun Prairie library still have fines attached to their specialized collections, which is another point of confusion for patrons. However, these instances demonstrate that being a fine-free library does not mean that all materials need to be fine-free, or that the elimination of fines means the elimination of consequences.

An anxiety about eliminating fines that has been discussed earlier in this report is longer hold times. While some libraries’ statistics demonstrated shorter or unaffected hold times, three libraries mentioned longer hold times as a potential disadvantage to being fine-free. However, when describing increases in hold times, each of the libraries expressed that this is a hypothetical effect, or that the increases have been slight. Therefore, the potential increases in hold times a library might experience is not big enough of a change to detract from the benefits of eliminating fines.

There were two unique disadvantages cited by only one library each. The first was mentioned by Holly Jackson at the Portneuf District Library. She described pushback from more traditional patrons and staff members who thought that the elimination of

fines would lead to a breakdown in the system. In her words, “they believed that no fines would result in anarchy and no items coming back.” However, their library has not found this to be the case, and feedback about the change has been mostly positive.

The other disadvantage was also related to the patron response to the change. The library expected fine elimination to lead to increases in circulation and library usage, which is a benefit that has been cited by several libraries who have gone fine free. Evidence suggests that this is a possible result of the change. However, this library did not see much of a difference as a result of the change, which was, understandably, disappointing.

Advantages of eliminating fines

*“Overdue fines are a regressive method of raising revenue, **they hurt the most those who can afford them the least**, create stress-filled interactions, and require significant amounts of staff time to manage.” - David Seleb from the Oak Park Public Library*

While the libraries that were surveyed, for the most part, cited the same handful of disadvantages to the change, their responses to the advantages of the change were extremely varied. Almost every library had a unique perspective on this, and found different benefits for their library system. This demonstrates how overwhelmingly positive the change can be, and how it can impact communities of various sizes and budgets. There were several major benefits cited by many libraries, but it is the unique experiences they mentioned that illuminate how much of a difference the shift away from library fines could make.

*“...fines have become a privilege and — **not only do they not work** — they actually encourage people to keep materials*

*longer if they can afford it." - Annette Birdsall, Director of the
Tompkins County Public Library*

The one advantage that many libraries described was how eliminating fines helps eliminate barriers to access. As stated by David Seleb from the Oak Park Public Library, "overdue fines are a regressive method of raising revenue, they hurt the most those who can afford them the least, create stress-filled interactions, and require significant amounts of staff time to manage. Having a fine free library eliminates unnecessary barriers to service and improves access for everyone, especially for more vulnerable or marginalized community members." This point is elaborated on by Annette Birdsall, the Director of the Tompkins County Public Library. She said, "it's libraries recognizing that this is a social equity issue, that fines have become a privilege and — not only do they not work — they actually encourage people to keep materials longer if they can afford it. If you can afford it, you pay your fines, you don't feel guilty and you support the library. We love people to support the library. We don't love that it was a privilege and that people who couldn't afford fines stopped using the library altogether."

In addition, two libraries specifically mentioned removing barriers to access of information and literacy resources for children. Increased access for children can be a particularly motivating factor for change. Randall Goble shared this anecdote from the Kent District Library: "A story was shared by one of our branches this year where a woman had recently gotten out of an abusive relationship. She asked staff if anything could be done with her large fines to allow her children to use the library again. And when staff waived the fines with the blessing of administration, she cried."

Another frequently mentioned advantage was how it would affect library staff. Five libraries mentioned that not having to deal with fines would make library jobs less stressful because they have significantly decreased, if not eliminated, negative interactions with patrons. According to Holly Jackson from the Portneuf District Library, "we now have very few negative interactions at our front desk and we have 100% less time being spent on sending late item/fine notifications." Tension has decreased between librarian and patron interactions because they no longer need to ask them for money or deny them access because of fines. As stated by Jennifer Schlossberg from the

Tompkins County Public Library, "it allows their transactions to be about reading and books, and not a discussion about owing \$.50 or \$5.00."

Four of the libraries mentioned an increase in staff time to do other work, and how time-consuming fine collection used to be. According to Randall Goble from the Kent District Library, "the library spent an estimated \$150k of our payroll dollars on staff time dealing with fines (either collecting the payment or manually waiving them). This staff time could be better focused on providing excellent, positive library service, instead of on negative interactions around fines."

The remaining advantages were mentioned by only a small number of libraries but demonstrate the variety of positive outcomes that librarians have observed since making the change.

*"Is a library's mission to teach responsibility, or is it a library's mission to provide information and learning experiences?" -
Holly Jackson from the Portneuf District Library*

More aligned with the real mission of the library to provide information

Three libraries mentioned that imposing fines on patrons is in direct opposition to the mission of the library. One librarian, Holly Jackson of the Portneuf District Library, was forced to confront the motivations behind library fines when asked this question: "Is a library's mission to teach responsibility, or is it a library's mission to provide information and learning experiences?" According to Nancy Kreiser from the Contra Costa County Library, this change has also led to "a heightened awareness of equity and the impact of barriers. We continue to question policy and procedures from this perspective and are implementing change on an on-going basis."

Increased goodwill

Three libraries specifically mentioned increased goodwill as a noted benefit. This is closely tied to the ways in which patrons perceive and interact with the library, but is a

specific type of sentiment that implies an increase in warm feelings and trust in the library as an institution.

Better service to patrons

Four libraries mentioned that their staff are now better able to serve their patrons now that they don't have to worry about the repercussions of handling fines. As stated by Randall Goble at the Kent District Library, "staff time could be better focused on providing excellent, positive library service, instead of on negative interactions around fines." Nancy Kreiser from the Contra Costa County Library echoed this point, stating that staff can focus on the "value of service versus the value of enforcing the minutiae of rules."

Improved morale

While the survey itself included a section on whether or not the library was motivated to eliminate fines by the prospect that it may improve employee morale, one library specifically mentioned it again in the short answer section.

Better use of resources

Three libraries specifically mentioned that this shift would lead to better application of library resources. While one library's use of the phrase "better use of resources" was vague, another library specifically mentioned that patrons were better able to learn about and take advantage of library resources on offer, and the third mentioned that children have more access to literacy resources in the library. This phrase could also refer to how the library allocates its own resources, or as put by Nancy Kreiser from the Contra Costa County Library, "not spending dollars to collect dimes."

Increase in item returns because there is no fear

In the words of Holly Jackson at the Portneuf District Library, "we see more items being returned instead of kept when the patrons don't fear fiscal punishment." If this proves true in other libraries, then patrons may experience shorter hold times on average as a result. Additionally, libraries may experience fewer permanently lost items.

Staff doesn't have to deal with money as often

If libraries are not frequently collecting fines, there is less need for librarians and staff to handle money. Two librarians mentioned this benefit. One specifically mentioned that less staff time spent handling money means fewer accounting mistakes made in the library's till.

Patrons may still donate money if they are able

The Portneuf District Library mentioned that they still get monetary donations from patrons who can afford to give. Patrons who may have viewed the library fine as an opportunity to donate money to the library still have the opportunity to do so, without the negative repercussions of punishing those who were unable to make such a "donation" in exchange for access.

Good PR for the library

Two librarians highlighted that eliminating fines can lead to good PR/good advertising on the library's behalf. It is a notable event likely to garner the attention of local media, and contributes to the larger narrative happening around the momentum of the movement. It can also be used as a tool to re-invite patrons to the library who may have been discouraged from coming due to fear of fines, too many fines, or the other issues that can be associated with overdue fines.

Less concern over borrowing limits

Patrons no longer need to fear racking up extremely high fines for having a large quantity of items past their due date. The Jefferson County library mentioned that in their library, DVDs carry a one dollar fine per day late, and a patron can have out 10 DVDs at a time. This means 10 DVDs one day late carried a 10 dollar fine, almost half of the total allowed limit before borrowing privileges were revoked. Patrons no longer need to fear borrowing many items at one time. Similarly, libraries do not need to worry about setting high borrowing limits in terms of item quantity, at least in terms of the repercussions that overdue fines used to carry.

Increased lost book revenue

The Joplin Public Library mentioned seeing an increase in revenue from lost book fines. This demonstrates that patrons are responsible when it comes to paying for the replacement of lost items, and implies that accruing large fines did not directly correlate with the morality or responsibility of the patron.

Renewed appreciation for the library

While this reason resembles that of goodwill, it is also connected to library publicity. The librarian who mentioned renewed appreciation explicitly mentioned this attitude being expressed by local businesses and civic leaders. This could mean new opportunities for collaboration and outreach between the library and its community. This sentiment was also seen in other responses about patrons returning to the library after an extended period away. The librarians at the Saint Paul Public Library noted an increase in circulation and active users after over five years of consistent decreases. The Contra Costa County library also mentioned circulation increases, which they had not experienced since 2011.

Alternatives to completely eliminating fines

If nothing else, I hope this report has made it clear that library fines are a complex, multifaceted issue. There are no easy answers that will work for every library. If going totally fine-free is not possible for your library, there are other options. Many libraries across the country have found creative ways to forgive fines for their patrons without eliminating fines completely.

Donations

Libraries can collect a variety of items to help decrease patron fines. However, there is a major drawback to collecting donations in exchange for fine forgiveness. Patrons who cannot afford to pay their fines likely do not have the disposable time or income to donate items to charity, and may, in fact, be the ones in need of those charitable resources. However, this does provide an opportunity for patrons who are able to

contribute to charitable causes, which help provide them with feelings of goodwill and community engagement. Included are several examples of library systems that have conducted donation drives for various things, such as winter clothing, canned goods, blood, and time, and may serve as inspiration if this is more achievable for your library.

[Library Fun Run Clears the Fines of Nearly 300 Patrons](#) - Great Falls, MT

[Pay Off Library Fines with Canned Goods](#) - Corpus Christi, TX

[Red Cross Blood Drive - Library Fines Waived for Donors](#) - New Canaan, CT

[Sock Donations](#) - Red Bluff, CA

Amnesty

[One Time Amnesty](#) - New York Public Library

Rather than eliminating fines for good, library systems can implement an amnesty program. Systems such as the New York Public Library have done one-time amnesty for patrons under the age of 18, which gives them a “second chance” at using library resources and materials. Amnesty programs can be applied to patrons of all ages.

Similarly, you can eliminate fines just for children and teenagers. Many library systems that have not eliminated fines entirely have stopped imposing overdue fines on patrons under the age of 18. This is because they are more likely to be beholden to their parents, who have more control over the frequency of library visits and are more likely to have money to pay fines than their children do. This helps foster feelings of goodwill to the library at a young age and does not limit access to materials for children who may have no other means of getting books and learning resources.

Automatic Renewal

Updates to library notification and renewal systems may help patrons. Automatic renewal programs, such as the one implemented in Marshalltown, Iowa, automatically

renew items that have no other patron holds on them. This gives patrons more flexibility in returning items and does not require the patron to renew the materials themselves.

[Automatic Renewal Program](#) - Marshalltown, IA

Conclusion

There is no blanket recommendation that will work for every library. Public libraries all function a bit differently from one another, and are influenced by librarians, staff, their budgets, and their communities. This report is not meant to criticize any libraries still using library fines. However, it does ask that libraries question their motivations for using fines. Is there evidence driving their usage? Does our confidence in the reliability of fines come from data, or does it stem from tradition?

The intent of this report is to serve as a conversation-starter for libraries to address library fine usage. It is meant to provide context from the existing literature to help support or refute the long-standing arguments surrounding the topic of fine usage. I hope that it provides useful resources and discussion points to help libraries reflect on the use of overdue library fines, especially as more libraries across the country choose to remove them.

Appendix A:

Library Fines Survey

For the fiscal year prior to the library eliminating fines:

- What was the library's budget for that period?
- What was the total amount collected in fines in that period?
- Did the fines collected go to the library's budget?
- How much were patrons charged for late items, per item, per day? Your response can be broken down by item type and/or loan type, if necessary.
- What was the maximum amount in fines a patron could accrue before library privileges were locked?

Please rank the following reasons for eliminating fines, in order from most aligned with your library's motivations, to least aligned to your library's motivations.

- The library wanted to remove barriers to access.
- The library wanted to improve staff morale.
- The library wanted to improve patrons' relationship to the library.
- The library wanted to free up staff to do other work.
- The total amount collected from fines was small.

If you collect data for the following metrics, provide numbers for the fiscal year prior to fine elimination:

- Average return rates of items
- Number of items borrowed
- Total library visits
- Total number of new registered users
- Average wait time for a hold request

Additionally, provide numbers for the fiscal year after fine elimination:

- Average return rates of items
- Number of items borrowed
- Total library visits
- Total number of new registered users
- Average wait time for a hold request

What is the numerical population of the community your library serves?

What was the total number of library accounts that were locked due to library fines at the time fines were eliminated?

How many library accounts did the library have when fines were eliminated?

From your library's experience, describe the advantages of having a fine-free library.

From your library's experience, describe the disadvantages of having a fine-free library.

Appendix B: Libraries that completed the survey

Library Name	State
Oak Park Public Library	IL
Columbus Public Library	OH
High Plains Library District	CO
Joplin Public Library	MO
Jefferson County Public Library	WA
Portneuf District Library	ID
San Diego Public Library	CA
Denver Public Library	CO
Sun Prairie Public Library	WI
Tompkins County Public Library	NY
Saint Paul Public Library	MN
Kent District Library	MI
Contra Costa County Library	CA
San Mateo Public Library	CA
Enoch Pratt Free Library	MD



TO: City Council
DATE: April 24, 2025
ITEM #: 7.B
SUBJECT: Consider approval and authorization for the Mayor to execute a Contract with Strategic Government Resources (SGR) for Interim Services in Support of the Finance Department in the Preparation of the FY26 Budget. (City Manager)

Recommendation for Action: Staff recommends approval.

Executive Summary: The FY26 Budget process has started for the City. The Council is scheduled to hold its second Budget Work Session on April 28th to finalize directions for staff. Staff have begun working on their budgets, learning the new software and new budget process initiated this year.

The Finance Department is currently short by two full-time positions. We are in the midst of the FY24 audit which must be done in June. The Interim Finance Director is working to support the audit process and complete it prior to our deadline. Being short-staffed makes it very difficult to devote the resources necessary for the development of the FY26 Budget. The Interim Finance Director cannot devote adequate time to the FY26 budget along with everything else that must be completed and needs help. We are actively recruiting for the full-time accounting position.

I reached out to SGR to see if there were any resources that might be available to assist us. SGR, along with their contractor Julie Richards and Kristina and myself, conducted a phone interview on Monday, April 14th. Based on what we learned and the extensive experience, Ms. Richards has not only with budget development but with our software, we are recommending a contract be executed with SGR for Ms. Richards service in preparation for the FY26 budget in the coming months as Interim Budget Manager.

If approved by City Council, Ms. Richards will complete most of her work remotely, only coming to Marshall as needed in an effort to control costs. The rate to be paid to SGR is \$80 / hour. As the Council is aware, Ms. Richards does not receive this rate but also includes the costs associated with the management of the contract.

How many hours will be required to work on the FY26 Budget is not known. It is not anticipated that the work will be every day for eight hours. It is dependent on what is going on and what stage in the budget development. However, to be on the side of caution, this contract has been brought forward for City Council consideration.

Staff recommends approval of this contract with SGR for these services.

Budget Cost: The Finance Department currently has salary savings for the two vacancies. Sufficient funding is available for this purpose.

Staff Contact: Melissa Byrne Vossmer, City Manager

Attachments:

1. SGR - Marshall TX - Interim Budget Manager Services Agreement (04-2025) 3

Agreement for Interim Budget Manager Services for a Contract By and Between Strategic Government Resources and the City of Marshall, Texas



April 16, 2025

City of Marshall, Texas
Melissa Vossmer, City Manager
Vossmer.Melissa@marshalltexas.net

Strategic Government Resources
Wendle Medford, President
Interim, Consulting, and Embedded Services
WendleMedford@GovernmentResource.com

("City")

("SGR")

Scope of Services. The City of Marshall, Texas, (referred to as "City") seeks an Interim Budget Manager to perform related duties for City. Strategic Government Resources (referred to as "SGR") will provide a highly experienced local government professional to serve as Interim Budget Manager for City.

Recommended Candidate. SGR and City will work together to determine a final candidate for consideration. Should City wish to consider an alternate candidate, SGR can provide other experienced local government professionals for City to interview. City may interview candidate(s) by phone, Skype, or in person. City will reimburse all travel, lodging, and per diem expenses for any in-person interviews. If at any time during the assignment, City wishes to have another candidate provided to serve as Interim Budget Manager, SGR will produce additional experienced local government professionals to fill the position, to the satisfaction of City, pending availability of suitable candidates.

