

**CITY ORDINANCE NO. CO-029-2023**

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AUTHORIZING THE LAFAYETTE MAYOR-PRESIDENT TO EXECUTE A FIRST AMENDMENT TO THE CONTRACT FOR SERVICES BY AND BETWEEN LAFAYETTE CONSOLIDATED GOVERNMENT AND ACADIANA COMMUNITY TENNIS ASSOCIATION RELATED TO THE ANNUAL MEMBERSHIP FEES FOR THE BEAVER PARK TENNIS CENTER AND THE THOMAS PARK TENNIS CENTER AS SET FORTH AND ADOPTED IN CITY ORDINANCE NO. CO-096-2020**

**BE IT ORDAINED** by the Lafayette City Council, that:

**WHEREAS**, the City of Lafayette is the owner of certain immovable property and improvements bearing an address of 500 Fisher Road, Lafayette, Louisiana 70508 and currently being operated as a park commonly known as Beaver Park; and

**WHEREAS**, the improvements at Beaver Park include thirteen tennis courts and related facilities, commonly known as the Beaver Park Tennis Center; and

**WHEREAS**, the City of Lafayette is also the owner of certain immovable property and improvements bearing an address of 301 Geraldine Drive, Lafayette, Louisiana 70503 and currently being operated as a park commonly known as Thomas Park; and

**WHEREAS**, the improvements at Thomas Park include eight (8) tennis courts and related facilities, commonly known as the Thomas Park Tennis Center; and

**WHEREAS**, by virtue of City Ordinance No. CO-096-2020, Lafayette Consolidated Government entered into a Contract for Services with Acadiana Community Tennis Association ("ACTA") to assume, among other things, the operation and maintenance of Beaver Park Tennis Center and the Thomas Park Tennis Center; and

**WHEREAS**, the parties to this Contract for Services desire enter into a First Amendment to the Contract for Services to increase certain annual membership fees for the Beaver Park Tennis Center and the Thomas Park Tennis Center, such being consistent with the current industry norm.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the Lafayette City Council, that:

**SECTION 1:** All of the aforescribed "WHEREAS" clauses are adopted as part of this ordinance.

**SECTION 2:** The Lafayette City Council hereby authorizes and directs the Lafayette Mayor-President to execute, on behalf of the Lafayette City-Parish Consolidated Government, a First Amendment to the Contract for Services to increase certain annual membership fees for the Beaver Park Tennis Center and the Thomas Park Tennis Center.

**SECTION 3:** The First Amendment to the Contract for Services authorized in Section 2 shall be substantially in the form attached hereto, but may be revised, and may contain such

additional provisions, as the Lafayette Mayor-President, in consultation with the Lafayette City-Parish Attorney, may deem necessary, convenient, or desirable to carry out the intent and provisions of this ordinance.

**SECTION 4:** The Chief Financial Officer for the Lafayette-City Parish Consolidated Government is further authorized and directed to prepare any and all internal and/or administrative budget revisions, if necessary, to comply with the dictates of this City Ordinance.

**SECTION 5:** All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

**SECTION 6:** This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

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**FIRST AMENDMENT TO  
CONTRACT FOR SERVICES BY AND BETWEEN LAFAYETTE CITY-  
PARISH CONSOLIDATED GOVERNMENT AND ACADIANA  
COMMUNITY TENNIS ASSOCIATION**

This First Amendment to the Contract for Services by and between Lafayette City-Parish Consolidated Government and Acadiana Community Tennis Association (the "**First Amendment**") is entered into as of the day or dates set forth below, by and between:

**LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT**, a political subdivision of the State of Louisiana, represented herein by Joshua S. Guillory, Mayor-President (hereinafter referred to as "LCG");

and

**ACADIANA COMMUNITY TENNIS ASSOCIATION**, herein represented by its duly authorized member, Kathy Ruckstuhl, operating at 113 Oil Center Drive, Lafayette, LA (hereinafter referred to as "VENDOR")

(LCG and VENDOR hereinafter collectively referred to as "Parties")

**W I T N E S S E T H**

**WHEREAS**, LCG and Vendor originally executed a Contract for Services on December 10, 2020 regarding, among other things, the Vendor's assumption of the operation and maintenance of Beaver Park Tennis Center and the Thomas Park Tennis Center;

**WHEREAS**, since the execution of the Contract for Service, the Parties desire enter into a First Amendment to the Contract for Services to increase certain annual membership fees for the Beaver Park Tennis Center and the Thomas Park Tennis Center, such being consistent with the current industry norm.

