

City of Lawrence
Lawrence Cultural Arts Commission
Meeting: April 10, 2009
7 PM
City Commission Room, City Hall, 6 E. 6th street

Members present: Chair: Kate Dinneen, Clint Paugh, Jerry Johnson, Joshua Falleaf, Mike Maude, Mary Doveton, Kristina Walker, Denise Stone, Marlo Angell

Members absent: Michel Loomis

Also present: Porter Arneill, Director of Communications and Creative Resources

Guests: Margaret Weisbrod Morris, Joan Golden, Clare Doveton, Margie Wakefield, Dalton Paley, and Don Buchner from the Lawrence Arts Center

A. Regular agenda items

- a. Chair Kate Dinneen called the meeting to order at 7:01 PM in the City Commission room at City Hall.
- b. **Minutes:** Joshua motioned to approve March minutes. Seconded by Mike. Motion passed.

B. General Public Comment

No comments

C. New Business

- a. **Lawrence Arts Center, Salvation Army project – Margaret Morris, CEO:** Margaret presented the commissioners with a timeline and information about The Arts Commons: History and Review – see attached.

Kate asked what Margaret would like the Commission to do for this project. Margaret replied that a letter of support would be greatly appreciated.

Both Mary and Jerry had questions about the amount of funding currently available for purchasing the building. Don Buchner, President of the Lawrence Arts Center Board, replied that he did not know that amount.

Mary asked where the money goes if it does not come back to the Lawrence Arts Center and the amount of space available. Margaret replied that the money goes back to the City and the space is the current Salvation Army building and lot at 10th and New Hampshire.

Denise asked if public art was planned for that green space and how would it fit within the playground. Margaret stated that there are no formal plans yet but they are exploring designs for playground equipment, art, and green space in general.

Kate posed a question about LCAC's support for writing a letter. Clint asked what exactly would the Commissioners be supporting in a letter. Joshua recused himself from the discussion because he serves on the LAC Board.

Jerry would like to first learn more about the original TIF agreement and would agree to a letter of support for the idea of the project, but not the financing.

Mike asked if the developers might be willing to forgo a percentage of the TIF. Unknown.

Porter went online and found the City's Economic Development web page and annual 2017 annual Economic Development report. He found and shared information about the TIF program on page 29 of the report which included a reference to the 9th & New Hampshire TIF District, in which this project falls. The Commissioners briefly discussed the Policy and Report.

Kate asked for a motion to write a letter of support. Jerry motioned that LCAC write a letter of support for the Lawrence Arts Center purchasing the Salvation Army building for the Arts Commons as envisioned in the 2017 agreement. Seconded by Clint. Motion passed with Marlo and Joshua abstaining.

➤ Action Item: Kate and Porter to draft a letter for the LCAC.

b. Presentation: Common Ground and Food System Plan: Item moved to May agenda.

c. 2020 Budget Request:

Porter needs to submit the LCAC 2020 budget request by April 26th.

Jerry suggested we increase funding for the Community Arts Grants program based on the 2019 proposals. With additional funding, the Commission could fully support worthy projects.

Marlo asked if we are limited to current categories or could we add additional ones.

Mary suggested we clarify that the budget for the Phoenix Awards pays for materials as well as the honorarium and include the number of awards they are expected to produce.

The commissioners discussed the 2020 budget request and directed staff to submit a recommendation with the following requests:

- Outdoor Downtown Sculpture Exhibition: \$20,000 – no change
- Community Arts Grants: \$45,000 - \$25,000 increase
- Phoenix Awards: \$5,000 - \$2,000 increase
- Miscellaneous: \$1,000 – no change

D. Old Business: No updates

E. Committee Updates

a. **Governance:** No updates

b. **Programming:**

- i. *Phoenix Awards:* Mary and Mike will meet soon. Mary asked for ideas for speakers and suggestions for what we would like to see at the awards.

Mary inquired about a budget for postage and about obtaining a mailing list of residents interested in the arts. Does a list already exist?

- Action Item: Porter will check on that.

Marlo suggested we put information in the monthly “Flame” publication. Porter said we would need the information by September in order to get it into the November mailing. We could consider printing in color and perhaps printed on the water bills as well.

Joshua said we need the support of Explore Lawrence.

Mike suggested we ask arts organizations to mention the Awards in their own communications.

