



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

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MEMO

TO: Councilors Joan Shannon, Ali Dieng, and Karen Paul

FROM: Luke McGowan, CEDO
Grace Ciffo, CEDO

DATE: Friday, January 17, 2020

RE: Memorial Auditorium RFP Update

This memo is to provide an update on the RFP for an operator for Memorial Auditorium that CEDO issued on October 7. The RFP was open for a period of eight weeks, with a mandatory site visit on October 17. Of the three parties that attended, one submitted a bid. The following is a preliminary analysis of the bid and the expected next steps in the process.

City Priorities

As laid out in the RFP, the City has been guided by the public process that took place in 2018 with the goal of Memorial remaining a publicly-owned, public assembly space. Particularly, the City is interested in hosting civic events such as Highlight; political caucuses; banquets for civic organizations; commercial events beyond performing arts to serve a wider audience; and a winter home for the Burlington Farmers Market.

Bid Summary

CEDO received one qualified bid from Higher Ground of South Burlington. Higher Ground has a 20+ year history of programming and operating venues in the Burlington area, as well as one comparable facility in Portland, ME. They are interested in leasing the entire building with a proposed term of 10 years plus four extension terms of five years each. Higher Ground's proposal is to operate Memorial "as a multi-purpose events space that focuses on community gatherings that range from music to culinary events to civic debates and town meetings" and for the building to be active 365 days a year.

City staff conducted an interview with the respondent on January 6 to further understand their priorities and how their proposal might meet the interests expressed by the City and the public process.

Next Steps

The CEDO team has determined that this a viable proposal and is deserving of further consideration. City staff have scored the proposal and graded the interview and are analyzing the

results. CEDO and the Mayor's office will continue to remain in contact with the respondent as we move forward with this phase of the process. The City team plans to brief and seek reactions from the full council in executive session in February.

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

AGENDA

Parks, Arts & Culture Committee Meeting

Thursday, January 23, 2020, 5:30 – 7:30pm

645 Pine St, Front Conference Room

Approval of agenda - 5:30

Approval of draft minutes from October 23, 2019

Public Forum – 5:35 – Members of the public have up to 5 minutes to address the committee.

Agenda Items – 5:45

1. 5:45pm BPRW – Bike Path Issues (Halloween) (Cindi Wight).
 - a. Bike Path (15 min)
 - b. City Hall Park (Cindi and Doreen) (10 minutes)
2. 6:10pm BCA – (Doreen Kraft).
 - a. Highlight Review (10 minutes)
 - b. 405 Pine St Update (10 minutes)
 - c. Art in Public Places Guidelines update (5 minutes)
3. 6:35pm CEDO – (Grace Ciffo, Jesse Freedman, Jeffrey Glassberg)
 - a. Memorial Auditorium (30 minutes)
 - b. Moran FRAME Update (20 minutes)

Schedule next meeting

Adjournment 7:30

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Minutes

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Thursday, January 23, 2020, 5:30 pm

645 Pine St, Front Conference Room

Attendance:

Committee Members: Chair Joan Shannon, Councilor Ali Dieng, Councilor Karen Paul

Cindi Wight - BPRW, Doreen Kraft – BCA, Zach Williamson – BCA, Luke McGowan – CEDO Jesse Freedman – CEDO, Grace Ciffo – CEDO, Jeffrey Glassberg – Independent Contractor, Holli Bushnell – BPRW/Clerk's Office

Meeting called to order at 5:34pm by Councilor Shannon

Approval of agenda

Councilor Paul moved to approve the agenda. Shannon seconded, all were in favor.

Approval of Draft Minutes from October 23, 2019

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

Public Forum

Public forum was opened at 5:35pm. As no members of the public were present the public forum was closed at 5:35pm. Shannon stated that members of the public would be allowed to speak during their preferred agenda item throughout the meeting should any arrive.

Agenda Items

1. BPRW

a. Bike Path

Cindi Wight provided the committee with a comprehensive breakdown of bike path work that is under contract for 2020. Sections scheduled for spring work include Perkins Pier walkway, the south end of Perkins Pier to the south end of the Barge Canal, Roundhouse Park to Perkins Pier, and the Barge Canal to Roundhouse Park. Work on or around the Barge Canal is dependent on the water level. Work began on the Barge Canal last autumn, but halted on

Halloween due to a large storm and high water levels. Wight anticipates the closure of the Barge Canal will continue until late fall 2020.

