

**CITY OF BURLINGTON
PARKS, ARTS & CULTURE COMMITTEE**

**Councilor Joan Shannon, Chair, South District
Councilor Ali Dieng, Ward 7
Councilor Mark Barlow, North District**

Staff: Holli Bushnell, Office Assistant
Lakeview Cemetery
hbushnell@burlingtonvt.gov

AGENDA

**Parks, Arts and Culture Committee Meeting
Sharon Bushor Conference Room, City Hall, 149 Church St.
Wednesday, September 28, 2022 4:30pm**

MEETING CONDUCTED IN PERSON AND VIA ZOOM

When: Sep 28, 2022 04:30 PM Eastern Time (US and Canada)

Topic: PACC meeting

Please click the link below to join the webinar:

<https://zoom.us/j/98663016911>

Or One tap mobile :

US: +19292056099,,98663016911# or +13017158592,,98663016911#

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Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 386 347 5053

Webinar ID: 986 6301 6911

International numbers available: <https://zoom.us/u/aeHF1bb2v3>

Approval of the Agenda

Approval of the draft minutes from July 13, 2022

Public Forum – Members of the public will be invited to speak at the start of each agenda item

Agenda Items –

1. PACC Mission Statement (reading, discussing, and possibly revising) – Joan Shannon
2. Memorial Auditorium Update – Samantha Dunn
3. Public Art in Dewey Park – Colin Storrs
4. Leddy Ordinance Change – Cindi Wight
5. City Cemetery Perpetual Care Fund Ordinance Change – Cindi Wight
6. Forever Young Treehouse Vandalism and Misuse – Cindi Wight

Schedule next meeting

Adjournment

Non-Discrimination: The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at 865-7145

MEMO

Date: September 28, 2022
To: PACC
From: Cindi Wight, Director
CC: Melissa Cate, Recreation Facilities Superintendent
Subject: Leddy ordinance changes

Recommendations to City Council:

Approve the recommendation to remove Chapter 22-Section 21 of the Burlington Ordinances.

OVERVIEW

In 1973 the City created Chapter 22-Section 21 of the Burlington Ordinances covering rules for Leddy Arena and associated fees. The City updated the section in 1976 (2), 1980 and 1981. Three updates included fee increases and one update that banned smoking in prohibited areas. There has been no further formal update to the section in over forty years. There have been fee increases, but they have not gone through a required City Council process.

RECOMMENDATION

The Department recommendation is to remove in entirety section 21. Building rules need to be nimble and flexible for change and not require an ordinance change or city resolution. We also need the flexibility to change fees based on budgets, market factors and special events. Rules and fees for buildings do not exist in Chapter 22 or in Appendix D for our other year-round recreation facilities – Miller Community Center and CORE (our 2nd floor space at the Old North End Community Center).

The Parks Commission unanimously approved the removal of section 21 at their 2/8/22 meeting.

CURRENT ORDINANCE

22-21 Burlington Municipal Arena rules and regulations.

(a) *Prohibited activities.* The following activities are prohibited at the Burlington Municipal Arena:

- (1) Possessing food or beverages on the ice.
- (2) Possessing alcoholic beverages.



- (3) Being intoxicated.
- (4) Wearing skates in areas other than in those designated for that purpose.
- (5) Playing hockey without proper equipment.
- (6) Loitering.
- (7) Throwing or dropping foreign matter on the ice.
- (8) Bringing pets on to the premises.
- (9) Public skating in a manner other than that prescribed.
- (10) Violation of any applicable general park regulation.
- (11) Smoking in areas where smoking is prohibited pursuant to posted notices.

Violations of these rules are violations of city ordinances and may result in prosecution or eviction from the premises or both.

(b) *Fees and charges, olympic rink.* During prime time, the rental rate shall be fifty dollars (\$50.00) per hour. Prime time hours shall be noon until 10:00 p.m. on weekdays and holidays. All other hours shall be at the rate of forty dollars (\$40.00) per hour.

(c) *Fees and charges, studio rink.* During prime time, the rental rate shall be thirty dollars (\$30.00) per hour. Prime time hours shall be 3:00 p.m. until 10:00 p.m. on weekends and holidays. All other hours shall be at the rate of twenty-five dollars (\$25.00) per hour. Studio rink rates are available only when the main rink is in use.

(d) *Fees and charges, public skating.* The admission price for public skating shall be one dollar and fifty cents (\$1.50) for adults and one dollar (\$1.00) for persons seventeen (17) years of age and under, upon proof of age and high school students bearing identification cards. Burlington residents' rates may be discounted twenty (20) per cent.

