



**Scoping Process for the Cemetery Master Plan
 Summary of Stakeholder Feedback
 DRAFT Scope of Work**

**SUMMARY OF CEMETERY STAKEHOLDER FEEDBACK FOR
 DRAFT SCOPE OF WORK
 UPDATED SEPTEMBER 3, 2013**

The Parks and Recreation Department (PARD) will soon address long-term planning for the City's municipal cemeteries. PARD issued a Requests for Proposals for a Cemetery Master Plan in September 2013 for all five City of Austin cemeteries. Once a contract has been successfully awarded, the master planning process is projected to begin in early 2014.

In June, 2013, the City of Austin Parks and Recreation Department (PARD) held a series of meetings about the upcoming cemetery master plan process. The primary purpose of the meetings was outreach to stakeholders interested in the five municipal cemeteries and feedback about the general issues that should be addressed in the master plan as well as issues related to the public engagement process.

PARD then developed a draft Scope of Work for the master plan, which was informed by both community input and departmental goals for the cemeteries. PARD posted the draft Scope of Work in order to receive feedback from the community.

PARD appreciates the community's participation in the meetings in June as well as the Scope of Work review meetings in August and looks forward to a great master planning process, which is expected to begin in early 2014.

Following are the responses received through questionnaires, the public meetings, and emails:

Public feedback on the Draft Cemetery Scope of Work	
For initial 2012 Bond priorities, ensure that irrigation at Austin Memorial Park has received a recent evaluation and is considered for priority funding	Consider conducting oral histories to get additional feedback on Oakwood Cemetery Annex History
Maintain historical entrance at Austin Memorial Park	Incorporate best practices for stump removal
Ensure that acreage listed for Austin Memorial Park is correct.	Include the carriage house/maintenance barn at Austin Memorial Park in list of structures
Ensure that history of minority communities is key component of historic context section	Expand Scope of Work to include recommendations about ground cover
The term "recreation" should not be used	Include "educational" and "artistic" opportunities in addition to Heritage Tourism opportunities
Overall impression: you have covered most of the bases, but due to your budget and the fact you have 5	



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

cemeteries, I fear that this scope of work will have the same fate as the one you put the Maintenance out for bid. We have a lot of the history and maps & Deeds for each site. Good people in both groups who can provided some of what you feel you need.

Feedback received via Email

Overall impression – you have covered most of the bases, but due to your budget and the fact you have 5 cemeteries, I fear that this scope of work will have the same fate as the one were you put the Maintenance out for bid. We have a lot of the history and maps & Deeds for each site. Good people in both groups who can provided some of what you feel you need.

The **blue text** is the ref from your Draft – my comments are in black.

1.3 Critical elements of the Cemetery Master Plan will include:

A mention of site history needs to be made here. It is addressed in part in section 3.1. This is important to help current and future administrators understand the development of each site. Evergreen’s East side having over 400 unaccounted burials from the old Highland Park Cemetery is an important fact as well as the back fill and trash dump areas. The fact that Oakwood was a State owned property until 1856 and that the majority of the lots were developed and sold by the Austin Cemetery Association, NOT the City of Austin needs to be conveyed. Another important fact is that families purchased 25x30 foot plots and it was their responsibility to care for them. Also those families did in some cases bury their own dead within their plots which is only a part of the reason your records are not complete. Having an overview of cemetery management history and being fair about the pros and cons of each will help others know were we have been what worked and what did not.

2.1 PARD manages five (5) cemeteries, two (2) of which have space available for plot sales. PARD manages all aspects of cemetery management, including operations and maintenance, sales and marketing, and internments. There are un developed, never sold, small areas in Oakwood and Oakwood annex that could be sold. To say that only 2 have space available for plot sales is inaccurate.

The only cemetery we have very little information about is Plummer’s. We know the upper area was used for burials but that area is not 8 acres large

2.3.1.2 Austin Memorial Park Cemetery is an active municipal cemetery with capacity for approximately 20,000 additional plot sales. There is a formula for determining the number of graves you can get per Acre. It ranges from 800 – 1500 standard internments per acre with 1000 being the average. It may be best to list the unused area at AMP in acres and not try to guess at the est. number of additional plots as the master plan is asked to address columbarium units and other concepts. In the proposal you should be asking that each site be assessed for areas that could be developed.

2.3.1.4 Austin Memorial Park Cemetery includes the 1928 Caretaker House and Office. You have excluded the Equipment barn and maintenance yard areas.

2.3.2.1 Evergreen Cemetery was established in 1926 and has historically been the burial grounds for the surrounding African-American community. As stated above, Highland park cemetery needs to be part of the Evergreen site history and planning.

2.3.3.2 Oakwood Cemetery is 40 acres in size, has more than 23,000 burials and has no capacity for additional burials. Not true. You perceive there are no burial spaces for sale. There are areas that were never developed or sold, there are lots that were never used and are abandoned, and families still utilize unused areas within their family Lots so there is capacity for additional burials and limited unused areas that could be developed.

2.3.4.2 Oakwood Cemetery Annex is 22 acres in size, has more than 13,000 interments and has no capacity for additional burials. Again the same as above. You have pockets like the center circle in block F and an area in Block B by the main gate that were never sold as well as some area around the rest house.

2.3.4.3 Oakwood Cemetery Annex includes a 1920s historic restroom building. This building is referred to as the Rest House. It was more than a rest room and may have a fuel oil tank buried in the back corner for an old heater inside.

2.3.5.3 Plummer's Cemetery has no capacity for additional burials. This is a fair statement but not true. The known burials are is not the full site acreage, much of it is not usable due to slope, some of the area along Springdale Rd. south of the known cemetery is in fact part of the cemetery land and could be used,

A better statement would be :
When the city acquired the property no burial records or maps were received, due to the high number of unmarked graves and lack of grave space ownership documentation, the city has suspended further burials until a comprehensive site study can be preformed.