Directions and Control. The City is responsible for the direction, supervision, and control of the contractor. It is the City's responsibility to provide a safe workplace and to furnish the contractor with any equipment/ training needed to perform their role.

Terms and Conditions. SGR will provide an Interim Budget Manager at a rate of \$80.00 per hour. The Interim Budget Manager will work a maximum of 40 hours per week unless approved by City. Any hours worked in excess of 40 hours per week will be billed at the standard contract rate of \$80.00 per hour.

City Co ntact for Invoicing:

Name: _____

Email: _____

Phone: _____

1. SGR will perform a Comprehensive Media Search on the candidate selected by City and provide a comprehensive media report to City. This media report is compiled from information gathered using our proprietary online search process. This is not an automated process and produces far superior results than a standard media or simple Google search. The report length may be as long as 350 pages and may include news articles, links to video interviews, blog posts by residents, etc.

2. The City's final approval of the interim candidate will be dependent upon client acceptance of results of the media and background searches conducted, and we recommend a start date after completion of all elements of our background checking process.

Should an organization choose to decline or start an interim candidate prior to completion of media searches and/or any other elements of the standard background investigation, SGR will be held harmless for any unexpected findings.

3. SGR will perform a comprehensive background investigation on the candidate selected by the City. SGR uses a licensed private investigation firm for these services. Through SGR's partnership with FirstCheck, we are able to provide our clients with comprehensive background screening reports that include detailed information such as:

- Social Security number trace
 - Address history
 - Driving history/motor vehicle records
 - Credit report
 - Federal criminal search
 - National criminal search
 - Global homeland security search
 - Sex offender registry search
 - State criminal search (for current and previous states of residence)
 - County criminal search (for every county in which candidate has lived or worked)
 - County civil search (for every county in which candidate has lived or worked)
 - Education verification

4. City is responsible for the cost of any drug screening that City may require.
5. All routine business expenses incurred by SGR's representative in their role as Interim Budget Manager, will be reimbursed under the same terms and conditions that such expenses would be reimbursed for any other employee of City, such as mileage, hotel, and per diem when traveling at the request of City, and business meals incurred for local meetings. Commute time will not be billed by SGR.
6. The City will provide temporary housing such as a local hotel, direct billed to City, with a mileage/travel reimbursement between Interim Budget Manager's permanent residence and City. Mileage is reimbursed by City at the current IRS mileage reimbursement rate.
7. City will be billed bi-weekly for the previous 2 week's work and any travel/housing reimbursement. Payment will be due within 14 days of each billing. Balances that are unpaid after the payment deadline are subject to a fee of 5% per month or the maximum lawful rate, whichever is less, on the owed amount every month, charged monthly until the balance is paid. SGR will not be compensated for holidays, vacation time, sick leave, etc.
8. If City hires the candidate placed as Interim Budget Manager for a permanent position during the term of this agreement or within 12 months after the conclusion of this agreement, City will pay SGR an employment placement fee of \$10,000.00. This fee is waived if SGR conducts a full-service executive search for this position.

9. City or SGR may terminate the agreement for Interim Budget Manager Services with a fourteen (14) day written notice, without cause or penalty. If City does not provide a minimum of fourteen (14) days' written notice of termination of the agreement, City agrees to pay for Interim Budget Manager Services for a period not to exceed fourteen (14) days following the date of notice.
10. City grants SGR permission to use any name, logo, or other identifying mark of City in SGR's social media content to refer to the relationship established by this agreement.

Cost Summary. SGR will provide Interim Budget Manager Services to City as follows:

Interim Budget Manager Services	\$80.00 per hour
Comprehensive Media Search Report	N/A
Background Investigation	N/A
Mileage/Temporary Housing	TBD*
Travel expenses for in-person interviews, if needed	TBD
Per diem for in-person interview, if needed	\$18 breakfast, \$20 lunch, \$32 dinner

**Mileage will be billed at the Standard Mileage Reimbursement Rate established by the IRS. City will provide temporary housing or a housing stipend, if necessary.*

Confidentiality Agreement. The Interim Budget Manager will perform services for City which may require City to disclose confidential and proprietary information to Interim Budget Manager or which may require City to grant authorization to the Interim Budget Manager to make financial and legal transactions on behalf of the City. Confidential information includes, but is not limited to, any information of any kind, nature, or description concerning any matters affecting or relating to Interim Budget Manager's services for City, the business or operations of City, and/or the products, projects, drawings, plans, processes, or other data of City. Financial and legal information includes, but is not limited to, financial institution wire transfers, deposits, withdrawals, cash handling, investment handling, real property transactions, or other financial or legal transactions of City. The Interim Budget Manager, through his/her contract with SGR agrees:

- To hold any and all confidential information received from City in strict confidence and shall exercise a reasonable degree of care to prevent disclosure to others.
- Not to disclose or divulge, either directly or indirectly, the confidential information to others unless first authorized to do so in writing by City. For financial and legal transactions, Interim Budget Manager must receive authorization from City verbally and in writing, other than by email, and Interim Budget Manager shall maintain reasonable data security controls to protect Interim Budget Manager and City from social engineering attacks.
- Not to reproduce the confidential information, nor use this information commercially, or for any purpose other than the performance of his/her duties for City.

- That upon request or upon termination of his/her relationship with City, deliver to City, any drawings, notes, documents, equipment, and materials received from City or originating from his/her activities for City.
- That City shall have the sole right to determine the treatment of any information that is part or project specific received from Interim Budget Manager, including the right to keep the same as confidential and proprietary.

Venue. The venue for any disputes shall reside in Harrison County, Texas.

Applicable law. This agreement shall be governed by the laws of the State of Texas.

This agreement represents the full and complete agreement between Strategic Government Resources and the City of Marshall, Texas, and supersedes any and all prior written or verbal agreements. This agreement may be modified or amended only by a written instrument signed by the parties.

Approved and Agreed to on _____, by and between Strategic Government Resources and the City of Marshall, Texas.

Melissa Vossmer, City Manager
City of Marshall, Texas

Wendle Medford, President
Interim, Consulting, and Embedded Services
Strategic Government Resources



TO: City Council
DATE: April 24, 2025
ITEM #: 7.C
SUBJECT: Consider approval of updates to the Marshall City Council Travel Policy. (Councilmembers Jordan-Anderson, Morris, Godfrey/City Secretary)

Recommendation for Action: Requesting approval of amendments, updates, and additions to the Marshall City Council Travel Policy.

Executive Summary: The City Council created a Council Travel Policy Committee at the January 13, 2025 Special-Called meeting. This committee consisted of Councilmembers Jordan-Anderson, Morris and Godfrey.

The Travel Committee met with City Staff on numerous occasions to discuss amendments, updates, and additions to the Policy for the City Council to consider.

The updated policy is attached for review.

Budget Cost: TBD

Staff Contact: Nikki Smith, City Secretary

Attachments: 1. 2025 Council Travel Policy Amendment

**City Council Travel Policy City
of Marshall, Texas**

**Adopted by the Marshall City Council on April 24,
2025**

Scope and Purpose:

It is desirable to establish standard guidelines, provide uniformity, and establish proper accounting procedures for approved travel expenditures. The procedures outlined in this policy apply to Council members who are traveling to attend meetings, conferences, seminars, training sessions, or otherwise incur traveling expenses in the interest of the City.

General:

If, for any reason, the Council feels that it is necessary to increase the budget for conference & training, the increase must be approved by the City Council in a properly posted meeting.

In cases where a Council member has to step down or a new Council member is elected in their district, that new Council member may select the conferences they wish to attend. During election years, while campaigning for re-election, or if a Council member will not be seeking re-election, no conferences may be attended and no conference & training funds may be used.

Any Council member attending a conference, seminar, or similar event is expected to provide a brief written report to the City Secretary. This written report will be distributed to all Council members so all may benefit from the learning experience. If a Council member wants to provide an oral report they will inform the City Secretary, who will ask for a second Council member to approve placement of the report on an upcoming agenda.

The City Secretary shall provide a list of the conferences & training the Council members can attend during the budget meetings each year. Each Council member shall note the conferences & training they want to attend so the budget can reflect those funds.

To effect equitable utilization of the conference & training budget each Council member will be allocated a set amount of funds from the conference & training budget. Any funds not utilized will not be available by use of other Council members. It is the responsibility of each Council member to ensure that they do not exceed their budget allocation. No expenses will be reimbursed which exceeds the individual Council member's allocation of the conference & training budget.

The City Secretary will handle conference registrations and make airline/rail reservations and lodging reservations for Council members. If a Council member chooses to make their own arrangements, the City will reimburse these expenses in compliance with this policy upon presentation of a receipt.

Council members attending a conference, seminar, or similar event are encouraged to

inform their emergency contact of their plans and to provide the City Manager, or City Secretary, with contact information for their emergency contact. In the event of an emergency situation the City will ensure the Council member's designated contact is notified.

Transportation:

Air/rail fare will be paid at actual cost for the most economical means of travel, typically coach fare.

Fares for taxis, Uber, Lyft, or other required means of transportation to travel to and from the airport/train depot, conference sessions, and meals that are not included in the conference package will be reimbursed at actual cost. Receipts must be presented.

Rental vehicles may be used when a Council member travels by air/rail and subsequent ground transportation is necessary, provided that the rental vehicle is expected to be less expensive and/or more time-efficient than taxis, Ubers, Lyft, or other available means of transportation. Expenses for a rental vehicles will be reimbursed at the actual cost upon presentation of a receipt.

If circumstances are found to exist or timing of travel is a consideration, travel to and from a destination will be paid based on the lower cost method of traveling by either plane, rail, or personal vehicle. In comparing the cost of travel by air/rail versus travel by a personal vehicle, the City will only pay for the less expensive method to travel to and from the destination. If a Council member chooses to utilize the more expensive method of transportation to travel to and from a destination, the Council member must pay the difference between the less expensive method and the more expensive method of transportation.

Lodging:

Lodging will be paid at actual cost. A receipt for lodging must be provided upon return from the trip. The City will not pay for room service, in-room movies, in-room video games, in-room mini-bars, bar tabs incurred at the hotel, food tabs incurred at the hotel restaurant, or similar expenses incurred at the hotel. Laundry expense for one outfit will be considered only if the clothing was soiled as the result of an unexpected incident/accident during the trip.

If Council members elect to travel, be it air, rail, or vehicle, to and from a conference or meeting that is more than a business day from Marshall, the City will pay for overnight lodging while traveling to and from the conference or meeting.

Meals and Incidental Expenses:

The City will reimburse the Council members at the currently approved IRS Federal per diem rates applicable to the destination site. The approved IRS Federal per diem rates can be found at <http://www.gsa.gov/po1tal/category/21287> or the Council member may contact the Finance Department for the latest approved rate. On the day of travel departure, if the departure originates after 2 PM, per diem will be paid at 1/3 the rate. On the day of travel return, if the return completes before 2 PM, per diem will be paid at 1/3

the rate. If travel arrangements due to distance or timing of flights are such that travel to and/or from the destination must occur the day before and/or the day after the conference or meeting, the City will pay the per diem expense for one day before and/or one day after a conference or meeting. This per diem rate is to cover meals, and incidental expenses. If a Council member receives a per diem in advance and is unable to attend the event, arrives at the event late, or leaves the event early for any reason, the per diem advanced for the days not present at the conference must be paid back.

Registration Fees:

Conference registrations will be paid at actual cost. Council members must specify to the City Secretary's office if they desire extra ticketed events for the conference such as banquets and mobile workshops to be included in their conference registration. The City will not pay for entertainment events such as golf tournaments, sports events, theatrical productions, museum tours, etc. that are mentioned in the conference information as options available for conference attendees while they are at the conference.

The City Secretary will try to make early registration to defray late registration and try to register Council members at conferences hotels or hotels within close proximity of the conference hotel.

Expense Accounting and Reimbursement:

Council members must complete expense reports for all travel or provide receipts to the City Secretary.

Parking will be reimbursed at the actual cost upon presentation of receipts.

Advances:

Advances for anticipated travel expenses should be requested at least fifteen (15) working days prior to the expected departure date. The request should be forwarded to the Finance Department by the City Manager or his designee at least fifteen (15) working days prior to the expected departure date. Earlier requests are encouraged, however, advance checks will not be provided to City staff earlier than five (5) days prior to departure.

Prohibited Items:

The City of Marshall will not pay any travel or conference expenses, including hotel and per diem, for spouses, family members, or traveling companions. If there are additional fees for a guest the Council member will pay the fees from their personal funds.

Exceptions:

Exceptions to this policy will only be made in extraordinary circumstances and only when in the best interest of the City of Marshall, Texas. The City Manager or his designee will make such determinations.

Prior Policies and Effective Date:

This travel policy is intended to replace and supersede all existing and previous policies or memorandums related to traveling expenses incurred by City staff. This policy is effective for trips made on or after April 24, 2025.

Approved on this the _____ day of _____, 2025.

APPROVED:

Mayor of the City Council
of the City of Marshall, Texas

ATTEST:

City Secretary



TO: City Council
DATE: April 24, 2025
ITEM #: 7.D
SUBJECT: Consider approval of a Change Order to PSI.
(Support Services)

Recommendation for Action: Approval of change order to make repairs to fire suppression riser at convention center.

Executive Summary: The attached change order is to complete the repairs to the leaking fire riser before the foundation repairs can be started for the convention center.

Budget Cost: \$69,871.00

Staff Contact: Randy Pritchard

Attachments:

1. Marshall - PSI Second Amendment to Performance Guarantee Contract (4-9-25)
2. Marshall Exhibit A OCO 2



Second Amendment to Performance Guarantee Contract

Contract No.: 40P-C24-3527

This Second Amendment to Performance Guarantee Contract (the "Second Amendment") is made as of the ____ day of April, 2025, by and between Performance Services of Texas, Inc. ("PSI") and City of Marshall ("Owner") with respect to that certain Performance Guarantee Contract entered into by and between PSI and Owner, dated January 5, 2024, as amended, in the amount of Thirteen Million Fifty-Two Thousand Seven Hundred Twenty-Six and 00/100 Dollars (\$13,052,726.00) (the "Performance Guarantee Contract"). All capitalized terms contained herein and not otherwise defined shall have the meaning ascribed to them in the Performance Guarantee Contract.

PSI and Owner hereby agree that the Performance Guarantee Contract shall be amended as follows:

Pursuant to the terms of Section 9 of the Performance Guarantee Contract, Owner desires to modify the Scope of Work as illustrated on the attached Exhibit "A" (the "Additional Scope of Work") in the amount of Sixty-Nine Thousand Eight Hundred Seventy-One and 00/100 Dollars (\$69,871.00) (the "Additional Scope of Work Price") and the Performance Guarantee, attached hereto as Exhibit "B". Therefore, the Contract Price of the Performance Guarantee Contract is hereby amended to Thirteen Million One Hundred Twenty-Two Thousand Five Hundred Ninety-Seven and 00/100 Dollars (\$13,122,597.00).

All other terms and provisions of the Performance Guarantee Contract shall remain in full force and effect.

"OWNER":

CITY OF MARSHALL

"PSI":

PERFORMANCE SERVICES, INC.

By: _____
Printed/Title: _____

By: _____
Joseph Muldoon, Vice President

Exhibit "A"

OCO #2

City of Marshall

Additional Scope of Work

- 1) The Client requested PSI to Replace the deteriorated fire sprinkler riser line at the Convention Center.
 - a. Replace the 6" Deteriorated Sprinkler pipe from the lower flange of the existing riser (spigot).
 - b. Provide and install the required New Double Check Backflow Preventer and connect to the new 6" pipe that will be installed through the existing exterior wall and connected to the main fire line water supply.
 - c. Provide labor and equipment to dig up the fire line water supply outside of the building where the riser is located.
 - d. Cut off the existing 6" pipe that currently feeds the existing riser replacing up to 6' of old pipe with new pipe and flange.
 - e. The scope of work to replace existing underground deteriorated pipe is limited to the area just outside the wall of the riser and does not include additional pipe, or excavation beyond the existing sidewalk.
 - f. Provide the required 5-year internal Obstruction investigation on the sprinkler system.
 - g. Replace out outdated gauges on the existing riser.
 - h. Provide (2) monitor modules for the (2) new Tamper Switches and connect them to the existing data circuit at the existing riser flow switch.
 - i. Connection to the existing fire alarm data circuit for the (2) new tampers is included.
NOTE: If programming is required for the new tamper switches is required for the new monitor module, the owner will have to contact the Installing Contractor of the Fire Alarm System for programming.
 - j. Provide test and inspection of the sprinkler system and new backflow upon completion of this scope of work.
 - k. Modify existing riser room to accommodate the newly added double check valve.
 - l. Remove and replace sidewalk as needed.