(e) *Fees and charges, patch time.* The rental of patch ice time shall be two dollars (\$2.00) per hour.

(f) *Fees and charges, special note.* Special rates for programs outside the aforementioned may be assessed by the board of park commissioners commensurate with the costs of rendering special services.



To: PACC

From: Cindi Wight, Director of Parks, Recreation & Waterfront

Date: September 26, 2022

Re: Proposed Ordinance Change – Perpetual Care Fund

Executive Summary:

Parks, Recreation & Waterfront request:

- Update the City ordinance related to Perpetual Care Fund use at the cemeteries.

Background:

The City currently collects 5% from each lot sale and places it into a Perpetual Care Fund to ensure funds for maintaining our city cemeteries will exist even when all three are closed in the future for burials. The City invests the money in certificates of deposits or municipal bonds through the C/T Office. Currently, Elmwood and Greenmount no longer have any lots available for sale but we do have available lots at Lakeview. In addition, Lakeview has two undeveloped areas for future layouts.

Per City ordinance §9-50, the income from the Perpetual Care Fund may only be used to maintain a lot. The income is the amount the investment grows through increased value and not the amount deposited each year from lot sales.

The City's ordinance language on the use of the funds currently limits us to using the income for maintaining only the lots. The limitation makes it a burden on other infrastructure in the cemetery that needs improvements. The other areas include buildings, developing new burial areas and roads. The state statute for perpetual care recognizes all the necessary infrastructure that needs maintenance and improvement in a cemetery. The Department recommendation is to change the City perpetual care language to match the state statute.

The Perpetual Care Fund currently has \$1,331,790.94 in the fund and the income each year is approximately \$28,000 – \$31,000. In 2019 as part of the City's revised investment policy, the City changed the investment strategy to increase the income generated annually.

The cemeteries do not cover all their expenses but all three are open to the general public to visit and provide a quiet "park-like" experience for our residents. We encourage the use of the cemeteries and have partnered with Fletcher Free Library recently for programming at Lakeview and with the Old East End Neighborhood Coalition for a historical walk through the back end of Greenmount, next to Schmanska Park. We also have left Elmwood unlocked over the past two years to allow the community to access it for use.



The Cemetery Commission approved the change at the June 16, 2022 meeting with a 3-2 vote.

Current City ordinance

9-50 Charges for perpetual care.

(a) Lot owners will secure a bond from the City of Burlington, through the superintendent, for the perpetual care of their lot. The money paid for perpetual care shall be placed with the city treasurer to be invested and the income therefrom shall be used for the maintenance of a lot. This shall include keeping the grass cut, maintaining a greensward, leveling the depressed areas and other work of similar nature.

(b) Perpetual care, as provided for herein, means that there will not be further expense to the lot owner in caring for his lot.

Current State statute

18 V.S.A. § 5306

§ 5306. Perpetual care funds

An agency engaged in the cemetery business shall have the right to acquire by gift, devise, or otherwise, land and property of every name and nature and to set aside surplus funds, to be held in trust as a perpetual care fund, the income thereof to be used according to the directions of the trust, where such directions are given, and where no specific directions are given, or, where given, and the purpose is incapable of performance, or there is a surplus of income after the directions of the trust have been fully complied with and performed, to use the same for the **purpose of building, repairing, maintaining, adorning, and beautifying buildings or parts thereof, fences, graves, vaults, mausoleums, monuments, walks, cemetery lots, grounds, drives, or avenues, as the interests of the lot owners and cemetery shall appear.** The duty upon all agencies organized to establish a perpetual care fund according to the terms hereinafter set forth is hereby imposed.

Suggested ordinance change:

9-50 Charges for perpetual care.

(a) Lot owners will secure a bond from the City of Burlington, through the superintendent, for the perpetual care of their lot. The money paid for perpetual care shall be placed with the city treasurer to be invested and the income therefrom shall be used as set forth in 18 V.S.A. § 5306, to include for the maintenance of a lot. This shall include keeping the grass cut, maintaining a greensward, leveling the depressed areas and other work of similar nature. **purpose of building, repairing, maintaining, adorning, and beautifying buildings or parts thereof, fences, graves, vaults, mausoleums, monuments, walks, cemetery lots, grounds, drives, or avenues, as the interests of the lot owners and cemetery shall appear.**

(b) Perpetual care, as provided for herein, means that there will not be further expense to the lot owner in caring for their lot.





COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401
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www.burlingtonvt.gov/cedo

MEMORANDUM

TO: Parks, Arts and Culture Committee
FROM: Samantha Dunn, Asst. Director for Community Works, CEDO
DATE: September 23, 2022
CC: Brian Pine, Director, Community and Economic Development Office
RE: Communication: Memorial Auditorium Update

This memo is to provide an update on the current status of Memorial Auditorium and proposed next steps to ensure that this important gateway to the City of Burlington can be returned to active use and a community asset.

