

REVISED 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
JULY 19, 2007
4:00 P.M.

- I. ROLL CALL
- II. MINUTES OF THE MEETING OF JUNE 18, 2007
- III. BOARD ENDORSEMENT OF PARK-LIBRARY CONCEPT FOR BREC
INDEPENDENCE PARK MASTER SITE PLAN – MR. BILL PALMER,
SUPERINTENDENT OF BREC; MR. TED JACK, LANDSCAPE ARCHITECT WITH
BREC
- IV. REPORT FROM THE FINANCE COMMITTEE – MR. DAN REED
 - A. 2008 CAPITAL IMPROVEMENT PROJECTS BUDGET REVISION
- V. HOLD HARMLESS AGREEMENT – MS. NIKKI ESSIX
- VI. UPDATE ON TOXIE CRAFT PROPERTY – MRS. LYDIA ACOSTA
- VII. BOARD OF CONTROL BYLAW REVISION – MR. STAN BARDWELL
- VIII. REPORTS BY THE DIRECTOR
 - A. FINANCIAL REPORTS
 - B. SYSTEM REPORTS
 - C. MISCELLANEOUS REPORTS
- IX. 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

July 19, 2007

The regular monthly meeting of the East Baton Rouge Parish Library Board of Control was held at the Carver Library on Thursday, July 19, 2007. Vice-President Katherine Auer called the meeting to order at 4:07 p.m. Members of the Board present were Mrs. Katherine Auer, Ms. Dorothy Stepteau, and Mr. Stanford O. Bardwell, Jr. Board members Mr. Dan Reed and Mr. Stephen Moret joined the meeting shortly thereafter; Mr. Reed presided as of 4:10 p.m.

Also in attendance were Mrs. Lydia M. Acosta, Library Director; Ms. Nikki Essix, Assistant Parish Attorney; Mrs. Patricia Husband, Assistant Library Director of Branch Services; Mrs. Mary Stein, Assistant Library Director of Administrative Services; Mrs. Brenda Lovett, Library Business Manager; and Mrs. Rhonda Pinsonat, Assistant Library Business Manager.

Also present were Councilman Mike Walker of District 8; Mr. Ted Jack and Mr. Reed Richard, both Landscape Architects with BREC; Mr. Steve Jackson, Architect with Cockfield Jackson Architects; Mr. Alvin F. Smith, Executive Director of Youth Oasis; Ms. Carlie Galloway of Youth Oasis; 11 members of the community, and Mr. Scott Dyer of *The Advocate*.

The minutes of the regular meeting of the Library Board on June 18, 2007 were approved unanimously on a motion by Ms. Stepteau, seconded by Mrs. Auer after several corrections were noted.

Board Endorsement of Park-Library Concept of BREC Independence Park Master Site Plan – Mr. Reed Richard and Mr. Ted Jack, Landscape Architects with BREC

Mr. Jack presented an overview of the “Library in the Park” concept. Mr. Jack described in detail the features shown on the full color rendition of the preliminary landscape plan. The plan is still in formation. The long circular drive will provide two entrances for automobiles; the plan also indicates at least one emergency road. There will be pedestrian gates and walking trails. Covered walkways might be added to link the theater, library and observatory. There might be exterior WiFi space as well as an outside place for a large public gathering. The plan will be further adjusted based on public input.

Mrs. Acosta asked Mr. Jack to comment on the coffee shop bookstore. There are several site possibilities for such a venture. Mr. Jack said that the most important piece of the plan is where the library is located. When people come to the library, the space in the front will become a dynamic and exciting public space. BREC would like the Board to support the “Library in the Park” concept.

Mr. Moret asked about the existing library site. The space currently occupied by the Main Library will be returned to green space, possibly for soccer fields.

Ms. Stepteau asked about places for adults to sit and watch the soccer games. Mr. Jack said that there is currently no spot. In general, they have not provided bleachers.

Mr. Reed asked about the various pedestrian gates shown on the plan. Mr. Jack explained that pedestrians could come in but no cars. There will also be a walking area around the library. There are several entrances for large events or emergencies. Mr. Jack explained that they were trying to simplify the roads and make the entrance very obvious.

Mr. Bardwell asked about the size of the Library's footprint. Mrs. Acosta explained the footprint of the Library as shown in the drawing is 40,000 square feet, with a second floor of 40,000 square feet and a third floor of 15,000 square feet.