Total Additional Scope of Work: \$69,871.00



TO: City Council
DATE: April 24, 2025
ITEM #: 8.A
SUBJECT: Presentation of the 2024 Marshall Public Library Annual Report submitted to the Texas State Library and Archives Commission. (Community & Neighborhood Services)

Recommendation for Action: n/a

Executive Summary: The [Texas Administrative Code](#) establishes minimum standards for accreditation of libraries in the state library system. The Texas State Library and Archives Commission (TSLAC) compares library responses in the Annual Report to accreditation criteria to determine whether a library has met accreditation. To be an accredited library, Marshall Public Library must meet certain accreditation criteria in the areas of staffing, collection, expenditures, and services to the public.

With its accreditation status, Marshall Public Library [benefits from several TSLAC programs](#). Patrons with a valid library card have access to materials in other Texas libraries as part of the statewide interlibrary loan program. Patrons also have access to 68 digital resources offering legal forms, resources for small businesses, job help, and full-text articles from journals and newspapers.

[Accreditation](#) allows the library to receive support from TSLAC for the summer reading program for children and teens and other programs throughout the year. Library staff also have access to no-cost continuing education opportunities.

Additionally, the library is eligible to apply for competitive grants offered by TSLAC. Because of the library's accreditation status, the library received a grant to purchase 20 hotspots for patrons' use to access the internet to complete homework, search for jobs, and connect with family and friends.

The Marshall Public Library has maintained its accreditation status for 35 years. Based on accreditation requirements set forth by the Texas State Library and Archives Commission, the Marshall Public Library will meet 2024 accreditation requirements. Official notification from TSLAC will come Fall 2025.

Budget Cost: n/a

Staff Contact: Terri Nalls, Library Director
Anna Lane, Director of Community & Neighborhood Services

Attachments:

1. 2024 Annual Report
2. Accreditation Criteria in Annual Report



TEXAS PUBLIC LIBRARIES

ANNUAL REPORT FOR LOCAL FISCAL YEAR 2024

This report is due to the Texas State Library and Archives Commission (TSLAC) by March 31, 2025, to allow staff enough time to process all reports. The last day to submit the information online is April 30, 2025.

The Texas State Library and Archives Commission participates in a national public library data collection system. The purpose of this system is to ensure the collection of comparable data in all states. The data is used for the creation of a composite report on the public libraries of the United States and for state-to-state comparisons by the Institute of Museum and Library Services (IMLS). It is seen and used by researchers as well as policymakers at all levels of government. This report is also used to accredit Texas public libraries and some data elements are used for that purpose. Accreditation-related questions are marked within the questionnaire (♦). Libraries meeting the minimum accreditation standards are eligible for federal funding opportunities through TSLAC.

Definitions are important to ensure comparability of data from different libraries and states. Please refer to the definitions as you complete this survey.

Please do not leave any items blank. Estimates are important if exact data are not available.

All questions relate to the library's **local fiscal year 2024**: the year that ended in calendar year 2024 and included **January 1, 2024**. If there was a change in the fiscal year, please contact accreditation staff to update that information. **All information must be entered into Texas LibPAS**, the online data collection portal, at <https://tx.countingopinions.com/>.

Texas State Library and Archives Commission
Library Development and Networking (LDN)
Accreditation and Statistics Staff
accreditation@tsl.texas.gov
512-463-5465, or toll free in Texas 800-252-9386

SECTION 1: LIBRARY CONTACT INFORMATION - Central/Administrative Library

This section requests information for contacting the library, its staff, board, and friends group. The information you submit on this form is Public Information, <https://www.tsl.texas.gov/agency/customer/pia.html>. In addition, the information being entered may be subject to interception via common Internet tools. Please read our Web Policies and Disclaimers, <https://www.tsl.texas.gov/landing/webpolicies.html>.

NOTE: In the online form, contact questions in 1.1 through 1.21 have been prefilled and locked. You will not be able to change the data. If changes need to be made to these questions, contact accreditation staff at accreditation@tsl.texas.gov or add an explanation in the Note box.

1.1 Library Name	Marshall Public Library	1.2 County	Harrison	
The local fiscal year covered by this report	1.3 Start	01/01/2024	1.4 End	12/31/2024
	300 S Alamo Blvd	Marshall	756704261	
1.5 Mailing Address - Street	1.6 Mail City	1.7 Mail Zip	1.8 (Zip)+4	
	300 S Alamo Blvd	Marshall	756704261	
1.9 Physical/Shipping address - Street	1.10 City	1.11 Zip	1.12 (Zip)+4	
♦ 1.13 Published Phone Number	This can be on a website or other publicly available resource.		☒ Yes	☐ No
1.14 Phone number	9039354465			
	Area Code	Phone Number		

Terri 1.15 First Name: Library Director/Head Librarian nalls.terri@marshallpubliclibrary.org 1.17 Director's Email Address	Nalls 1.16 Last Name: Library Director/Head Librarian nalls.terri@marshallpubliclibrary.org 1.18 Library General Email Address	
<i>NOTE: The information you submit on this form is Public Information: https://www.tsl.texas.gov/agency/customer/pia.html. In addition, the information being entered may be subject to interception via common Internet tools. Business email addresses are not considered confidential under the Texas Public Information Act. To help ensure your privacy, always enter your business email address rather than your personal email address when such an address is requested. Please read our Web Policies and Disclaimers: https://www.tsl.texas.gov/landing/webpolicies.html.</i>		
◆1.19 Does the library have a website? Yes No		
An accredited library must have a website. If the library does not have a website, or if the URL (web address) has changed, please contact LDN staff. Social media sites, such as Facebook, are not considered to be a library website.		
1.20 Website URL	http://www.marshallpubliclibrary.org	
1.21 Is the information provided in 1.1 through 1.20 correct? Yes No		
In the online form, contact questions in the section 1.1 through 1.20 have been prefilled and locked. You will not be able to change the data. Please contact accreditation staff at accreditation@tsl.texas.gov if changes need to be made to these questions, or add an explanation in the Note box online.		
Contact information on the person who completed this report		
Terri 1.22 Contact First Name	Nalls 1.23 Contact Last Name	nalls.terri@marshallpubliclibrary.org 1.24 Contact Email
Library Advisory Board Information. Leave blank if there is no Advisory Board.		
Lacee 1.25 Advisory Board Chair First Name	Lawson 1.26 Advisory Board Chair Last Name	
Friends' Group Information. Leave blank if there is no Friends' Group.		
Narcie 1.27 Friends' President First Name	Crosby 1.28 Friends' President Last Name	
SECTION 2: LIBRARY OUTLETS		
This section requests information on public service outlets. <i>Report figures as of the last day of the fiscal year</i>. If there is a new branch, but it was not open for business before the end of the library's local fiscal year, it should not be included on this report. Contact accreditation staff if there have been any changes.		
2.1 Number of Branch Libraries		0
Administered from a central unit, branch libraries are auxiliary units that have at least all of the following: • separate quarters • paid staff • an organized collection of library materials • Regularly scheduled hours for being open to the public		

2.2 Number of Bookmobiles			0
A bookmobile is a traveling branch library and has at least all of the following: • a truck or van that carries an organized collection of library materials • paid staff • regularly scheduled hours for being open to the public (bookmobile stops). If the library has added a bookmobile for the last local fiscal year, please contact accreditation staff so it can be added into the online portal and agency directories.			
Facility Information			
2.3	In what year was the current library facility originally built? Put approximate year/decade if actual date is not known.	<i>Prefilled in online form</i>	1973
2.4	Square Footage of the Main Library This is the area on all floors enclosed by the outer walls of the library. Include all areas occupied by the library, including those areas off-limits to the public. Include areas shared with another agency or agencies if the library has use of that area.	<i>Prefilled in online form</i>	14,700 square feet
2.5	Renovations, Expansions, new construction Has the main library building been renovated or expanded, or had new construction completed within the period covered by this report? Report structural changes only.	Yes	No
2.6	In what year did the most recent major renovation or remodel occur? (If applicable)		2016
2.7	Rate the current facility in meeting the needs for public service.	Poor	Adequate
2.8	Are there plans in progress to undergo major modifications to the facility within the next three years?	Yes	No
2.9	Is more than half of the computer network hardware in this facility three years or older?	Yes	No
2.10	Are there plans in progress to upgrade the network/cabling/technology within the facility within the next three years?	Yes	No

SECTION 3: EXPENDITURES**REPORT ACTUAL EXPENDITURES, NOT BUDGETED AMOUNTS**

Local accounting practice will generally determine whether a particular expense is classified as operating or capital expense.

- Do not report the value of free or donated items as expenditures.
- **Do not report estimated costs.**
- Report only those grant awards directly spent by this library. Do not report grant funds spent for this library by another entity, such as a friends' group.
- Significant costs of ordinary operating expenditures, especially benefits and salaries, that are paid by other taxing agencies or government agencies with the authority to levy taxes on behalf of the library may be included if the information is available.

These expenditures are from all sources of revenue, including federal, state, Friends group revenue to the library, and foundation funding. The information reported in **Section 3: Expenditures**, may differ from the information reported in **Section 5: Library Revenue by Source**.

Please do not leave any question blank. Enter "0" if the appropriate entry for an item is zero or "none." If an exact figure is not available for a particular item, but it is known that the amount is greater than zero, the librarian should enter an estimate of the amount, and add an explanation in the Notes field. If you need to estimate, please use a standard methodology for doing so. If you have questions, please contact accreditation staff at accreditation@tsl.texas.gov.

Library Operating Expenditures

Operating expenditures are the current and recurrent costs necessary to support the provision of library services. Significant costs, especially benefits and salaries, that are paid by other taxing agencies (government agencies with the authority to levy taxes) "on behalf of" the library may be included if the information is available to the reporting agency. Only such funds that are supported by expenditure documents (such as invoices, contracts, payroll records, etc.) at the point of disbursement should be included.

Any operating expenditure not covered by **Staff** or **Collection Material Expenditures** should be reported in question **3.8, Other Operating Expenditures**.

Staff Expenditures**REPORT ACTUAL EXPENDITURES, NOT BUDGETED AMOUNTS****3.1 Salaries and Wages Expenditures****\$289,643**

This includes salaries and wages for all library staff (including plant operations, security, and maintenance staff) for the fiscal year. Include salaries and wages before deductions but exclude employee benefits. Include longevity, merit, and other funds paid directly to employees. Do not report salaries paid by an outside entity or employees paid under a training program administered through another entity.

3.2 Employee Benefits Expenditures**\$131,226**

These are the benefits outside of salary and wages paid and accruing to employees (including plant operations, security, and maintenance staff), regardless of whether the benefits or equivalent cash options are available to all employees. Include amounts for direct paid employee benefits including Social Security, retirement, medical insurance, life insurance, guaranteed disability income protection, unemployment compensation, worker's compensation, tuition, and housing benefits.

3.3 Total Staff Expenditures	Sum of 3.1 and 3.2	\$420,869
3.3a Staff expenditures from non-local sources of funding.		\$0
Of library staff expenditures, how much was provided from non-local grant funding? Non-local funds include Tocker Foundation, TSLAC (competitive grants, ILL reimbursement and Family Place funding), Dollar General, Hancher Foundation, Texas Book Festival, NEA, or similar sources outside of the library's home county. Enter "0" if all funding was from local sources.		
3.3b Local funds used for library staff expenditures	Difference between 3.3 and 3.3a	\$420,869
Collection Material Expenditures		
REPORT ACTUAL EXPENDITURES, NOT BUDGETED AMOUNTS		
3.4 Print Materials Expenditures		\$63,439
Report all operating expenditures for these print materials: books, current serial subscriptions, government documents, and any other print acquisitions.		
3.5 Electronic Materials Expenditures		\$50,485
Report all operating expenditures for electronic (digital) content. Include expenditures for electronic content for which the library has acquired permanent or temporary access rights. Include fees paid to platforms that provide licensed content.		
Electronic content can be accessed online from an electronic device. Types of electronic content include electronic materials (e-books, e-serials, e-audio, e-video), research databases, online learning platforms, reference tools, scores, maps, and pictures in electronic or digital format.		
<i>NOTE: Expenditures for computer software used to support library operating or to link to external networks, including the Internet, are reported under 3.8, Other Operating Expenditures. TexShare participation fees are also reported in question 3.8.</i>		
3.6 Other Physical Materials Expenditures		\$1,281
Report all operating expenditures for other materials, such as microform, audio and video physical units, DVD, circulating portable electronic devices, and materials in new formats		
3.7 Total Library Collection Expenditures	Sum of 3.4, 3.5, 3.6	\$115,205
3.7a Collection Material expenditures from non-local sources of funding		\$0
Of these expenditures, how much was from non-local grant funding? Non-local funds include Tocker Foundation, TSLAC (competitive grants, ILL reimbursement and Family Place funding), Dollar General, Hancher Foundation, Texas Book Festival, NEA, or similar sources outside of the library's home county. Enter "0" if all funding was from local sources.		
3.7b Local funds used for library collection material expenditures This amount will be reported in Question 4.1.	Difference between 3.7 and 3.7a	\$115,205
3.8 Other Operating Expenditures		\$83,871
This includes all expenditures other than those reported for Total Staff Expenditures Question 3.3 and Total Collection Expenditures Question 3.7. Include expenses such as binding, supplies, repair or replacement of existing furnishings and equipment; and costs of computer hardware and software used to support library operations or to link to external networks, including the Internet. Report contracts for services, such as costs for operating and maintaining physical facilities, and fees paid to a consultant, auditor, architect, attorney, etc. Include fees paid to the TexShare database program.		

3.8a Other Operating Expenditures from non-local sources of funding.		\$0
Of these expenditures, how much was from non-local grant funding? Non-local funds include Tocker Foundation, TSLAC (competitive grants, ILL reimbursement and Family Place funding), Dollar General, Hancher Foundation, Texas Book Festival, NEA, or similar sources outside of the library's home county. Enter "0" if all funding was from local sources.		
3.8b Local funds used for other library operating expenditures	Difference between 3.8 and 3.8a	\$83,871
3.9 Total Direct Library Operating Expenditures		Sum of 3.3, 3.7, 3.8 \$619,945
3.9a	Sum of 3.3a, 3.7a, 3.8a Total expended from non-local grant funding.	\$0
3.9b	Sum of 3.3b, 3.7b, 3.8b. Local funds used for library operating expenditures.	\$619,945
<i>NOTE: This amount, plus 3.10, Indirect Costs (if needed), is reported in Question 4.2.</i>		
3.10 Indirect Costs (if needed to meet maintenance of effort)		Documentation Required \$0
This should only be reported when a library has failed to meet the maintenance of effort (MOE) requirement for accreditation in the state library system. If included, the expense must be documented by the local government entity that provided the service, and the document must be submitted to the state library with a signature from a government official with fiscal authority. An indirect cost is a cost incurred for a normal library operating expenditure such as janitorial services, purchasing, accounting, grounds maintenance, utilities, insurance, telecommunications, or payroll services that is not assigned to the library's budget, but paid for by a local government agency on behalf of the library. If you are claiming indirect expenditures and are uncertain whether an expenditure may be claimed, please contact LDN staff. Do not include capital expenditures. <i>NOTE: Include documented Indirect Costs (question 3.10) only when necessary to meet the average of expenditures for the maintenance of effort (MOE) requirement. Contact accreditation staff for additional information at accreditation@tsl.texas.gov.</i>		
3.11 Total Library Operating Expenditures		Sum of 3.9, 3.10 \$619,945
3.12 Capital Expenditures		\$0
This amount should never be included in any of the questions in Section 4, but should be reported in sources of funds reported in the Capital Revenue part of Section 5. Do not include Operating Expenditures reported above. Local accounting practice will generally determine whether a particular expense is classified as operating or capital expense. Report major capital expenditures (the acquisition of or additions to fixed assets). Examples include expenditures for (a) site acquisitions; (b) new buildings; (c) additions to or renovation of library buildings; (d) furnishings, equipment, and initial book stock for new buildings, building additions, or building renovations; (e) library automation systems; (f) new vehicles; and (g) other one-time major projects. Include federal, state, local, or other revenue used for major capital expenditures. Only funds that are supported by expenditure documents (e.g., invoices, contracts, payroll records, etc.) at the point of disbursement should be included. Estimated costs are not included. Exclude expenditures for replacement and repair of existing furnishings and equipment, regular purchase of library materials, and investments for capital appreciation		

SECTION 4: LOCAL FINANCIAL EFFORT

This section contains questions which will help determine whether the library meets the minimum accreditation criteria. Local Operating Expenditures, question 4.2, is used in determining whether a library has met the maintenance of effort (MOE) criteria.