Background

Memorial Auditorium was built in 1927 as a World War I Memorial and Public Assembly Space. Since that time Memorial Auditorium has hosted public performances, private functions, athletic events, farmers' markets, exhibits, a day care, and a teen center. In 1988, Memorial Auditorium was listed on the National Register of Historic Places as a contributing building with the Main Street - College Street Historic District - many in Burlington and the surrounding area have a favorite memory linked to this building. While the building served many important uses, the City struggled to maintain the capital requirements of the building. In 1994 the Ballot Item for needed renovations did not pass. The building continued to operate but was shut down at the end of 2016 as it was no longer safe to occupy.

In 2017, CEDO was tasked with creating an adaptive reuse plan for Memorial Auditorium to remain a publicly-owned, public assembly space with input from a variety of stakeholders and members of the public. An overview of that process can be found [here](#).

Following the 2018 study the City began working on the feasibility of moving forward with the Community Hub vision including an RFP process for a potential operator. With the onset of the pandemic in early 2020, this project lost momentum as other priorities took over. In November of 2021, the voters did not approve a Capital Bond that included \$10M for Memorial Auditorium. In March of 2022, the voters did approve a Capital Bond that included \$1M for Memorial Auditorium assessment and stabilization.

In June 2022, we heard unanimously from City Council that the building should be stabilized, not demolished, while we continue to find a path forward for this important institution.

Current Condition of Memorial Auditorium & Stabilization

As described previously, Memorial Auditorium has continued to deteriorate since 2016 and stabilization is required to reduce the potential of injury to people in and around the building and reduce the potential for further weathering or structural failure over the next 3-5 years to enhance the feasibility of a potential renovation in the future. The City is currently working to implement the recommendations provided for stabilization and hopes to have this work completed in the next six months.

Next Steps

The City now seeks to identify a long-term partner(s) that shares the City's goals and is qualified to deliver, finance, operate and maintain the building through an adaptive reuse project. The goal of this RFP is to solicit proposals from firms and organizations with the vision, skills, relevant experience and financial capacity necessary to move forward with an adaptive reuse of the building through a public-private partnership. The City envisions negotiating a long-term lease in which the City would retain ownership of the building while the selected entity(ies) will be responsible for the required renovations and operation of the building.

The City has the following goals and objectives for the Memorial Auditorium Property:

- Renovation and reactivation of vacant building with construction beginning within 24 months
- Public/Private partnership that maintains long-term public benefit
- Attractive and welcoming entrance to the downtown
- Preserve Veterans Memorial
- Incorporation of one or more public uses as identified in 2018 community survey
- Maintain Historic Fabric
- Street Activation at Main and Union Streets
- High quality employment opportunities or new, mixed-income housing
- Long-term economic benefit for the community

Proposals will be evaluated by an ad hoc committee which will consist of elected officials, community members with relevant skills and experience, Burlington youth and City staff. If the process results in a proposal that the Administration supports, it will be brought forward for conceptual approval by City Council prior to the pursuit of more detailed work and long-term agreements.

Proposals will be evaluated based upon the following factors and weight:

Compliance with proposal requirements		
1)	Alignment of proposed project with City goals and objectives	20%
2)	Ability to incorporate public uses as identified in 2018 community survey	20%
3)	Overall public benefit of the proposal	20%
4)	Experience of the Development Team	15%
5)	Financial Feasibility	20%
6)	Timeline	5%
		100%

Proposed Timeline

RFP Release	October 5, 2022
Proposals Due	December 2, 2022
Selected Proposal to City Council	November/December 2022

Attachments:

DRAFT Request for Proposals for the Adaptive Reuse of Memorial Auditorium

Requests for Proposals for the Adaptive Reuse of Memorial Auditorium

City of Burlington

Date

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REQUEST FOR PROPOSALS (RFP) FOR THE ADAPTIVE REUSE OF MEMORIAL AUDITORIUM, BURLINGTON, VERMONT

Date of Issuance: October 1, 2022

Issued by: City of Burlington, Community and Economic Development Office

Site visit: Optional upon request

Due Date for Questions:

Submit via email to sdunn@burlingtonvt.gov

Responses will be posted on:

Due Date for Proposals:

Proposals shall be submitted electronically to sdunn@burlingtonvt.gov

Notice to Proposers: This document constitutes a Request for Proposal, and is not a request for professional services, a request for a bid or a construction contract. Acceptance of a proposal may result in a binding project agreement between the City and the proposer, contingent upon certain acts of the City Council related to a Development Agreement and/or long-term lease.