Mr. Reed asked for a motion. Ms. Stepteau moved to adopt the Master Plan concept as presented and move forward. Mr. Bardwell seconded the motion. Mr. Moret asked if BREC would be open to minor modifications that might come out of the public forum. Upon an affirmative answer from Mr. Jack, Mr. Moret asked for a revision of the motion to endorse the concept of the Master Plan, including the incorporation of any modifications or revisions that might arise out of the public forum in August. The amended motion passed unanimously.

Report and Discussion of the Finance Committee Meeting – 2008 Capital Improvement Projects Budget Revision – Mr. Dan Reed

Mr. Dan Reed, Chairman of the Finance Committee, reported on the Finance Committee meeting held on July 9, 2007 at the Carver Branch Library. The Finance Committee had asked Library Business Manager Brenda Lovett to provide them with some projections wherein the proposed new branches were built on an earlier timetable than the one suggested during the tax election. The original proposal put forth during the 2005 tax election called for a branch to be built in the southern part of the parish, followed by a new Main Library, and finally, at the end of the ten-year tax period, an eastern branch would be constructed. If the new Main Library was built downtown, the library at Goodwood would be replaced; if the new Main Library was built at Goodwood, then the downtown branch would need attention. The Finance Committee was interested in moving the construction schedule up in order to save money by avoiding escalating building costs and providing services as soon as possible in the impacted areas.

The Committee wanted to know what would happen if the Metro Council committed to a roll forward in 2008. Mrs. Lovett's analysis is that the Library will be approximately \$2 million short. A suggestion was made to remove the east branch from the construction budget in 2008. Since this would be a revision of the budget sent to the Metropolitan Council last month, this suggestion needs to be addressed during this meeting so that the necessary submissions could be made.

Ms. Stepteau stated that she would like for the audience to be aware that what the Committee is recommending is not taken lightly. They could not see a way to finance what they originally wanted to do. If there is any way to do this, they are open to that discussion.

Mr. Moret stated that it would be useful to provide a sense of the history relative to the Library's east branch construction project. The east branch was included in the 2005 tax proposal with the understanding that it was originally budgeted to open in 2016. Councilman Walker had suggested bonding so that this branch could open much sooner, in 2008. The Committee was trying to do that. Two things have happened to cause a problem with this scenario. First, there was an unanticipated increase in the post-employment benefits expense, resulting in an additional 6 million dollars which severely impacted the projections. Second, upon investigation, staff found several technicalities which prevent the use of bonding to accelerate the construction schedule.

The Board appreciates Councilman Walker's suggestion of bonding and commends the staff for trying to make it work. The Board is open to other suggestions for funding. Everyone on the Board wants to see the east branch constructed as soon as possible. Most likely, it cannot be constructed in 2008, however, based on previous salary savings, the Library anticipates surpluses which means the project may not have to be delayed until the end of the ten-year budgetary period.

Mr. Reed discussed the difference between commercial and governmental accounting practices. The Library cannot start a building based on projected surpluses; nor can the Library budget with surplus money from estimated salary savings. The Library cannot count any surplus until it is actually collected. The Library cannot spend or encumber before monies are collected or realized.

Mr. Reed reiterated that the Board appreciates Councilman Walker's interest in the library, but the Board can't say that we will build the east branch earlier than originally put forth because we do not have the money yet.

Mrs. Acosta stated that she is very interested in seeing the east branch built. The Board has been on a pay-as-you-go basis for all our branch construction projects. There was already set aside money for the south branch and for the new Main Library. When the east branch was incorporated into the budget projections, there was no money already set aside for it. The Library expects to see a surplus at the end of 2007, but it won't be realized until June 2008. While the Board may act on the Committee's recommendation and remove the east branch from the construction budget, the Board can go to the council at a later date and ask them to add the east branch back into the budget. This is not to say it will happen, but that it can happen.

Mr. Moret asked for suggestions from the audience.

Mrs. Smith asked if constructing the south branch was based on rezoning of the Spinoza property. If it is not rezoned, will the construction timeline for the east branch move up? Mr. Reed stated that this would not impact the east branch. Money is already set aside for the south branch. There is other land available and the Board would build the south branch first, before the east branch.

Mrs. Acosta stated that the money was allocated to the south branch in good faith. She has spoken to Mr. Spinoza; he will be providing funding and an architect for the Perkins Road

project, which still has to go to the Metropolitan Council. However, there are conceptual drawings for this branch. If the Spinoza project does not go through, we are still ready to go. The problem is not one of construction but one of operation. For one branch, at least \$600,000 is required for staffing and another 30% for benefits. This brings the total close to a million dollars (per year) to get started, not including utilities and other operating costs.

Mr. Berry commented that the Library might possibly get a couple of million dollars by attrition, but would need to spend a million per year for staffing. Mrs. Acosta reminded him that governmental accounting does not allow the Library to budget based on projected salary savings.

