

REVISED AGENDA
FOR SPECIAL MEETING OF THE
EAST BATON ROUGE PARISH LIBRARY BOARD OF CONTROL
MAIN LIBRARY
BOARD ROOM
7711 GOODWOOD BOULEVARD
BATON ROUGE, LA 70806
SEPTEMBER 5, 2013
4:00 P.M.

I. ROLL CALL

II. OLD BUSINESS

A. UPDATE ON THE BRANCH LIBRARY IN THE ROUZAN DEVELOPMENT AND
DECISION ON FUTURE COURSE OF ACTION

B. DISCUSSION AND DECISION REGARDING POSSIBLE ALTERNATE SITES FOR SOUTH
BRANCH LIBRARY

III. COMMENTS BY THE LIBRARY BOARD OF CONTROL

ALL MEETINGS ARE OPEN TO THE PUBLIC

**IN ACCORDANCE WITH THE BOARD'S PUBLIC COMMENT POLICY, ALL ITEMS ON WHICH
ACTION IS TO BE TAKEN ARE OPEN FOR PUBLIC COMMENT, AND COMMENTS AND
QUESTIONS MAY BE RECEIVED ON OTHER TOPICS REPORTED AT SUCH TIME AS THE
OPPORTUNITY IS ANNOUNCED BY THE PRESIDENT OF THE BOARD OR THE PERSON
CONDUCTING THE MEETING.**

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

September 5, 2013

The special meeting of the East Baton Rouge Parish Library Board of Control was held in the Board Room of the Main Library on Thursday, September 5, 2013. Mr. Travis Woodard, President of the Board, called the meeting to order at 4:03 p.m. Members of the Board present were Mr. Stanford O. Bardwell, Jr., Mr. Charles P. “Chip” Boyles, Jr., Ms. Tanya Freeman, and Ms. Kizzy Payton. Absent from the meeting was Board member, Mr. Jason Jacob. Also in attendance were Mr. Spencer Watts, Library Director, Ms. Patricia Husband, Assistant Library Director of Branch Services, Ms. Mary Stein, Assistant Library Director of Administration, Ms. Liz Zozulin, Executive Assistant to the Library Director; Mr. Esau Lolis, Library Public Relations Coordinator; and Mr. Leo D’Aubin, of the Parish Attorney’s Office. Also present were Mr. Steve Ward, reporter for *The Advocate*, Mr. Quincy Hodges, reporter for *Nola.com*, Ms. Elyssa Lassiter, videographer for NBC 33 and Fox 44 TV, and two members of the community.

Mr. Woodard asked Ms. Zozulin to take the roll which she did.

Old Business

A. Update on the Branch Library in the Rouzan Development and Decision on Future Course of Action

Mr. Woodard read item A and stated that Mr. Leo D’Aubin of the Parish Attorney’s Office has continued to postpone any further work on the Rouzan CEA, (Cooperative Endeavor Agreement). Mr. Woodard also noted that it has been many weeks since he has observed any changes on the Rouzan development site.

Ms. Freeman then asked if anyone has recently spoken to Mr. Tommy Spinoso of 2590 Associates. She also questioned if Mr. Spinoso is following the prior CEA since the revised CEA that Mr. D’Aubin and the representatives of 2590 Associates have been working on has not been completed or signed. Mr. Watts replied that the current CEA is still in force. But he added that he believes it is possible Mr. Spinoso is waiting to see what the Library Board is going to decide regarding the branch library in the Rouzan development.

Mr. Bardwell then said he did not think Mr. Spinoso is abiding by the current in force CEA. Mr. Bardwell noted that the incomplete and unsigned amendment to the CEA specifies that 2590 Associates has until 2014 to complete their work.

Mr. Woodard then said Item A is on the agenda so that everyone knows that the completion of an amended CEA is still in process. He added that what is or isn’t going on at the Rouzan site is very relevant. Mr. Bardwell commented that Mr. Spinoso has violated the February deadline in the current CEA. There is no other legal document in force.

There were no other comments by the Board. Mr. Woodard asked for public comments. There were none, so he proceeded to Item B on the agenda.

B. Discussion and Decision regarding Possible Alternate Sites for South Branch Library

Mr. Woodard read Item A stating that the Library staff prepared some documents for the Board containing information about the various sites they found within the area to be served by a branch in south Baton Rouge. He told the Board members that they need to make their comments on these sites. He suggested they review each of the 21 sites listed on the spreadsheet created by the staff. He began the discussion by stating that Site # 1 is the current site within the Rouzan development.