Issuing Point of Contact:

Samantha Dunn, CEDO Asst. Director for Community Works

sdunn@burlingtonvt.gov

(802) 829-6385

BACKGROUND

Memorial Auditorium, located at 250 Main Street in Burlington, was designed and constructed as a public auditorium and civic center in the heart of downtown Burlington in 1927. Built to honor World War I veterans, the building has continued to serve as a monument to veterans of all subsequent wars. The centerpiece of the Auditorium was a 2,500-seat hall with a proscenium stage that supported a wide range of performances and community events. Memorial Auditorium was listed on the National Register of Historic Places in 1988 as a contributing building within the Main Street – College Street Historic District. From 1928 to 2016, Memorial Auditorium served as an important civic space offering civic events, child care, performances, artist workshop space and more.

Beginning in the early 2000s the building began to suffer from deferred maintenance and unable to make the investments needed to address structural and safety concerns, the City closed the building in 2016. More information about the history of the building and past project updates is available on the [City's website](#).

During the summer and fall of 2018, the City undertook an extensive community engagement process with stakeholder and community input collected through community workshops, public tours, interviews, and a city-wide survey to understand the community's interests and goals in the future of Memorial Auditorium. In addition to performance and entertainment space, the top uses for Memorial Auditorium identified by the public were 1) civic and community gathering space; 2) indoor farmers market; 3) arts and crafts; 4) youth-led program space; and 5) rehearsal space. The result of this process was an adaptive reuse plan for Memorial Auditorium to remain a publicly owned, public assembly space. Incorporating the public's feedback, the City engaged various architectural design and rehabilitation professionals in the creation of conceptual designs, construction pricing, and financing options and created a conceptual plan for a proposed "hub for community events, arts education, and a possible winter home for the farmer's market." The City anticipated financing the renovation through a mix of public and private sources including general obligation and tax increment financing bonds and private equity.

With the onset of the pandemic in early 2020, this project lost momentum as other priorities took precedence. In November of 2021 the voters did not approve a Capital Bond that included \$10M for Memorial Auditorium, and now with the City's bonding capacity restricted until at least 2030 by the need for financing the new Burlington High School and a range of other priorities and challenges at this time, the City is not able to move forward with public financing to implement the 2018 vision.

At the end of 2021, recognizing that the building was continuing to deteriorate and was a considerable liability, the City contracted with a structural engineering firm to provide a structural stabilization review and recommendations, material testing and cost estimate for demolition. In March of 2022, the voters approved a capital bond, which included \$1M for Memorial Auditorium assessment and stabilization. In May of 2022, this information was presented to City Council and there was unanimous support for stabilizing the building (versus demolition). Contracting for stabilization of the building is now underway and the stabilization work is expected to be completed by the end of February 2023.

The City now seeks to identify a long-term partner(s) that shares the City's goals and is qualified to deliver, finance, operate and maintain the building through an adaptive reuse project. The goal of this RFP is to solicit proposals from firms and organizations with the vision, skills, relevant experience and financial capacity necessary to move forward with an adaptive reuse of the building through a public-private partnership. The City envisions negotiating a long-term lease in which the City would retain ownership of the building while the selected entity(ies) will be responsible for the required renovations and operation of the building.

CITY GOALS & OBJECTIVES

The City has the following goals and objectives for the Memorial Auditorium Property:

- Renovation and reactivation of vacant building with construction beginning within 24 months
- Public/Private partnership that maintains long-term public benefit
- Attractive and welcoming entrance to the downtown
- Preserve Veterans Memorial
- Incorporation of one or more public uses as identified in 2018 community survey
- Maintain Historic Fabric
- Street Activation at Main and Union Streets
- High quality employment opportunities or new, mixed-income housing
- Long-term economic benefit for the community

REQUEST FOR PROPOSALS

The City of Burlington is issuing this RFQ/RFP to identify an entity to enter into a public/private partnership and long-term lease in support of the successful adaptive reuse of the Memorial Auditorium to reactivate this important component of the City's historic fabric and enhance the vibrancy of downtown Burlington. Proposers are advised that the building has known structural deficiencies (existing studies can be found [here](#)). Outside of the scope of work being completed by the City over the next six months, it will be the responsibility of the development team to perform sufficient testing and due diligence to the proposed project is viable.

Proposals will be evaluated based on the criteria described in this document. The entity selected through this process will enter into exclusive negotiations with the City with the intent of executing a Project Agreement that will establish the basis for future legal agreements associated with the project development, including the access and/or relocation of the Veterans Memorials currently located in the building.