- ii. *Final Friday:* Marlo said it was very well attended. Porter said he is starting to receive more requests from local businesses about participating.
- iii. *Public Art:* Kristina, Clint, and Porter met on Tuesday, April 9th
 - 1. Police Headquarters Site: The RFQ is ready to release.
 - 2. Fire Station 1: Jacob Burmood has his contract ready to go.
- iv. *Community Arts Grants:* finalized in March

c. **Strategic:**

- ii. *Cultural Plan:* Porter presented to the Lawrence Arts Roundtable.

- 1. *Culture Chat:* The next meeting will be April 23 on architecture as art. Clint will reach out to a couple of architects about attending. Location to be determined.

It was suggested that garden design or food might be topics to consider for the June and July Culture Chats.

F. Director's Report: No report.

G. Miscellany:

Director of Arts and Culture: Kate began a discussion about Porter's original position as Director of Arts and Culture and his current role as Director of Communications and Creative Resources.

Jerry suggested two options to consider. The commission could ask for Porter to return the his original position as Director of Arts and Culture or we could suggest that the city hire support staff for Porter so he can be more involved in the art side of things.

Mike suggested that we advocate for the reinstatement of a Director of Arts and Culture and that the hiring of a new City Manager might be an opportune time to do so. He suggested that we ask to be on the docket for a City Commission study session, and we build a case for support.

➤ Action item: Mike will come up with a possible agenda item

Outdoor Downtown Sculpture Exhibition: Porter put forth May 31st at 5:30 pm as a possible date for the opening and tour. Marlo suggested incentive to encourage people to attend.

Mike motioned to adjourn. Seconded by Mary. Meeting adjourned at 8:45 PM.

Post-meeting optional slide show: Porter presented examples of outdoor public art as inspiration for the Police Headquarters site.

The Arts Commons: History and Overview

About the Lawrence Arts Center's purchase of the Salvation Army property on the corner of 10th Street and New Hampshire



The Idea: An Outdoor Space for Art and Play

The purpose of the Arts Commons Project as originally envisioned, was to create an outdoor space for experiencing the arts. The area would include defined park-like green space, as well as a possible structure for classrooms, exhibitions, studios and performances. In the interest of preserving and enhancing the current green space of the lot, any potential structure would occupy only the footprint of the current brick building, without that of the metal addition, allowing for even more outdoor space. This green space will provide a place to play, create and experience the arts in the open air. Dedicated to the idea of this space remaining green, the Lawrence Arts Center and the Salvation Army currently partner to use the small green space as a playground for the Lawrence Arts Center's Preschool and Kindergarten. It is home to a garden, outdoor play equipment and a monarch butterfly station.

The Story: From Empty Lot - to Playground & Outdoor Art Space

The Arts Commons Project arose primarily from two needs:

1. The need for outdoor space for play, art and education to accommodate the growth of programming at the Lawrence Arts Center
2. The need to protect and preserve neighborhood green space, used by many area groups including the Arts Center, under threat from commercial development on New Hampshire.

As part of the City agreement with developers of the New Hampshire Street properties, a Tax Increment Fund (TIF) was created to use a percentage of tax revenue generated by the businesses occupying the development properties as a public reinvestment in the immediate block.

A provision of the original TIF agreement was that revenues remaining after repayment of original development costs be used solely by an entity in the 900 block of New Hampshire Street to purchase the Salvation Army property at an appropriate time to create the Arts Commons. The City was originally envisioned to be the purchaser of the Salvation Army property, but since that time the City has indicated a preference that the TIF funds be used by LAC directly to purchase the property and create the Arts Commons.

If the TIF funds are not used to purchase the Salvation Army property to create an Arts Commons, the money will revert back to the developers. If the developers are not able to claim these funds because they have reached their cap, the funds revert back to the City general funds.

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The Timeline: Seven Years in the Making