3.2.1.1.3 Historically significant persons buried in each cemetery. This is a very broad statement. . SAC has a long list of historic figures at Oakwood and Oakwood Annex. At first glance it appears that you are looking for a list of Important people with the goal to provide the cemetery that they rest at a higher priority, which excludes Plummer's and most of Evergreen. Family members could attack this Item and lead to your defending it time and time again.

To expect the vendor to generate a list of all historically Significant persons is unrealistic.

You may consider clarifying the statement to read : **The consultant shall come up with a process for**



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

identifying Historically significant persons that could be featured in tourism information and for grant purposes. The list for each site will be populated by descendants, friends groups and staff on an ongoing basis. This has a tie into **3.2.6.8 Programming, Use, Recreation, and Heritage Tourism Opportunities.**

3.2.2 Geospatial Database - within this section is a lot of work that you are asking to be done. The CIMS group charges \$400/ Acre to create data base info like what you are asking for. This item could be a deal breaker considering your budget of \$130K , we have the legal boundaries and the deeds to each site. Plummer's is the only cemetery where the boundaries are not clearly defined by fencing and adjacent roadways / businesses (and the NE tip of Evergreen accessed from Greenwood Dr). We have a lot of this data on existing maps that could be transferred into new map sets but the accuracy is only as good as the old maps.

3.2.3 Asset Condition and Assessment.

3.2.3.1 Inventory, access, map and document the conditions of above-ground features in the five (5) City of Austin Municipal Cemeteries there are by your estimate over 63,500 burials at the city cemeteries and you are asking someone to inventory every aboveground feature? If I were reading this as a potential bidder I would laugh out loud and toss it aside. You do clarify this a few lines down in 3.2.3.3.1 and address this exactly as an ADD Alternative on page 10 Item

5.4.7.1.1.1 Consultant will plot each grave site in GIS geo-database (approximately 66,500 grave sites) and provide a conditions assessment of each grave site.

I can see that it would be great to have someone else do all of this work and import it into a program like CIMS but the reality is you need to ask for a representative sample of each cemeteries conditions that place the public at risk like leaning headstones and trip hazards and dead trees, this is the data that will get you funding.

3.2.3.2 PARD will conduct a facility assessment of all cemetery buildings, which will be excluded from the scope of this project. That nice of you to do the six buildings but the condition of these buildings needs to be included in the Master Plan and the assessments need to be realistic and not just guesses as you did in the past.

3.2.3.3.2 Fencing and Gateways: The Consultant shall evaluate the condition, appropriateness and efficacy of fencing and gateways and shall make recommendations for repair and/or replacement in all five (5) cemeteries. Should read "**Perimeter Fencing and Gateways**" so as not to confuse with historic family plot fencing at any cemetery.

3.2.3.3.4 Drainage Systems: Consultant shall evaluate drainage systems and identify areas of persistent flooding and areas where storm water poses a threat to cemetery assets. Consultant will determine if additional engineering analysis is required, and prioritize accordingly in the Implementation Guide. This is going to be I big ticket item requiring a sub contracted engineering firm, this could be a deal breaker at your current budget of \$ 130K.

3.2.4.4 Security and Vandalism: The Consultant shall determine the major threats to cemetery security and identify strategies for the reduction of crime, vandalism and theft. The Consultant shall address theft and security issues with regard to historic iron fencing. SAC has done a lot in this area and has the documentation to show steps we have taken, also at risk is the **Brass flower urns, brass plaques and statuary, and stain Glass in mausoleums** as well as some of the nicer benches at AMP. Perhaps adding “**and other funerary Items**” as a catch all.

3.2.6.1 Regulations and Laws. – ownership and right of burial are not in this list. We have no idea what’s has been used and what in theory is abandoned property. Does a descendant Five generations down line have ownership rights, what documentation should be required before allowing new burials in an old family plot at Oakwood or in the area known as the Colored grounds? You are asking for legal opinions but do not list legal background in the requirements in section 7.

3.2.6.2 Cemetery Oversight

3.2.6.2.1 The Consultant will review current structure of cemetery oversight by council-appointed Parks and Recreation Board and provide recommendations for organizational improvement and best practices. – YES the foot in the door for a cemetery advisory group as a subset of the PAB.

3.2.6.5 Grave Ornamentation, Maintenance, and Rule Compliance

3.2.6.5.1 The Consultant shall review the current cemetery rules and evaluate compliance issues related to grave ornamentation and the installation of unauthorized site furnishings, such as privately –purchased benches. Recommendations shall have consideration for maintenance implications as well as sensitivity towards the needs of cemetery users to memorialize and commemorate loved ones. Wow you know you have the authority under the current rules to do this and are backed by state law- I see this as un necessary and a ploy to defend your actions by saying “ Look right here it is a recommendation in the Master Plan” by doing this as part of the master plan you are showing a weakness in your ability to manage the sites.

What is needed here is a recommendation for a clear dispute resolution Process. Some people you will not please no matter what you do, You do not need them crying to the media and council. If you have a dispute resolution process in place that is a tool that council can use to deflect the item back to the cemetery manager and the PAB. This also works for items like the confederate monument (addressed in section **3.2.7.3.2 Provide recommendations regarding the appropriateness and process of new monuments or commemorative features in each cemetery**).were instead of making a well thought out decision you said no and made up some poor examples that were easy to shoot full of holes, which again chips away at your creditability.

3.2.6.6.3 Strategies for funding the repair of small-scale features such as gravestones. Include recommendations for an annual budget for cyclical repairs. This goes back to the ownership Issue, headstones are purchased by the family and set by the city in most cases. You should not use the term repair, Instead refer to resetting for safety reasons. Tying into to this is Donna Howard’s bill about cemetery

maintenance. The consultant will need to work with COA Legal and define some of the issues so you have in writing an opinion form COA legal or the Attorney General of TX as to the meaning of the law. If you have these tools as a stance it's easy to defend your position to an unhappy descendant.

