

# MISSOULA REDEVELOPMENT AGENCY

## CONDENSED BOARD MEETING MINUTES

September 18, 2013

FINAL

A **Regular** meeting of the Board of Commissioners of the Missoula Redevelopment Agency was held at the MRA Conference Room, 140 West Pine, Missoula, MT 59802 at 3:00 PM. Those in attendance were as follows:

**Board:** Nancy Moe, Daniel Kemmis, Rosalie Cates, Ruth Reineking

**Staff:** Ellen Buchanan, Chris Behan, Jilayne Lee, Tod Gass, Juli Devlin

**Public:** Craig Schaeffer, Morrison-Maierle, Inc., Lisa Fischer, HDR Engineering

### **CALL TO ORDER**

3:00 p.m.

### **APPROVAL OF MINUTES**

August 15, 2013 Regular Board Meeting Minutes approved.

September 4, 2013 Special Board Meeting Minutes approved.

### **PUBLIC COMMENTS & ANNOUNCEMENTS**

Buchanan reminded everyone of the City/County Boards Appreciation Ice Cream Social on October 3.

Kemmis thanked the Board members and staff for rescheduling the regular Board meeting to accommodate his needs.

Moe asked if Buchanan could comment, at a later date, on the Economic Summit that was held in Butte, MT on September 16 and 17 and explain how it relates to MRA operations.

## **ACTION ITEMS**

### **Grant Street Curb & Sidewalk Project (URD III) – Professional Services Agreement (Gass)**

Gass pointed out a typo in his memo and said the “not to exceed” amount in the recommendation should be \$69,485. He said at the August 15 Board meeting the Board approved Professional Consultants Inc. (PCI) as the project engineer for the URD III Grant Street curb and sidewalk project. Staff worked with the engineers and developed an acceptable contract to include design development, final design, bidding, construction management, and project close-out services on an hourly rate basis as well as reimbursable expenses. Gass said **staff recommends the Board move to accept the terms of the Professional Services Agreement with PCI for design, engineering, and contract administration related to the URD III Grant Street curb and sidewalk project for a cost not to exceed \$69,485.**

Moe asked if this project completes the curb and sidewalk projects in URD III. Gass said this project isn’t the final project for the district but it does complete most of the projects on the west side of the railroad tracks. Moe asked if the hourly rates varied depending on who was doing the work. Gass said that was correct. Moe asked if the cost of this project was comparable to past sidewalk projects. Gass said yes.

### **CATES: I MOVE THAT THE BOARD APPROVES THE STAFF RECOMENDATION.**

**Kemmis seconded the motion. No further discussion. Motion passed unanimously. (4 ayes, 0 nays) Englund absent.**

### **Front/Main Street Two-Way Conversion Feasibility Study – Request to Negotiate Scope of Work and Contract (Buchanan)**

Buchanan said a Request for Proposals (RFP) was issued for consulting services to evaluate the feasibility of converting Front and Main Streets to two-way streets. She said \$100,000 from Federal, State and local money is the primary source of funding for the feasibility study. Buchanan said four firms responded to the RFP and were ranked by a review team made up of six panel members. She said the review team’s recommendation is to negotiate a scope of work and contract with HDR Engineering and have the final contract available for the next Board meeting in October. She said HDR has worked numerous times with the Montana Department of Transportation (MDT) and has a clear understanding of the process. This study was part of the Downtown Streets Plan and is a priority of the Downtown Master Plan. Buchanan said MDT has also expressed the importance of the feasibility study. She said HDR’s response included various alternatives and they acknowledge the need to assess economic impact.

Moe asked if MRA is administering the \$100,000. Buchanan said yes.

Kemmis said he understands this isn't an engineering study but it appears the main questions of feasibility are essentially engineering questions. Buchanan said this is a study not a design. She said if the study proves the project is feasible then a firm will be hired for design. Kemmis asked if the questions at this point in time are primarily based on whether the conversion from one-way to two-way can work or not. Buchanan said traffic modeling will be included in the study as well as how the conversion will impact Higgins Avenue and other side streets. She said the study will also provide information on the geometrics of intersections, how to phase in lights, how the air quality is impacted, etc. This information can provide a better cost estimate for implementation assuming the project shows feasibility. Buchanan said this project can then be added to the Transportation Improvements Program as part of the Long Range Transportation Plan funding cycle.