Mr. Moret stated that there may indeed be some salary savings (through attrition) that will allow the Library to move up the construction timetable. However, as staff has explained, the Library cannot use the money until it is securely in the bank. Staff salary savings may not be as great as we project.

Councilman Walker discussed the fact that the Library will have a negative balance whether it builds the east branch or not (in 2014 – 2015). Mrs. Lovett explained that pulling the east branch out of the construction budget does not just remove the construction costs, but also the operating costs as well.

Councilman Walker asked about the Perkins Road branch allocation and square footage. Mrs. Acosta stated that the south branch had 5 million dollars allocated; the Library added 1 million dollars because of the increased cost of construction. The Spinoza plan calls for a 2-story facility with a footprint of 10,000 square feet or 20,000 square feet; if the Library is built at Burbank instead, the branch design and size may be different. Councilman Walker pointed out that if the Perkins building wasn't as large, there might be enough money to build the east branch. He asked if the Library could borrow money. Mr. Reed answered that while the Library can not, the city might be able to.

Mrs. Lovett explained that with bonds, the Library would not be able to pay back the money in the small amount of time before the tax expires. Mr. Moret added that there is no guarantee that the Library's tax millage will continue after the expiration of the current millage.

Councilman Walker stressed that the people who are interested in donating land for the east branch need some kind of close, definitive timeline and he needs to know what is the possibility to move forward on this project. He asked if the \$315,000 in architectural fees could remain in the 2008 construction budget as a sign of the Board's interest in accelerating the project. That way, even if the Library can't start the east branch until 2009, it shows a good faith effort to build the east branch. He also suggested reversing the timeline and starting on the east branch, saving surplus on the Perkins branch since zoning issues are not resolved there yet.

Mr. Moret asked if the donors would be satisfied if the Library said it would build a branch on the east site, predicated on the donation being completed and the Library's financial situation being secured. Design work would begin in 2008 and include a target date of when construction would start. Mr. Moret stated that he personally sees 2010-2012 as a target date; Councilman Walker agreed this timeline would be good for the donors.

Mrs. Acosta stated that her biggest concern is if the Library allocates the money as a good faith effort, she does not then want that allocation to be used as a club to proceed with construction, especially if the Library does not have the money to operate.

Councilman Walker stated that Ms. Essix from the City Parish Attorney's office could meet with the developer's attorney to obtain an amicable document. Mrs. Acosta was very concerned about signing a legal document. Ms. Essix said that it would be a non-binding document. Councilman Walker stated that there needs to be a little binding on both parties. If the Library won't agree to anything, the donors will not donate. Mr. Reed reminded the Board that the allocation was simply an allocation. The Library has had money in the past that was not spent. If the Board decides not to go forward, it is still in the budget.

Mr. Reed stated that there was a motion on the table to remove the east branch from the 2008 construction budget. Mr. Bardwell made a substitute motion to remove all funding for the east branch library from 2008 budget except the architectural fees. Ms. Stepteau seconded the motion. The motion was supported unanimously.

Mr. Bardwell understands that the Parish Attorney and the attorneys for the owners of the east property are actively working on the donation. This motion preserves the option to engage an architect in 2008 without adversely impacting the operating budget for 2008.

Mr. Reed wanted to make sure everyone understands that the timing for construction of the east branch is predicated on when the Library has the money to build, not upon when the Library has the design. Mr. Bardwell stated that retaining the east branch in the 2008 construction budget shows the Board's good faith interest in the option to build the library.

Mr. Moret left the meeting at 5:12 p.m.

Mr. Steve Jackson explained that the fee in question is the total architectural fee. In reality, only about 15% of the \$315,000 total would be used the first year. Mr. Reed asked if the Board could move forward with the architectural committee. Mr. Jackson replied that he believes the state has a method of appropriating money up to a certain point of development. The Board would not be spending the full amount. Mr. Bardwell reminded the Board that he just wants to allocate the money. The Board does not have to spend it, but the allocation will be there should the financial situation improve. Mrs. Acosta reminded the Board that it would not be feasible to move forward with the architectural committee during the first quarter of 2008, since the Library would be detailing building programs for the new Main Library and the south branch at that time.

Ms. Stepteau asked Councilman Walker if this was a good incentive to support the roll forward; Councilman Walker stated that he would definitely support a roll forward.

Mr. Reed invited the public to attend the next Finance Committee meeting on August 7, 2007 as well as the Public Forum to discuss design features of the new Main Library in the Park on August 27, 2007 at 7:00 p.m. at BREC's Independence Park Theatre.