If you fund one repair and not another you are setting yourself up for a fight. Instead channel all headstone repairs through your partnership programs and work with them to come up with criteria for permission and then a review process for any repairs. That's not to say your staff cannot be involved in repairs funded by families. This is a revenue source for the city and employment for off season mowing staff. We will discuss several types of fund raising.

3.2.7 Cemetery Development and Expansion

3.2.7.1 Planting Plan: The Consultant shall develop a conceptual Planting Plan for each cemetery with recommendations for preferred plant type with soil, sunlight requirements, planting cycle, installation and maintenance requirements. The Planting Plan shall take into consideration the historic vegetation patterns as well as the city's mission to incorporate sustainable landscaping practices. I get the feeling you copied this from one of the examples, we have very little historic planting outside of Oakwood, some Ad-hoc planting at AMP that clearly interferes with maintenance. Caution is needed here that we do not turn our cemeteries into something they never were just so we can have a garden style cemetery. Our climate will not support it and we already have water supply and cost issues.

Turf recommendations is what is needed foremost. New burials at Evergreen are not being re-sodded as far as I can tell.

3.2.7.2 Land Use: The Consultant shall identify opportunities for greater use of cemetery space, summarizing the archeological and floodplain issues at Austin Memorial Park Cemetery and Evergreen Cemetery and addressing the City's desire to plat additional plots within cemetery boundaries. As stated early on you have space at the other three site. While the development of all unused spaces is paramount in the long run I'm sure they will encourage you to utilize all the nooks and crannies

3.2.7.3 New Facilities and Features. There is a style of development called "family estates", which is similar to the old 25x30 lots at Oakwood,. these are high end areas with more liberal rules as far as monuments styles, some have preset vaults and astro turf for an assured green lawn with no regular maintenance required.

3.2.7.3.2 Provide recommendations regarding the appropriateness and process of new monuments or commemorative features in each cemetery. Herein lies features such as the confederate monument.

3.2.7.4 Irrigation. The Consultant shall provide general recommendations and best practices for the future design of cemetery irrigation systems. Consultant will provide a probable cost estimate and prioritize in the Implementation Guide. Part of the cost analysis needs to be historic rainfall estimate and cost for water. You have an opportunity here to shape the master plan to help reduce your water cost / gallon



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

and not pay large wastewater fees Include in the scope a review of the water billing and ask for examples of gray water or reclaimed water use at cemeteries the pros and cons. This sets the stage for one of our biggest expenses past. Present and in the future you need to get ahold of citizen watering as well and people coming onsite and applying fertilizer and pesticides and herbicides.

7. QUALIFICATIONS

7.1 Successful completion of the Cemetery Master Plan requires a Consultant or Consultant Team with Cemetery Master Planning experience. The Consultant must secure all services necessary to meet the requirements of this solicitation. In addition to other qualifications and requested information, Consultant's experience, knowledge, capabilities in the following areas will be evaluated:

the root to a lot of your conflicts are legal in nature and require a legal opinion from someone who understands the industry and is willing to work with COA legal. You do not list a legal person in your Qualifications

In your ICCFA magazines there is a legal section each month. There are trade associations like the Texas funeral home association who will have council on staff, this area needs some looking at so someone is looking at Texas law and able to give facts not what they think and not have it binding.

Last night, I reiterated my interest in including a discussion in the scope of work about repurposing some cemetery lands for constructions of trails. Such trails would serve recreational, transportation, preventative health care, and neighborhood connectivity needs, among other community needs. The discussion should consider only areas that would not require grave relocation.

I am aware of what appear to be great opportunities at Austin Memorial Park Cemetery and Evergreen Cemetery where such trails could be sited far from grave sites, in outlying areas of those cemeteries. There may be opportunities at other Austin cemeteries as well.

Last night you noted the item in the master plan scope of work draft:

"3.2.6.8.2 Provide recommendations about appropriate recreational partnerships that may benefit the cemeteries."

While such trails could directly benefit the cemeteries, I don't think the scope of work should be limited only to partnerships that directly benefit the cemeteries. **The scope of work should consider trail opportunities that require opening the discussion to a broader consideration of the value of the currently unused portions of cemetery land within the context of broader community needs.** (Nevertheless, such nearby trails can augment the public's awareness of the cemeteries, and thus benefiting the cemeteries by bringing them more into the public eye.)

Please remember that cemeteries are governed by State law and cannot be used for anything else such as Parks or trails just because someone thinks that would be a good idea. Tread lightly when you speak with individuals who do not have the best interest of the cemeteries in mind.

As a neighbor who lives immediately adjacent to the Austin Memorial Park Cemetery, I want you to know that I



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

along with most all other neighbors living on Turnabout and/or in close proximity to the Austin Memorial Cemetery are opposed to the use of the nice, Cemetery green belts as a location for any kinds of trails. Anyone, who is either a biker or walker/runner, can already use the existing roadways within Austin Memorial Cemetery for their enjoyment and pleasure, SO please do not infringe upon the existing green belt where we have so much of nature still residing within the center of Austin; such as a family of foxes, both barn and great horns owls, an occasional deer, opossums, raccoons, squirrels, and oh so many different breeds of wild birds. This is "their" home and habitat and it should not be disturbed.

As you may recall, I have on a couple of occasions written you notes with regards to AMP. We on Turnabout Lane, who live adjacent to AMP have for well over a year, expressed our views/position relating to exactly where the "legal boundaries" of the AMP are, as determined by surveys, TexDot, and other documents filed with each member of the City Council and with employees of the Parks and Recreational Department. I have been informed that it is your plan to use GIS system when determining the boundaries of AMP under a proposal contained within the RFP contract. The only way the legal boundaries of the AMP can be ascertained is by the legal opinion and the documentation your office already has in its possession, and any new contract under the cemetery master plan that proposes to use language setting forth the AMP boundaries using a GIS system is not the way to determine "legal boundaries, and such method would be challenged. Please note my exception to the language currently being proposed and please give further consideration to changing the wording that uses the words stating that the legal boundary of AMP will be established using the GIS.

