

**THE RECREATION AND PARK COMMISSION
FOR THE PARISH OF EAST BATON ROUGE**
Regular Meeting – 5:00 p.m.
BREC Administration Building
6201 Florida Boulevard
Baton Rouge, Louisiana
Commission Minutes
May 28, 2009

Call to Order

A regular meeting of the Recreation and Park Commission for the Parish of East Baton Rouge was held at BREC's Administration Building on May 28, 2009. The meeting was called to order at 5:04 p.m. by William Benedetto, Vice-Chairman. Roll call was taken and a quorum of Commissioners was present including Bettsie Miller, Treasurer; David Guillory; Darryl Robertson; and Kenith Woodall. Commissioners Verge Ausberry, Jr., Audrey Nabors-Jackson, Bert Neal, and Collis Temple, Jr. were absent. Staff members present were William Palmer, Superintendent; Ted Jack, Assistant Superintendent; Dale Auzenne; Ken Caldwell; Jack Dirks; Bob Epperson; Phil Frost; Tommy Green; Donna Mitchell; Mike Proctor; Debbie Spica; Stephanie Trim; Kristi Williams; and Chris Marchiafava. Carl Stages, Executive Director of BREC Foundation, and Stephen Whalen, legal counsel, were also in attendance. The audience consisted of BREC staff, the media, and the general public.

Adoption of Minutes

Resolved, That the reading of the minutes of the Recreation and Park Commission Meeting of April 23, 2009 be dispensed with, and that they be approved as written.

Motion by Ms. Miller

Seconded by Mr. Woodall

Approved by unanimous consent

Consent Calendar

Ms. Miller asked to remove the item regarding fees and policies for the Independence Park Family Aquatic Center for further discussion. After some discussion, Mr. Benedetto directed the item to be placed in regular order of business.

Resolved, That the Recreation and Park Commission for the Parish of East Baton Rouge does hereby approve the Consent Calendar items.

Motion by Mr. Guillory

Seconded by Mr. Robertson

Approved by unanimous consent

The following items were approved as part of the Consent Calendar:

Acceptance of Recommendations of the Finance Advisory Committee

Resolved, That the Commission approve a bid from D Honoré Construction, Inc. in the amount of \$6,400,000.00 for construction of a family aquatic center at Independence Park.

Resolved, That the Commission accept the high bids for the sale of surplus equipment totaling \$53,124.44.

Resolved, That the Commission approve settlement of the law suit Thibodeaux vs. BREC for \$17,000.00 according to the terms described by BREC's attorney in his letter of April 27, 2009 to plaintiff's attorney.

Resolved, That the Commission approve settlement of the law suit Citizen vs. BREC for \$8,000.00 plus court costs of \$469.00 according to the terms described by BREC's attorney in his letter of May 7, 2009 to Don Steadman.

Resolved, That the Commission approve settlement of the law suit Cole vs. BREC for \$9,500.00 according to the terms described by BREC's attorney in his letter to Bill Palmer and Don Steadman on May 12, 2009.

Acceptance of Recommendations of the Human Resources Advisory Committee

Resolved, That the Commission approve the Routine Personnel Transactions for the month of May 2009.

Resolved, That the Commission approve of the following new budgeted positions for the Conservation Department:

Department Director (Conservation Director)
Special Facility Supervisor (Satellite Conservation Areas Manager)
Foreman 1 (Conservation Site Caretaker)

Resolved, That the Commission approve the change of the job titles and reallocation of the pay ranges for the following positions:

Park Maintenance Tech 2 (Park Facility Attendant) to Community Park Facility Attendant, and reallocate pay range from 5 to range 6.
Facility Supervisor (Park Facility Supervisor) to Community Park Coordinator and reallocate pay range from range 7 to range 8.

Resolved, That the Commission approve the BREC Uniform Policy and Acknowledgment Agreement.

Reports of Officers

Mr. Palmer was recognized to give the Superintendent's report. Mr. Palmer asked Debbie Spica, Director of Recreation Programs and Facilities, and Dale Auzenne, Director of Therapeutics, to inform the Commission about their summer programs. Debbie Spica told the Commission about the summer day camp and the playground programs being offered this year. Dale Auzenne told the Commission about a recent article in the Advocate which highlighted the inclusive sports leagues provided by BREC in partnership with the ARC of Baton Rouge. He also informed them about BREC's inclusive recreation leagues, programs, and day camps.

