



**Scoping Process for the Cemetery Master Plan**

**Summary of Feedback received from Stakeholder Meetings in August, 2013**

**SUMMARY OF CEMETERY STAKEHOLDER FEEDBACK FOR DRAFT SCOPE OF WORK UPDATED AUGUST 27, 2013**

The Parks and Recreation Department (PAR) will soon address long-term planning for the City's municipal cemeteries. PAR will solicit 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 (PAR) held a series of four 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.

PAR has developed a draft Scope of Work for the master plan, which is informed by both community input and departmental goals for the cemeteries. PAR posted the draft Scope of The public input period for review of the draft Scope of Work is **August 16-30, 2013**.

PAR is accepting feedback from the community about the draft Scope of Work through meetings, phone calls and emails. In an effort to provide stakeholders with as much information as possible, PAR has provided the input received to date below.

PAR 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:

<b>Public feedback on the Draft Cemetery Scope of Work from Aug. 20 and Aug. 22, 2013 Meetings</b>	
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



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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 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



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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.



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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 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**



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#### **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.



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**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 her 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.



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**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 and not pay large wastewater fees Include in the scope a review of the water billing and ask for example 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 ahead 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 understand 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.)



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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 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.



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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.

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