

## **BOARD OF PARK COMMISSIONERS**

### **DRAFT MINUTES OF MEETING HELD JANUARY 11, 2008**

**Commissioners Present:** Chairman Cicilline, Commissioner Gordon-Martin, Commissioner McConnell, Commissioner McCray, Commissioner Narducci

**Commissioners Absent:** Commissioner Jaffe, Commissioner Luna

Chairman Cicilline called for a motion to approve the minutes of the meetings of September 21, 2007 and November 9, 2007. Superintendent Ogden reminded the Commissioners that she was given the authority at the November 9<sup>th</sup> meeting to amend the language of the September 21<sup>st</sup> minutes as it pertained to the Holocaust Memorial. After speaking with the attorney for David Newman, the Superintendent determined that the minutes should reflect that in July, 2004 the Board of Park Commissioners gave authorization to the Holocaust Survivors of Rhode Island organization, represented by David Newman, rather than individually to David Newman. Motion made by Commissioner Gordon-Martin. Seconded by Commissioner Narducci. Motion passes.

#### **PUBLIC COMMENT**

Judith Reilly spoke about the memo she had sent to the Commissioners as well as the results of the survey conducted by Les Papp regarding the Dexter Street Dog Park, which she contends calls into question the canvassing results of the West Broadway Neighborhood Association. Because of the discrepancies, and because the Board based its decision to allow the dog park at its current location on the findings of the WBNA, in her opinion the Board was negligent in not following-up on the accuracy of the WBNA's canvassing and in not conducting an investigation into the discrepancy of the two surveys. She said that despite the Board's position that it has the authority to "do whatever they want", the Board cannot sit without response to public comment.

Chairman Cicilline responded that it has never been stated that the Board of Park Commissioners can "do whatever they want." He went on to say that the Commissioners take their responsibility very seriously and honor their commitment with great care. He commended their dedication and efforts in making decisions that will best benefit the City and its citizens.

Elizabeth Comery spoke about the Riverwalk and the number of monuments that are being allowed to be erected. She said that the amount of greenspace is disappearing and being replaced by slabs of granite. She stated that in her opinion the monuments are being erected without the proper expertise, citing the Irish Famine and Korean Memorials. She asked that no further memorials be added to the area.

Chairman Cicilline thanked Ms. Comery for her comments and went on to say that it is an ongoing struggle to balance monuments and open space. He noted that thousands of people attended the Irish Famine Memorial Dedication. He also invited Ms. Comery to share her comments when monument issues arise to offer a different viewpoint.

Superintendent Ogden stated that discussion of a Monuments and Memorials policy was on the Agenda for this meeting.

**PROCEDURES RELATING TO BOARD MEETINGS FOLLOWING ATTORNEY GENERAL'S OFFICE NOVEMBER 30, 2007 RULING – DISCUSSION AND POSSIBLE VOTE -**

Adrienne Southgate, Deputy City Solicitor, reviewed the ruling issued November 30, 2007 by the Attorney General's Office which found the Board to be in violation of the Open Meetings Act because a motion was made during the course of discussion without the required notice. As a remedy to prevent technical violations of this nature in the future, all Agenda items will contain the wording "**Discussion and Possible Vote.**" Additionally, Deputy City Solicitor will join the Commissioners at each meeting to act as counsel should matters of procedure arise.

**MONUMENTS AND MEMORIALS POLICY – DISCUSSION AND POSSIBLE VOTE**  
Superintendent Ogden reviewed the modifications to the draft policy which the Commissioners reviewed at the November meeting:

In the section titled "**Purpose**" language to be added to ensure that request for monuments, memorials and art are balanced with the need for unprogrammed open space.

**Site and Design Approval** – Language to be added which states that if the Board has concerns about the location or theme, the entity may be required to reconsider their project or location.

**Construction Requirements** – Language will reflect that final design has been approved by the Board of Park Commissioners

Commissioner McConnell questioned whether the draft policy included the requirement of a maintenance endowment. Superintendent Ogden replied that the policy does include a maintenance provision but thought it would be prudent to strengthen and clarify the language requiring funding of a perpetual maintenance fund.

Commissioner Gordon-Martin requested that Item iii. under Construction Requirements be amended to reflect that the 85% funding requirement be changed to 100%. Superintendent Ogden will make the change as requested.

Commissioner McCray stated that he would like to once again on record that the number of monuments and memorials being erected are seriously depleting the amount of open space available and must be curbed. Chairman Cicilline responded that the purpose of the Policy being reviewed will provide the Commissioners with the criteria to create a balance between memorials and green space.

A motion was made by Commissioner McCray to approve the policy relating to Memorials, Statues, and Public Art on Park Property with the amendments discussed. Motion seconded by Commissioner McConnell. Motion passes.

**WATERPLACE RESTAURANT PROPOSED RENOVATIONS – DISCUSSION AND POSSIBLE VOTE –**

Superintendent Ogden advised that the Parks Department has reviewed the plans for the proposed renovations and has no objection.

Joseph Cimioni advised that the renovations will be done on the second floor; all work will be done according to code. Upon completion, the renovations will add 400 sq. ft. to the area which will allow sufficient space to accommodate group functions.

Following further discussion, a motion was made by Commissioner McCray to approve the Waterplace Restaurant proposed renovations. Motion seconded by Commissioner Gordon-Martin. Motion passes.