Presentations

The Commission viewed a brief informational video.

Reports of Standing Committees

Ms. Miller was recognized and gave the Finance Advisory Committee report. She asked Mike Proctor to provide a summary of the financial statements.

Resolved, That the Commission approve financial statements for month ended April 30, 2009.

Motion by Ms. Miller
Seconded by Mr. Robertson
Approved by unanimous consent

Ms. Miller made a motion to approve the following:

Resolved, That the Commission accept a bid from Planet Recess for \$23,999.00 for a "NEOS" Play System at Perkins Road Community Park.

Resolved, That the Commission accept a bid from Capital Construction Company for \$349,952.00 for five concrete tennis courts at Highland Road Park.

Resolved, That the Commission accept a bid from Block Construction Company for \$1,913,759.00 for (Phase I) site infrastructure improvements at Zachary Community Park.

Resolved, That the Commission purchase 14 pickup trucks for \$240,413.00 and one backhoe for \$64,433.38 for the Park Operations Department as follows:

From Hixson Autoplex (City of Alexandria, LA contract)

<u>Qty</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total</u>
1	2009 ½-ton Ford Ranger	\$12,477.00	\$ 12,477.00
2	2009 Ford F-150	13,998.00	27,996.00
8	2009 Ford F-250	17,167.00	137,336.00
3	2009 Ford F-250 Crew Cab	20,868.00	<u>62,604.00</u>
	TOTAL:		\$240,413.00

From Doggett Machinery Services, Baton Rouge (state contract)

1	John Deere 310J Backhoe (86" and 30" buckets included)	\$64,433.38	\$ 64,433.38
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Seconded by Mr. Robertson

Approved by unanimous consent

Resolved, That the Commission approve the settlement of a workers' compensation case (Karen Jeansonne) for \$7,500.00 per the recommendation of the BREC Risk Management Department working with BREC's attorneys.

Motion by Ms. Miller

Seconded by Mr. Guillory

Approved by unanimous consent

Mr. Benedetto recognized Ms. Miller for the Human Resources Advisory Committee report. She stated that all the action items had been approved on the consent calendar which included the positions for the new Conservation Department.

Mr. Benedetto recognized Ms. Miller to discuss the fees and policies item on the Special Facilities, Athletics, Therapeutics, Aquatics, and Special Populations Advisory Committee report. Ms. Miller asked for information on how the fees, policies, and budget for the aquatic facility were developed. Mr. Palmer stated that the fees, policies, and budget were based on the research of similar facilities conducted by staff. Ted Jack and Dale Auzenne answered questions and provided additional information to the Commission regarding the aquatic facility.

Resolved, That the Commission approve the Fees and General Policies and Procedures for the Independence Park Family Aquatic Center.

Motion by Ms. Miller

Seconded by Mr. Robertson

Approved by unanimous consent

New Business

Mr. Benedetto announced that the next item of business on the agenda was the introduction of the proposed ordinance fixing the ad valorem tax millages for the 2009 parish-wide assessment roll and set a public hearing for June 25, 2009. Mr. Robertson moved that the proposed ordinance be introduced for consideration of adoption by the publication of the title of the ordinance together with notice that the ordinance would be taken up for consideration of adoption after a public hearing to be conducted on June 25, 2009 at the Commission's Administration Offices in Womack Park, 6201 Florida Boulevard in Room 1800, in the City of Baton Rouge, Louisiana, during the regular meeting of the Commission held at 5:00 p.m. The motion was seconded by Mr. Guillory and unanimously carried.