**NOW THEREFORE**, in consideration of the mutual covenants herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree and contract as follows:

1. The text of Article 2, Section 2.2 "Court Fees", of the Contract for Services, specifically the monthly and annual Membership rates for "Adult", "Family", and "Junior (17 & Below), Senior (65+), or Disabled" categories, is hereby amended to read as follows:

<b>Membership</b>	<b>Monthly Rate</b>	<b>Annual Rate</b>
Adult	\$33.33	\$400
Family	\$41.67	\$500
Junior (17 & Below), Senior (65+), or Disabled	\$29.17	\$350

2. The remainder of the Court Fees in Section 2.2 as well as all other terms of the Contract for Services not specifically amended herein by this First Amendment shall remain and be in full force and effect.

3. This First Amendment to the Contract for Services may be executed in two or more counterparts, each of which when executed and delivered as prescribed shall constitute and original.

THUS DONE AND SIGNED, on this \_\_\_\_ day of \_\_\_\_\_, 2023, by the LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT, in the presence of the undersigned competent witnesses who have hereunto executed, affixed and signed their names with the LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT and the undersigned Notary Public, after due reading of the whole.

WITNESSES:

**LAFAYETTE CITY-PARISH  
CONSOLIDATED GOVERNMENT**

By: \_\_\_\_\_  
Joshua S. Guillory  
Lafayette Mayor-President

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

THUS DONE AND SIGNED, on this \_\_\_\_ day of \_\_\_\_\_, 2023, by the ACADIANA COMMUNITY TENNIS ASSOCIATION, in the presence of the undersigned competent witnesses who have hereunto executed, affixed and signed their names with the ACADIANA COMMUNITY TENNIS ASSOCIATION and the undersigned Notary Public, after due reading of the whole.

WITNESSES:

**ACADIANA COMMUNITY TENNIS  
ASSOCIATION**

By: \_\_\_\_\_  
Kathy Ruckstuhl, President

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC





## Internal Memorandum

Legal Department

**TO:** Veronica L. Arceneaux, Clerk of the Councils  
**CC:** Nannette Cook, City Councilwoman, District 4  
**FROM:** Paul D. Escott, Assistant City-Parish Attorney  
**SUBJECT:** City Council Agenda Item – City Ordinance  
March 21, 2023 Meeting – Introduction  
April 4, 2023 Meeting – Final Adoption  
**DATE:** March 1, 2023


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Vee,

At the request and on behalf of City Councilwoman Nanette Cook, I submit the following, to wit:

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AUTHORIZING THE  
LAFAYETTE MAYOR-PRESIDENT TO EXECUTE A FIRST AMENDMENT TO THE  
CONTRACT FOR SERVICES BY AND BETWEEN LCG AND ACADIANA  
COMMUNITY TENNIS ASSOCIATION RELATED TO THE ANNUAL MEMBERSHIP  
FEES FOR THE BEAVER PARK TENNIS CENTER AND THE THOMAS PARK  
TENNIS CENTER AS SET FORTH AND ADOPTED IN  
CITY ORDINANCE NO. CO-096-2020**

On her behalf, I respectfully request that this City Ordinance be placed on City Council's March 21, 2023 Meeting Agenda for consideration, for introduction, with consideration for final adoption at the City Council's April 4, 2023 meeting.

  
**Paul D. Escott**  
*Assistant City-Parish Attorney*

**RECEIVED**

MAR 01 2023

LCG Council Office

LAFAYETTE COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: An Ordinance Of The Lafayette City Council Authorizing The Lafayette Mayor-President To Execute A First Amendment To The Contract For Services By And Between LCG And Acadiana Community Tennis Association Related To The Annual Membership Fees For The Beaver Park Tennis Center And The Thomas Park Tennis Center As Set Forth And Adopted In City Ordinance No. CO-096-2020

2) ACTION REQUESTED: Adoption of City Ordinance for Mayor-President to Execute a First Amendment to the Contract between LCG and Acadiana Community Tennis Association relating to annual membership fees for the Beaver Park Tennis Center and the Thomas Park Tennis Center

3) COUNCIL DISTRICT(S) (if applicable): N/A

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: March 21, 2023

B) FINAL ADOPTION: April 4, 2023

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) Cover Memo (1 page)

B) Ordinance (2 pages)

C) First Amendment to Contract for Services (3 pages)

D) Agenda Item Submittal Form (1 page)

6) FISCAL IMPACT:

       Fiscal Impact

  X   No Fiscal Impact

AUTHORED BY:

Nanette Cook  
City Councilwoman, District 4

SUBMITTED BY:

  
Paul D. Escott  
Assistant City-Parish Attorney