I offer proof that the provision of the Cemetery Master Plan RFP SOW section 3.2.6.8.2 asking the contractor to "provide recommendations about appropriate Recreational partnerships that may benefit the cemeteries" is not in compliance with State law Health and Safety Code §711.001 and §711.035. Please strike this requirement.

Here are quotes which clearly mean that Recreational partnerships are not related to the cemeteries since it does not fit into any category.

Health and Safety Code §711.001 State of Texas

"Cemetery purpose" means a purpose necessary or incidental to establishing, maintaining, managing, operating, improving, or conducting a cemetery, interring remains, or caring for, preserving, and embellishing cemetery property.

Health and Safety Code §711.035 State of Texas

(f) Dedicated cemetery property shall be used exclusively for cemetery purposes until the dedication is removed by court order or until the maintenance of the cemetery is enjoined or abated as a nuisance under Section 711.007.

(g) Property is considered to be dedicated cemetery property if:

(1) one or more human burials are present on the property; or

(2) a dedication of the property for cemetery use is recorded in the deed records of the county where the land is located.



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

These attachments show clearly the effort to determine legal boundaries of real property such as a cemetery. A GIS process, as noted in the SOW of the Cemetery Master Plan, will not determine "legal boundaries" of the City's cemeteries. Including the GIS requirement in the SOW is a waste of money and the contractor's and City's time. Please strike this requirement from the SOW. Legal boundaries are determine by legal research.

We are against any use of Austin cemeteries for any type of recreation. We would like to see the partnership for recreational use eliminated from the scope of work. We are also against an outside entity deciding on what is considered proper memorial markers for the cemetery.

As a concerned and longtime Austin citizen, the owner of property in Austin Memorial Park and the grandfather of two children buried there 20 years ago as infants, I am writing to address the scheduled finalization tomorrow, August 30, of the Cemetery Master Plan, Section 0500 Scope of Work (SOW).

It is well known that a small but vocal group, mainly from the Alandale Neighborhood Assoc., seeks clearance for the development of a 'walking trail' from Northland to Hancock Dr. that would intrude into the currently recognized boundaries of the cemetery.

The proposed Scope of Work (SOW) 3.2.6.8.2 calls for the contractor to "provide recommendations about appropriate Recreational partnerships that may benefit the cemeteries." A walking trail would be an absurd conersion of dedicated cemetery property. A cemetery is hallowed ground with specific and limited purposes and uses as defined in Health and Safety Code 711.0001 and 711.035. Please strike this requirement and make it clear the SOW is to only map grave locations, not boundaries.

Further restrictions on dedicated cemetery property are found in Health and Safety Code 711.025, in force "until the dedication is removed by court order" (Section 711.007.)

In short, I vigorously object to any arrangement which could convert a square inch of the cemetery to "recreational partnerships...." A walking trail along Shoal Creek is downright stupid considering what longtime Austin residents know to be the swell and rage of the creek in times of heavy rain (remember the Memorial Day flood in 1981.) The whole trail would be wiped out.

Let's just keep it simple and be practical. Let the walkers find another truly public area to walk in. They have no business interfering with dedicated cemetery property. Next thing, they will want to establish an off-the-leash dog park in the cemetery!

Please do not desecrate an old cemetery that is serving us well.



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

I am heartily and healthily in favor of trails in Austin's cemeteries.

I have spent over 30 years walking in Austin Memorial Cemetery.

My friends there include

- James Mitchner and his wife,
- Zachary Scott, his sister and his parents,
- Tommie Potts, Z. Scott's nurse in the last months of his life,
- Jewel Stokes, my neighbor in 9th St. -- she told me about the neighborhood back in the early 1900's and passed away at 108 years of age.
- Pags, the carburator guy,
- Red Sherrill, Robert Sherrill's uncle,
- The tiny Lamb baby,
- Drs. Moore and Hill , my husband's math profs, buried next to each other,
- oh, too many to list now.

My bones are stronger, my mind is calmer and my stress is less for having walked hundreds of miles in the cemetery closest to my home and and thought of the many other Austinites who have made a difference in the City and the world by doing their best.

Oh, and did I mention the numerous trees and the beautiful skyline visible from the northwest corner?

More than once, I have walked thru the beautiful fields of AMC to visit Northwest Rec Center or friends who live north of 2222. It is much more calming and safer than walking on MoPac or Shoal Creek Blvd., especially during rush hour. And I get to see my old friends and neighbors.

Why would we not support walking and meditation in our cemeteries?

Why must the trails be far away from our friends and neighbors?

Anything less would be cruel and unusual.

3.2.2 Geospatial Database: A GIS process, as noted in the SOW of the Cemetery Master Plan section , will not determine "legal boundaries" of the City's cemeteries. Including the GIS requirement in the SOW is a waste of money and the contractor's and City's time. Please strike this requirement from the SOW. Legal boundaries are determine by legal research, historical documents, and require experts to determine the historical legal boundaries. Please strike this requirement. Make the SOW clear that the GIS is to map grave locations not boundaries.

"3.2.6.8.2 Provide recommendations about appropriate recreational partnerships that may benefit the cemeteries."

I offer proof that the provision of the Cemetery Master Plan RFP SOW section 3.2.6.8.2 asking the contractor to "provide recommendations about appropriate Recreational partnerships that may benefit the cemeteries" is not in compliance with State law Health and Safety Code §711.001 and §711.035. Please strike this requirement.



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

Here are quotes which clearly mean that Recreational partnerships are not related to the cemeteries since it does not fit into any category.

Health and Safety Code §711.001 State of Texas

"Cemetery purpose" means a purpose necessary or incidental to establishing, maintaining, managing, operating, improving, or conducting a cemetery, interring remains, or caring for, preserving, and embellishing cemetery property.