In the online form, questions 4.1 and 4.2 are calculated fields. They will reflect the total expenditures, less any non-local and/or grant funding.

◆ **4.1** Local expenditures on collections *Equal to 3.7b* **\$115,205**

This is the amount of Total Collection Expenditures expended from local funds. This amount is included in the amount reported in question 4.2, Local Funds Expenditures.

This is the total amount spent for library materials that was paid for with city, library district, county, school district, and other local revenue sources. This amount may be the same as Total Collection Expenditures.

◆ **4.2** Local funds used for library operating expenditures *Sum of 3.9b and 3.10* **\$619,945**

This is the amount of Total Operating Expenditures, including indirect costs (if needed), expended from local funds. This amount is used in determining whether a library has met the maintenance of effort (MOE) criterion.

This is the total amount of funds spent for total operating purposes that was paid for with local government and other local revenue sources. This amount may be the same as reported in question 3.11, Total Operating Expenditures. This is the amount on which MOE is based.

REPORT ACTUAL EXPENDITURES, NOT BUDGETED AMOUNTS

◆ **4.3** Local government funds used for library operating expenditures **\$618,903**

This is the amount reported in Total Library Operating Expenditures, question 3.11, expended from local government revenue: funds spent for total operating purposes paid for with city, library district, county, or school district revenue sources. This amount is included in the amount reported in question **4.2**, Local Funds Expenditures. As this is based on actual expenditures, it should not be greater than the amounts totaled in **3.11, 4.2, or 5.4**.

Include documented Indirect Costs, question 3.10, only when necessary to meet the average of expenditures for the maintenance of effort (MOE) requirement.

Do not include expenditures from non-local grant sources such as Tocker Foundation, Dollar General, Hancher Foundation, Texas Book Festival, NEA, or similar sources outside of the library's home county. **Do not include** expenditures from other local sources reported below, such as donations, fines, fees, friends group funds, memorials or similar sources.

SECTION 5: REVENUE**Revenue Used for Library Operating Expenditures**

Report revenue received by the library used for the current and recurrent costs of operation. Include federal, state, local, or other grants. DO NOT include revenue for major capital expenditures, contributions to endowments,

The total funds reported as Library Revenue will not necessarily equal the total of Library Expenditures reported. Do not report grant funds spent on behalf of this library by another entity. Do not report salary revenue if the library did not pay the salary, as in the case of employees paid under a training program administered by another entity.

Do not include indirect costs.

REPORT ACTUAL EXPENDITURES, NOT BUDGETED AMOUNTS

Local Government Revenue used for Operating Expenditures

All tax and nontax receipts appropriated by the the local government entity to the public library and available for the purpose of operating expenditures by the public library. Do not include the value of any contributed or in-kind services or the value of any gifts and donations, library fines, fees, or grants in the local government revenue questions. Include any revenue received from other cities, reported in 5.18 and 5.19.

Do not include revenue for major improvements such as construction, renovation, endowment fund deposits, other extraordinary items. Do not report revenue unavailable for use by the library such as fines or funds unspent from previous fiscal years.

5.1	City, Cities, or Library District Revenue used for operating expenditures. Include any funds reflected in 5.18 and 5.19.	\$506,698
5.2	County or Counties Revenue used for operating expenditures. Include any funds reflected in 5.18 and 5.19.	\$80,000
5.3	School District Revenue used for operating expenditures.	\$0
5.4	Local Government Operating Revenue Sum of 5.1, 5.2, 5.3	\$586,698

If this amount is less than the amount reported in question **4.3, Local Government Expenditures**, please provide an explanation in the note box in the online form.

5.5	State Revenue used for Operating Expenditures Record the source of funds in the Notes box. All revenue from funds collected by the State and distributed directly to this library for expenditure by the library for operating costs. <i>NOTE: Only certain funds received directly from TSLAC, notably Family Place supplies and Texas Reads grants are reported in 5.5. Competitive grant programs and ILL Reimbursements are reported in 5.6, Federal Operating Revenue.</i> Specify the sources of those funds. Record the source of funds in the Note box in the online form.	\$0
------------	---	-----

5.6	Federal Revenue used for Operating Expenditures Record the source of funds in the Note box. Include all federal government funds distributed to public libraries for expenditure by the public libraries, including federal money distributed by the state. Include competitive grants and ILL reimbursement funds received directly from TSLAC that were used for library operating expenditures. Specify the sources of those funds. Record the source of funds in the Note box in the online form. Do not include any E-rate reimbursements.	\$0
------------	---	-----

5.7	Foundation and Corporate Grant Revenue used for Operating Expenditures Include cash grants from private foundations or corporations used for the purpose of library operating costs by the public library. Specify the sources of those funds. Record the source of funds in the Note box in the online form.	\$0
------------	---	-----

5.8	Other Local Sources of Revenue used for Operating Expenditures Report all revenue other than that reported in any of the other revenue categories used for operating costs, such as interest, fines, donations from individuals or friends groups. Include monetary gifts and donations from individuals. Do not include the value of any contributed services or the value of any non-monetary gifts and donations. Sources should be from entities within the library's home county.	\$13,549
------------	--	----------

5.9 Total Revenue Used for Library Operating Expenditures	Sum of 5.4 through 5.8	\$600,247
Revenue Used for Major Capital Expenditures		
Report revenue to be used for major capital expenditures, by source of revenue. Include funds received for (a) site acquisition; (b) new buildings; (c) additions to or renovation of library buildings; (d) furnishings, equipment, and initial collections (all types) for new buildings, building additions, or building renovations; (e) computer hardware and software used to support library operations, to link to networks, or to run information products; (f) new vehicles; and (g) other one-time major projects. Exclude revenue for replacement and repair of existing furnishings and equipment, regular purchase of library materials, and investments for capital appreciation. Do not include revenue passed through to another agency, such as fines, or funds unspent from previous fiscal years ("carryover").		
Do not report revenue that has already been reported as Operating Revenue, questions 5.1-5.9.		
Local Government Revenue used for Capital Expenditures		
5.10 City, Cities, or Library District Revenue used for major capital expenditures. Include revenue from other cities, from question 5.19.		\$0
5.11 County or Counties Revenue used for major capital expenditures. Include revenue from other counties, as calculated in question 5.19.		\$0
5.12 School District Revenue used for major capital expenditures.		\$0
5.13 State Revenue used for Capital Expenditures Record the source of funds in the Notes box. All revenue from funds collected by the State and distributed directly to this library for expenditure by the library for capital expenditures. Any funds received directly from TSLAC, including competitive grant funds should be reported in question 5.14, Federal Capital Revenue. Specify the sources of those funds. Record the source of funds in the Note box in the online form.		\$0
5.14 Federal Revenue used for Capital Expenditures Record the source of funds in the Note box. Include all federal government funds distributed to public libraries for expenditure by the public libraries, including federal money distributed by the state. Include funds received directly from TSLAC, including competitive grants funds used for capital expenditures. Specify the sources of those funds. Record the source of funds in the Note box in the online form. Do not include any E-rate reimbursements.		\$0
5.15 Foundation and Corporate Grant Revenue used for Capital Expenditures Include cash grants from private foundations or corporations used for the purpose of library major capital costs by the public library, whether or not expended. Specify the sources of those funds. Record the source of funds in the Note box in the online form.		\$0
5.16 Other Local Sources of Revenue used for Capital Expenditures Report all revenue other than that reported in any of the other revenue categories used for major capital costs, such as interest, fines, donations from individuals or frieCAP_INC_FOUNDATIONnds groups. Include monetary gifts and donations from individuals. Do not include the value of any contributed services or the value of any non-monetary gifts and donations. Sources should be from entities within the library's home county or legal service population area.		\$0
5.17 Total Revenue Used for Library Capital Expenditures	Sum of 5.10 through 5.16	\$0

Skip the following section if the library did not receive funds from a city or county government outside of the one in which the library is located. **Accuracy in this section is essential, as funding from non-local governmental entities impacts the library's population assignment.**

5.18 Government Revenue Sources Outside Local City or County

If funds were received from **government** entities outside of the local area, then list the appropriate cities or counties separately and indicate the total of the funds received from each. Make certain these totals are reflected in the local government revenue section, questions 5.1, 5.2, 5.13, 5.14.

City or County Providing Funds (outside home county)	Amount
5.19 Total Amount Received	
Include total in 5.1 (City Operating Revenue) or 5.2 (County Operating Revenue)	
as appropriate	

SECTION 6: LIBRARY COLLECTION

This section collects data on selected types of materials. It does not cover all materials for which expenditures are reported in the **Collection Materials Expenditures** questions, totaled in **3.7**.

Unless otherwise indicated, report for each item and physical unit the amount held at the end of the fiscal year.

Physical units are volumes, items, or pieces. CAP_INC_FOUNDATION

Report only items that have been purchased, leased or licensed by the library, a consortium, the state library, a donor or other person or entity. Included items must only be accessible with a valid library card or at a physical library location; inclusion in the catalog is not required. Do not include items freely available without monetary exchange. Do not include items that are permanently retained by the patron; count only items that have a set circulation period where it is available for their use. Count electronic materials at the administrative entity level; do not duplicate numbers at each branch.

◆ 6.1 Library Catalog

☒ Yes

☐ No

An accredited library must have a catalog of its holdings available to the public that is searchable electronically, at a minimum by author, title, and subject.

◆ 6.2 Collection has 1% published in last five years

☒ Yes

☐ No

An accredited Texas public library must have at least 1% of total items collection published within the last five years. Example: for a library reporting 20,000 items in 6.14, 200 titles have been published in or after 2020.

Physical Material Counts

6.3 Books in Print

Number of volumes, items or physical units

42,180

Books are non-serial printed publications (including music scores or other bound forms of printed music, and maps) that are bound in hard or soft covers, or in loose-leaf format. Include non-serial government documents. Report the number of physical units, including duplicates. Books packaged together as a unit, such as a 2-volume set, and checked out as a unit are counted as one physical unit. Do not include unbound sheet music. Do not count uncataloged paperbacks.

6.4 Audio Materials — Physical format	Number of items or physical units	1,239
These are materials circulated in a fixed, physical format on which sounds only are stored recorded and that can be reproduced played back mechanically, electronically, or both. Include records, audiocassettes, audio cartridges, audio discs including audio CDs, audio reels, talking books, and other sound recordings stored in a fixed, physical format. Items packaged together as a unit, such as two audiocassettes for one recorded book, and checked out as a unit are counted as one physical item. Do not include downloadable electronic video files.		
6.5 Video Materials - Physical Format	Number of items or physical units	1,605
These are materials circulated in a fixed, physical format on which moving pictures are recorded, with or without sound. Electronic playback reproduces pictures, with or without sound, using a television receiver or computer monitor. Video formats may include tape (VHS), DVD, and CD. Items packaged together as a unit, such as two video cassettes or DVDs for one movie and checked out as a unit are counted as one physical item. Do not include downloadable electronic video files.		
6.6 Other Circulating Physical Items	Number of or checked out as physical units	28
Report a single figure that includes the following: all circulating physical items other than print books (6.3) physical audio units (6.4), physical video units (6.5), and serials. These are materials in a fixed, physical format available for use outside the library. These can include a variety of items types, such as wi-fi hotspots, sewing machines, cake pans, tools, etc. Report the number of units, including duplicates. Items packaged together as a unit (such as a set of cookie cutters) and checked out as a unit are counted as one physical unit.		
6.7 Total Physical Items in Collection	Number of volumes, items or physical units	45,052
All circulating physical items in the collection. These are materials in a fixed, physical format available for use outside the library. This includes 6.3 Print Materials, 6.4 Physical Audio units, 6.5 Physical Video units, and 6.6 Other Circulating Physical items.		
Electronic Material Counts For purposes of this survey, units are defined as “units of acquisition or purchase”. The “unit” is determined by considering whether the item is restricted to a finite number of simultaneous users or an unlimited number of simultaneous users. • Finite simultaneous use: units of acquisition or purchase is based on the number of simultaneous usages acquired equivalent to purchasing multiple copies of a single title. For example, if a library acquires a title with rights to a single user at a time, then that item is counted as 1 “unit”; if the library acquires rights to a single title for 10 simultaneous users, then that item is counted as 10 “units”. For smaller libraries, if volume data are not available, the number of titles may be counted. • Unlimited simultaneous use: units of acquisition or purchase is based on the number of titles acquired. For example, if a library acquires a collection of 100 books with unlimited simultaneous users, then that collection would be counted as 100 “units.”		

Do not consider resources available for free when answering the following questions.

Do not include any items in the public domain such as Project Gutenberg or similar platforms.

6.8 E-BooksDigital/Downloadable Units **33,434**

Report all items to which your patrons have access, whether through the library or a consortium.

Do not include any materials freely available in the public domain (such as Project Gutenberg). Do not include TexShare holdings. E-Read Texas/Boundless materials are reported in 6.8a

E-books are digital documents including those digitized by the library, licensed or not, where searchable text is prevalent, and which can be seen in analogy to a printed book monograph. E-books are loaned to users on portable devices e-book readers or by transmitting the contents to the user's personal computer for a limited time.

Include e-books held locally and remote e-books for which permanent or temporary access rights have been acquired. Report the number of electronic units, including duplicates at the administrative entity level; do not duplicate unit counts for each branch.

E-books packaged together as a unit, such as multiple titles on a single e-book reader, and checked out as a unit are counted as one unit. Report the number of units. Report only items that have been purchased, leased or licensed by the library, a consortium, the state library, a donor or other person or entity. Included items must only be accessible with a valid library card or at a physical library location; inclusion in the catalog is not required. Do not include items freely available without monetary exchange. Do not include items that are permanently retained by the patron; count only items that have a set circulation period where it is available for their use. Count electronic materials at the administrative entity level; do not duplicate numbers at each branch.

6.8a E-Read Texas E-Books*Prefilled in online form* **0**

E-Read Texas brings electronic books and audiobooks to Texans served by small community libraries in all parts of the state. E-Read Texas provides over 19,000 downloadable e-books and audiobooks and a mobile e-reader application that make it possible for all Texans served by public libraries to access e-books. The E-Read Texas collection primarily includes adult fiction and popular non-fiction and is most appropriate for an adult audience.

Texas public libraries serving a population of no more than 100,000 users are eligible to join E-Read Texas. Public libraries serving a population of more than 100,000 users, but with electronic collection expenditures of less than 100,000 per year are also eligible to join. For additional information, go to <https://www.tsl.texas.gov/ldn/ebooks>.**6.9 E- Audio Materials**Digital/Downloadable Units **9,471**Report all items to which your patrons have access, whether through the library or a consortium. **Do not include TexShare holdings. Do not include E-Read Texas/SimplyE materials.**

These are downloadable electronic files on which sounds only are stored recorded and that can be reproduced (played back) electronically. Audio-Downloadable Units may be loaned to users on portable devices or by transmitting the contents to the user's personal computer for a limited time. Include Audio-downloadable units held locally and remote Audio-downloadable units for which permanent or temporary access rights have been acquired.

6.9a E-Read Texas E-Audiobooks E-Read Texas brings electronic books and audiobooks to Texans served by small community libraries in all parts of the state. E-Read Texas provides over 19,000 downloadable e-books and audiobooks and a mobile e-reader application that make it possible for all Texans served by public libraries to access e-books. The E-Read Texas collection primarily includes adult fiction and popular non-fiction and is most appropriate for an adult audience. Texas public libraries serving a population of no more than 100,000 users are eligible to join E-Read Texas. Public libraries serving a population of more than 100,000 users, but with electronic collection expenditures of less than 100,000 per year are also eligible to join. For additional information, go to https://www.tsl.texas.gov/ldn/ebooks .	<i>Prefilled in online form</i>	0
6.10 E- Video Materials These are downloadable electronic files on which moving pictures are recorded, with or without sound. Electronic playback reproduces pictures, with or without sound, using a television receiver, computer monitor or video-enabled mobile device. Video-Downloadable Units may be loaned to users on portable devices or by transmitting the contents to the user's personal computer for a limited time. Include Video Downloadable Units held locally and remote Video Downloadable Units for which permanent or temporary access rights Report all items to which your patrons have access, whether through the library or a consortium.	Digital/Downloadable Units	104
6.11 Total E- Material Units	Sum of 6.8, 6.8a, 6.9, 6.9a, 6.10	43,009
6.12 Databases (Electronic Collections) Report the number of databases made available through purchase by the library.	Acquired/Licensed through library only	7
6.13 TexShare - State Licensed Databases Libraries that were a TexShare member in 2024, and purchased the databases through the TexShare consortium, report 60 databases available to their patrons.		60
Collection Totals		
◆6.14 Number of volumes, items or units An accredited library must have at least one item per capita, with a minimum of 7,500 items, or have expended 15 percent of its local operating expenditures on collection materials.	Sum of 6.3, 6.4, 6.5, 6.11, 6.12	88,068
6.15 Consortium Participation Is the library part of one or more consortia or other cooperative arrangement(s) for the purposes of purchasing electronic materials? If yes, please list:		
Northeast Texas Digital Consortium		

SECTION 7: LOCAL LIBRARY SERVICES

Please do not leave any items blank. Enter "0" if the appropriate entry for an item is zero or "none" and enter "N/A" in the Notes field if an item does not apply to your library. If an exact figure is not available for a particular item, but it is known that the amount is greater than zero, enter an estimate of the amount, and add an explanation in the Notes field. If you have questions, please contact accreditation staff at accreditation@tsl.texas.gov.