Sections on track to be worked on this summer include the Maple St to College St realignment, the “Hula” section (formerly the Blodgett property), Harrison Ave, a small piece of the Harborwatch section, and from Flynn Ave to Harborwatch. Remaining sections that still require work and are not currently under contract are Flynn Ave to Austin Drive through Oakledge and the North Beach Overpass. BPRW is currently working with the city attorneys on an easement issue for the Harborwatch section. They, along with CEDO and DPW are also in discussions with the owners of Hula in an effort to figure out access to that area of the bike path. If an agreement cannot be reached with Hula, BPRW will “mill and fill” that section. This is due to an inability to get the required equipment to expand the path size and install new fencing through Hula’s private property.

Shannon asked why Hula is restricting access to their property. Wight explained that Hula is at 85% occupancy, anticipates being 100% open over the summer, and doesn’t want construction trucks coming in and out of their space. Dieng asked that Wight provide the committee with a map of the bike path in the future for clarity and Wight agreed to do so. Shannon asked that, for future meetings, the map include labeled sections, timeframes for work in highlighted areas, and notes on possible issues (ex. – easement negotiations with Harborwatch). Wight confirmed she would do this.

Shannon asked about the area of the path that is currently closed and detoured onto Pine St (from Maple St to Lakeside Ave). Wight confirms that this section will remain closed until late fall. Work in this area is dependent on the water level in the lake. That said, it is clear from images of the work that was completed before the Halloween storm stoppage that the changes will make this section much more usable in the long term.

Paul asked that, in addition to a map and timeline, Wight provide the committee with lake level updates. Wight will do so. The question was raised as to whether or not a dry winter leading to lower lake levels would allow contractors to begin work earlier in the year. Wight stated that the current start date is July 1, however the contractors are eager to start work. BPRW may also be able to request permission to start work earlier should weather and the lake permit (though the possibility of lake levels being low enough is unlikely).

Wight concluded by sharing that BPRW is hoping to find ways to activate Pine St throughout the summer months. They are hoping to work with SEABA, CEDO, BCA, and other local organization to find fun ways to promote that area.

Dieng asked that, at the next meet, Wight provide the committee with information on summer recreation programs and scholarships, particularly in relation to the Governor's initiative for universal afterschool program access. Wight will do so.

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Construction on the park has been shut down for the winter. The anticipated restart is mid-April. The goal is to open the fountain and reopen the park pathways mid-August 2020. Some areas of sod/grass will remain closed until 2021 for stabilization. Financing has been found through value engineering for many elements of the original park design that were removed for budgetary reasons. Those elements include the natural stone cap for concrete walls, 10' benches with center armrest for accessibility, and College St terrace (CEDO overseeing search for onsite vendor). Additionally, the Main St edge has been redesigned to blend in better with the park and provide flexible uses with appropriate drainage. BPRW is working with BCA to make sure that there will be good electrical access throughout the park for events. As sections are completed, the trees team will be going in to plant. They are working their way out from the center of the park in line with construction so that everything won't need to be planted in late July.

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through the Bright Ideas Project, will always been searching for new ideas and new events.

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Dieng asked what the relationship is between the BCA Foundation and BCA itself. He also asked where the authorization to purchase the building came from. Kraft explained that the BCA Foundation is entirely independent from BCA or any other city department, however BCA Foundation does have an agreement with the city. The organization functions similarly to the Parks Foundation or the FFL Foundation. Because it is a private organization, no authorization was needed for the purchase. Dieng asked that the City Council be informed as to the continued progress of the project.

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Shannon asked if Kraft could provide the committee with a copy of the draft at the next meeting and Kraft confirmed that she would do so. Dieng amended this request by asking if the committee could receive the draft ahead of time. Kraft assured him that she would provide the draft in advance.

3. CEDO

a. Memorial Auditorium

Luke McGowan recapped the actions CEDO has taken over the last few months concerning the Memorial Auditorium Project. The RFP was issued 10/7/19 and was live for 8 weeks. CEDO solicited bids from both local and national operators and provided an opportunity to walk through the building. 3 bidders participated in the walk through and one operator, Higher Ground, put forth a bid. That bid met the minimum level of viability of the RFP. CEDO has held an initial meeting with Higher Ground to gain clarity on certain questions. Further conversations and clarity is needed, and all parties are working to complete the bid. McGowan intends to bring the bid and negotiations before the council in the near future.

Shannon asked McGowan to provide the committee with highlights of the bid. McGowan reiterated that the bid meets what the city asked for – a multipurpose events space for multiple kind of events. Higher Ground has provided the city with some financial info and some information on the mixed uses of the space, but more information is needed to complete the bid. McGowan believes the bid should be complete before it is opened up to the public.

Dieng asked if the bid was for the operation of the space of the construction needed to make the space operational. McGowan confirmed that there are aspects of both operation and construction in the bid. Jesse Freedman reminded the committee that the RFP called for the city to provide \$15 to 20mil from TIF and GO Bonds to bring the building up to code. \$1.5 mil will be provided by the operator. As operator, Higher Ground will have some impact on what work needs to be done.

