

HOUSE No. 1244

The Commonwealth of Massachusetts

PRESENTED BY:

Chynah Tyler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the Reggie Lewis Track and Athletic Center.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/18/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/28/2019</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/30/2019</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>1/30/2019</i>
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>	<i>1/31/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/31/2019</i>

HOUSE No. 1244

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 1244) of Chynah Tyler and others relative to the governance and operations of the Reggie Lewis Track and Athletic Center at Roxbury Community College. Higher Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to the Reggie Lewis Track and Athletic Center.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 15A of the General Laws is hereby amended by striking out section 22A, as
2 appearing in the 2016 Official Edition, and inserting in place thereof the following section:-

3 Section 22A. (a) For purposes of this section, the following words shall have the
4 following meanings unless the context clearly requires otherwise: -

5 “Advisory board”, the Advisory board of the Reggie Lewis Track and Athletic Center
6 established in subsection (d).

7 “Board of trustees”, the Board of trustees of the Roxbury Community College.

8 “Center”, the Reggie Lewis Track and Athletic Center established in subsection (b).

9 “College”, the Roxbury Community College.

10 "Fund", the Reggie Lewis Track and Athletic Center Building Trust Fund established in
11 subsection (f).

12 "Use for nonpublic purposes", shall include, but not be limited to, the leasing or renting of
13 the building for commercial entertainment activity.

14 "Use for public purposes", shall include, but not be limited to, use by public high school
15 track programs, members of the abutting residential community, members of the community at
16 large and the College's athletic programs.

17 (b) There shall be established the Reggie Lewis Track and Athletic Center at the College.
18 The Center shall be a building containing a Massachusetts state track and athletic facility which
19 shall be maintained at the College for public purposes. In the event the facility is not in use for
20 public purposes, the Board of trustees, in consultation with the Advisory board, may permit use
21 for nonpublic purposes for a rental amount to be determined by the Board of trustees, in
22 consultation with the Advisory board.

23 (c) The Board of trustees, in consultation with the Advisory board, shall have the
24 following responsibilities, which include, but are not limited to:

25 (i) entering into agreements with the Massachusetts State Track Coaches Association,
26 Incorporated, Boston Public School Department of Athletics for track and field purposes, other
27 public groups and nonpublic groups for nonpublic purposes in accordance with this section;

28 (ii) establishing and changing rules and regulations for the use of the Center by
29 Massachusetts public high school track programs, the athletic programs of the college, members

30 of the members of the abutting residential community, members of the community at large, and
31 nonpublic groups for nonpublic purposes in accordance with this section;

32 (iii) entering into agreements with vendors to provide concession stand services,
33 contractors and subcontractors for the maintenance and operation of the Center, and other
34 agreements as deemed necessary by the Board of trustees;

35 (iv) managing and operating the Fund; and

36 (v) creating and managing parking accommodation policies for the Center provided by
37 the College.

38 (d) There shall be established the Advisory board of the Center. The Advisory board shall
39 advise and make recommendations to the Board of trustees regarding the management and
40 operation of the Center. The Advisory board shall consider all matters submitted to it by the
41 Board of trustees. The Advisory board shall consist of 11 members: 3 of whom shall be members
42 of and appointed by the Massachusetts State Track Coaches Association, Incorporated; 2 of
43 whom shall be employees of the athletic department of the College and appointed by the
44 president of the College; and 3 members to be appointed by the State Representative of the
45 seventh Suffolk district: 3 of whom shall be members of the direct abutting community; 1 of
46 whom shall be a member of the community at large and appointed by the governor; 1 of whom
47 shall be a member of the Center and appointed by the State Senator of the second Suffolk
48 district. The State Senator in the Massachusetts Senate of the second Suffolk district, the State
49 Representative in the Massachusetts House of Representatives of the seventh Suffolk district,
50 and the executive director of the Center shall hold ex-officio seats on the Advisory board and, in
51 such capacity, shall advise and make recommendations to the Advisory board. Members of the

52 Advisory board shall serve terms of 4 years. Members of the advisory board shall serve without
53 compensation, but shall be reimbursed for their expenses actually and necessarily incurred in the
54 discharge of their official duties. Members of the Advisory board shall not be state employees for
55 purposes of chapter 268A by virtue of their service on the Advisory board. The Advisory board
56 shall meet quarterly and upon the written request of any 4 members of the Advisory board or the
57 Board of trustees. A majority of the members of the Advisory board present and voting shall
58 constitute a quorum.

59 The Advisory board, in consultation with the Board of trustees, shall have the following
60 responsibilities, which include, but are not limited to:

61 (i) establish user fees;

62 (ii) decide the priority of uses and schedule for the Center; and

63 (iii) provide guidance to the Board of trustees on the establishment and implementation
64 of the Center's annual budget.

65 (e) There shall be an executive director of the center selected by the Board of trustees
66 from an option of three candidates submitted to it by the Advisory board after a public search.
67 The executive director shall be responsible to report to the Board of trustees for the day-to-day
68 management and operation of the Center, including but not limited to:

69 (i) the hiring, management, and supervision of staff including, but not limited to, a
70 treasurer who shall oversee the implementation of the center's budget, including the proper
71 deposit of funds generated by the center into the center's retained revenue account and

72 preparation of quarterly and annual itemized revenue and expense reports which shall be made
73 publicly available on a website maintained by the college;

74 (ii) the execution and management of contracts for use of the facility and all business
75 transactions between the Center and outside entities, including a memorandum of agreement
76 with the Massachusetts State Track Coaches Association and the Boston Public Schools
77 Department of Athletics for track and field purposes;

78 (iii) the preparation of bids to attract state and national events to the center;

79 (f) There shall be established at the college a separate trust fund to be known as the
80 Reggie Lewis Track and Athletic Center Trust Fund. The Fund shall consist of all user fees
81 collected, concession stand commissions, fundraising revenue, and all other fees paid to the
82 Center.

83 The Fund shall be established by the Board of trustees as an account separate from the
84 College and the RCC Foundation and shall be under the Board of trustees' supervision and
85 control in accordance with Chapter 15A and other established Massachusetts state trust fund
86 guidelines. The Fund's expenditures shall be for equipment repair and maintenance, the Center's
87 operating expenses, and other reasonable and necessary purposes as determined the Board of
88 trustees, in consultation with the Advisory board.

89 (g) The Center shall be made available without charge for use by public high school track
90 programs, athletic programs of the college, and youth track and athletic programs of the direct
91 abutting neighborhood. The Center shall be made available on a user fee basis, as determined by
92 the Advisory board, in consultation with the Board of trustees, for members of the public. The
93 Center shall be made available at market rate, as determined by the Advisory board, in

94 consultation with the Board of trustees, for use for nonpublic purposes so long as the Center is
95 not being used for public purposes.

96 (h) The annual operating expenses of the Center shall be separate and distinct from
97 appropriations within the general appropriations act for the college, shall use a separate item of
98 appropriation and shall be audited biennially by the state auditor.

99 (i) The records of the Board of trustees and Advisory board shall be public records
100 pursuant to chapter 66.