Hold Harmless Agreement – Ms. Nikki Essix

Concerned with the city's liability, Ms. Essix had previously discussed with the Parish Attorney's office a potential agreement for the Library to serve as a community site for Safe Place. Ms. Essix has drafted a hold harmless agreement which will address any liability issues, assuming Safe Place is willing to enter into the agreement.

Mr. Alvin F. Smith, Executive Director of Youth Oasis addressed the Board regarding Safe Place, which provides emergency shelter for homeless/runaway youth. Started in Kentucky in the 1970's, the Safe Place program assists community sites frequented by youth in crisis. The main idea is that when youth come to a Safe Place site; the trained adult at that site will call Youth Oasis, which will dispatch someone who can help the youth.

Mr. Reed was concerned with the issue of liability. Mr. Smith thinks the risk is fairly small. Though new to Baton Rouge, there are already 41 states with Safe Place programs. There are now local sites at YMCA and the Baton Rouge General, and Youth Oasis is developing other sites. The risk is already there, with youth in trouble.

Mr. Smith stated that the hold harmless agreement does not embody the philosophy of Safe Place. Staff in the national organization have read it, but are not familiar with this type of agreement. Mr. Smith requested that Ms. Essix speak with Safe Place's attorney in Kentucky.

Ms. Essix stated that this was the agreement the city would sign. Mr. Smith informed the Board that Mayor Holden is this year's Safe Place Chair and supports this program. Ms. Essix stated that the Mayor must go to the Metropolitan Council before signing any agreement. Ms. Essix thought that the Library and Safe Place could ask the Mayor to put this item on the Metropolitan Council agenda if the Library Board supports this.

Ms. Stepteau commented that she had worked with missing and exploited children with various agencies in the mid 90's. As a designated reporter and as a counselor in the school system, she deeply appreciates what Safe Place is trying to do. She was concerned about the statement regarding "accept the responsibilities to the Safe Place site."

The Board had questions about the Safe Place forms that the Library and individual staff members would have to sign. The Board was especially concerned about the form wherein Baton Rouge Safe Place and Youth Oasis accept the responsibilities to the Safe Place site. Ms. Essix said that is the reason for drafting the hold harmless agreement. Mrs. Acosta understood Mr. Smith to say Youth Oasis/Safe Place may not be able to sign this agreement.

The Fire Department was discussed. The Fire Department is not participating because it is not a public entity. It cannot guarantee that staff will be available to intake youth in crisis. They cannot leave a child unattended if they must respond to a fire.

Mr. Bardwell inquired as to how the program is funded. Mr. Smith explained that the program started in Congress. One third of its operating budget is derived from two federal grants, one

third from state contracts, and one third from the community via local foundations such as the Four Kids Foundation in New Orleans, and private donations.

Mr. Bardwell asked if Safe Place will repay the Library for any damages, or if Safe Place could add the Library into the liability coverage as a named insured. Mr. Smith asked if the Library would absorb the extra cost of insurance. Ms. Essix stated that since the Mayor has given his support on this, possibly he could approach the Council with this. Mr. Reed said that in that case, the Council would need to know if the Library supports this agreement.

Mr. Bardwell said that he thought it is a great idea but the hold harmless agreement provides no backup.

Mrs. Acosta reminded the Board that these children come to the Library now. This agreement provides the Library with an extra measure of support.

Ms. Stepteau pointed out that the designated libraries are not indicated in the verbiage. Ms. Essix said that such a list can be an attachment. Mrs. Acosta indicated that the list would include all libraries. Ms. Stepteau asked about the language and dates for the agreement. Ms. Essix replied that they are usually done every year. Board members are considered officials or agents.

Mr. Bardwell questioned the language regarding services provided. As he understands it, the Library staff would just call someone at Safe Place and keep the child comfortable. The Library staff is not skilled in crisis intervention. Mr. Smith replied that the second page of the form identifies the responsibilities of the Safe Place site. Training will be provided for Library staff. The form identifies what the trained individual will need to do if a youth in crisis comes to a Safe Place site. Ms. Essix proposed that she omit the language "to provide resources, crisis intervention, and support services."

Mr. Reed asked who would sign it. Ms. Essix stated that the Mayor would sign it. Mrs. Acosta stated she would sign if directed to and legally authorized to do so.

Ms. Stepteau asked about signage to identify the Library as a Safe Place site. Mrs. Acosta said that that is not a problem; the library can absorb this cost.