Kemmis said Buchanan mentioned the environmental impact and asked if an environmental assessment would be required. Buchanan said yes but she thought the environmental assessment part of the feasibility study would qualify for categorical exclusion since the two-way conversion has been publicly studied thoroughly. She said a motivating factor in doing an environmental assessment is to get public input.

Kemmis said this project will be a controversial project especially in the affected neighborhoods. He said he assumes MRA will act in a way that doesn't open anyone to the charge that this is already a done deal. He expressed the importance of public involvement throughout every stage of the study and project if it moves forward.

Buchanan ensured there is a public piece to this study especially involving the businesses and residential areas affected. She said during the evaluation and panel discussion the one factor that gave HDR the edge was that they had no preconception of what should happen. Buchanan said HDR's proposal included a variety of possibilities from not doing anything to having multiple options. She said HDR also acknowledged the street car study. A Front/Main Street conversion would impact implementation of a street car in the future. She said decisions on the two-way conversion will not be made if it adversely affects future decisions. Kemmis said he often is asked "why" when discussing different MRA projects. He said it would be helpful to him as well as other Board members to have a few reasons why this study is being considered. Buchanan said one-way streets create about 50% of out of direction traffic. She said one-way streets are not necessarily good for businesses for accessibility purposes. She said one goal is to make the downtown area more pedestrian friendly but yet Main Street suffers from high speed traffic and traffic traveling the wrong direction. Buchanan said there are three public parking structures downtown and all three of them are located on one-way streets. She said the one-way streets make it difficult for visitors to find businesses and parking. Moe asked if there are residential concerns with the two-way conversion. Buchanan said residential concerns that she's aware of include increased traffic and speed. With that said, Buchanan mentioned that the majority of the residential area on Front Street is student housing where most students are walking to and from the campus, not driving. Buchanan said what benefits the commercial area doesn't always benefit the residential area and visa versa and that's why it is important to conduct the two-way conversion feasibility study.

Moe asked what the process is once the feasibility study is complete. Buchanan said results of the study would be presented to the MRA Board, the MDT, and most likely the local Metropolitan Planning Organization (MPO) so that the conversion project, if it is found to be feasible, could become part of the transportation prioritization process. She said the MPO is a governing body that administers all state and federal transportation projects. Buchanan said if the result of the study is positive and the conversion becomes a real project then the project would go to City Council for their approval. Moe asked what has to happen in order for the two-way conversion to become a "real" project to qualify for additional federal funds. Buchanan said the feasibility study is the first step before asking for additional federal or state funds. She said funding sources would need to be identified before going forward with a project design.

Buchanan said this project would have typically been managed by Development Services but at the time the feasibility study was being discussed, Development Services was going through department reorganization. She said the two-way conversion is part of the Downtown Master Plan in which MRA is heavily invested. She said Front Street and Main Street are also part of Front Street and Riverfront Triangle urban renewal districts.

**KEMMIS: I MOVE THAT THE BOARD AUTHORIZE THE STAFF TO NEGOTIATE A SCOPE OF WORK AND CONTRACT WITH HDR ENGINEERING FOR THE FRONT/MAIN STREET TWO-WAY CONVERSION FEASIBILITY STUDY WITH THE UNDERSTANDING THAT THE FINAL CONTRACT AMOUNT WILL REQUIRE APPROVAL BY THE MRA BOARD.**

Reineking seconded the motion. No further discussion. Motion passed unanimously. (4 ayes, 0 nays) Englund absent.

**West Broadway Island (URD II) – Request to Negotiate Design and Construction Administration Services (Behan)**

Behan said last spring the Board approved staff to advertise for design and construction administration services for an open area restoration and public access project at what has been called the West Broadway Island. He said five responses were received and three of those firms were interviewed. Behan said the interview committee consisted of himself, Ellen Buchanan, and Morgan Valiant, City Conservation Lands Manager. During the interview process, Behan said, the panel learned Morrison-Maierle, Inc. is the project engineer for Max Wave. The committee also discovered the substantial impacts that Max Wave and West Broadway Island have on one another. Behan said based on the qualifications and enthusiasm for the Island project and the relationship with Max Wave, the committee recommends Morrison-Maierle, Inc. as the project engineer for West Broadway Island.