◆ 7.1 Long-Range Plan**Yes****No**

Report whether or not the library is operating with a long-range plan in place that has been approved by the library's governing board. An accredited library must have a long-range plan that has been reviewed and updated at least every five years. It must include a collection development element and a technology element.

Service Measures**7.2 Number of Reference Transactions****2,352**

Reference Transactions are information consultations in which library staff recommend, interpret, evaluate, and/or use information resources to help others meet particular information needs.

Reference transactions DO NOT include formal instruction or exchanges that provide assistance with locations, schedules, equipment, supplies, or policy statements.

CLARIFICATION:

- (1) A reference transaction includes information and referral service, scheduled and unscheduled individual instruction and assistance in using information sources (including websites and computer-assisted instruction).
- (2) Count Readers Advisory questions as reference transactions.
- (3) Information sources include (a) printed and nonprinted material; (b) machine-readable databases (including computer-assisted instruction); (c) the library's own catalogs and other holdings records; (d) other libraries and institutions through communication or referral; and (e) persons both inside and outside the library.
- (4) When a staff member uses information gained from previous use of information sources to answer a question, the transaction is reported as a reference transaction even if the source is not consulted again.
- (5) If a contact includes both reference and directional services, it should be reported as one reference transaction.
- (6) Duration should not be an element in determining whether a transaction is a reference transaction.
- (7) Do not include transactions that include only a directional service, such as instruction for locating staff, library users, or physical features within the library. Examples of directional transactions include, "Where is the reference librarian? Where is Susan Smith? Where is the rest room? Where are the 600s? Can you help me make a photocopy?"

7.2a	Regarding the number of reference transactions, is this an annual count or an annual estimate?	Count	Estimate ☒	Data Not Collected
If an annual count of reference transactions is unavailable, count reference transactions during a typical week or weeks, and multiply the count to represent an annual estimate. A "typical week" is a time that is neither unusually busy nor unusually slow. Avoid holiday times, vacation periods for key staff, or days when unusual events are taking place in the community or in the library. Choose a week in which the library is open its regular hours. Example: If there are four weeks sampled, multiply the totals for those four weeks by 13 to get an estimate for the full year. If the sample is done twice a year (one week at each time, two weeks total) multiply the count by 26 to get the estimated annual count.				
7.3 Number of Library Visits				65,881
Frequently referred to as the gate count, this is the number of persons entering the library facility for any purpose during the year.				
7.3a	Regarding the number of library visits, is this an annual count or an annual estimate?	Count ☒	Estimate	Data Not Collected
If an actual count of visits is unavailable, determine an annual estimate by counting visits during a typical week, multiplying the count by 52. A "typical week" is a time that is neither unusually busy nor unusually slow. Avoid holiday times, vacation periods for key staff, or days when unusual events are taking place in the community or the library. Choose a week in which the library is open its regular hours. Include seven consecutive calendar days, from Sunday through Saturday (or whenever the library is usually open). Example: If there are four weeks sampled, multiply the totals for those four weeks by 13 to get an estimate for the full year. If the sample is done twice a year (one week at each time, two weeks total) multiply the count by 26 to get the estimated annual count.				
7.4 Registered Users				5,373
A registered user is a library user who has applied for and received an identification number or card from the public library that has established conditions under which the user may borrow library materials and gain access to other library resources. Files should have been purged within the past three (3) years.				
7.5 Current Overdue Fine Policy			Yes ☒	No ☐
As of the end of the reporting period, does the library charge overdue fines to any users when they fail to return physical print materials by the date due? <i>NOTE: Overdue fines are monetary penalties that typically increase according to the number of days the materials are overdue. Overdue fines are not replacement costs for lost or damaged materials.</i>				
7.6 Current Non-Resident Fee Policy			Yes ☒	No ☐
As of the end of the reporting period, does the library charge a fee for library cards to patrons who do not reside in the library's legal service area (non-resident fees)?				
7.6a	Amount charged annually to non-residents	\$25.00		

7.7 Current Fee Schedule

A public library may charge any member of the public for the following services at the discretion of the library's governing authority, regardless of the person's residency. What, if any, charges are applied for the following:

a. Replacement of lost borrower cards	\$1.00
b. Fines for overdue, lost, or damaged materials	\$0.15
c. Postage related to interlibrary loan	\$0.00
d. In-depth reference services provided on a contractual basis	\$0.00
e. Photocopying, scanning, printing, and fax services	\$0.10
f. Passport services	\$0.00
g. Library parking	\$0.00
h. Sale of publications and retail merchandise	\$0.00
i. Rental and deposits on equipment and meeting and event spaces.	\$0.00
j. Other (specify):	\$0.00

7.8 Automatic Renewal of Physical Materials

Yes

No

Did your library offer automatic renewal for any physical materials during the reporting period?

Circulation of Physical Materials**7.9 Circulation of Children's Physical Format Materials**

28,417

The National Center for Education Statistics NCES: Children and Young Adults Defined [*Services and Resources for Children and Young Adults in Public Libraries*, August 1995, NCES 95357] defines children as persons age 11 and under.

Report the total annual circulation, including renewals, of all library materials in physical formats marked as children's, whether borrowed by a juvenile, young adult, or adult. This is the act of lending for use outside the library. This includes charging out checking out and renewals, each of which is reported as a circulation transaction. This includes books, physical audiobooks, physical videos (VHS or DVD), and other physical materials. It does not include materials for teens/young adults. It does not include non-traditional library items such as kits, games, or technology.

Interlibrary loan transactions included are only items borrowed for users. Do not include items checked out to another library. Do not include digital formats.

7.10 Circulation of All Other Ages Physical Format Materials

27,021

Report the total annual circulation, including renewals, of all library materials in physical formats, excluding those marked as children's, whether borrowed by a juvenile, young adult, or adult. This is the act of lending for use outside the library. This includes charging out checking out and renewals, each of which is reported as a circulation transaction. This includes books, physical audiobooks, physical videos (VHS or DVD), and other physical materials. Interlibrary loan transactions included are only items borrowed for users. Do not include items checked out to another library.

7.11 Circulation of Other Physical Items

420

Circulation of all physical items other than print books(6.3), physical audio units (6.4), physical video units(6.5), and serials, including renewals. These are materials in a fixed, physical format available for use outside the library. These can include a variety of items types, such as wi-fi hotspots, sewing machines, cake pans, tools, telescopes, board games, video games, etc.

7.12 Total Circulation of Physical Items

Sum of 7.9, 7.10, 7.11

55,858

Circulation of E-Materials

In the following section, report circulation or usage of each of the item types. In addition, use the following definitions to describe how the library purchased, accessed or acquired those materials. Usage can be obtained from vendor. Do not report any *circulation* of TexShare Database program materials.

*** DEFINITIONS ***

Library: Purchased solely through the library's budget.

Consortium: Purchased through a consortium, cooperative or similar group at the local, regional or state level.

State: Provided by the state library or another state agency at no or minimal cost to the library.

Do not consider resources available for free when answering the following questions.

Do not include any items in the public domain such as Project Gutenberg or similar platforms.

Electronic (digital) materials can be accessed online from an electronic device. Types of electronic materials include e-books, e-series, e-audio, and e-video. Only count items that require user authentication and have a limited period of use. Count all checkouts, including renewals. Do not consider resources available for free in the public domain when answering the following questions.

7.13 Ebooks are the digital equivalent of printed books that may be accessed online from an electronic device. E-books also include e-comics. Do not consider resources available for free in the public domain when answering these questions. Use the following definitions to describe how the library provided access by its purchase or acquisition of those materials.

Ebook Circulation (Usage)

5,234

Did the library provide access to ebooks purchased:

Check any that apply.

Through Library only	☒	☐ No
Through a Consortium	☒	☐ No
State Provided	☒	☐ No

7.14 E-series are periodic digital publications equivalent to printed newspapers, magazines, and similar media that are viewed as entire issues rather than as single articles returned from a research query. Use the following definitions to describe how the library provided access by its purchase or acquisition of those materials. Do not consider resources available for free in the public domain when answering these questions.

E-serial Circulation (Usage)

0

Did the library provide access to e-series purchased:

Check any that apply.

Through Library only	☒	☐ No
Through a Consortium	☒	☐ No
State Provided	☒	☐ No

7.15 E-audio are digital files of sound only (e.g., audiobooks, music) that may be accessed online from an electronic device. Use the following definitions to describe how the library provided access by its purchase or acquisition of those materials. Do not consider resources available for free in the public domain when answering these questions.

E-audio Circulation (Usage)

3,782

Did the library provide access to e-audios purchased:

Check any that apply.

Through Library only	☒	☐ No
Through a Consortium	☒	☐ No
State Provided	☒	☐ No

7.16 E-videos are digital files of moving visual images with or without sound (e.g., movies, television shows) that may be accessed online from an electronic device. Use the following definitions to describe how the library provided access by its purchase or acquisition of those materials. Do not consider resources available for free in the public domain when answering these questions.												
E-video Circulation (Usage) 0		Check any that apply. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px 5px;">Through Library only</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> <tr> <td style="padding: 2px 5px;">Through a Consortium</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> <tr> <td style="padding: 2px 5px;">State Provided</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> </table>		Through Library only	☒ Yes	☐ No	Through a Consortium	☒ Yes	☐ No	State Provided	☒ Yes	☐ No
Through Library only	☒ Yes	☐ No										
Through a Consortium	☒ Yes	☐ No										
State Provided	☒ Yes	☐ No										
Did the library provide access to e-videos purchased:												
7.17 Total Circulation of E-Materials Sum of 7.13, 7.14, 7.15, 7.16		9,016										
7.18 Research databases are organized collections of electronic data or records (e.g., facts, abstracts, articles, bibliographic data, texts, photographs) that can be searched to retrieve information. Use the following definitions to describe how the library provided access by its purchase or acquisition of those materials.												
Did the library provide access to research databases purchased:		Check any that apply. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px 5px;">Through Library only</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> <tr> <td style="padding: 2px 5px;">Through a Consortium</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> <tr> <td style="padding: 2px 5px;">State Provided</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> </table>		Through Library only	☒ Yes	☐ No	Through a Consortium	☒ Yes	☐ No	State Provided	☒ Yes	☐ No
Through Library only	☒ Yes	☐ No										
Through a Consortium	☒ Yes	☐ No										
State Provided	☒ Yes	☐ No										
7.19 Online learning platforms primarily provide instruction, tools, and resources to enhance education, lifelong learning, and skill building. Platforms may offer homework assistance, language learning, test preparation, professional development, resume assistance, hobby instruction, etc. Use the following definitions to describe how the library provided access by its purchase or acquisition of those materials.												
Did the library provide access to online learning platforms purchased:		Check any that apply. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px 5px;">Through Library only</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> <tr> <td style="padding: 2px 5px;">Through a Consortium</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> <tr> <td style="padding: 2px 5px;">State Provided</td> <td style="padding: 2px 5px; text-align: center;">☒ Yes</td> <td style="padding: 2px 5px; text-align: center;">☐ No</td> </tr> </table>		Through Library only	☒ Yes	☐ No	Through a Consortium	☒ Yes	☐ No	State Provided	☒ Yes	☐ No
Through Library only	☒ Yes	☐ No										
Through a Consortium	☒ Yes	☐ No										
State Provided	☒ Yes	☐ No										
7.20 E-Read Texas	Total Usage	0 <i>Prefilled in online form</i>										
7.21 Total Circulation of All Materials Circulation of Physical Items (7.12), E-Materials (7.17), and E-Read Texas (7.20)		64,874										
Programs and Program Attendance Library programs are referred to as live (synchronous) program sessions or recorded (asynchronous) program presentations. Multiple format options, as well as expanded age ranges are being tracked. Report in-person on-site programs and in-person off-site programs separately, as well as live, virtual programs and recorded (asynchronous) programs. See below for definitions of what constitutes a program. If programs are offered as a series, count each program session in the series as one event. For example, a film series offered once a week for eight weeks should be counted as eight program sessions. Each program session should only be counted in one age category based on its primary target audience. If there is no specified intended age group, then report the session(s) under "General Interest". Each program session should only be counted once, regardless of the number of formats in which it is presented. For example, a program session that has both in-person and virtual attendance options should be counted as a single program session.												

If programs are offered as a series, count each program in the series. For example, a story hour offered once a week, 48 weeks a year, should be counted as 48 sessions (programs or events). Exclude library activities delivered on a one-to-one basis, rather than to a group such as one-to-one literacy tutoring, services to homebound, homework

Count all attendees of these program sessions regardless of age.

For program presentations that are recordings of synchronous virtual program sessions, exclude synchronous attendance; these should be counted under Synchronous In-Person Onsite Program Attendance (7.24a), Synchronous In-Person Offsite Program Attendance (7.24b), or Synchronous Virtual Program Attendance (7.24c).

Live and Virtual Events: Synchronous Programming

Early Childhood Synchronous (Live) Programming targeting ages birth to 5 years

A program session targeted at children ages 0-5 is any planned event for which the primary audience is infants, toddlers, or preschool-age children. Examples of these types of program sessions include, but are not limited to, story hours, every child ready to read programs, musical or sing-along events, and puppet shows. Include program sessions aimed at children ages 0-5 even if adult caregivers also attend. Each program session should only be counted in one age category based on its primary target audience. Count all children’s programs, whether held on- or off-site, that are sponsored or co-sponsored by the library. Do not include children’s programs sponsored by other groups that use library facilities. Attendance is the count of the audience at all program sessions for which the primary audience is children from birth to 5 years old. Count all attendees of these program sessions regardless of age.

Early Childhood		a. In-Person On-Site Sessions	b. In-Person Off-Site Sessions	c. Live Virtual Sessions	Totals
7.P1	Number of sessions	65	12	0	77
7.P2	Total audience	1,336	362	0	1,698

Student-Age Synchronous (Live) Programming targeting ages 6 to 11 years

A program session targeted at children ages 6-11 is any planned event for which the primary audience is elementary-school-age children. Examples of these types of program sessions include, but are not limited to, story hours, science events, crafting classes, and summer reading events. Include program sessions aimed at children ages 6-11 even if adult caregivers also attend with the children. Each program session should only be counted in one age category based on its primary target audience. Count all children’s programs, whether held on- or off-site, that are sponsored or co-sponsored by the library. Do not include children’s programs sponsored by other groups that use library facilities. Attendance is the count of the audience at all program sessions for which the primary audience is children from 6 to 11 years old. Count all attendees of these program sessions regardless of age.

Student-Age		a. In-Person On-Site Sessions	b. In-Person Off-Site Sessions	c. Live Virtual Sessions	Totals
7.P3	Number of sessions	46	0	0	46
7.P4	Total audience	840	0	0	840

Young Adult Synchronous (Live) Programming targeting ages 12 to 18 years

The Young Adult Services Association (YALSA) defines young adults as ages 12 through 18. A young adult program session is any planned event for which the primary audience is young adults ages 12 to 18 years. Examples of these types of program sessions include, but are not limited to, book clubs, college prep programs, teen tech or gaming clubs, and summer reading events. Each program session should only be counted in one age category based on its primary target audience.

Report all young adult programs, whether held on- or off-site, that are sponsored or co-sponsored by the library. Do not include young adult programs sponsored by other groups that use the library facilities.

Attendance is the count of the audience at all program sessions for which the primary audience is young adults from 12 to 18 years old. Count all attendees of these program sessions regardless of age.

Young Adult		a. In-Person On-Site Sessions	b. In-Person Off-Site Sessions	c. Live Virtual Sessions	Totals
7.P5	Number of sessions	46	0	0	46
7.P6	Total audience	413	0	0	413

Adult Synchronous (Live) Programming targeting ages 19+ years

An adult program session is any planned event for which the primary audience is adults age 19 or older. Examples of these types of program sessions include, but are not limited to, book discussions, citizenship classes, and lectures. Each program session should only be counted in one age category based on its primary target audience.

