

TENTATIVE AGENDA
FOR REGULAR MEETING OF THE
EAST BATON ROUGE PARISH LIBRARY BOARD OF CONTROL
CARVER BRANCH LIBRARY
720 TERRACE STREET
BATON ROUGE, LA 70802
MEETING ROOMS 1 AND 2
AUGUST 16, 2007
4:00 P.M.

- I. ROLL CALL
- II. MINUTES OF THE MEETING OF JULY 19, 2007
- III. REPORT FROM THE FINANCE COMMITTEE – MR. DAN REED
- IV. HOLD HARMLESS AGREEMENT – MS. NIKKI ESSIX
- V. UPDATE ON TOXIE CRAFT PROPERTY – MRS. LYDIA ACOSTA
- VI. BOARD OF CONTROL BYLAW REVISION – MR. STAN BARDWELL
- VII. REPORTS BY THE DIRECTOR
 - A. FINANCIAL REPORTS
 - B. SYSTEM REPORTS
 - C. MISCELLANEOUS REPORTS
- VIII. COMMENTS BY THE LIBRARY BOARD OF CONTROL

ALL MEETINGS ARE OPEN TO THE PUBLIC

Revised Minutes of the Meeting of the
East Baton Rouge Parish Library Board of Control

August 16, 2007

The regular monthly meeting of the East Baton Rouge Parish Library Board of Control was held at the Carver Branch Library on Thursday, August 16, 2007. Mr. Dan Reed, President of the Board, called the meeting to order at 4:00 p.m. Members of the Board present were Mrs. Katherine Auer, Mr. Stanford O. Bardwell, Jr., and Ms. Dorothy Stepteau. Also in attendance were Mrs. Lydia M. Acosta, Library Director and Mrs. Mary Stein, Assistant Library Director of Administration. Also present were Mr. Steve Jackson of Cockfield Jackson Architects, six members of the community, and Mr. Scott Dyer of *The Advocate*. Absent from the meeting were Mr. Stephen Moret who was out of state and Ms. Nikki Essix of the Parish Attorney's Office.

The minutes of the regular meeting of the Library Board on July 19, 2007 were approved on a motion by Ms. Stepteau, seconded by Mrs. Auer after several corrections were noted. Mr. Bardwell said that since the report by the Finance Committee actually contains a report of the Committee's activities at their meeting and then a discussion of the report by the Library Board members and the community, that the minutes should reflect that. Mrs. Acosta asked if this could be implemented in future minutes rather than rewriting these minutes. Mr. Bardwell was agreeable to this.

Report from the Finance Committee-Mr. Dan Reed

Mr. Dan Reed, Chairman of the Finance Committee, reported on the Finance Committee meeting held on August 7, 2007 at the Carver Branch Library. He said that he and Mr. John Carnahan had met with Dr. Kirk Patrick, one of the donors of the property on Burbank Drive proposed as a site for a southern branch library. The donors are willing to work with the Library in regard to the construction deadline of December of 2009 imposed in the donation agreement as long as the branch is completed within a reasonable length of time.

Three financial matters have affected the funding for building construction. They are an increase in the amount of the State Aid for technology grant, income from the federal E-rate fund, and a 30% increase in the Library's share for indirect costs.

A construction schedule for building a new Main Library was distributed. Realistically it appears that the building will be completed in 2011 instead of 2010.

The Committee reviewed population statistics and projections that were made pre-Katrina and discussed these in regard to determining the size of a branch library. Many factors are used to determine the size of a branch building. Mr. Reed noted that the largest population is located around the Jones Creek Regional Branch which illustrates the need for an eastern branch library. Ms. Stepteau had asked at the Committee meeting if it would be possible to build a smaller southern branch so that an eastern branch could also be built.

Mrs. Acosta noted that Mr. Reed was summarizing his report from the draft minutes of that meeting. When the Finance Committee meets in September, these minutes will be approved and then placed on the Library's website. No discussion of the report of the Finance Committee was necessary.

Hold Harmless Agreement-Ms. Nikki Essix

Since Ms. Essix of the Parish Attorney's Office was absent from this meeting, no discussion occurred regarding the hold harmless agreement for the Safe Place program. The discussion will continue at the regular September Board meeting.

Update on Toxie Craft Property-Mrs. Lydia Acosta

Mrs. Acosta reported that Mr. William Aaron of the Parish Attorney's Office has produced the cash sale documents in order for the Library to purchase the property adjacent to the Eden Park Branch Library owned by Mr. Toxie Craft. The resolution to purchase this property will be presented at the meeting of the Finance and Executive Committee of the Metropolitan Council on Wednesday, September 5, 2007. Upon the recommendation of the Committee, the resolution will be presented to the Metropolitan Council for their approval on Wednesday, September 12, 2007. Upon the Council's approval, the Mayor-President will be authorized to execute the Act of Sale, and thereby purchase the property for the Library.