Health and Safety Code §711.035 State of Texas

(f) Dedicated cemetery property shall be used exclusively for cemetery purposes until the dedication is removed by court order or until the maintenance of the cemetery is enjoined or abated as a nuisance under Section 711.007.

(g) Property is considered to be dedicated cemetery property if:

(1) one or more human burials are present on the property; or

(2) a dedication of the property for cemetery use is recorded in the deed records of the county where the land is located.

I attended a briefing on the master plan at the Northwest Recreation Center. While I was impressed by the amount of work that obviously had gone into preparing the document, it also read like it had been written by engineers, and edited by lawyers, or vice versa.

I realize that this is a proposed contract, not a magazine story. However, if there is any desire to have the public be able to understand what it says, I would suggest that the city run it through your public affairs office or some other entity that communicates regularly with the public.

That might help considerably to avoid as much as possible potential confusion about what the contemplated process will do. The city council, among others, needs to know what they're approving, and they might find this as challenging to understand as I did.

Thanks for considering this.

Please do not limit public access to, or opportunities for recreation in and around our cemeteries.

The City of Austin has mandated and confirmed, through resolutions, ordinances, comprehensive plans, and PARD plans, that public lands and green spaces are important to the quality of life and health of the community and are to be developed and conserved in a way that benefits the public and provides access to these public assets.

While Austin cemeteries are part of our public lands and green spaces, and are open to the use and enjoyment of all, recreational opportunities in or near a cemetery are limited to a scope and character compatible with the primary purposes of a cemetery. However, these cemeteries are called parks and fall under the aegis of the Parks and Recreation Department, so some recreational activity is naturally implied.

Calls from a vocal minority to limit citizens' access to public areas of our cemeteries, as well as to adjoining



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

public areas, are specious and reflect underlying selfish attitudes and motives. For example, folks on Turnabout Lane abutting AMP have publicly declared their opposition to improved public access to AMP as a case of NIMBY (not in my back yard). They have boasted of generations of Turnabout residents teaching their kids to ride a bike in AMP. One resident even rolled back City of Austin fencing to extend his backyard onto public land. It's no wonder that they wish to preserve their privileged use of public property and hide it behind calls to safeguard nature and AMP. To further illustrate this sort of insincerity, not one Turnabout Lane resident joined the recent KAB cleanup of homeless camp trash and flood debris next to AMP.

The AMP deed (1941) clearly states that the AMP tract was bought for "all purposes," not just cemetery land. In addition, City ordinance allows use of AMP for "public health and safety." While AMP is dedicated as a Historic Texas Cemetery by the Texas Historical Commission (THC), state law Section 711.036 allows removal of dedication of any unused portions of a cemetery even with historic designation (per Bratten Thomason, Director THC). For example, a nature trail on part of the perimeter of a cemetery is either in keeping with the use of the cemetery or can be accommodated on dedicated land for such a purpose.

A low-impact trail in the floodplain and on the periphery of AMP will attract recreation (bikes, dogs) out of the cemetery and restore native plants and trees (instead of the current neglected ligustrum and nandina forest). Storm drainage will be enhanced by judicious native tree plantings and proper trail placement under Watershed and PARD supervision.

The question to ask when considering the use of any public land is "Who benefits?" Should the use of our cemeteries and surrounding public lands be limited to just a few, or enjoyed by all citizens?

The SOW you are preparing to sign continues to incorrectly define the Austin Memorial Cemetery (Cemetery) boundaries and, as such, you are, with knowledge, allowing PARD to make, what evidence I have seen indicates, is a taking of cemetery property for their own use. Over a year ago, PARD in e mails had acknowledged differences of position over Cemetery boundaries. Internal PARD emails said that title search on this would be done. Since then, we have had two independent title searches done. Neither reveal a transfer of the approximately 3-acre tract east of the N-S fence line and extending to Shoal Creek. Nor, has there been any statement from PARD about their own search. This tells me that they did it and didn't find what they want and so have buried it. They cite as proof of ownership the TCAD map with that said 3-acre tract colored and notated as City of Austin, not Cemetery. Attached is the file in its entirety. Note that the piece of property cited as documenting the transfer DOES NOT HAVE ANYTHING TO DO WITH THAT 3 ACRES. Look at it. It is for a tiny tract somewhere else. IT IS A FALSE CITATION. You cannot build a legal transfer of property on a false document. The also-attached TxDOT map shows the correct boundaries that must be acknowledged by PARD and The City. It is these bounds that must be the points placed into the GIS data base.

Should you/PARD have title documents showing otherwise, present them. You've had over a year, but have produced nothing. Just keep making the same false statements. We have supplied our title research multiple times to multiple people. PARD has shown nothing, only continue to make, what shows to be, improper at best to maybe intentionally incorrect, acts of taking. We are many who care about the Cemetery and will not allow this to happen. Additionally, Cemetery property, by State statutes - attached - can only be used for Cemetery purposes. PARD does not own this property, they are stewards of it. But they do not act that way. I stand ready



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

to discuss any aspect of this with you at your initiative. If not, know that if you let this proceed uncorrected, you will be hearing from many, often and in unity to protect The Cemetery from PARD

The only thing you might add, but anyone replying should be aware of this, is a statement about how site planning will need to encompass the issue of an increasingly changing climate or something along those lines. Keep up the good work, Kim

Thank you for inviting feedback regarding the Cemetery Master Plan scope of work.

3.2.6.5 Grave Ornamentation, Maintenance and Rule Compliance

3.2.6.5.1 The Consultant shall review the current cemetery rules and evaluate compliance issues related to grave ornamentation and the installation of unauthorized site furnishings...

We have confirmed in all Austin cemeteries that “forms of memorialization that are obstructions make maintenance more costly and difficult and are barriers to a high standard of care” (see Austin Cemeteries: A Comprehensive Business Analysis, by Thomas Longoria, Texas State University, 2010). Encouraging compliance to cemetery rules should include thoughtful public service announcements containing bereavement group information along with maintenance rationale that is sensitive to the grieving process.