Report all adult programs, whether held on- or off-site that are sponsored or co-sponsored by the library. Do not include adult programs sponsored by other groups that use the library facilities.

Attendance is the count of the audience at all program sessions for which the primary audience is adults 19 years and older. Count all attendees of these program sessions regardless of age.

Adult		a. In-Person On-Site Sessions	b. In-Person Off-Site Sessions	c. Live Virtual Sessions	Totals
7.P7	Number of sessions	38	0	0	38
7.P8	Total audience	229	0	0	229

Programs of General Interest (no targeted age group)

A general interest program session is any planned event that is appropriate for any age group or multiple age groups. Include all-age, all-library, family, and intergenerational program sessions. Examples of these types of program sessions include, but are not limited to, family game nights, holiday events, storytelling programs, or chess clubs. Include all programs here that do not fit into the other age category elements. Each program session should only be counted in one age category based on its primary target audience; do not include program sessions here that have already been counted in earlier age category elements. Avoid including program sessions that are targeted at more than one non-adult age category (and are not targeted at adults); these should be counted in the child or young adult age category that best represents the target audience.

Report all general interest programs, whether held on- or off-site that are sponsored or co-sponsored by the library. Do not include general interest programs sponsored by other groups that use the library facilities.

Attendance is the count of the audience at all program sessions that are appropriate for any age group or multiple age groups. Count all attendees of these program sessions regardless of age.

General Interest		a. In-Person On-Site Sessions	b. In-Person Off-Site Sessions	c. Live Virtual Sessions	Totals
7.P9	Number of sessions	15	4	0	19
7.P10	Total audience	543	350	0	893

Live and/or Virtual (Synchronous) Program Totals
This is a total count of the programs and audience at all live or virtual program sessions during the reporting period. Count all attendees of these program sessions regardless of age.

Synchronous Programs		a. In-Person On-Site Sessions	b. In-Person Off-Site Sessions	c. Live Virtual Sessions	Total Synchronous Programs
		Add all "a" values	Add all "b" values	Add all "c" values	
7.P11	Number of sessions	210	16	0	226
7.P12	Total of all attendees	3,361	712	0	4,073

Total Recorded Presentations (Asynchronous)
Count recordings (asynchronous) program presentations at the administrative entity level; do not duplicate numbers at each branch. Include recordings of synchronous program sessions that were available for viewing after the session ended. For program presentations that are recordings of live (synchronous) virtual program sessions, exclude live (synchronous) attendance; these should be reported under the appropriate age and format within the live (synchronous) program counts.

7.P13 Asynchronous program presentations are recorded videos or audio of program content that are posted online for downloading or on-demand viewing (rather than livestreaming). Only include program presentations posted during the reporting period. Include live program sessions that are recorded and posted online. Count each unique video or audio recording only once regardless of the number of platforms on which it is posted. Do not duplicate numbers at each branch; count only at the administrative entity level.	0	Number of Recorded Presentations
7.P14 Report the count of views or plays of asynchronous program presentations for a period of thirty (30) days after the presentation was posted, even if that period extends beyond the survey reporting period (or fiscal year). For program presentations made available via Facebook, count unique 1-minute views of each video. For those made available via other platforms, count unique views of each video.	0	Number of Views at 30-Day Mark

SECTION 8: LIBRARY STAFFING AND SALARIES

Include all positions funded in the library's budget whether those positions are filled or not. Report figures as of the last day of the fiscal year. Report all hours worked for each employee type and report as total hours worked per week.

Report number of hours worked per week, not the number of employees.

◆ 8.1 Professional (MLS) Librarians Librarians with master's degrees from programs of library and information studies accredited by the American Library Association. Persons with the title of librarian who do paid work that usually requires professional training and skill in the theoretical or scientific aspects of library work, or both, as distinct from its mechanical or clerical aspect. An accredited library with a population assignment greater than 25,001, must have professional librarians on staff. Report total number of hours all MLS librarians work per week, not as number of persons. Use the employees' normal work schedule to calculate this. Example: 2 MLS librarians each work 40 hours per week. Report 80 hours (40 x 2).	Weekly Hours Worked	80.00
8.2 Other (Non-MLS) Librarians Persons with the title of librarian who do paid work that usually requires professional training and skill in the theoretical or scientific aspects of library work, or both, as distinct from its mechanical or clerical aspect. Report total number of hours all librarians work per week, not as number of persons. Use the employees' normal work schedule to calculate. Example: 2 librarians each work 30 hours per week. Report 60 hours (30 x 2).	Weekly Hours Worked	210.50
8.3 All Other Library Staff Includes all other persons paid by the library budget including plant operation, security, and maintenance staff. Report total number of hours all other paid staff work per week, not as number of persons. Use the employees' normal work schedule to calculate. Example: 3 paid part-time employees: 1 works 10 hours/week, 1 works 20 hours/week, one works 25 hours/week. Report 55 hours (10+20+25).	Weekly Hours Worked	0.00
8.4 All Library Staff – Total Weekly Hours Worked	Sum of 8.1, 8.2, 8.3	290.50
8.5 Volunteer Hours How many hours did volunteers work in this library last year? Indicate the total number of hours that were worked in the library by persons who were <u>not</u> on the library's payroll. Include volunteers, community service persons and those paid from non-library programs, such as Green Thumb.	Total Annual Hours	520
8.6 Head Librarian's Annual Rate Of Salary		\$69,097
◆ 8.7 Head Librarian's Hours Worked per Week How many hours per week is the Head Librarian/Library Director currently employed in library duties? An accredited library must have a director work a minimum number of hours based on the assigned service population.		40.00

◆ 8.8 Director Obtained 10 Units of Continuing Education (CEU) Directors/Head Librarian of an accredited library must obtain 10 hours of continuing education credits annually to maintain the library's accreditation. Continuing education activities that meet qualitative standards for which the applicant can supply documentation of participation, duration, and relevance to the operation of a library. These activities must be instructional and may include workshops, appropriate sessions at library association conference, and distance education meetings.	☒ Yes ☐ No
◆ 8.9 Photocopier Available for Staff An accredited library must have a photocopier available for use by staff.	☒ Yes ☐ No
◆ 8.10 Internet Computer Available for Staff An accredited library must have a computer with internet access available for use by staff.	☒ Yes ☐ No
SECTION 9: RESOURCE SHARING	
Interlibrary Loans	
An item of library material, or a copy of the material, is made available by one autonomous library to another upon request. The libraries involved in interlibrary loan are not under the same library administration.	
◆ 9.1 Statewide Interlibrary Loans (ILL) Offered to Patrons An accredited library must offer to borrow and lend materials via the statewide interlibrary loan resource sharing service for persons residing in the library's designated service area. The library governing board may adopt policies regarding materials available for loan and the length of the loan, the good standing of the borrower, and other relevant issues; these policies must be available for the public.	☒ Yes ☐ No
9.2 ILL Received from Other Libraries These are library materials, or copies of the materials, received by one autonomous library from another upon request. The libraries involved in interlibrary loans are not under the same library administration. Please report number of loans actually received, even if that number is zero. Exclude informational requests.	Number Received/Borrowed 480
9.3 ILL Provided to Other Libraries These are library materials, or copies of the materials, provided by one autonomous library to another upon request. The libraries involved in interlibrary loans are not under the same library administration. Please report number of loans actually loaned, even if that number is zero. Exclude informational requests.	Number Provided/Lent 235
9.4 Integrated Library System (ILS)/Library Management (LMS) Used Biblionix Apollo Book Systems (Atrium, Concourse) Evergreen Follett (Destiny, Circulation Plus, Athena, Winnebago) Innovative Interfaces Inc (Millennium, Polaris, Sierra) Other:	Biblionix Apollo Koha SirsiDynix (Symphony/Unicorn, Horizon) TLC Library Solution

SECTION 10: INTERNET AND ELECTRONIC SERVICES**◆ 10.1 Public Internet Access Computer with Printer/Copier**☒ Yes☐ No

An accredited library must have a computer with internet access and printing/copying capability for patron use.

10.2 Public Internet Access Computers

Number of computers

17

Report the number of the library's Internet computers [personal computers (PCs), laptops, and tablets], whether purchased, leased, or donated, used by the general public in the library. Do not include computers that connect to the Internet for a dedicated purpose (e.g., to access an OPAC or specific database, or to train the public) or purposes.

10.3 Annual Uses of Public Internet Computer

Annual computer uses

10,402

Report the number of the library's Internet computers [personal computers (PCs), laptops, and tablets], whether purchased, leased, or donated, used by the general public in the library. Do not include computers that connect to the Internet for a dedicated purpose (e.g., to access an OPAC or specific database, or to train the public) or purposes. A typical week or other reliable estimate may be used to determine the annual number. This is for in-library use only.

The number of uses sessions may be counted manually, using registration logs. Count each use session for public internet computers, regardless of the amount of time spent on the computer. A use (session) on the library's public Internet computers three times a week would count as three uses (sessions).

10.3a Regarding the number of public computer uses, is this an annual count or an annual estimate?

☒ Count☐ Estimate☐ Data Not Collected

If an actual count of uses is unavailable, determine an annual estimate by counting uses during a typical week in and multiplying the count by 52. A "typical week" is a time that is neither unusually busy nor unusually slow. Avoid holiday times, vacation periods for key staff, or days when unusual events are taking place in the community or the library. Choose a week in which the library is open its regular hours. Include seven consecutive calendar days, from Sunday through Saturday (or whenever the library is usually open).

Example: If there are four weeks sampled, multiply the totals for those four weeks by 13 to get an estimate for the full year. If the sample is done twice a year (one week at each time, two weeks total) multiply the count by 26 to get the estimated annual count.

10.4 Annual Wi-Fi Sessions

Number of sessions

0

Report the number of wireless sessions provided by the library wireless service annually. Count one session for each time a device connects to the library's wireless network, regardless of the duration of connection. If possible, only count sessions for patron devices and exclude library devices such as routers, access points, printers, and public access computers; otherwise, if patron devices cannot be isolated, report sessions for all devices.

10.4a Regarding the number of wi-fi sessions, is this an annual count or an annual estimate?

☐ Count

☐ Estimate

☒ Data Not Collected

☐ No Wi-Fi Available

NOTE: If an annual count of wireless sessions is unavailable, count wireless sessions during a typical week or weeks using methods like hardware logging or network scanning, and multiply the count to represent an annual estimate. (Do not conduct visual surveys of devices in use as a method to establish a count of a typical week.) A "typical week" is a time that is neither unusually busy nor unusually slow. Avoid holiday times, vacation periods for key staff, or days when unusual events are taking place in the community or in the library. Choose a week in which the library is open its regular hours.

10.5 Annual Website Visits

Number of Web Visits

Visits represent the annual number of sessions initiated by all users from insider or outside the library to the library website. The library website consists of all webpages under the library's domain. A website "visit" or "session" occurs when a user connects to the library's website for any length of time or purpose, regardless of the number of pages or elements viewed. Usage of library social media accounts (such as Facebook, Twitter, etc.) should not be reported.

10.5a This cannot be estimated. If data is not available, report "0".

☐ Count

☒ Data Not Collected

☐ No Website

SECTION 11: LIBRARY HOURS

11.1 Annual Public Service Hours for Central Library

Number hours open

2,627

This is the hours the library was available to your patrons last year at the Central or Main Library facility. Report every hour that the facility was open to the public during all of last year.

DO NOT include hours when the facility was physically closed but still offered virtual, Wi-Fi or "curbside" services outside the building. This total should be reduced for any hours that the facility was closed to the public (e.g., holidays, weather emergencies, natural disasters, pandemic closures, staff development days, construction, repairs, etc.). Branch hours open per year will be reported in each branch sub-report.

NOTE: A facility is considered physically closed when the public cannot access any library buildings or bookmobiles, regardless of staff access.

11.2 Annual Public Service Weeks for Central Library

Number weeks open

52

This is the number of weeks open for public service at the Central/Main Library facility. The count should be based on number of weeks open for half or more of the library's scheduled service hours. Extensive weeks closed to the public due to natural disasters or other events should be excluded from the count. Round to the nearest whole number of weeks. If the library was open half or more of its scheduled hours in a given week, round up to the next week. If the library was open less than half of its scheduled hours, round down.

Do not calculate based on total number of service hours per year: do not divide total hours by 52 weeks.

◆ 11.3 Weekly Service Hours All Facilities Available		Unduplicated weekly hours	52
Libraries with branches should report the total number of unduplicated hours per week the libraries are open during a regular schedule week. For assistance or clarification, contact LDN staff, or use the Weekly Total Hours Calculator on the Annual Report page, If the library has no branches, the answer will be the same as the amount reported in question 11.4, Weekly Hours Central Library Open - Regular Schedule. <i>Example: Main is open M-F 8-5; the branch is open M-F 9-6. This library would be open 10 unduplicated hours per day. The total for five days would equal 50 hours per week.</i>			
Scheduled Weekly Hours Central Library Open	11.4 Regular Schedule	52	11.5 Summer Schedule 52

DUE DATE FOR REPORT AND APPLICATION SUBMISSION

To be considered for accreditation, the library must submit the annual report and complete the Accreditation in State Library System Application no later than April 30, 2025.

Once signed, the application should be forwarded to Library Accreditation in the Library Development and Networking Division (LDN): accreditation@tsl.texas.gov.

Where to find a blank copy of the Application:

- Included in this document.
- Home page tab of Texas LibPAS, <https://tx.countingopinions.com/index.php>, under the word ENTER.
- TSLAC Public Libraries Annual Report webpage, <https://www.tsl.texas.gov/ldn/annualreport>.

Scan and email the application to **accreditation@tsl.texas.gov**. Documents are saved electronically, so no original copy is needed.

QUESTIONS: If you have any questions about this survey, please contact Texas Public Library Accreditation staff at accreditation@tsl.texas.gov or call 512-463-5466, toll free in Texas 800-252-9386.

Accreditation Questions in 2024 Annual Report

Accreditation-related questions are directly tied to accreditation criteria as outlined in the Texas Administrative Code and are indicated by ♦ in the Annual Report. The Texas State Library and Archives Commission (TSLAC) compares the library responses to accreditation criteria to determine whether the library has met accreditation. Some criteria is based on the library's service population of 63,384 as assigned by TSLAC.

ITEM	ACCREDITATION CRITERIA	RESPONSE
♦1.13	Does the library have a published telephone number?	yes
♦1.20	Does the library have a website?	yes
♦4.1	Local Expenditures on Collections	\$115,205 (19%)
♦4.2	Local Operating Expenditures/Maintenance of Effort (MOE) <i>requirement: expend \$8.48 per capita (minimum: \$535,038)</i>	\$619,945
♦6.1	Does the library have an electronic catalog of its holdings available to the public that is searchable, at a minimum by author, title, and subject?	yes
♦6.2	Has at least 1% of library's collection been published within the last five years? <i>currently: 40%</i>	yes
♦6.14	Total number of items in library collection <i>requirement: either 1 item per capita (63,384) OR expend 15% on library materials (see ¶4.1)</i>	88,068
♦7.0	Does the library have a Long-Range Plan?	yes
♦8.1	Total hours paid work per week by Librarians with Master's degree from ALA-accredited program. <i>requirement: 2 MLS (Master of Library Science) degreed librarians @ 40 hours</i>	2 MLS @ 40
♦8.7	Hours per week the Head Librarian is currently employed in library duties. <i>requirement: 40</i>	40
♦8.8	Has the Head Librarian obtained a minimum of 10 hours of continuing education credits?	yes
♦8.9	Does the library have a photocopier available for use by staff?	yes
♦8.10	Does the library have a computer with internet access available for use by staff?	yes
♦9.1	Does the library participate in the statewide interlibrary loan service available to patrons?	yes
♦10.1	Does the library have a computer with internet access and printing/copying capability for public use?	yes
♦11.2	How many weekly service hours is the library open during a regular scheduled week? <i>requirement: 48</i>	52



TO: City Council
DATE: April 24, 2025
ITEM #: 8.B
SUBJECT: Presentation by the Carver CPR Providing an Overview and Discussion of Potential Partnerships with USA Netball and the City of Marshall.
(Councilman Morris and City Manager)

Recommendation for Action: N/A

Executive Summary: In Weekly Reports dated February 8th and March 22nd (copy attached), I shared with Council meetings that I had with representatives of USA Netball. These meetings were in response to a request from Councilman Morris to host the initial meeting, which we did on February 7th.

In summary, USA Netball is working to expand its footprint to the stage of Olympic sports. It is a sport played by millions worldwide and eighty countries. To do so, USA Netball is looking for a home base. This home base would eventually include not only the headquarters but athletic fields and other training facilities, offices and meeting space and, once operational, could have a very positive impact on Marshall in terms of visitors, hotel stays and name recognition.