Mr. John Berry, a member of the community, asked why the Library is purchasing this tract of land. Mrs. Acosta explained that the Library attempted to purchase this property when the adjacent land was purchased to build the Eden Park Branch Library. Mr. Craft was in business at the time and declined the offer. Now that he is retired, he wishes to sell the property. Mrs. Acosta said that the Library wants this land for green space for the Eden Park Library property.

Board of Control Bylaw Revision-Mr. Stan Bardwell

Mr. Bardwell has requested that the Bylaws of the East Baton Rouge Parish Library Board of Control be amended. He asked the other Library Board members to consider revising *Article 8 Section 1 Order of Board Business* to reflect the actual practice at the Library Board meetings.

Currently, as written, Article 8 states the following:

Article 8. Order of Board Business

Section 1. The order of business at the regular meetings of the Board shall be as follows:

1. Roll call
2. Approval of minutes
3. Election of officers at annual meeting
4. Financial reports
5. Reading of communications
6. Reports of committees
7. Unfinished business

8. New business
9. Comments by the President
10. Adjournment

Mr. Bardwell proposed that item 4 be deleted and replaced by the following:

- Reports by the Director
- A. Financial Report
 - B. System Report
 - C. Other Reports

Item 5 is deleted.

Item 9 is deleted and replaced by "Comments by the Board".

Items 6, 7, 8 9 and 10 are renumbered as items 5, 6, 7, 8, and 9.

The amended article would be stated as follows:

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Mr. Bardwell made a motion that the Board amend Article 8 of the Bylaws as described above. Ms. Stepteau seconded the motion. But she asked if the Board could legally vote for this change at this meeting because this proposed amendment was not stated in the call for the meeting. In the Bylaws, *Article 9 Amendments* states that "These Bylaws may be amended at any regular meeting by a majority vote; provided the proposed amendment was stated in the call for the meeting." Because of this, Ms. Stepteau asked whether they are required to delay the vote for 30 days. She said she will defer to the two Board members, Mr. Reed and Mr. Bardwell, who are also attorneys. Mr. Bardwell replied that in regard to Article 9 the call for the meeting must be made one week before the meeting. Mr. Reed then made a motion to table this proposed amendment until the next Board meeting. Ms. Stepteau seconded the motion and it passed unanimously. The Library Board will vote on this amendment at their regular September meeting.

In regard to the Bylaws Ms. Stepteau said she agrees with amending Article 8. She asked about *Article 5, Section 4 Library Director and Employees* regarding the legality of the Library Board going into executive session when the Library Director may be asked to retire. Mr. Reed answered that the Board can go into executive session when the topic to be discussed is a personnel issue addressed in the Exceptions to Open Meetings. Ms. Stepteau noted that *Article 6 Committees* could encompass the focus study that she requested the Library budget for in 2008.

Ms. Stepteau also inquired about when the Library Board's request from 2006 to the Metropolitan Council to increase the number of Library Board members from 5 to 7 would be implemented. Mrs. Acosta replied that this issue is one of many requests for changes in the City-Parish Plan of Government. All of the requests to amend the Plan of Government that were approved by the Metropolitan Council will be placed on the October ballot for a vote by the citizens of the parish. If this proposition passes, Mrs. Acosta will talk to Mr. Brian Mayers about the commencement date for the change from 5 to 7 Library Board members.

Mr. John Berry, a member of the community, asked that the Board President look at the audience in attendance at the Board meetings after each agenda item is discussed to recognize members of the community who may have questions on the topic being presented. Mr. Berry noted that at times he has been overlooked when he wished to make a comment or ask a question. Mrs. Auer responded that as a public body the Library Board welcomes comments from citizens of the community.

Mr. Tom DuBos, a member of the community, asked about comments from the public in regard to the Bylaws. Mrs. Acosta replied that the Parish Attorney advised her that comments from the public can be made on items that are on the agenda. Mr. Bardwell added that comments by the Board do not include comments by the public. However, comments by the public are at the discretion of the Board President, and that logically these comments should be made at the time the agenda item is being discussed.

On another topic, Mr. Berry made some comments about the proposed construction schedule for the new Main Library in Independence Park. He said that he and the members of Citizens for the Main Library in Independence Park (CMLI) feel there is room for compression of dates for some of the construction items. He and Mr. DuBos and some others have devised a schedule that decreases the time line by one year. Mr. DuBos has volunteered to review the time tables for constructing some of the other branch libraries like the Jones Creek Regional Branch and the Greenwell Springs Road Regional Branch.

Mr. DuBos said he is pleased to see a written schedule and he complimented Ms. Stepteau and the other Board members for getting this accomplished. However, he is not happy with increasing the construction schedule by an additional year. He asked Mr. Reed for permission to review the Library's construction files in order to determine where items can be fast tracked. Mr. Reed said that the Board does not have control over how quickly the architect designs the building and how quickly the contractor builds the facility. Mr. DuBos cited the recent construction of the Eden Park Branch Library as an example. He said if, for example, the City Parish Department of Public Works (DPW) is not completing their work in a timely manner, the members of the public can question DPW and if necessary, go to Mayor-President Kip Holden to

expedite the construction. He also said the public could go to the Metropolitan Council to assist in getting the project done in a timely fashion.