Craig Schaeffer, Morrison-Maierle, Inc. said he's excited to be part of the team with this project in conjunction with the Max Wave project and appreciates the opportunity to be involved.

Cates said she likes the idea of making the river accessible but at the same time accessibility sometimes creates inappropriate use. Buchanan said inappropriate use of the Island currently exists, so this project will actually help remedy those issues. She said restoration can be done in the riparian areas, noxious weeds can be removed, and new trees can be planted. Buchanan said the Island will need to be maintained and the Parks and Recreation Department is aware of that.

Behan said design of the project will be very public and have involvement and support from the neighborhoods and the Clark Fork Coalition. He said ultimately, Valiant will be responsible for management of the open space and will work towards maximizing enjoyment with minimal impact.

Cates said she likes the idea of providing access to the river but also wants to ensure the river is taken care of and is clear of trash. She commented on the importance of being active with these types of groups or coalitions.

Kemmis asked about the relationship between Max Wave and the West Broadway Island. Buchanan said the hydrologic studies have already been completed through the Max Wave project. She said that information can be used with the West Broadway Island project. Buchanan said because information can be shared between the two projects, the cost of design will most likely be reduced and cost sharing opportunities may be available.

Kemmis asked about the accessibility of Max Wave. Behan said Max Wave would be accessible from the south shore area since parking is available as well as a boat ramp.

Moe said she was pleased to see the Request for Qualifications (RFQ) and Request for Proposals (RFP) had stressed the importance of the City's Crime Prevention through Environmental Design Principles. She said although she is unfamiliar with this document, she's pleased to see it referenced in hopes that inappropriate usage is minimized if not eliminated.

**CATES: I MOVE THAT THE BOARD DIRECT STAFF TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT AND SCOPE OF SERVICES FOR DESIGN, BIDDING, AND CONSTRUCTION ENGINEERING ADMINISTRATION WITH MORRISON-MAIERLE, INC.**

**Reineking seconded the motion. No further discussion. Motion approved unanimously. (4 ayes, 0 nays) Englund absent.**

**Silver Park – Phase IV – Quality Construction Change Order #5 & TLI Amendment #1 (URD II) – Request for Approval (Behan)**

Behan said Change Order #5 includes eleven additional work items added to the construction contract. He said three of those items make up about 75% of the entire change order amount. These include removal and replacement of a sidewalk section, repair of an existing irrigation well flow control system, and the purchase of 230 cubic yards of cobble rock.

**CATES: I MOVE THAT THE BOARD APPROVE THE QUALITY CONSTRUCTION CHANGE ORDER #5 IN THE AMOUNT OF \$29,821.53 AND AN INCREASE OF THE CONTRACT TIME BY 2 DAYS.**

**Kemmis seconded the motion. No further discussion. Motion passed unanimously. (4 ayes, 0 nays) Englund absent.**

Behan said it's amazing that the scope of services and costs that were projected a year ago, even before the project was designed, are very similar to the costs expended to date. He said this includes the change orders and time extensions the Board approved over the summer. Behan said the engineers are needed on site to inspect and respond to questions by various contractors. He said staff is recommending the Board approve Amendment # 1 to the Territorial Landworks, Inc. (TLI) contract for professional services in the amount of \$21,971. He said this amount could include interpretative signage, additional graffiti guard application, security cameras, etc. Moe asked if the amount requested is a not to exceed amount. Behan said yes and the amount is a high estimate so hopefully the entire amount won't be necessary. Kemmis asked if the \$21,971 amount is calculated from hard figures as well as speculative figures. Behan said the figures are based on events that could happen by the end of the contract time. Buchanan mentioned the \$190,346 URD II Bond contingency amount shown on the bond contingency summary sheet. She said the cost savings from Missoula College and from the MRL Trestle haven't been calculated in the bond summary sheet and so those cost savings should bring the contingency amount to approximately \$200,000.