The USA Netball representatives are working with Carver CPR as a possible partner in the development of the USA Netball home base effort. Carver CPR, working with USA Netball and as a result of our international virtual conference call last month, would like to take this opportunity to share with the City Council what they do and opportunities to work together. Dr. Henryett Porter will be present to share their mission, successes and partnerships with the City Council. A copy of their PowerPoint that will be presented is also attached.

The following are excerpts from my Weekly Report from this ongoing dialogue.
Feb. 8

- Netball: On Friday I met with Dr. Porter and a delegation concerning Netball. I did not know what this was and quickly researched and find it is similar to basketball but not the same. From Councilman Morris, he transmitted a letter from Dr. Henrietta Porter explaining a desire by a Netball Sport delegation to introduce the International Sport to this region of the country to use a facility in Karnack TX here in Harrison County as its base of operation. Dr. Porter's Group are asking for verbal support from the City to help bolster the prospect of landing this new and growing sport with Olympic potential. Marshall will be where the sporting participants will be housed in our hotels and motels, thus having an economic impact on our city.

I spent about 30 minutes with the group and am very impressed with what they are trying to do and not only the economic impact but the name recognition this could bring to Marshall. I was not asked to consider funding, but only, would we consider some sort of verbal support. They would like to talk with the Mayor and when they follow up, I will see if we need to set something up.

-

March 22

Meeting w/ USA Netball: I participated in a virtual call on Friday morning with representatives of USA Netball in Florida, Carver CPR (Community Pathways to Revitalization), a member of the international netball community in Australia and a local basketball coach about netball. Marshall and the Marshall area are being considered for the home of USA Netball in some way, such as facilities for play, training, conferences etc. It is interesting. I am not sure exactly what the nature of the “ask” will be from the city other than the acknowledgment and agreement of a partnership. It may well take the form of being facility-related – funds for improvements or construction. Carver CPR has access to grants. They have reached out to MEDCO as well as potential partners as an economic development opportunity. Tourism also plays a role in this effort.

Carver CPR sees this as a possible revitalization project which is part of their mission. While netball isn’t well-known in the US, it is an international sport played in 80 countries and twenty million players. We have been asked to provide an opportunity to educate and update the City Council and are tentatively looking at April 10th as

Budget Cost: Discussion Only.

Staff Contact: Councilman Morris and Melissa Byrne Vossmer, City Manager

Attachments: 1. CarverCPR 2025 partnerships presentation

PARTNERSHIP POTENTIAL



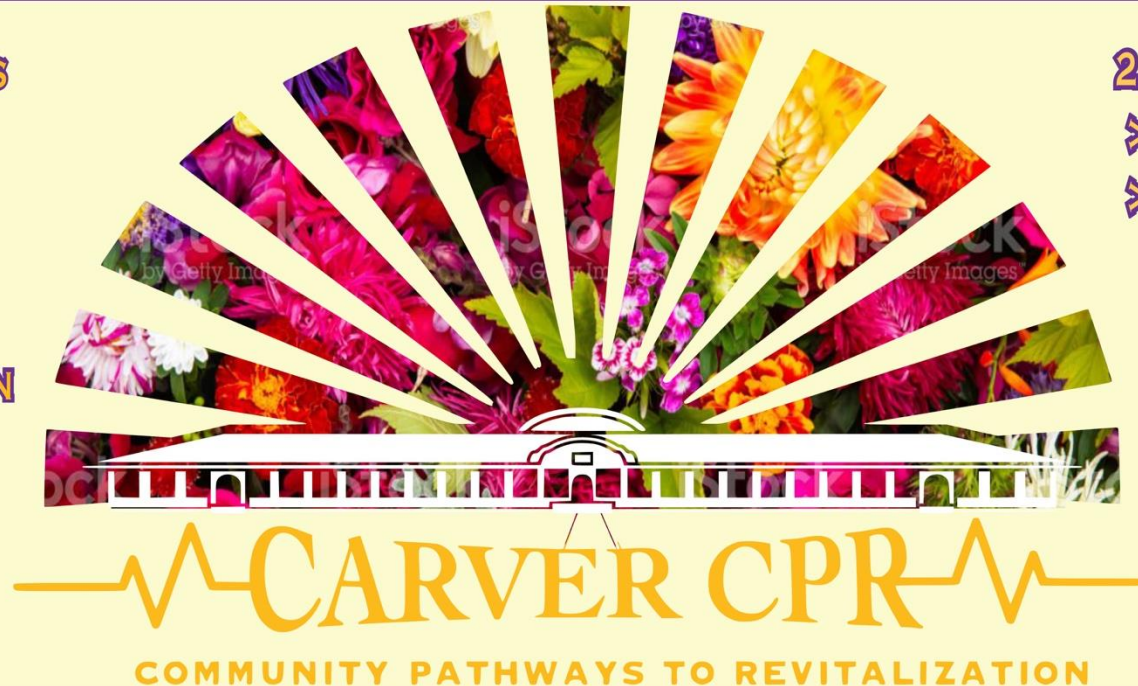
CARVER COMMUNITY PATHWAYS TO REVITALIZATION, INC.

1: PRIDE AND CONNECTIONS

- ALUMNI HOME
- HISTORICAL ARCHIVES

3. COMMUNITY REVITALIZATION

- ACCESSIBILITY UPDATES
- POSITIVE IMAGING
- INDUSTRY PARTNERSHIPS



2. CULTURAL AND CAREER PATHWAYS

- STRUCTURED SPORTS AND ACTIVITIES
- ACCESS TO INDUSTRY PROFESSIONALS

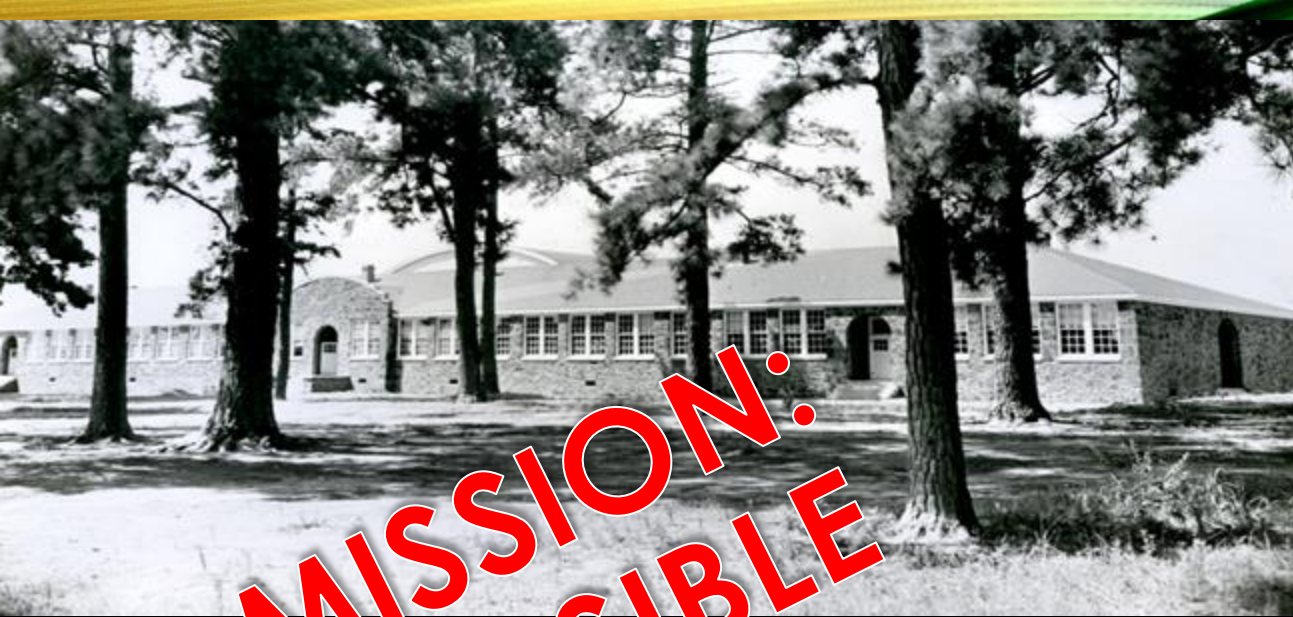
4. COMMUNITY ACCESS TO VITAL RESOURCES

- HEALTH AND WELLNESS
- EMERGENCY PROVISIONS

308 Fisher Drive
Marshall, TX 75670

A Non-Profit Organization

14109 FM 134
Karnack, TX 75661



To become a hub of services and serve as a catalyst for community revitalization by maintaining a historical home and source of pride and connections for the George Washington Carver School; creating enriching educational opportunities for students; and providing access to vital resources for residents.

Slogan
Where There's a Need, There's a Way!

VISION

Community Revitalization & Development

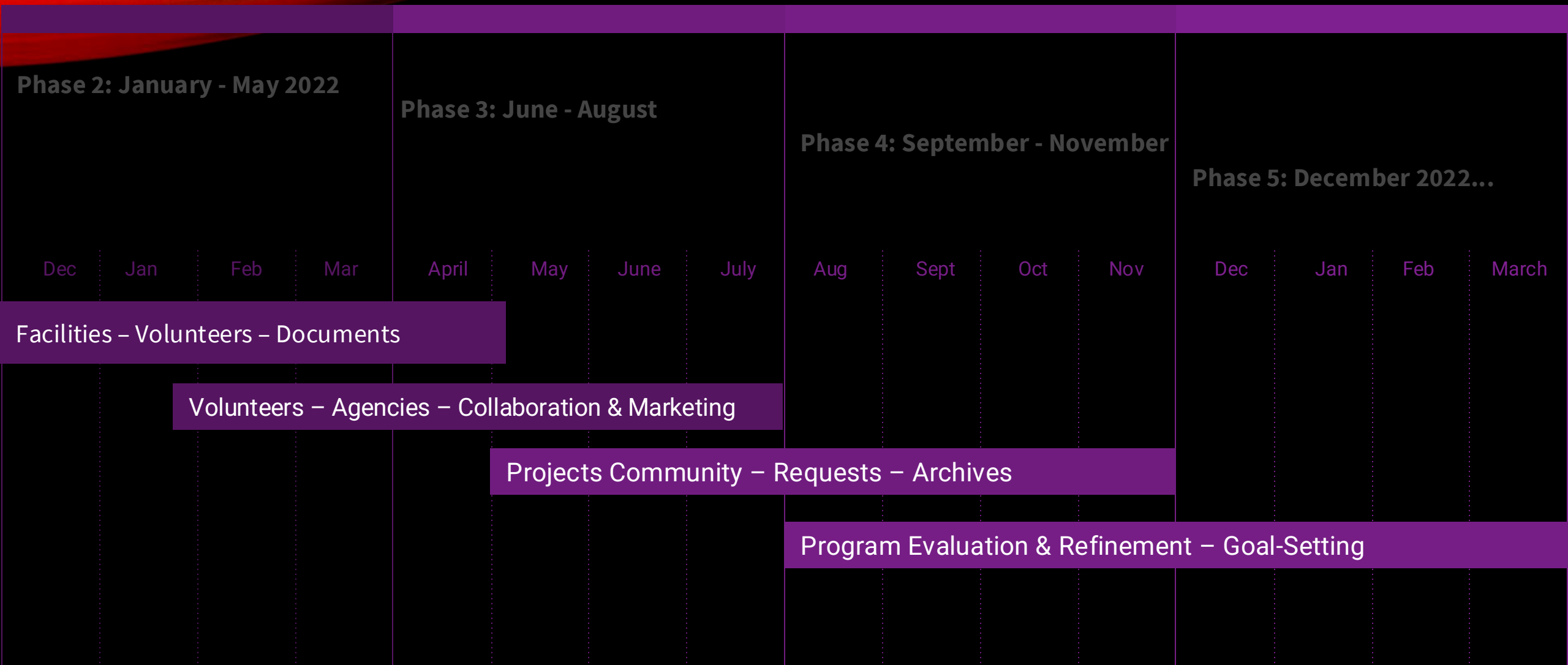




GRAND OPENING

June 2022

PHASES⁷



RESTORATION & REVITALIZATION

8

**G. W. Carver School
historical records,
artifacts and archives
preservation**



**Accessibility
updates / minor
home repairs for
elderly and
disabled residents**

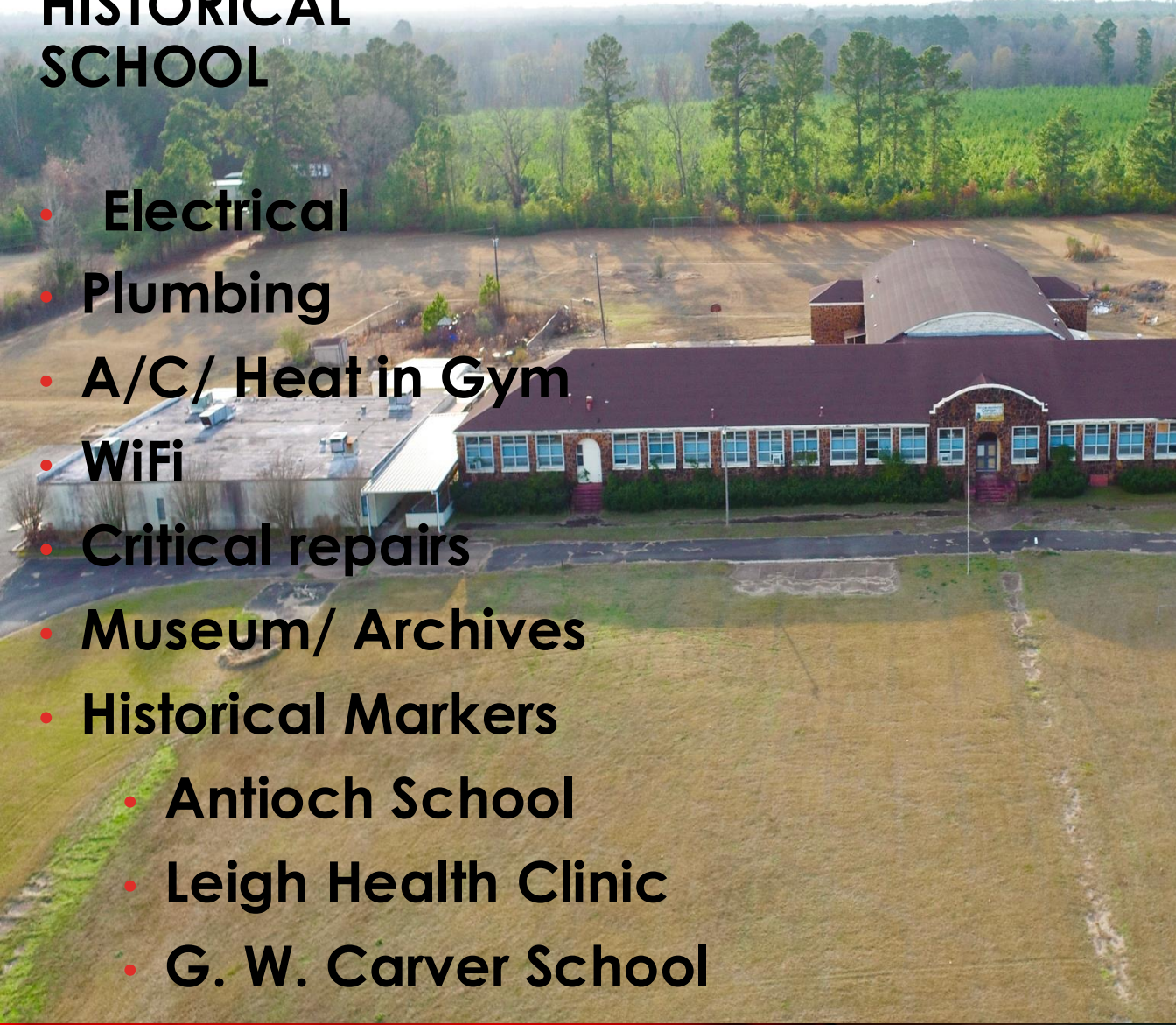


**Emergency provisions
and durable medical
equipment; *job
opportunities**

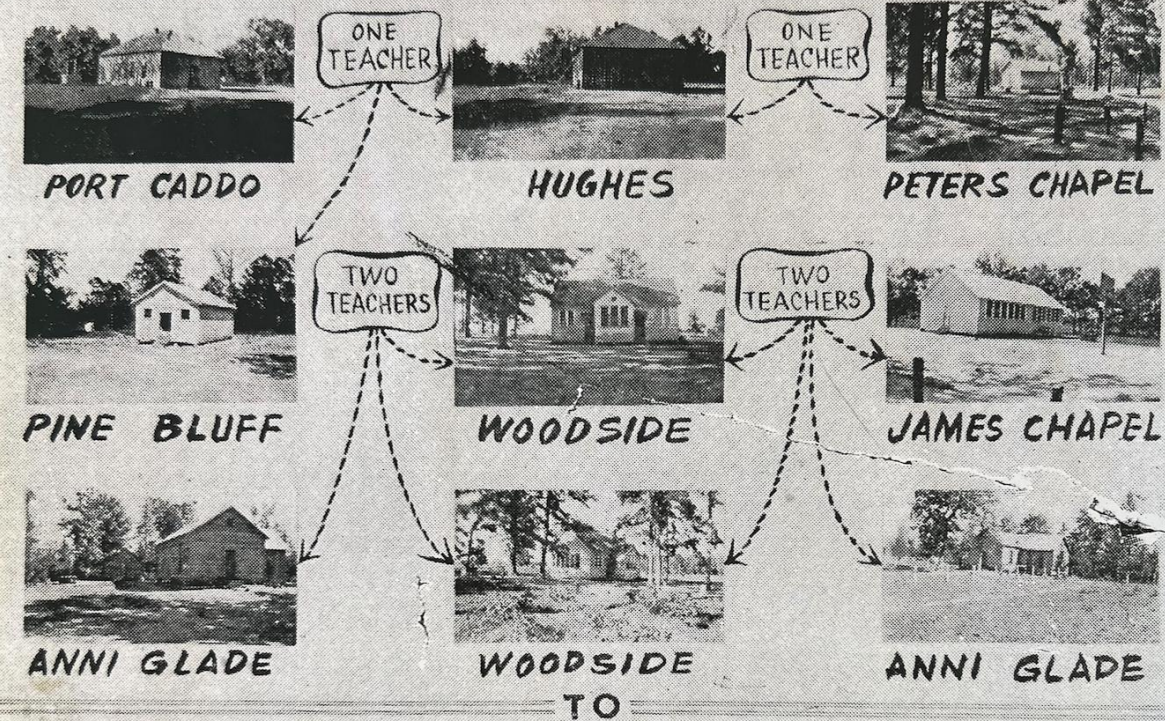
**Prevention of loss of historical knowledge and
artifacts; improved safety; and provision of critical
social services and essential supplies**