**TEMPORARY USE OF PARK SPACE FOR CONSTRUCTION OF BLUE CROSS BUILDING – DISCUSSION AND POSSIBLE VOTE**

Superintendent Ogden informed the Commissioners that the Parks Department has met with Dimeo Construction to discuss issues arising from the proposed development with minimal impact to the area. Nick Rasmussen explained that the Commissioners are being requested to authorize temporary use of a portion of Waterplace Park during construction of the new Blue Cross facility. Dimeo is meeting with abutters and Traffic Engineering to determine a workable plan with minimal inconvenience. The current proposal is to close off a portion of Exchange Street and Finance Way for about a 2 ½ week period to build a tower crane within the building. A construction fence will make Finance Way a dead-end, impacting on parking for Waterplace Restaurant, and signage will direct Restaurant patrons to alternate parking. The second phase will require approximately 6 months usage for the operation of a concrete pump. Chairman Cicilline said that while the City wants to assist in every way possible in completing the construction, 6 months is a long commitment, especially during the summer months when there is so much activity in the area. Mr. Rasmussen requested that the Commissioners authorize the first phase of the request for the two part 7 and 2 day plan. Dimeo will then meet with the Parks Department and Arts, Culture and Tourism to continue a discussion on the extended 6 month usage. Dimeo is prepared to restore the area and to make additional improvements. Chairman Cicilline asked the owners of Waterplace Restaurant if they were comfortable with the plan in terms of the effect on their business. Steve Marra responded that they are confident that the plan is workable.

A motion was made by Commissioner Gordon-Martin to authorize use of a portion of Waterplace Park for the two-part 7 and 2 day plan for construction of a tower crane. Motion seconded by Commissioner Narducci. Motion passes.

**TRANSFER OF FUNDS FROM VARIOUS TRUSTS – DISCUSSION AND POSSIBLE VOTE –**

North Burial Ground Perpetual Care Trust – Superintendent Ogden reviewed a statement of fees and revenues for the Perpetual Care Fund. Fee increases approved in July, 2007 went into effect January 1<sup>st</sup>. The value of the Perpetual Care Fund as of November 30, 2007 was \$6.356 million. Total revenues generated by the Perpetual Care Fund as of December 26, 2007 total \$81,642. Of this amount, \$70,656 was transferred to the General Fund. In 2008 income to the General Fund is estimated at \$120,000. In addition to the \$120,000 transferred to the General Fund annually, the

Board is being requested to approve \$260,000 to support the FY 2008 North Burial Ground operations, including saving a much-needed position. The Superintendent explained that this is a one-year request necessitated by State budget cuts.

A motion was made by Commissioner McCray to approve the transfer of \$380,000 from the North Burial Ground Perpetual Care Trust to support the FY 2008 North Burial Ground operations.

**EDWARD ELY TRUST** – Bob McMahon explained that this is the 4<sup>th</sup> request to fund Neighborhood Arts Programming. The Commissioners are being asked to approve \$85,000. This year's request is down from previous years in order to keep the Trust Fund value at \$1 million. The Parks Department and the Department of Arts, Culture and Tourism are confident that excellent programming can be developed despite the decrease.

Lynne McCormack spoke about the growth of the Program over the last 4 years and commended Janine Schwartz for the critical role she has played in making the Program an overwhelming success. About half of the 40 grants received last year were funded and efforts are under way to expand the Program into even more neighborhoods. The Program also funds events at Waterplace Park.

Chairman Cicilline commended the Parks Department and Arts Culture and Tourism for the enjoyment and entertainment the Neighborhood Arts Program brings to our citizens.

Chairman Cicilline proposed that the amount of funds transferred for the Neighborhood Arts Programs be no less than \$85,000. with the provision that if the value of the fund increases in excess of \$1 million, the amount available for transfer can be accessed up to \$140,000.

A motion was made by Commissioner Narducci to authorize the expenditure of \$85,000 from the Edward Ely Trust Fund to the City 826 Expendable Account to fund 2008 Neighborhood Arts Programming with the provision that if the value of the Trust Fund increases in excess of \$1 million, the amount available for transfer can be accessed up to \$140,000. Motion seconded by Commissioner McConnell. Motion passes.

**ELIZABETH GOULD TRUST** – Bob McMahon advised that \$150,000. is being requested for a new soccer field, landscaping and playground equipment at Hopkins Park on the Esek Hopkins Homestead. The Commissioners discussed the pressing need for more soccer fields as well as regulations and restrictions in order to keep the fields in good operating condition. The Parks Department is reassessing its funding strategy since recently being turned down for an America's Treasures Grant. We plan to seek assistance from the Department of the Navy as well as legislative initiatives. Considerable funding will be needed to restore the Esek Hopkins Homestead and maintain Hopkins Park.

Following further discussion a motion was made by Commissioner Gordon-Martin to authorize the expenditure of \$150,000 from the Elizabeth Gould Trust Fund to the City 813 expendable account for improvements to Hopkins Park. Motion seconded by Commissioner Narducci. Motion passes.

**SUPERINTENDENT'S REPORT -**

A study funded by the Parks Department and the Providence Foundation has determined that Waterfire will be in jeopardy if river dredging is not done in the near future. In light of these findings, the Army Corps of Engineers will begin the dredging process next winter.

Searle & Searle has been hired to plan the Botanical Center outdoor gardens.

In addition to the URI educational component, efforts are under way with the School Department to bring children to the Botanical Center for educational programming.

The Parks Department is working with a variety of arts and cultural groups on a beautification project for Kennedy Plaza.

In response to a question from Commissioner McCray regarding the effects of global warming and recent animal security issues at other zoos, the Superintendent will request that Jack Mulvena, Zoo Director, address these concerns at a future meeting.

There being no further business, the meeting was adjourned at 9:55 AM.