SUBMISSION REQUIREMENTS

1. A signed letter on the proposer's letterhead indicating an interest in the Project and the primary contact person and contact information.
2. Description of Development Team
 - Lead development firm and key personnel
 - Development or programmatic partners
 - Technical partners (e.g. architects, engineers, financial and legal advisers)
 - Experience with comparable adaptive reuse developments
 - Identification of any unique resources, capabilities or assets which the proposer would bring to the project
3. Description of Proposed Project
 - Project Vision
 - Organization and management approach to the project
 - Programming Components (with proposed square footage)
 - Target Market / Beneficiaries
 - Proposal for Veterans Memorials
 - Expected scope of rehabilitation
 - Treatment of Historic Façade
 - Treatment of Historic Interior

4. Community Benefit

- Describe how the proposed project will respond to the City's goals as described above.
- Describe how the proposed project will incorporate community-identified priorities for Memorial Auditorium. (Results from the Community Survey can be found [here](#).)
- Describe how youth will be engaged in your development process and ongoing operations.
- Describe other public benefits of the proposed project.

5. Financial

- Contemplated public financial participation
- Description of how the project addresses and corresponds to market demands and conditions
- Construction and Operating Proformas
- Statement of Sources and Uses with projected dates for receipt of all sources
- Demonstration of financial capability with submission of financial statements

6. Timeline

- Proposed project timeline including design, financing, construction and start of operations

PROPOSAL EVALUATION

Proposals will be evaluated by an ad hoc committee which will consist of elected officials, community members with relevant skills and experience, Burlington youth and City staff. The committee will make a final recommendation to the City Council for approval.

Proposals will be evaluated based upon the following factors and weight:

Compliance with proposal requirements		
1)	Alignment of proposed project with City goals and objectives	20%
2)	Ability to incorporate public uses as identified in 2018 community survey	20%
3)	Overall public benefit of the proposal	20%
4)	Experience of the Development Team	15%
5)	Financial Feasibility	20%
6)	Timeline	5%
		100%

TIMETABLE

Release of RFP:	October 5, 2022
Receipt of proposals:	December 2, 2022
Selected Firm Approved by City Council:	January 2023

LIMITATIONS OF LIABILITY

The City assumes no responsibility or liability for the response to this Request for Proposals.

COSTS ASSOCIATED WITH PROPOSAL

Any costs incurred by any person or entity in preparing, submitting, or presenting a proposal are the sole responsibility of that person or entity, including any requests for additional information or interviews. The City will not reimburse any person or entity for any costs incurred prior to the issuance of the contract.

INDEMNIFICATION

Any party responding to this Request for Proposals is acting in an independent capacity and not as an officer or employee of the City. Any party responding to this Request for Proposals will be required to indemnify, defend, and hold harmless the City, its officers, and employees from all liability and any claims, suits, expenses, losses, judgments, and damages arising as a result of the responding party's acts and/or omissions in or related to the response.

REJECTION OF PROPOSALS

The City reserves the right to reject any or all proposals, to negotiate with one or more parties, or to award the contract to the proposal the City deems will meet its best interests, even if that proposal is not the lowest bid. The City reserves the right to re-advertise for additional proposals and to extend the deadline for submission of the proposals. This Request for Proposals in no way obligates the City to award a contract.

OWNERSHIP OF DOCUMENTS

Any materials submitted to the City in response to this Request for Proposals shall become the property of the City unless another arrangement is made by written agreement between the City and the responding party. The responding party may retain copies of the original documents.

PUBLIC RECORDS

Any and all records submitted to the City, whether electronic, paper, or otherwise recorded, are subject to the Vermont Public Records Act. The determination of how those records must be handled is solely within the purview of the City. All records which the responding party asserts to be trade secrets, as that term is defined by subsection 317(c)(9) of the Vermont Public Records Act, or that the responding party otherwise seeks to have the City consider as exempt must be identified clearly and specifically at the time of submission. It is not sufficient to merely state generally that a proposal is proprietary, contains a trade secret, or is otherwise exempt. Particular records, pages, and sections which are believed to be exempt must be specifically identified as such and must be separated from other records with a convincing explanation and rationale sufficient to justify each exemption from release consistent with Section 317 of Title 1 of the Vermont Statutes Annotated.

DRAFT

It is the mission of the Parks, Arts and Culture Committee to be the Council conduit for waterfront issues and operations, acting as the Council oversight of Parks and Recreation, Burlington City Arts and other arts and entertainment issues, as well as acting as an oversight to the Library. The PAC Committee will work in collaboration with the Library Commission, Parks and Recreation Commission, Community and Economic Development office, the Burlington City Arts board as well as all private and not-for-profit parks, arts and cultural resources to receive updates on pertinent concerns acting as a liaison to the City Council on recreational, art and culture events, issues, needs and goals.