Shannon asked if the cost provided in the RFP is accurate and if all possible factors, such as environmental issues, had been taken into account. Freedman confirmed that the building has been surveyed and that the costs should be

accurate. Most of the work is structural and therefore labor intensive. There is a chance that the cost could be higher, but there is a contingency.

Paul asked if the city had signed an NDA with Higher Ground concerning their finances and if other Higher Ground projects have been taken into account in their bid, questioning if Higher Ground was over-extending itself in light of all the other ventures they have on their plate. Both McGowan and Freedman confirmed that there was not an NDA and that limited information (trade secrets) will be redacted when the bid is shared with the public. Additionally, this space will not be owned by Higher Ground but operated by them. That distinction eliminates any over-extension issues. Paul requested that CEDO proceed with caution, factoring in a larger contingency and carefully going through every possible issue that may arise, in hopes of bringing an accurate proposal before the council and the city in general. McGowan assured her that CEDO is taking their time, going through all of the details with Higher Ground, and working to improve the accuracy of their numbers.

Dieng asked about the four original proposals that were brought before the committee/council. Shannon also asked for clarity concerning what happened to the “super block” plan. Jeffery Glassberg explained that the current financial model CEDO is working with is based on the assumption of growth in the TIF district associated with the redevelopment of the YMCA building. The other proposals, including the super block, were dependent upon other funding sources. Currently the YMCA redevelopment is the only concrete work being done in the area, and consequently the only certain source of funding. In an effort to move forward CEDO chose to work with the options that were available in the immediate. The other options for financing, including the superblock, may still be available in the future. That said, the plan to modernize Memorial itself has not changed since the original four proposals, only the funding is different.

Shannon asked that McGowan and CEDO bring Memorial before the council again in the near future and include information on where the proposal is currently and why. She suggested that the council hold a work session on Memorial, and Dieng seconded this idea. Paul asked that the numbers be as up to date as possible in this future work session. Shannon formally requested that CEDO request a work session on Memorial with the full council and that any programing information be provided by the operator for clarity purposes. McGowan agreed to do so.

b. Moran FRAME Update

McGowan informed the committee that the contamination at the site is far worse than initially anticipated. Contaminates include PCBs, asbestos, and lead,

and will require \$4mil above the \$5.6mil in TIF funds allocated for the project and approved by the council. That said, CEDO has developed a phased approach that stays within the budget, stabilizes the site, preserves the building, and makes the space accessible. Instead of demolition, site stabilization, and construction, the plan is now in 2 phases.

Phase 1A will cost \$6.5mil and includes the demolition and site stabilization. The construction manager for the project, DEW Construction, has provided CEDO with a full timeline and scope of the work. McGowan believes they have found a funding source to cover the ~\$1mm gap (funds may be provided by the original owner of the site), and is working to finalize all liabilities.

Phase 1B would complete the FRAME concept, rebuilding part of the brick exterior and adding cloth “hoppers” and exterior landscaping. The cost for phase 1B would be around \$2.5mil and CEDO is confident they can find a source for this funding in the next year.

McGowan also provided the committee with a third option – complete demolition of the Moran building. The cost for full demo would be \$3.6mil, an amount already available in the TIF funds currently allocated to the project. That said, if the additional \$1.4mil in TIF are not used on the Moran project they will be forfeited and returned to the state. Those funds cannot be used for another project.

Paul asked if the amenities in the FRAME concept could be added to the complete demolition to turn the space into a park. McGowan stated that costs to build a park in that space are unknown, but likely more than we have available. He believes phase 1A is the most attainable goal, but he wants to be certain it’s something the council wants.

Dieng commented that he likes the phased plan and the attempt to provide the city with what they want in spite of the financial setbacks.

Shannon asked that the phased plan be brought before the full council. McGowan confirmed that he would do so (likely in early February). Shannon also asked that McGowan conference with her and City Council President Kurt Wright to discuss both Memorial and Moran.

4. Adjournment

The meeting adjourned at 7:40pm. The next meeting is scheduled for Wednesday, March 4 2020 at 5:30pm. The location of the next meeting is TBD.

DRAFT

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Luke McGowan recapped the actions CEDO has taken over the last few months concerning the Memorial Auditorium Project. The RFP was issued 10/7/19 and was live for 8 weeks. CEDO solicited bids from both local and national operators and provided an opportunity to walk through the building. 3 bidders participated in the walk through and one operator, Higher Ground, put forth a bid. That bid met the minimum level of viability of the RFP. CEDO has held an initial meeting with Higher Ground to gain clarity on certain questions. Further conversations and clarity is needed, and all parties are working to complete the bid. McGowan intends to bring the bid and negotiations before the council in the near future.