- 2012: A public hearing was held on July 24 to establish a Tax Increment Fund district for the North and South developments on 9th and New Hampshire.
- 2012: A TIF district was created that includes references to the Lawrence Arts Center use of the Salvation Army property for an Arts Commons project.
- 2012: The City of Lawrence offered to purchase the Salvation Army property, when they are ready to sell, using the TIF fund and deed the property to the Lawrence Arts Center to create an Arts Commons area: a green space for creative play and public art.
- 2012: The Salvation Army began planning to relocate away from the downtown area. At that time they were not ready to sell the property until new property had been purchased, and a feasibility study and a capital campaign complete.
- 2012-2015: Salvation Army began working through the challenges of purchasing a new property and planning for the construction of a new building.
- 2015-2017: Salvatiom Army purchased property south east of downtown, began and afeasibility study to determine the make up of a new building. The Salvation Army and the Lawrence Arts Center began coordinating timelines and logistics for the sale of the property.
- 2017: The City of Lawrence declined to use the TIF funds to purchase the Salvation Army property. Instead, the City declared they would make the TIF funds available to the Lawrence Arts Center to purchase the property and assume ownership - if TIF use is approved by the City Commission.
- 2017: An agreement was drawn up between the City and the developers outlining time frames for the Lawrence Arts Center to use TIF funds for the purchase of the Salvation Army property. An addendum was added to provide a framework for the use of TIF funds by the Lawrence Arts Center. Addendum wassigned by the Lawrence Arts Center.
- 2017-2018: Salvation Army continued to complete internal steps to prepare for the sale and move of their organization, staying in communication with the Lawrence Arts Center on the status of their move.
- 2017-2018: The City, with input from the Lawrence Arts Center and the Salvation Army adjusted dates on a draft TIF agreement to fit the new timeline. The new agreement contained new audit requirements related to the developers use of TIF funds.
- 2018: The Lawrence Arts Center and the City began to re-draft TIF reimbursement language to fit the real timeline for the purchase of the property.
- 2018: The developers rejected new audit requirements in the re-drafted TIF agreement. The agreement was not signed.

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- 2018: With the date in the draft agreement pending as the City and developers negotiated audit language, the Salvation Army and Lawrence Arts Center began final negotiations for the sale of the property in hopes that the agreement would be signed in time to meet the first milestone date.
- 2018: The first milestone date in the TIF agreement, of December 31, 2018, for the Salvation Army and the Lawrence Arts Center to reach an agreement on price, passed while negotiations were concluding.
- 2019: On January 9th, the Salvation Army and Lawrence Arts Center reached a final agreement, ten days after the TIF agreement milestone date.
- 2019: January 22nd -24th, City was informed that a final agreement was in place. The City asks the Lawrence Arts Center to request approval for the use of the TIF funds from the City Commission for purchase of the Salvation Army property.
- 2019: The Lawrence Arts Center is scheduled to be on the City Commission Agenda for June 18th.

Our Main Points: We Need Your Help!

1. The Lawrence Arts Center is not financially able to acquire the property without the TIF funds.
2. The Arts Commons was an agreement reached during the development of 9th & New Hampshire to mitigate the loss of green space, and NH becoming all large scale buildings.
3. The Arts Commons Project directly addresses goals outlined in the City Cultural Plan:
 - a) Increasing access to social, cultural, recreational, educational and physical assets in the community
 - b) Expanding the reputation and marketplace for cultural and creative products and activities
 - c) Expanding opportunities for learning in cultural and creative expression
 - d) Fostering an increasingly supportive environment, striving for cultural equity and a healthier community through greater collaboration
4. The purpose of the Arts Commons Project is to ensure that the south end of the 900 block of New Hampshire fulfills a broader public purpose:
 - a) maintain green space
 - b) create a non-commercial buffer between downtown and residents
 - c) establish a space for art, play, education and nature
5. **The Salvation Army lot includes our Preschool and Kindergarten's outdoor playground, vegetable and flower garden as well as a Monarch butterfly station.** It is also used as an outdoor play and art-making space in our afterschool programs and summer camps. The Arts Commons project will allow that to continue and be enhanced.

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6. The use of the TIF funds for the Arts Commons provides an opportunity to expand the cultural arts goals of the City, without increasing the City's workforce, assets or liability.

7. The Arts Commons will strengthen the Arts Center as a community asset.

8. If the TIF funds are not used for this purpose, they go back to the developers, and the Lawrence Arts Center would be unable to purchase the property.

9. If the Lawrence Arts Center cannot purchase the property, the Salvation Army will sell to the highest bidder, which will likely lead to the loss of this space as green space or cultural use.

10. If the Salvation Army property is developed, WE WILL LOSE OUR STUDENTS' PLAYGROUND, and A MONARCH STATION located downtown.



What You Can Do To Help:

1. Know the facts
2. Spread the word about our efforts
3. Contact your City Commissioners and tell them what you think about the project
4. Support greenspaces, and places for outdoor play and creativity in Lawrence