Staff: Holli Bushnell, Office Assistant
Lakeview Cemetery
hbushnell@burlingtonvt.gov

Minutes

Parks, Arts & Culture Committee Meeting

Wednesday, September 28, 2022, 4:30pm

MEETING CONDUCTED IN PERSON AT CITY HALL, SHARON BUSHOR CONFERENCE ROOM AND VIA ZOOM

Attendance:

Committee Members: Chair Joan Shannon, Councilor Mark Barlow, Councilor Ali Dieng

City Staff: Doreen Kraft – Burlington City Arts, Colin Storrs – Burlington City Arts, Samantha Dunn – CEDO, Holli Bushnell – BPRW Staff

Public – Carmen George – Carmen George Weddings: Officiant, Photographer, and Florist

Meeting called to order at 4:35pm by Chair Joan Shannon

Approval of Agenda

Councilor Mark Barlow moved to approve the agenda with the following conditions: remove items 4, 5 and 6 from the agenda as BPRW Director Cindi Wight was unable to be present due to a family emergency. Councilor Shannon seconded, all were in favor.

Approval of Draft Minutes from 7/13/2022

Barlow moved to approve the minutes, Shannon seconded, all were in favor

Public Forum

Public forum was opened 4:37pm. Carmen George requested that the committee and BRPW ask the Burlington Police Department to place surveillance cameras in Oakledge Park, specifically at Forever Young treehouse. George has spoken with Director Wight about this request several times, noting that the Forever Young Treehouse is a rare, special space that is the only handicap accessible treehouse in state of VT and it deserves the protection cameras could support. Over the last several years the treehouse has been damaged, vandalized, lit on fire, and had a 3'x2' section of bark removed. No one has been caught or held accountable for damage. The internal space is filled with homophobic, racist, anti-Semitic, and misogynistic graffiti. Additionally, several unhoused individuals have been living in the treehouse, spreading out all their belongings making it unusable for the rest of the public. George states that she cares deeply about homelessness, but this is not a free shelter. The continued misuse of the treehouse is creating a barrier to accessibility and making it an unwelcome space for the public. George concluded by reiterating her request to the committee to advocate for surveillance cameras at treehouse to keep it welcoming and accessible to everyone.

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Hearing the urgency of George's request, Shannon moved to add item 6, the vandalism and misuse of the Forever Young Treehouse be added back to the agenda, in spite of a lack of BPRW representation. All were in favor.

Public forum was closed at 4:41pm

PACC Mission Statement

Per the request of City Council President Karen Paul, Shannon read the current mission statement:

It is the mission of the Parks, Arts and Culture Committee to be the Council conduit for waterfront issues and operations, acting as the Council oversight of Parks and Recreation, Burlington City Arts and other arts and entertainment issues, as well as acting as an oversight to the Library. The PAC Committee will work in collaboration with the Library Commission, Parks and Recreation Commission, Community and Economic Development office, the Burlington City Arts board as well as all private and not-for-profit parks, arts and cultural resources to receive updates on pertinent concerns acting as a liaison to the City Council on recreational, art and culture events, issues, needs and goals.

Shannon then requested that committee members provide any potential changes to the mission statement. Barlow pointed out that the original statement did not include the cemetery commission. He reworked the mission statement as follows:

The mission of the Parks, Arts, and Culture Committee is to act as liaison to Burlington, Parks, Recreation, and Waterfront, Burlington City Arts, and Library departments; as well as other city departments when acting in advance of presenting arts and cultural issues to the City Council. The Committee will work in collaboration with Burlington Parks, Cemetery, and Library Commissions as well as Community Economic Development Office, the Burlington Parks Foundation, and Burlington City Arts Board, and other parks, arts and cultural organizations for recreational, art, and cultural events, issues, needs, and goals.

Dieng felt it was important to add that PACC will work with all city departments to promote arts, parks, and culture within the city and that language should be added that includes the private sector. Ultimately, Dieng did not equipped to draft a mission statement during the allotted meeting time. Instead of taking action during the meeting Holli Bushnell will email Barlow's draft statement to the committee and they will finalize the language over email and discuss at the next meeting.

Memorial Auditorium Update

Samantha Dunn from CEDO explained the progress that has been made since April. The full City Council was updated early summer and provided with an action item to move forward with either stabilization of the building or demolishing. The Council voted unanimously to support to stabilize. That process is

Staff: Holli Bushnell, Office Assistant
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currently underway. CEDO released an RFP for first piece of stabilization on 9/28/2022 to improve roof. Other components of the stabilization project include mechanical equipment upgrades to prevent critical systems from freezing, some work on parapet where there's water infiltration, and safety measures to make sure bricks don't fall off building which is currently a risk.