Mr. Woodard then talked about Site # 2 which he thought was very viable. This site is on Perkins Road across from Moss Side Lane and is owned by Mr. Spinosa's company, JTS. Mr. Woodard asked Mr. Watts to discuss his perceptions of the property for a branch library. Mr. Watts stated that while the site is highly visible and generally accessible, the drawback is that there will be no traffic signal there for making a left turn onto the property. Since Perkins Road is heavily traveled, at peak times of the day, patrons will not be able to easily enter the facility from the opposite side of the street, or turn left out of the property. He also noted that the asking price is very expensive. Mr. Woodard asked Mr. Watts if the price on the spreadsheet is accurate to which Mr. Watts said yes. Mr. Woodard pointed out that the Library will only be able to pay for a site at its appraised value.

Mr. Bardwell said that in his opinion, Site # 2 is not an option. He noted that it would be irresponsible of the Board to pay \$2 million for this site when they have free land from the same entity just down the street. Mr. Bardwell added that from a public relations stand point, it should not be considered.

Mr. Boyles said he sympathized with Mr. Bardwell. He felt, however, that Site # 2 should be considered. He added that all of the sites in the Burbank Drive area should be out of consideration due to environmental and drainage concerns. Ms. Payton agreed with Mr. Boyles. She added that Site # 2 gives the Library Board full control of the property.

Mr. Watts then said that Site # 3 at 8438 Highland Road, east of Kenilworth Drive near Staring Lane was not in consideration as the site is too close to the Bluebonnet Regional Branch Library. Mr. Woodard agreed that this site should not be considered.

Mr. Watts said that Site # 4 at 1072 Lee Drive across from Mike Anderson's Restaurant between Burbank Drive and Nicholson Drive is outside of the traffic patterns of many of the potential patrons for a branch library. Mr. Bardwell noted that the site is not in a good location based on some of the adjacent structures surrounding the site. Mr. Woodard agreed and said that this site should not be investigated further. He also noted that Site # 5 at 2585 Brightside Lane, the former Catholic Deaf Center should not be considered because of its location.

Mr. Watts then said that Site # 6 on Burbank Drive, east of Ben Hur Road has just been sold to the Price LeBlanc family. They are not interested in selling a piece of this property.

Ms. Payton then asked why they were going through all of the sites today when at the August 15th Board meeting, the Board narrowed down the choices to seven. Ms. Freeman agreed with Ms. Payton to which Mr. Woodard said he had missed that August meeting when this was decided by the Board. The Board had voted at the regular Board meeting on August 15, 2013 to only consider Sites #2, #6, # 7, #8, #9, #10 and #16.

The Board then discussed Site # 7 which is on Burbank Drive southwest of Lee Drive. Mr. Watts noted that this property is part of the Arlington Creek PUD. Ms. Freeman said that there are many residences in this area and they are underserved. Mr. Watts noted that there are environmental concerns in this area, and that the Library would be held by the public to a relatively high standard, as compared to private corporations. He added that if they built in this area of the parish, they would be contributing to issues in an environmentally sensitive location containing wetlands and in a flood prone part of the parish. Mr. Woodard said he was also concerned about the cost of the required mitigation when building in this area. The Board members agreed to delete Site # 7 from their list.

Site # 8 was then discussed. This site is on Kenilworth Parkway within the Pennington Biomedical Research Center toward the back left side of the property. Mr. Watts told the Board that within a week he and the staff will meet with personnel from Pennington and LSU. He added that Pennington is in the process of having the site appraised, and that possibly at this meeting they can learn about the asking price for this land. Mr. Woodard asked for a clarification that the site in question is south of Dawson Creek which runs through the Pennington Property. Mr. Watts replied affirmatively. Ms. Freeman said she was concerned about the topography of the land. Mr. Boyles said this is his preferred site.

Mr. Woodard asked Mr. Watts about the service area around this site. Mr. Watts replied that people know where Pennington is, and that the site could work for a branch library. He noted that it is close to a residential area and, therefore, would require a buffer so as not to disturb residents living close to the branch. Mr. Watts felt that they would get both positive and negative responses to this location. Mr. Boyles said he would love to have a library near his residence. Mr. Woodard then asked how large the site is to which Mr. Watts answered the total available area appears to be approximately 12 acres, but the exact dimensions and size of any parcel Pennington may offer for consideration has not yet been determined. Mr. Woodard wondered what the cost of developing this property would be. He pointed out that constructing a retention pond was required when Pennington was built. Mr. Bardwell then said the geographic location of this site is the best one.