PRESERVATION OF THE G.W. CARVER HISTORICAL SCHOOL

- Electrical
- Plumbing
- A/C/ Heat in Gym
- WiFi
- Critical repairs
- Museum/ Archives
- Historical Markers
 - Antioch School
 - Leigh Health Clinic
 - G. W. Carver School



Our School Plant Came From...



12
GRADES



20
TEACHERS

OUR 20 ROOM GEORGE WASHINGTON CARVER HIGH SCHOOL

1945

PRINCIPAL... R. B. ANDERSON









HEALTHY LIVING

14

Counseling and mentoring



Social emotional activities



**Telehealth facilitation;
*transport to medical visits**

**Improved access to health
resources and social services**

RESOURCES

15



1st Cancer

1-Step at a Time

Saturday, October 26, 2024 @ 7:00 AM

14109 FM 134

Karnack, TX 75661

Calling All
KIDS!!!

Questions? 903-578-0485/ Preguntas?? 903-934-1236

CARVER CPR

Back to
School

Splash, Supply
Plus a Surprise



GARAGE SALE

Venta de Garaje en la
Antigua Escuela Primaria
14109 FM 134, Karnack, TX 75661

Welcome!
Bienvenido!

5 AM - 6 PM

June 7th
June 8th
June 9th



Join Carver CPR's
Jewelry Krafting with Kristi!



Carver CPR
(Old Elementary School)
14109 FM 134
Karnack, TX 75661
(903) 578-0485

Spring has Sprung
Come & Show-Off
Your Green-est Thumb!

We'll bring the supplies.

Bring YOU- A FRIEND, and your favorite, fun!

COME PLAY IN THE DIRT WITH US!

Container Gardenin

With

Ms. Marilyn, Master Gardener



G.W. Carver Elementary & Carver CPR

FREE ADMISSION

FALL FESTIVAL

MONDAY, OCTOBER 30th 5:00 - 7:00

GAMES | PRIZES
FREE SNACKS

BOUNCE HOUSE
Donate 2 Canned Goods for Bounce House
TURKEY TROT



Ready, Set, FUNNN!!!

Bring your HS/ Pre-K/ Kinder
Student to our 1-day

SUMMER CAMP

Reading!
Singing!
Learning!
Exploring!

Wednesday, July 12, 2023
8:00 am – 12: 00 noon



Questions / Preguntas??? 903-578-0485

HEALTHY LIVING

18

Team Sports



**Creative
Expression**



Fitness

**Access to- and promotion of healthy
lifestyles and career options**



PTC

12PM-3:00PM

East Texas

Beast **BASKETBALL** **TRYOUTS**

7TH-8TH GRADE-BOYS

9TH-10TH GRADE-BOYS

7TH-8TH GRADE- GIRLS



TUESDAY & THURSDAY
6:00-7:30PM





Come Kraft with Kristi @
Carver CPR's
"Painting Up to Wind Down!"



Sunday, March 5th
2:00 PM

We'll have most of the basic supplies:
paper, ink, scissors and glue will be
provided. If you have any accents (like
flowers, ribbon, beads), feel free to bring
them. If you want to step it up a notch,
bring a wooden wreath and ribbon to
attach to your craft. Let's Kraft it Up!!!!

Join Carver CPR's
Krafting with Kris



THIS SUNDAY - May 7th @ 2:00 PM

We'll provide the supplies to help you paint your
way into a chill summer mood!

****Showing our appreciation for all you do****

Just bring your creativity- and a friend ☺

Refreshments will be served.





CARVER CPR
COMMUNITY PATHWAYS TO REVITALIZATION

Silver Steppers

FOR PROGRAM INFO AND EVENTS
CALL: 903-578-0485



"Kickin' It With Kim"

Wanna learn the latest line dances?
Join us for
Dancin' with Deenie!
Thursdays @ 6:00pm

14109 FM 134, Karnack, TX 75661
Questions / Preguntas?? 972-322-6996

DANCE

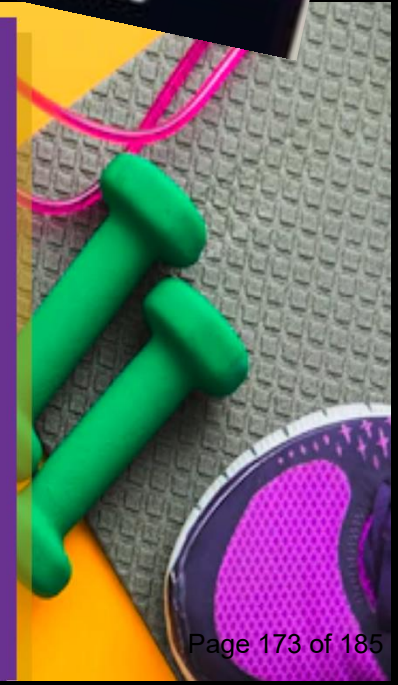
CARVER CPR
COMMUNITY PATHWAYS TO REVITALIZATION
**HEARTS
ES SANOS**

JOIN and get ACTIVE?
Working for YOU!

Lace UP and step UP for our morning stroll and evening
STRETCH-and-FIT!

TUESDAYS-WEDNESDAYS-THURSDAYS
7a - 8a & 7p - 8p

Starting Tuesday, July 5th



CULTURE - CAREERS

22

Partnerships



**Economic
Development**



**Positive Imaging
Events**

- **Cultural development and broadened connections**
- *** Lifelong skills and enhanced career options**

POSITIVE IMAGING





KARNACK'S ANNUAL

Blackberry Jam

COMMUNITY-WIDE BLOCK PARTY

STARTS AT 1 PM SATURDAY, JUNE 15, 2024

14109 FM 134, KARNACK, TX

food trucks
fireworks &
music!!



FREE

KIDS PLAY DAY
BOUNCE HOUSE
FACE PAINTING

Blackberry Cobbler Contest 2:00
Bikers Awards 3:00
Line Dancing 4:00
Dominos & Spades Winners 6:00
Cocktail Cache Winner 6:00

PERFORMANCES BY:

WRIGHT LINE DANCERS
SHREVEPORT, LA

STATE BURNERS MC
DALLAS, TX

Food trucks:
KeKe's Gourmet on Wheels
The Puddin' Shoppe
Taqueria Torres
Kona Ice & MORE

BASKETBALL TOURNAMENT
STARTS AT 2:00 - \$10/participant

PARTY
ADULTS ONLY
@ 9:00

FIREWORKS
@ 9:00
BRING YOUR FAMILY, FRIENDS &
LAWN CHAIR

CALL FOR TICKETS

14109 FM 134,
Karnack, TX 75661
Coach Ashton
903-930-1888



MARSHALL ELITE BASKETBALL

MARSHALL ELITE BASKETBALL CAMP

Basic Fundamentals:
SHOOTING
DRIBBLING
PASSING
DEFENSE

CONTACT:
ASHTON
903-930-1888

HARD WORK BEATS
TALENT, WHEN TALENT




MARSHALL ELITE VOLLEYBALL CLUB

Contact: Coach Ashton DeMurrell
903-930-1888

Basic fundamentals:

- Serving
- Setting
- Passing
- Spiking

PARTNERSHIPS



JUNIORS NETBALL CAMP

OUR PROGRAMS

TRAINING CAMPS

Offering skill-building and coaching sessions for beginners and advanced players

TOURNAMENTS

Organizing competitive events

YOUTH DEVELOPMENT

Introducing Netball to schools and communities.

COACHING & UMPIRING

Providing certification programs for coaches and umpires.

WHO ARE WE?

USA Netball is the national governing body for the sport of Netball in the United States. Our mission is to promote and grow Netball across the nation by providing development opportunities, engaging communities, and inspiring the next generation of athletes.

WHAT IS NETBALL?

Netball is a fast-paced, team-oriented sport that emphasizes strategy, agility, and sportsmanship. Played on a court with seven players per team, Netball encourages physical fitness and teamwork. Unlike basketball, dribbling is not allowed, and players must pass the ball within three seconds.

NEXT CAMP: FEBRUARY 8 | 11am - 1pm

Carver CPR

14109 FM 134

Karnack, TX 75661



usanetball.org

USA Netball™



@ Carver CPR

Camp & Exhibition Games

Saturday February 8 th	11:00 am – 1:00 pm	FREE Kids Mini-Camp Ages 6 – 13
	3:00 pm – 5:00 pm	USA Netball Exhibition Game FREE Admission!
Sunday February 9 th	10:00 am – 12:00 pm	USA Netball Exhibition Game FREE Admission

Questions/ Registration? 903-578-0485



Carver CPR
(Old G. W. Carver Elem. School)

14109 FM 134
Karnack, TX 75661

USA Netball Announces Successful Completion of Level 1 Umpires Theory Exam

USA Netball is pleased to announce the successful completion of the Level 1 Umpires Theory exam, held on February 8th, 2025 at Carver CPR in Marshall, Texas.

Twenty-two candidates participated in the exam, achieving an impressive average score of 88.4%. Notably, 12 candidates achieved scores above 90%, and one candidate earned a perfect score of 100%.

"We are thrilled with the results of the exam," said Matthias Wilkie, Lead Technical Personnel for USA Netball. "The high scores demonstrate the candidates' hard work and dedication to becoming certified umpires."

The successful candidates will proceed to the next stage of certification, which includes an initial assessment of the practical examination, followed by the practical exam and physical fitness test.

USA Netball congratulates all candidates who participated, including 8 candidates from the Texas State Netball Association and 1 candidate from Chicago. Additionally, 12 candidates from the USA Netball training squad, representing various states across the country, including Florida, Georgia, Washington D.C., Virginia, and Seattle, Washington, also took part in the exam.

For those who did not meet the required score, USA Netball offers a second chance to take the exam at no additional cost. If unsuccessful on the second attempt, candidates will need to pay for the third attempt.

USA Netball is the national governing body for Netball in the United States. Our mission is to promote and develop the sport of Netball in the USA.



Interested in becoming an Umpire or Technical Officer
Contact:
Matthias Wilkie
Lead Technical Personnel, USA Netball
usanetball@gmail.com

usanetball.org



<https://www.facebook.com/share/v/1HXuAj9eob/>

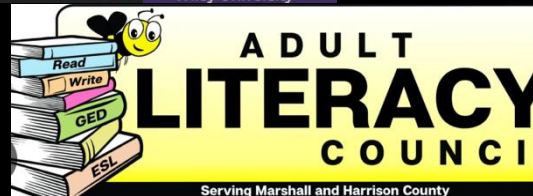
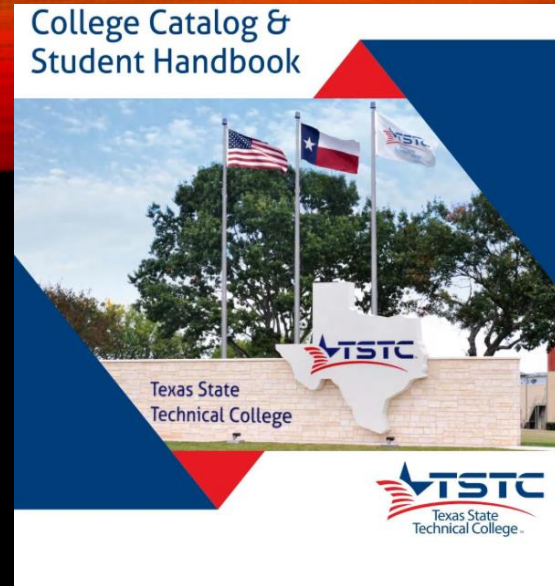
MULTIPLEX



FUTURES PLANNING

28

- Technical Schools/ Higher Education
- Health Systems
- Hospitality/ Service
- Community Agencies



VISION

Community Revitalization & Development



One Partnership ----- One Stakeholder-----One Resource...
At a Time



As I considered the challenge of attempting to revitalize this community- to meet needs that seem so basic, yet have proven so elusive, I asked myself IF it could be done. More importantly, I asked 'What if it is NOT done? If not us - who? If not now - when?'

The answers to these questions, with their certainty of uncertainty- or worse, are intolerable to accept.

And so, our work begins.
—Dr. Henryett Lovely Porter

A LEGACY TO KEEP

As I worked on projects which fulfilled a real human need, forces were working through me which amazed me. I would often go to sleep with an apparently insoluble problem.

When I woke, the answer was always there.
—George Washington Carver (c 1864-1943)



ALL TOGETHER – ALL BETTER!





TO: City Council
DATE: April 24, 2025
ITEM #: 8.C
SUBJECT: Discussion of the Need to Initiate a Charter Review and Provide Direction. (Councilwoman Godfrey & Councilman Morris)

Recommendation for Action: Discussion and Direction

Executive Summary: This item was placed on the City Council agenda at the request of Councilwoman Godfrey and Councilman Morris. This issue was discussed at the January 13th Governance Session. The discussion revolved around the City of Marshall fiscal year, which is the same as the calendar year. This is different from most Texas cities, which mimic the Texas fiscal year of October 1 to September 30.

The challenges this difference causes are many. It doesn't follow any of the Texas funding cycles for projects funded through, as an example, the Texas Water Development Board. Texas law requires that we complete the budget for the next fiscal year on the same schedule as cities with a fiscal year beginning October 1. This means we must approve a budget more than three months prior to it going into effect, which impacts our ability to effectively anticipate revenues and end-of-the-year expenditures. The City's fiscal year doesn't coincide with the Federal fiscal year, which also begins October 1. This makes it very difficult for reporting and project completion.

The last changes to the Charter were in November 2020. The following is from the Marshall Charter.

Article XII General Provisions

Section:12.08 Charter Amendment

Amendments to this Charter may be framed and submitted to the voters of the City in the manner prescribed by state law. The Council shall, at intervals not to exceed five (5) years, formally consider the need for revision(s) to the Charter. This review shall be based on a written report from the City Manager, with special attention given to conflicts, if any, between the Charter and state law, and recommending such amendments to the Charter as may seem necessary for legal, administrative or other reasons.

Section 12.09.

The City Council, per Section 12.08, could convene a Charter Review, through a Committee or by Council. Depending on the work reviewing the Charter, the City may be in a position to call an election with the November 2025 general ballot. This means, in terms of timing, the work to review and recommendations would need to be considered, reviewed and ballot language approved by the City Council no later than August and an election called.

Budget Cost: Election funding would need to be identified.

Staff Contact: Melissa Byrne Vossmer, City Manager
Scott Rectenwald, City Attorney

Attachments: None