Mrs. Acosta responded that she sees this request as a lack of faith on the part of CMLI for the Library's good faith effort to give the public a time table. She said she opposes going over old records from other Library construction projects as this diverts the staff from doing the work that needs to be done on the Main Library and other projects. Mrs. Acosta also noted that the construction of the Main Library is a much bigger project than any of the Library construction thus far. She added that she asked Mr. Steve Jackson, an architect with Cockfield Jackson Architects who has designed several of the branches in our Library system, to assist her with this schedule. From his expertise he responded that more time was needed to be placed in the time table. Mrs. Acosta also spoke with Mr. Pete Newkirk, Director of DPW about the time frame for the creation of a request for proposals for the design of a new main library. Mr. Newkirk advised that about two months is a good estimate of the time required for this aspect of the project. Mr. Reed noted that this schedule was created because the public wanted to see something in writing. This document was made to fulfill this request.

Mr. Steve Jackson then explained that he has thirty years of architectural design expertise. He emphasized that this schedule is the worst case scenario. Mr. Jackson said architects are motivated to finish a project in a timely manner because this produces a good project. He said this project will require much collaboration between the Library and BREC. He also noted that another factor in completing the project on time is the contractor that is selected to build the library. Mr. Jackson concluded by saying he would be opposed to shortening the time table.

Mr. Berry said CMLI looked at several items such as the Public Forum and the discussion of the building program by the Library Board. His organization feels that the Board could hold a special Board meeting the same week as the Public Forum to approve the building program and thereby, save two months in the schedule. Mr. Reed responded that the Board will probably need to discuss the building program at their regular meeting. Mr. Berry also thought the time frame for the review of the bids, the production of the contracts and the execution of the contracts could be expedited. Mr. Jackson said that is a DPW issue outside of the Library's control.

Mr. Reed noted that the construction of the new Main Library is not going to be put on a fast track because reputable architects and contractors will shy away from this type of job, not to mention the additional cost involved in expediting a project. Mrs. Acosta assured the public that the architectural community is anxiously waiting for the RFP for this project. Ms. Stepteau added that she is scheduling her knee replacement surgery around this construction schedule so as not to be the cause of any delay in the execution of the project.

Reports by the Director

Mrs. Acosta referred to the Cash Collections report as of August 9, 2007 with total cash received on property taxes and interest in the amount of \$29,057,704.24. She announced that starting next month the financial report will be reformatted to accommodate the prior month's data so as to

show both months side by side. System reports included statistics for July 2007 for Circulation, Gate Count, Reference Questions Answered, Programs in the Library and Database Usage.

Mrs. Acosta proudly displayed a plaque which was awarded by the organization, *Keep Baton Rouge Beautiful* to the Scotlandville Branch Library for the Clean Business of the Year for the category of Public Buildings/Facilities. She also noted that the Eden Park Branch Library has won the Rose Award. The September Board meeting will be held at the Eden Park Branch Library so that Mr. Kenneth Tipton of Tipton Associates, the firm that designed the branch, can present the Library with this award.

Comments by the Library Board of Control

Ms. Stepteau asked about the 30% increase in indirect costs proposed for the 2008 budget. She wondered which accounts will show an increase in indirect costs. Mrs. Acosta said the Mrs. Lovett, Library Business Manager, is compiling the figures and will be able to report on where the increases will occur at the September Board meeting. Mrs. Acosta explained that the Library can talk to the City Parish Finance Department about any increases that seem unwarranted.

Ms. Stepteau complimented Ms. Liz Zozulin, Executive Assistant to the Library Director, for her ability to take notes at the Board meetings and then compose the minutes. Mr. Bardwell appreciated the Baton Rouge Jazz Ensemble's performance yesterday at Chelsea's Restaurant. Of note, Mr. Steve Jackson is a member of the ensemble and performed last night. This event is part of the Library's program entitled *Baton Rouge: All That's Jazz*.

Mr. Berry offered to Mrs. Auer wishes for her son's complete recovery following a serious car accident. Mrs. Auer replied that her son is making good progress. Mr. Berry also asked when the Finance Committee would meet in September. Mrs. Acosta said that the meeting will be held on Tuesday, September 4, 2007 at 4:00 p.m. at the Carver Branch Library. Mr. Berry inquired about security guards at the Main Library. Mrs. Acosta said that the Library employs Sheriff's Deputies at all Library facilities starting in the afternoon and until closing. She explained that the Library cannot hire the Baton Rouge City Police because of overtime compensation issues with the City, so therefore, we hire the deputies. Our budget for security is over \$500,000 per year. The Library deals with crime issues at the Main Library and all of the branches. We utilize cameras inside our buildings and are increasing our security technology at our regional branches.

There being no further business, the meeting was adjourned at 5:29 p.m. on a motion by Mr. Bardwell, seconded by Mrs. Auer.

Dan Reed, President

Lydia M. Acosta, Director