3.2.6.7 Potential Partnerships and Programs. The Consultant shall identify:

3.2.6.7.1 Ways to strengthen existing partnerships and establish new partnerships with local organizations.

Neighborhood associations, churches, civic organizations, and recreational facilities are great resources for securing volunteers and coordinating volunteer days. Volunteer efforts create awareness of the value of cemeteries and their unique historical aspects through tourism, media relations, and community outreach. Volunteer efforts may include:

- hospitality (greeting visitors, providing directions, leading tours)
- organizing commemorative events
- photographing headstones
- transcribing headstone records
- researching local personages and events
- sponsoring particular cemetery sections for year-long care
- maintaining flower beds and paths
- identifying, measuring, and mapping trees
- removing invasive species

3.2.6.8 Programming, Use, Recreation, and Heritage Tourism Opportunities. The Consultant shall:

3.2.6.8.1 Provide recommendations on developing a robust cemetery heritage tourism program.

The term “heritage tourism” resonates with anyone who has visited beautiful old churchyards and strolled around, marveling at the statuary and headstones. Anyone who has visited a cemetery to take photographs, make a religious pilgrimage, pay homage to an historical figure, research genealogy for one’s own family history or for a service such as Find a Grave appreciates the “heritage tourism” use aspect of cemeteries. Where space is

available, special memorial areas can be designated to recognize specific historical, national, and local people and events with annual commemoration (for example, random monthly birthday celebrations or readings from James Mitchner books). Historical items pertaining to veterans may be displayed. Docent training for cemetery tours may be provided. Donations may be collected, and memorial markers such as pavers or plaques may be offered for sale, with proceeds used for various purposes such as repair of damaged markers and monuments.

One need look no further than the non-profit organization Save Austin Cemeteries (SAC) right here in Austin for a myriad of activities that benefit our cemeteries. SAC holds lectures, photo-documentation sessions, beautification, and annual events such as the annual Texas Heritage Day festival at Oakwood—an event that “showcases central Texas heritage organizations, craftspersons demonstrating their various skills, guest speakers, story tellers, silent auction, music, walking tours, and more.”

The Texas Historical Commission’s “Texas Heritage Trails Program” is a remarkable heritage tourism initiative, highlighting more than fifty cemeteries (including the Texas State Cemetery) that encourage visitors along trails all over Texas. Austin’s cemeteries should join this initiative.

Across the country, visitors flock to see:

- John F. Kennedy’s eternal flame at Arlington National in Virginia
- in Massachusetts: the graves of John Hancock & Paul Revere at the Granary, Mary Chilton at King’s Chapel, Edmund Hartt at Copp’s Hill (all along Boston’s Freedom Trail); Eugene O’Neill & Lucy Stone at Forest Hills; Henry Wadsworth Longfellow & Oliver Wendell Holmes at Mt. Auburn in Cambridge, Emerson, Thoreau & Hawthorne at Sleepy Hollow, in Concord
- in New York: Judy Garland & Malcolm X at Ferncliff, Harry Houdini at Machpelah, Herman Melville & Duke Ellington at Woodlawn in the Bronx, Louis Comfort Tiffany & Leonard Bernstein in Brooklyn
- in California: Roy Rogers & Dale Evans at Sunset Hills, Rudolph Valentino at Hollywood Forever, Marilyn Monroe at Westwood, Eroll Flynn & Humphrey Bogart at Forest Lawn

World travelers visit Highgate in London, England where Michael Faraday, George Eliot, and Douglas Adams are buried; Tchaikovsky & Dostoyevsky are at Tikvin in St. Petersburg, Russia; there are 16 Catholic popes in the Catacombs of St. Calixtus in Rome, Italy; the old Jewish Cemetery in Prague, Czech Republic is a sobering sight, as is Normandy in France. A few other popular cemeteries are Pere-Lachaise in Paris, France, La Recoleta in Buenos Aires, Argentina, and Waverley in Sydney, Australia.

All of these cemeteries encourage and welcome visitors to “use” cemeteries for tourism purposes.

3.2.6.8.2 Provide recommendations about appropriate recreational partnerships that may benefit the cemeteries.

Historical designation makes Austin’s cemeteries even more significant and intriguing to the public. As anyone

who has ever visited an old cemetery can attest, respect and appreciation are not limited to attending funerals or tending graves.

The most basic, low-impact, recreational use of cemeteries is simply walking through them. City of Austin ordinance 2009-312-018 states that construction-related activities are to serve projects within the cemetery or contribute to projects related to public health and safety. A walking path, especially along areas that cannot be used for interments or construction, that enables citizens to walk while avoiding traffic and vehicle exhaust, relates directly to health and safety.

Texas Administrative Code, Title 8, Subtitle C, Chapter 7.11, Subchapter A, Section 7.11.036, Removal of Dedication states, “A cemetery organization may petition a district court of the county in which its dedicated cemetery is located to remove the dedication with respect to all or any portion of the cemetery if... no interments were made in that portion of the cemetery where the dedication is to be removed and that portion of the cemetery is not used or necessary for interment purposes.”

According to the Texas Historical Commission, parks and cemeteries make very good partners; the rule of thumb is that at least 70-ft. should separate a park from the nearest grave.

Northwest Recreation Center is adjacent to Austin Memorial Park. Promoting walking paths or trails between the Rec Center and AMP is a compatible use of cemetery land and meets a number of City of Austin goals:

- **Imagine Austin Comprehensive Plan:** to integrate nature into our community, strengthen urban forest and green space, use existing resources;
- **City Council resolution 2009 1119-068, Policy Goals for Urban Parks:** to provide park and green space within walking distance (1/4-mile) for residents in the urban core;
- **City Council resolution 2011 0113-038, Land Development Code Amendment:** to protect creeks and green spaces, provide access and connectivity with trails;
- **City Council resolution 2012 0301-051, Urban Parks Workgroup,** to create a more walkable, healthy, family-friendly city with a connection to nature-based play areas.