Shannon asked McGowan to provide the committee with highlights of the bid. McGowan reiterated that the bid meets what the city asked for – a multipurpose events space for multiple kind of events. Higher Ground has provided the city with some financial info and some information on the mixed uses of the space, but more information is needed to complete the bid. McGowan believes the bid should be complete before it is opened up to the public.

Dieng asked if the bid was for the operation of the space of the construction needed to make the space operational. McGowan confirmed that there are aspects of both operation and construction in the bid. Jesse Freedman reminded the committee that the RFP called for the city to provide \$15 to 20mil from TIF and GO Bonds to bring the building up to code. \$1.5 mil will be provided by the operator. As operator, Higher Ground will have some impact on what work needs to be done.

Shannon asked if the cost provided in the RFP is accurate and if all possible factors, such as environmental issues, had been taken into account. Freedman confirmed that the building has been surveyed and that the costs should be

accurate. Most of the work is structural and therefore labor intensive. There is a chance that the cost could be higher, but there is a contingency.

Paul asked if the city had signed an NDA with Higher Ground concerning their finances and if other Higher Ground projects have been taken into account in their bid, questioning if Higher Ground was over-extending itself in light of all the other ventures they have on their plate. Both McGowan and Freedman confirmed that there was not an NDA and that limited information (trade secrets) will be redacted when the bid is shared with the public. Additionally, this space will not be owned by Higher Ground but operated by them. That distinction eliminates any over-extension issues. Paul requested that CEDO proceed with caution, factoring in a larger contingency and carefully going through every possible issue that may arise, in hopes of bringing an accurate proposal before the council and the city in general. McGowan assured her that CEDO is taking their time, going through all of the details with Higher Ground, and working to improve the accuracy of their numbers.

Dieng asked about the four original proposals that were brought before the committee/council. Shannon also asked for clarity concerning what happened to the “super block” plan. Jeffery Glassberg explained that the current financial model CEDO is working with is based on the assumption of growth in the TIF district associated with the redevelopment of the YMCA building. The other proposals, including the super block, were dependent upon other funding sources. Currently the YMCA redevelopment is the only concrete work being done in the area, and consequently the only certain source of funding. In an effort to move forward CEDO chose to work with the options that were available in the immediate. The other options for financing, including the superblock, may still be available in the future. That said, the plan to modernize Memorial itself has not changed since the original four proposals, only the funding is different.

Shannon asked that McGowan and CEDO bring Memorial before the council again in the near future and include information on where the proposal is currently and why. She suggested that the council hold a work session on Memorial, and Dieng seconded this idea. Paul asked that the numbers be as up to date as possible in this future work session. Shannon formally requested that CEDO request a work session on Memorial with the full council and that any programing information be provided by the operator for clarity purposes. McGowan agreed to do so.

b. Moran FRAME Update

McGowan informed the committee that the contamination at the site is far worse than initially anticipated. Contaminates include PCBs, asbestos, and lead,

and will require \$4mil above the \$5.6mil in TIF funds allocated for the project and approved by the council. That said, CEDO has developed a phased approach that stays within the budget, stabilizes the site, preserves the building, and makes the space accessible. Instead of demolition, site stabilization, and construction, the plan is now in 2 phases.

Phase 1A will cost \$6.5mil and includes the demolition and site stabilization. The construction manager for the project, DEW Construction, has provided CEDO with a full timeline and scope of the work. McGowan believes they have found a funding source to cover the ~\$1mm gap (funds may be provided by the original owner of the site), and is working to finalize all liabilities.

Phase 1B would complete the FRAME concept, rebuilding part of the brick exterior and adding cloth “hoppers” and exterior landscaping. The cost for phase 1B would be around \$2.5mil and CEDO is confident they can find a source for this funding in the next year.

McGowan also provided the committee with a third option – complete demolition of the Moran building. The cost for full demo would be \$3.6mil, an amount already available in the TIF funds currently allocated to the project. That said, if the additional \$1.4mil in TIF are not used on the Moran project they will be forfeited and returned to the state. Those funds cannot be used for another project.

Paul asked if the amenities in the FRAME concept could be added to the complete demolition to turn the space into a park. McGowan stated that costs to build a park in that space are unknown, but likely more than we have available. He believes phase 1A is the most attainable goal, but he wants to be certain it’s something the council wants.

Dieng commented that he likes the phased plan and the attempt to provide the city with what they want in spite of the financial setbacks.

Shannon asked that the phased plan be brought before the full council. McGowan confirmed that he would do so (likely in early February). Shannon also asked that McGowan conference with her and City Council President Kurt Wright to discuss both Memorial and Moran.

4. Adjournment

The meeting adjourned at 7:40pm. The next meeting is scheduled for Wednesday, March 4 2020 at 5:30pm. The location of the next meeting is TBD.

DRAFT

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