The proposed ordinance provides as follows:

ORDINANCE **Ad Valorem Tax Levy**

BE IT ORDAINED by the Recreation and Park Commission for the Parish of East Baton Rouge (the "Commission"), in legal session convened, as follows:

SECTION 1. There is hereby levied in the Parish of East Baton Rouge, the following described ad valorem taxes for the year 2009:

a tax of sixty-three one-hundredths (.63) of one (1) mill, authorized by the electorate in a special election conducted October 28, 1947, under the authority of Article XIV, Section 3(b) of the Constitution of the State of Louisiana of 1921 (Added by Act 387 of 1946, adopted November 5, 1946); ratified by Article VI, Section 31, and adjusted under the authority of Article VII, Section 23 of the Constitution of the State of Louisiana of 1974;

a tax of forty-two one-hundredths (.42) of one (1) mill, authorized by the electorate in a special election conducted June 22, 1954, under the authority of Article XIV, Section 3(b) of the Constitution of the State of Louisiana of 1921 (as amended by Act 626 of 1956, adopted November 5, 1956); ratified by Article VI, Section 31, and adjusted under the authority of Article VII, Section 23 of the Constitution of the State of Louisiana of 1974;

a tax of four and ten one-hundredths (4.10) mills, authorized by the electorate in a special election conducted April 17, 2004, under the authority of Section 4570.4.B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and adjusted under the authority of Article VII, Section 23 of the Constitution of the State of Louisiana of 1974;

a tax of two and ten one-hundredths (2.10) mills, authorized by the electorate in a special election conducted April 17, 2004, under the authority of Section 4570.4.B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and adjusted under the authority of Article VII, Section 23 of the Constitution of the State of Louisiana of 1974;

a tax of three and ninety-six one-hundredths (3.96) mills, authorized by the electorate in a special election conducted March 31, 2007, under the authority of Section 4570.4.B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and adjusted under the authority of Article VII, Section 23 of the Constitution of the State of Louisiana of 1974;

a tax of three and two hundred fifty-three one-thousandths (3.253) mills, authorized by the electorate in a special election conducted November 2, 2004, under the authority of Section 4570.4.B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and adjusted under the authority of Article VII, Section 23 of the Constitution of the State of Louisiana of 1974;

the foregoing making a total tax of 14.463 mills on the dollar of assessed valuation to meet the established liabilities and expenses of the Commission used in acquiring, developing, maintaining, and operating the public parks and recreational properties and facilities of the Commission and in making available funds available for the operating budget, all as provided for in the respective propositions approved by the voters in the special tax elections above referred to.

BE IT FURTHER ORDAINED that certified copies of this ordinance be transmitted by the Superintendent and Ex-Officio Secretary of the Commission to the Assessor of the Parish of East Baton Rouge and to the Legislative Auditor, said ordinance to constitute full authority for the Assessor to place the above described taxes on the parish tax roll for 2009, and the tax rates shown be applied to the assessed value for ad valorem tax purposes, in compliance with R.S. 47:1705A.

BE IT FURTHER ORDAINED that a certified copy of this ordinance be transmitted to the Sheriff and Ex-Officio Tax Collector for the Parish of East Baton Rouge, Attention: Mr. Octave Anthaume, Tax Director, Post Office Box 70, Baton Rouge, Louisiana 70821, said ordinance to constitute supporting authority for the sheriff to collect the said taxes as described on the above referenced Parish tax roll for 2009.

BE IT FURTHER ORDAINED that this ordinance is adopted and approved in place of all other ordinances and actions of this Commission, and this ordinance shall be effective immediately upon its adoption.

Thereupon the ordinance was signed and approved by the Chairman, attested by the Superintendent and Ex-Officio Secretary and declared to be adopted and effective on this the 25th day of June, 2009.

Attest:

Collis Temple, Jr., Chairman

William G. Palmer
Superintendent and Ex-Officio Secretary

SECTION 2: The title of the ordinance shall be published one time in the official journal of the Commission, together with notice of a public hearing on the proposed ordinance and tax levy at a meeting of the Commission to be conducted on June 25, 2009, which will be held at the Commission's Administrative Offices in Womack Park, 6201 Florida Boulevard, in the City of Baton Rouge, Louisiana, at which time members of the public desiring to be heard may appear and be heard.

Attest:

Collis Temple, Jr., Chairman

William G. Palmer
Superintendent and Ex-Officio Secretary

Ms. Miller asked for a report to be prepared for the Commission on the revenue recovery rate for various facilities and the effect discounts have on revenue.

Adjournment

There being no further business to come before the Commission, the meeting adjourned at 5:57 p.m.

William G. Palmer, Superintendent
and Ex-Officio Secretary

William Benedetto, Vice Chairman