Recreational use of public land is most frequently opposed by the small number of adjacent residents who advocate a privilege that no one else enjoys—use and enjoyment of that public land—at the expense of every other taxpayer. In “Transforming Inner-City Landscapes: Trees, Sense of Safety, and Preference,” the authors found that access to nearby nature and natural views decreases levels of graffiti, vandalism, and crime. Sharing space with non-adjacent neighbors is equitable. Any number of prohibitions may be employed to safeguard our green spaces, cemeteries, nearby residences, and the flora and fauna on our public lands.

An overwhelming amount of Austin’s public land is choked with invasive species. Through Austin City Council



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

resolution 20100408-030, an Invasive Species Management Plan was devised for the control and eradication of invasive species. Further, the City of Austin encourages city departments, universities, community groups, and the private sector to collaborate and form partnerships to prevent the spread of invasive species. Nature lovers, bird watchers, hikers, dog walkers, and parents with children all have a stake in reclaiming and preserving our public lands, including cemeteries and their adjacent greenbelts, riparian zones, and urban forests.

Trail connections on public land utilize existing resources, foster restoration of urban forests, removal of homeless camp debris, and discouraging re-encampments. Land surrounding Austin Memorial Park bordered by Northland, Shoal Creek Blvd. and Turnabout has long been prime real estate for large homeless encampments. The 2013 Keep Austin Beautiful initiative was instrumental in removing vast amounts of trash from that area. However, such efforts have been repeated over and over again for many years. Austin should follow the lead of a highly successful California project, “Agencies Concerned Together for Transients, the Environment, and Abating Misdeeds” (the ACT TEAM). This coalition of federal, state, and local agencies works together to clean up homeless encampments, protect the environment, and provide assistance to the homeless population. Their efforts include “removing trash and debris, repairing damage, improving access trails, and carefully pruning vegetation in the area to promote re-growth. Clean up and pruning provide better visibility for law enforcement to prevent a future recurrence of transient encampments in the area.”

3.2.7.3 New Facilities and Features. Consultant will:

3.2.7.3.1 Explore the installation of columbarium facilities...

Due especially to the recent significant increase in the cost of burials, Austin cemeteries should incorporate columbaria and cremains gardens where space is available, as well as accommodate more affordable and environmentally sensitive conservation or “green” burials. According to Longoria’s report (mentioned above), the Cemetery Association of America expects a steady increase in cremations, pointing to an increased need for accommodating cremains. Pre-sales are also likely to increase. These options will generate new income sources and will advance the city’s goals to serve the public more responsibly.

You guys really are amazing in terms of getting information out and asking for input. I just have two comments.

One is that I don't remember seeing any reference to the drafters should consult with groups who own parts of the cemetery to bury their members - I am thinking the Jewish community; I don't know if any other group has the same arrangement. For example, they need to know that we don't have funerals on Saturday however we do on Sundays because observant Jews have the funerals as soon as possible (usually within 24 hours) after a person dies.

The other is that there I know city staff started to try to identify and made a database of who is buried where. However, at the meeting I attended where it was talked about, people had found many errors. So will City staff keep working on that or will you want the people who get the contract to do that.

That is it. Thank you for all that you have done.



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

Please reconsider the open ended Master plan draft SOW that will be finalized tomorrow regarding the Austin Memorial Cemetery. It is urgent that the following items be addressed and changed.

3.2.2 Geospatial Database: A GIS process, as noted in the SOW of the Cemetery Master Plan section , will not determine "legal boundaries" of the City's cemeteries. Including the GIS requirement in the SOW is a waste of money and the contractor's and City's time. Please strike this requirement from the SOW. Legal boundaries are determine by legal research, historical documents, and require experts to determine the historical legal boundaries. Please strike this requirement. Make the SOW clear that the GIS is to map grave locations not boundaries.

"3.2.6.8.2 Provide recommendations about appropriate recreational partnerships that may benefit the cemeteries."

I offer proof that the provision of the Cemetery Master Plan RFP SOW section 3.2.6.8.2 asking the contractor to "provide recommendations about appropriate Recreational partnerships that may benefit the cemeteries" is not in compliance with State law Health and Safety Code §711.001 and §711.035. Please strike this requirement. Here are quotes which clearly mean that Recreational partnerships are not related to the cemeteries since it does not fit into any category.

Health and Safety Code §711.001 State of Texas

"Cemetery purpose" means a purpose necessary or incidental to establishing, maintaining, managing, operating, improving, or conducting a cemetery, interring remains, or caring for, preserving, and embellishing cemetery property.

Health and Safety Code §711.035 State of Texas

(f) Dedicated cemetery property shall be used exclusively for cemetery purposes until the dedication is removed by court order or until the maintenance of the cemetery is enjoined or abated as a nuisance under Section 711.007.

(g) Property is considered to be dedicated cemetery property if:

- (1) one or more human burials are present on the property; or
- (2) a dedication of the property for cemetery use is recorded in the deed records of the county where the land is located.

Thank you for your time and service to the citizens of Austin, Texas.

There is an overused speech introduction that describes an eight year old who completed a complex crossword puzzle in ten minutes(his secret was -- on the opposite side of the puzzle was a picture of JFK which was prominently displayed on the wall-- he looked at the portrait and adjusted the puzzle pieces and then flipped it over and the puzzle was solved.

I offer that when you along with staff identify the amount of space available for Walled repositories of cremated Remains at the five city owned cemeteries (given the current increase of families preferring cremations) which if Evergreen can be viewed as an example the city Austin is suddenly able to realize an income stream sufficient to pay for maintenance and enhance infrastructure.



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

Such a place allows time for the making the moves to adjust governance, PR and Stakeholder acceptance.

I wish you luck.

As a child traveling to visit my grandparents my first and continuing question was: Are we there yet?

You have approached this initiative with discipline and provided a road map for developing a framework for the planning process.