**KEMMIS: I MOVE THAT THE BOARD APPROVE AMENDMENT #1 TO THE AGREEMENT FOR PROFESSIONAL SERVICES FOR SILVER PARK PHASE IV BETWEEN TERRITORIAL-LANDWORKS, INC. AND MRA WHICH FUNDS THE COST OF ADDITIONAL SERVICES IN AN AMOUNT NOT TO EXCEED \$21,971.**

**Cates seconded the motion. No further discussion. Motion passed unanimously. (4 ayes, 0 nays) Englund absent.**

**NON-ACTION ITEMS** - None

**STAFF REPORTS**

**Director's Report**

**Wyoming Street, Silver Park, MRL Trestle & Clegg/Hickory Intersection**

Buchanan reviewed the director's report. She said she signed the Certificate of Substantial Completion on Wyoming Street earlier that day. She said the trees have not been planted yet, the landscaping is not complete, and the brick pavers have not yet been installed. Buchanan said graffiti is a major concern in Silver Park. Discussion ensued.

Moe asked if there were any plans for commercial projects in the Millsite. Buchanan said it is her understanding that the Old Sawmill District, LLC (OSD) is also going to act as the developer. She said Ed Wetherbee, OSD, LLC, has been in contact with MacArthur Means & Wells (MMW) to help identify where building pads and utility lines should be located. Buchanan said she has been told a condo project has been designed and may break ground as early as November 2013. She said units are being pre-sold and financing packages for the condo units are being prepared. She said other projects in the works include a commercial project with retail on the ground level and multi-family units on the other levels, a student housing project, and possibly a learning center through the University of Montana. Buchanan said she has seen drawings for several of the projects but no building permits have been issued. Discussion ensued.

**Downtown Master Plan Implementation (MDT Bridges Study)**

Buchanan said Madison Street and Higgins Avenue Bridges are both candidates for replacement. She said a meeting is scheduled for October 8, 2013 to discuss the MDT Bridges Study and encouraged the Board to attend.

**URD II & III Curb and Sidewalk Projects**

Buchanan said when discussing sidewalk projects the staff typically requests approval from the Board to negotiate scope of services with an engineering firm. She said a month later the staff recommends the Board approve a contract and cost. She asked the Board if they wanted to continue with the two step process or if they would be willing to condense the process so staff could recommend approval for both the scope of service and the contract amount during one meeting. Kemmis said he likes the two step process because it allows the Board to raise possible concerns and provide input. Cates and Moe agreed with Kemmis and asked that the two step process continue.

Wilma

Buchanan said MRA received a delinquent tax notice from 2011 on the Civic Stadium from Missoula County for approximately \$16,000. She said during this time (2011) the City of Missoula owned the land and Play Ball owned the stadium. She said she's been in contact with Mike Kadas who is the director of the Montana Department of Revenue (DOR) to discuss the matter, which was later resolved since Play Ball is a 501(c)(3) Corporation. She said she mentioned to Kadas the idea of possibly purchasing the Wilma Theater and that the City would not be operating the theater. Buchanan said she was told by Kadas there may be "beneficial use" tax implications. She said the discussion and search for answers will continue but if there are tax ramifications with the Wilma Theater, then the City may not be able to purchase the theater. Buchanan said she would report back to the Board with information as it's received.

Tribute to Hal Fraser – "Hal's Walk"

Buchanan said not long after Hal Fraser passed away, one of his fraternity brothers contacted MRA and recommended there be a tribute to Hal Fraser for his time and effort he contributed to the community. She said Behan came up with the idea of "Hal's Walk" since Hal Fraser walked the Riverfront Trail System every Sunday. Buchanan said Fraser's fraternity brother offered to raise the money for the project but unfortunately ended up passing away unexpectedly. She said the tribute to Hal Fraser is a great idea and would like to move forward with "Hal's Walk". Buchanan said the Civic Stadium was important to Fraser as well as completing the trail through the Millsite. It's been suggested that the section of trail between the railroad tracks and California Street be "Hal's Walk" in honor of Hal Fraser. She said one idea is to have large bronze foot prints along the trail that speak of Hal's values and his commitment to the community. Buchanan said the cost of the project would most likely be less than \$10,000 and funding is available with the Silver Park project. She said CTA Architects could come up with a creative plan. Kemmis said he liked the idea and thought it was worth pursuing.

**Budget Reports**

Lee reviewed the pivot report showing expenditures from July and August 2013. She said the mill levies were just received this week from the County so the Board could expect the usual rainbow reports at the next meeting.

**ADJOURNMENT**

Meeting adjourned at approximately 4:20 p.m.

Respectfully Submitted,

*Juli Devlin*

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