Mr. Boyles then said the Board needs to narrow down the selection to just two sites, and Mr. Watts agreed. Mr. Woodard suggested that they could sign a purchase agreement for this site. He asked Mr. D'Aubin for his opinion. Mr. D'Aubin replied that they would not be able to submit a purchase agreement, but could probably draft a letter of intent to indicate their serious

consideration of this property. Mr. Watts then asked the Board members if they wished him to pursue Site # 8 to which they said yes.

Site # 9 at the T-intersection of Perkins Road and Kenilworth Parkway (north of Perkins) was rejected. Mr. Watts provided the Board with a site map illustrating the location of the proposed extension of Kenilworth Parkway north of Perkins Road which would cut through this property. Mr. Watts noted that during the construction of this road if the branch library were located there, patrons would be subjected to noise, construction, dirt and mud for possibly two years.

Site # 10 was eliminated because it was too narrow for use, and not easily visible or accessible to patrons. Site # 16 which is located on Burbank Drive at Lee Drive and is part of the Arlington Creek PUD was also rejected. Mr. Watts said the sellers were willing to subdivide the property, but this site is in one of the environmentally sensitive areas. Mr. Woodard agreed and added that it was too far south for consideration. He noted that Site # 17 on Burbank Drive west of the Staring Lane extension is not acceptable. Mr. Woodard added that Site # 18 on Burbank Drive across from the Kenilworth Drive extension is also not acceptable.

Mr. Woodard said his conclusion is that Sites # 2 and # 8 are the best choices. Mr. Watts noted that these were also the choices of the library staff. Mr. Woodard asked Mr. Watts if the staff had spoken to real estate agents to which Mr. Watts replied that they spoke to the sellers' agents. The staff had not contacted agents to represent the Library as they were not instructed to do so, but rather to informally look for alternative sites.

Mr. Woodard then asked Mr. D'Aubin about the Pennington site. He asked if this site is feasible. Mr. D'Aubin said he could not answer this since he did not know who was in control of Pennington. He also said he'd need to do some research on various concerns regarding Pennington.

Ms. Freeman then commented that one site is complicated by price and the other has too many unknowns. She wanted the staff to continue looking for property because if these two sites were not acceptable, then they would not have any alternates. Ms. Payton noted that the staff has spent two months looking for sites and talking to realtors. Mr. Woodard added that he believes the list of 21 sites is the total of what is currently available.

Ms. Payton then asked how long it would take to get an appraisal on the sites. Mr. Watts replied that the City has the names of appraisers that have evaluated property for them. Mr. Watts said it appears it would take from 6 to 10 weeks for a complete appraisal with conclusions. He added that possibly DPW could provide the Board with a general review of a site.

Mr. Boyles asked if one of the architects already working for the Library could give an estimate of site development costs. Mr. Watts replied that this could not be done as it is not covered by current contracts. He suggested that they might be able to engage the services of an architect under a professional services agreement.

Ms. Payton said that at the last regular Board meeting they had decided to have this special meeting so that they could make a decision on a site. She wondered why they were not doing

this today. Mr. Watts agreed with Ms. Payton and mentioned that he and his staff have spent many hours gathering this information. They do not have extra time to research further as they are pressed with other projects such as the close out of the new Main Library and the work on the next phase of the construction of the new River Center Branch Library.

Mr. Woodard then asked Mr. D'Aubin if they got the property appraised, would the appraised value become public information. Mr. D'Aubin answered yes. Mr. Woodard said he would be concerned if their appraisal was higher than the asking price.

In the matter of hiring a realtor, Mr. D'Aubin said that he would need to do some research into whether the Library Board could pay a realtor to work for them. Mr. Watts said he believes that in the past the Library has paid a flat fee to a realtor in order to find property. He added that as long as the fee is under \$17,500 they would not need Metropolitan Council approval, but that any contract of this nature is subject to City review and approval. [This would be from the City-Parish Purchasing Department.]

Mr. Bardwell said he wants more information on both sites. He especially wanted to know the elevation and footprint of the Pennington site.