In terms of building use, CEDO is working to identify a private partner for adaptive reuse of the building. This concept envisioning entering into a 99+ year lease, giving another entity the ability to develop the building and bring it back to life in a way that aligns with the city goals while allowing the partner to do what they would like. The RFP for this has been generated. Dunn requested that PACC provide feedback and guidance on city goals and proposal scoring. She also asked if any PACC members would like to be on committee.

Barlow asked if the proposals for partnership had any requirements for any use or if they include a public use covenant. Dunn stated that the city could sell building and the buyer could do whatever they wanted, but the goal of the partnership is to get a proposal with public use component.

Shannon stated that the city has issued an RFP for Memorial before and wonders what is different about this RFP that would allow us to expect a different response. Dunn explained that the previous RFP was for an operator of the building based on the premise that city would redevelop building (2018 vision). The city is no longer able to redevelop building on their own, so now they're looking for a partner that would do the development/renovations. It is possible that the original respondent, Higher Ground, would come back with new proposal, but other entities have also expressed interest. Several groups have already reached out to Dunn with ideas. The goal of the new RFP is to get many proposals and figure out who to enter exclusive negotiations with.

Shannon asked if any community outreach had been incorporated into this RFP, and Dunn confirmed that the top 5 community desires from the 2018 survey were incorporated into new RFP request and that 20% of scoring for the proposals is the ability to incorporate in 1 or more of desired public uses.

Barlow asked what constituted a public benefit. Dunn explained that things like engagement with the streetscape and public access would be examples of additional public use. The committee determines best public benefits, but proposals indicate what they think is their public benefit.

Dieng asked if the RFP had already been released. Dunn stated that she was looking for feedback from PACC before releasing the new RFP. Dieng returned that information from the 2018 survey shouldn't be part of discussion anymore as so much has changed over the last 2 years that the data may no longer be relevant. There were no issues with the High School at the time, nor had the city implemented their properties reappraises. Dieng felt that a new community survey about memorial was needed. He also asked if the city can wet requirements to buyer that insure they follow community desires.

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Shannon agreed with Dieng that community priorities may have changed dramatically since 2018. While she's aware of how much effort went into community engagement 4 years ago, touching base with the community again would be a good idea as the answers received might be vastly different from original desires. Shannon asked if another survey could be issued that asks the question if housing should be considered a public benefit in the community's opinion (ask specifically). Additionally, Shannon felt that the "memorial" aspect of the building's original intent was missing from the proposal guidelines. She felt there's a sacredness to the auditorium, noting the plaques memorializing community members who were lost during WWI. Retaining that memorial is critical and should be a scoring item.

Dunn commented that a way to review and evaluate what's been presented is part of the scoring process, but may not be worth 20% of the full score. She added that perhaps retaining the existing memorials should maybe have more weight in the final score.

Dieng asked if any individuals or entities have reached out to the city about taking over Memorial and Dunn was able to confirm that 3 different groups have approached the city about Memorial in the last year. She continued by explain that the concept of a 99 year lease means that Memorial will be retained as a public asset and can be returned to full city use once the lease is completed. The lease makes it possible to maintain the asset without spending money. The next generation will be able to make a different decision about the asset and use. She concluded by explaining that developers are comfortable with a 99 year lease because it allows them to access financing otherwise not available. Dieng returned that he feels very encouraged by the 3 inquiries that have already been made and that the 99 year lease sounds like a positive step forward.

Shannon reiterated that things have changed tremendously over the last few years and things could change really fast again. She reiterated that reserving Memorial Auditorium as public space would allow for changes to adapt over the years. Public space is very different from just public benefit.

Dunn stated that she intends to incorporate changes discussed into the RFP. The timeline for the RFP is as follows: the RFP will be issued next week (10/3) and proposals will be due 12/9. Dunn will share the updated RFP with committee and the committee will share any concerns directly Dunn.

Dewey Park Public Art

Colin Storrs provided the committee with a brief overview of the public art installation project at Dewey Park. In fall 2021 REIB, in partnership with BCA, lead the commissioning of a public art sculpture on the subject of belonging. A panel comprised of community members, neighborhood representatives, the ONE farmer's Market, students, and others convened to select 5 top artists out of the 38 proposals received. These 5 artists received a \$1000 stipend to develop in-depth proposals. Of those 5, Humanity Memorial was selected by the committee after a nationwide call for artists. The winning proposal, Belonging and Embrace will be a 20' tall stainless steel landmark surrounded by granite seating and a concrete base in the form of two entwined Sankofa birds. The project is currently in permitting process, the sculptor, Ai Qiu Hopen, is building piece, and the city is securing contractor for installation. BCA will

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be holding public meetings to insure public awareness of the project. The installation is scheduled March or April 2023.