The critical element in any Master Plan is " Vision -Of- The- Architect". In this instance, its the intangibles. It's the mayor, the council and the public describing what they want and see and what they would like their children to see and feel about the final resting place of ,(in the state capitol) those buried there; Based on that foundation of visions the architect then crafts the details of each segment- maintenance, preservation, development, expansion and public participation as the cornerstone for governance(bonding issues, dedicated tax for improvement and acquisition).

To accomplish any of this the critical issue becomes management and oversight.

PARD has , by performance, established the need for change in oversight(PARD is a public service arm of local government and as such functions in a "response to request" manner when in the instance of promoting Cemetery Development a Chamber of Commerce model is called for).

My family owns 28 lots at Austin Memorial Park and we are seeking your help to preserve them to which is their intent. Over the years, many negative things as taken place. So many people are deeply concerned about how our city is protecting an area of land that should be safe, free from worry, and comforting. Please assist as you consider the following:

3.2.2 Geospatial Database: A GIS process, as noted in the SOW of the Cemetery Master Plan section , will not determine "legal boundaries" of the City's cemeteries. Including the GIS requirement in the SOW is a waste of money and the contractor's and City's time. Please strike this requirement from the SOW. Legal boundaries are determine by legal research, historical documents, and require experts to determine the historical legal boundaries. Please strike this requirement. Make the SOW clear that the GIS is to map grave locations not boundaries.

"3.2.6.8.2 Provide recommendations about appropriate recreational partnerships that may benefit the cemeteries."

I offer proof that the provision of the Cemetery Master Plan RFP SOW section 3.2.6.8.2 asking the contractor to "provide recommendations about appropriate Recreational partnerships that may benefit the cemeteries" is not in compliance with State law Health and Safety Code §711.001 and §711.035. Please strike this requirement.

Here are quotes which clearly mean that Recreational partnerships are not related to the cemeteries since it does not fit into any category.



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

Health and Safety Code §711.001 State of Texas "Cemetery purpose" means a purpose necessary or incidental to establishing, maintaining, managing, operating, improving, or conducting a cemetery, interring remains, or caring for, preserving, and embellishing cemetery property.

Health and Safety Code §711.035 State of Texas(f) Dedicated cemetery property shall be used exclusively for cemetery purposes until the dedication is removed by court order or until the maintenance of the cemetery is enjoined or abated as a nuisance under Section 711.007.

(g) Property is considered to be dedicated cemetery property if:

(1) one or more human burials are present on the property; or

(2) a dedication of the property for cemetery use is recorded in the deed records of the county where the land is located.

My husband walks in Austin Memorial Park several times a week, as a form of exercise. He has been doing this for several years. My grandfather and step grandmother are buried there, and we have many friends buried there as well.

We have been aware of the problems and criticisms of the cemetery operations, and some of the changes that are being made in response.

This summer a friend in California asked for our help in getting her mother's ashes buried along-side her husband's grave at Austin Memorial Park, and we did make the arrangements, and went over after the hole was dug, and watched as the box with the ashes was covered over... I went back recently to take pictures of the gravestone after additional lettering was added for the mother's name.

It is SO DRY in many parts of the cemetery!!! Does not look like it is getting watered at all.... at least in that part of section 4. I have no idea what the current watering schedule or policy is for the city cemeteries And how soon there WILL be a specific policy/schedule!

Having spent many hours this summer on Reclaimed Water Rates for the the city Golf Courses, I am wondering if any thought is being given to whether Reclaimed Water could be brought to any of the city cemeteries, and at what cost.... Electric Rates for PARD and golf have definitely gone up, and reclaimed water rates are also being increased... I am no expert at all re Austin Energy and their rates, but I am urging a closer look at the Reclaimed water rates!

I just checked the city website re the City Cemeteries, and found the information about the development of a Cemetery Master Plan -- I have looked at your presentation about the history and condition of the city's cemeteries, and then at the proposed Scope of Work....

Unfortunately, there was only one small mention that I saw about Irrigation: "3.2.7.4 Irrigation. The Consultant shall provide general recommendations and best practices for the future design of cemetery irrigation systems. Consultant will provide a probable cost estimate and prioritize in the Implementation Guide."



**Scoping Process for the Cemetery Master Plan
Summary of Stakeholder Feedback
DRAFT Scope of Work**

Well -- that is not really adequate, is it???? There is NO mention of working with the Water Conservation and Reclaimed Water folks at Austin Water Utility re ways to approach improving irrigation in the cemeteries in ways that can help with adequate water for the trees as well as the grass/shrubs, and in such a way that it "conserves" potable water, yet keeps the trees alive, and provides some level of "green" grass, and all of that at a reasonable cost....

I would like for PARD to be working on this issue not only for cemeteries but for ALL its parkland... I don't know how much \$\$ PARD pays now for Water -- and for what kinds and amounts of water.... We know what the reclaimed water is costing, and how much is being used on the golf courses... I don't know how much water is being taken out of Lady Bird Lake and Lake Austin as raw water used for irrigating some parkland/golf courses....

It has taken me a while to sit down and read the draft - you guys really are amazing in terms of getting information out and asking for input. I just have two comments.

One is that I don't remember seeing any reference to the drafters should consult with groups who own parts of the cemetery to bury their members - I am thinking the Jewish community; I don't know if any other group has the same arrangement. For example, they need to know that we don't have funerals on Saturday however we do on Sundays because observant Jews have the funerals as soon as possible (usually within 24 hours) after a person dies.

The other is that there I know city staff started to try to identify and made a database of who is buried where. However, at the meeting I attended where it was talked about, people had found many errors. So will City staff keep working on that or will you want the people who get the contract to do that.

Contact information: Kim McKnight, Project Coordinator & Cultural Resource Manager, PARD
Kim.mcknight@austintexas.gov or 512/974-9478

Gilbert Hernandez, Cemetery Manager, PARD
Gilbert.hernandez@austintexas.gov or 512/453-2320