Mr. Woodard then asked Mr. D'Aubin if the Board could ask for a 90-day option on the land for both sites with a stated price. Ms. Freeman said they would need more than 90 days to which Mr. Woodard replied that 90 days is usually the standard amount of time requested. Mr. Watts noted that he did not think that Pennington would need a 90-day option as it appears they haven't offered this land to anyone else. Mr. Woodard said they also need to be sure that the Pennington Board has approved this offer to the Library, and not assume that the individuals who have contacted Mr. Watts have the authority to act.

Ms. Payton made a motion to defer action on the two additional sites for a branch library for south Baton Rouge until the next regular Board meeting on September 19, 2013. Mr. Bardwell seconded the motion with the additional statement that Mr. D'Aubin also conducts the research they had discussed.

Mr. Woodard said he wanted to defer this motion and propose a substitute motion. His motion was to ask the Library staff and Mr. D'Aubin to take all actions necessary for a 90-day option on Site # 2, and to complete this due diligence prior to the regular Board meeting on Sept. 19, 2013. Mr. D'Aubin said he thought the Board wanted an option to lock in the property while they complete their research. Mr. Woodard then added to the proposal the listing price for Site #2 subject to an appraisal, and to follow-up on further information on Site # 8. Mr. D'Aubin said they need to negotiate the best price for the property. He added that with a 90-day option they would have a choice and not be obligated to buy the property. He also said he'd do the research, but he believes they can ask for a 90-day option on the property.

Ms. Payton then said she thought that DPW could make a preliminary assessment of the Pennington site in the next 90 days. She added wouldn't they need more information from the officials at Pennington before the Board makes a motion regarding the Pennington site.

Mr. D'Aubin then asked what the boundaries were for the branch in south Baton Rouge. The Board and staff referred him to a rough planning map in the Board Room outlining the boundaries as Essen Lane and Staring Lane to the east, Lee Drive and College Drive to the west, Perkins Road to the north and Burbank Drive to the south. Mr. D'Aubin then asked if the Board has decided to remove the donated site in the Rouzan development from consideration. Ms. Freeman replied no. Mr. Woodard added that they had discussed that site prior to Mr. D'Aubin's arrival at the meeting today.

There was no second on Mr. Woodard's substitute motion.

Ms. Payton then re-stated her original motion to defer action for two weeks on the decision on possible alternate sites for the south branch library and request legal counsel to research the process of how the Library Board could enter into an option or purchase agreement for Sites # 2 and # 8. Mr. Bardwell seconded the motion which passed unanimously.

Mr. Woodard then asked for comments from the public. Ms. Kathy Wascom, a member of the community, said the Board should consider a site that will serve the population in the various subdivisions from City Park to Kenilworth, to Pollard, Concord Estates and the Southdowns area. The lack of available property has been an issue in this part of town for over 20 years. Many thought the solution would be the purchase of a portion of the Ford estate, but the heirs would not subdivide the property. Ms. Wascom agreed that trying to make a left turn at Site # 2 will be difficult. She added that the Pennington site should be the furthest to the east that they consider. Ms. Wascom noted that the motion that passed actually still encompasses all of the 21 sites for consideration. There were no other public comments.

Comments by the Library Board of Control

Mr. Woodard asked for comments from the Board members. Ms. Freeman said since land is so difficult to find in this area to build a facility, she asked Mr. Watts about other ways such as mobile library services for this population. Mr. Watts noted that they did discuss this topic during their recent strategic planning work session. Beside mobile service, other means such as multiple, smaller modules could be employed.

Mr. Boyles said that Ms. Payton was correct to narrow the choices to the two sites. He added that possibly now that the public is aware of their search for an alternate site, someone may know of some property in this part of the parish that has not been advertised, but may now be offered for sale. He felt this was a positive result of this meeting.

Mr. Bardwell said he noticed through a Louisiana Library Association publication that a national Bookmobile Conference is scheduled to be held in Baton Rouge in October. He asked if the Board should participate or contribute in some way and if there is an agenda for this conference. Ms. Stein replied that the agenda should be ready in about two weeks. She added that the purpose of the conference is to demonstrate and discuss how bookmobiles can provide library service.

There were no additional comments by the Board.

There being no further discussion, the meeting adjourned at 5:25 p.m. on a motion by Mr. Boyles, seconded by Ms. Freeman.

Travis Woodard, President

Spencer Watts, Library Director