Barlow asked about the durability of the stainless steel, and Storrs was able to confirm that the two, giant cut and bent slabs of stainless will be powder coated.

Dieng asked about what steps have been taken for the preservation of this public art. Storrs stated that an anti-graffiti coating would be applied to the stainless steel and there are funds in the budget for light maintenance if there is vandalism. The materials are very weather resistant and the piece itself will be placed in a park that is regularly maintenance and will have appropriate lighting. With the recently adopted 1% for public art policy, BCA program can have a more budget-friendly maintenance fund (above what BPRW does), but this piece requires very little maintenance outside of unforeseen vandalism.

Dieng asked if there will there be a plaque there to explain the art, and Storrs confirmed that a plaque is part of the planned installation.

Vandalism and Misuse of Forever Young Treehouse

Proposed solution – police put up cameras.

Shannon stated that she has talked with Chief Murad about cameras, and his stance is that they are difficult to monitor. The City Council recently approved funding for purchasing and placing more cameras throughout the city. Shannon wondered if something be added to Oakledge and the treehouse that could be part of new camera system. Moreover, Shannon felt it would be impactful to hold a meeting concerning safety and misuse of parks. She asked who the committee feels needs to be involved with that conversation.

Dieng commented that I&T has had a budget for around 100 cameras approved, their role is to just buy cameras and servers. BPD will be making the decision about where camera placement will happen. Dieng feels that the case needs to be made for placing cameras at Oakledge as the damage to the treehouse is a major concern. Generally speaking, Oakledge needs more security and Dieng wondered if park patrols could be involved and provide more monitoring for treehouse. Dieng agreed that all parks need some type of security system, but Oakledge should be near the top in terms of priority.

Shannon agreed with Dieng that more security is needed in parks across the board. She also appreciates George's statements about why the forever young treehouse needs extra concern. It's unique across the state, a very special space, and it's no longer able to be used by the public because it's been consumed for private use (poor/illegal private use). The challenge is that the cameras do no equal enforcement. There is a question of how we go from cameras recording all the unwanted and illegal activity to actually enforcing the laws. Cameras in the treehouse won't make a difference unless we enforce laws. There have been issues in parks throughout the city, and, despite best intentions, there

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PARKS, ARTS & CULTURE COMMITTEE**

**Councilor Joan Shannon, Chair, South District
Councilor Ali Dieng, Ward 7
Councilor Mark Barlow, North District**

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has not been headway made with the unhoused population. Shannon asked if the committee would like to have broader discussion about public safety in parks and how to address all issues going on in parks. Dieng and Barlow both felt this was a good idea.

Shannon reiterated that the treehouse should be a priority in the upcoming conversation. George felt that identifying the perpetrators would be a start to improving the state of the treehouse. Even if restorative justice cannot be forced on perpetrators, at least the city would have an idea of who is causing the problem, and maybe from there they could have a better sense of how to address issue.

Barlow agreed that the vandalism and lack of safety in public parks is a city wide issue. He believes it's related to resourcing and prosecuting the perpetrators of the acts. He commented that the urban park rangers are new resource and he would love to figure out how to use these new rangers for public safety. In terms of cameras, he feels that with BPD being so understaffed, anything we can do to deter acts would be helpful, and cameras could be a factor in that. At least the city would have more to work with than they do presently. Barlow met with Chief Murad last week, and the chief feels we may have to start closing our parks at night. Maybe that's part of the discussion as well. Ultimately, Barlow is for larger discussion about public safety in parks next meeting.

Shannon asked about the possibility of adding a livecam to the treehouse. George was fully in support of this idea along with adding signage indicating that visitors were on camera. She feels the Forever Young Treehouse would be a great location for a livecam pilot program.

Shannon stated that PACC will try to schedule their next meeting ASAP. Bushnell will send out a doodle poll including George, Abbey Duke of the Parks Commission, Lacey-ann Smith from BPD, and Sarah Russell – Special Assistant to End Homelessness with CEDO. This meeting will be specifically about public safety and security in the parks. There will be a possibility of voting on pilot program for livecam in treehouse (and other parks), and the treehouse will be major focus of discussion.

Schedule next meeting

The next PACC meeting will be scheduled via doodle poll.

Adjournment

The meeting was adjourned at 6:25pm.