Mr. Reed stated that his major concern is that the Library is inviting people to come in with a promise to keep someone safe when it has no resources to do that. Mr. Bardwell agreed, commenting that if the Library has adequate insurance, okay; if Safe Place has insurance, okay, but this document does not provide the Library with any support. If the Library goes to Safe Place for reimbursement, it will get nothing.

Mr. Berry asked why the police and BREC are not involved. Mr. Smith answered that the police are not always viewed favorably by youth. BREC is not an option because they use lots of volunteers and are not open the regular hours necessary. Safe Place is also working with fast food places like McDonalds, which are open long hours and geographically accessible. This program is trying to meet a need that is definitely there, but that people don't always see.

Ms. Carlie Galloway stated that the basic premise is that the community is responsible for our at-risk youth. She anticipates that Safe Place in Baton Rouge will mirror the issues in other areas: youth being kicked out of homes, being threatened or chased, etc.

Ms. Stepteau asked if the staff wants to do this. Mrs. Acosta assured her that they do. Ms. Stepteau moved that the Library set up the Library as a Safe Place site. Mrs. Auer seconded the motion.

Mr. Bardwell noted that the advantage to the Library's participation is that it gives staff a link to a group of professionals they can call to move the youth out to a place where they can get help.

Mr. Reed stated that he thought the Board should do this, but should clearly set out our responsibilities. He does not want to expose the Library to liability that the Parish Attorney and the Mayor do not want.

Ms. Essix asked what the pleasure of the Board was in this matter. When put to the vote, the motion passed with four individuals voting. Mr. Moret was absent. The Hold Harmless agreement will now move forward with the approval of the Parish Attorney and the Mayor-President.

Update on Toxie Craft Property – Mrs. Lydia Acosta

Mrs. Acosta reported that the Phase II environmental assessment of the Toxie Craft property is completed. Mr. Jorge Ferrer, Environmental and Landfill Coordinator in the Environmental Division of the Department of Public Works, is confident that the property is clean. Mrs. Acosta asked if the Board wants to move forward to work with Mr. Craft to purchase the property. Costs are as follows:

\$ 18,250	for land
8,950	for Phase I
6,260	for Phase II
5,265	for demolition of house, concrete slab
625	for demolition of storage building
2,500	for demolition of concrete driveway
<u>825</u>	for appraisal
\$ 42,675	total

Mrs. Auer asked why the Library wants this property. Mrs. Acosta stated that when the Library Board acquired the property for the Eden Park Branch Library, the Board inquired if Mr. Craft would sell his property adjacent to the Eden Park Branch site. At that time Mr. Craft did not wish to sell his property. He is now willing to sell. Purchasing the lot would allow the Library to control development at that spot.

Mr. Reed requested a motion. Ms. Stepteau moved to purchase the Toxie Craft property. Mr. Bardwell seconded the motion. Four voted in favor. Mr. Moret was absent.

Board of Control Bylaw Revision – Mr. Stan Bardwell

Mr. Bardwell asked if he could defer this item until later. At issue is the need to clean up the by-laws to reflect what the Board is actually doing, for example, changing the item in the by-laws so that all board members could make comments instead of the language that limits this to the president making comments; when in the agenda that reports by the director are submitted; etc. Mr. Reed agreed that this should be cleaned up. Mr. Bardwell said that he would work with Mrs. Acosta and make a motion at the next meeting.

Reports by the Director

Mrs. Acosta presented the Financial, System, and Miscellaneous reports.

Mr. Reed asked for questions. Mr. Bardwell asked about the format of the Balance sheet, the cash page, and the one page expenditure sheets. He would like to reformat each sheet to accommodate last month's data so as to show both months side by side. Mrs. Lovett said that she could format it to show a change from month to month.

Mrs. Acosta asked a question about the cash collection report: \$27,723,796.19 collected so far.

Ms. Stepteau asked for staff to note when they move money from one budget line to another. Staff will note that on the report.

Comments by the Library Board of Control

Mr. Reed asked if anyone had any comments.

Mr. Bardwell had attended the Library's July jazz program at Chelsea's and pronounced it to be thoroughly enjoyable, well attended, and well managed. He recommended that everyone attend. Mrs. Acosta announced that Steve Jackson's group will be performing during the August 15 jazz concert program.

Ms. Stepteau stated that she would like to have the discussion regarding the size of the south branch library and whether we want it to be 20,000 square feet.

There being no further business, Mr. Reed asked for a motion to adjourn. Mrs. Auer moved that the meeting be adjourned. Ms. Stepteau seconded the motion. The motion passed. The meeting was adjourned at 6:04 p.m.

Dan Reed, President

Lydia M. Acosta, Director