



APPROVED: November 14, 2012

CITY OF ALBANY
Albany Revitalization Agency
City Hall Council Chambers, 333 Broadalbin Street SW
Wednesday, October 17, 2012

MINUTES

Agency Members present: Jeff Christman, Bill Coburn, Floyd Collins, Bessie Johnson, Sharon Konopa, Ray Kopczynski, and Dick Olsen

Agency Members absent: None

CALL TO ORDER

Chair Floyd Collins called the meeting to order at 6:48 p.m.

APPROVAL OF MINUTES

September 19, 2012

MOTION: Jeff Christman moved to approve the September 19 minutes as presented. Ray Kopczynski seconded the motion, and it **passed** 7-0.

SCHEDULED BUSINESS

Communication

Accepting Kate Foster's Resignation from the CARA Advisory Board

MOTION: Bill Coburn moved that the Agency accept Kate Foster's resignation from the CARA Advisory Board and that she be sent a letter of appreciation for her service. Bessie Johnson seconded the motion, and it **passed** 7-0.

Business from the Public

None.

Update on Environmental Study for Woodland Square (IHI)

Urban Renewal Manager Kate Porsche recalled that the Agency previously approved letting out some of the money that was approved for the Woodland Square project to allow Innovative Housing, Inc. (IHI) to purchase and clean up the property. In drawing up the loan documents, an issue arose regarding the need for an environmental study on the property. IHI was able to negotiate a 30-day extension on the property purchase and has since completed the Level 1 and 2 environmental work. The City Attorney and IHI representative Julie Garver are present to explain further and answer any questions.

City Attorney Jim Delapoer recalled that the Agency agreed to loan money to IHI to acquire this property and be prepared to move forward with development if they receive state tax breaks in the next cycle. If IHI does not get the state funding, the property will revert back to the City. IHI has created a new entity with limited assets to acquire the property; the Agency's only security for the loan is the property. In preparing the loan

documents, it was found that an environmental audit had not been done on the property. IHI has since done Level 1 and Level 2 assessments which disclosed that there was a service station on the site 50-60 years ago and that there may still be tanks in the ground and some soil contamination. IHI estimates the cost to remove the tanks and clean up the soil to be \$19,000 to \$29,000; and they anticipate being able to do that work within the existing budget. The policy decision is whether the Agency wants to direct staff to close the loan, understanding that if the state funding does not come through and the property reverts to the City, and if the contamination is greater than disclosed, there will be extra costs associated with remediation.

Julie Garver, Innovative Housing, Inc., said that IHI is proposing to remove the tanks and contaminated soil soon so that next summer, whether the state funding comes through or not, the site would be remediated. They are proposing to do that with monies already committed. They will be doing more groundwater testing because the site across the street is pretty contaminated and, if necessary, will pursue a prospective purchaser's agreement with the Department of Environmental Quality (DEQ) that recognizes another site is responsible for contamination and protects from environmental liability.

Christman asked if there is potential that the estimated cleanup costs would rise dramatically. Garver reviewed work done on the site to date. She said that the consultants were able to visually see the soil contamination pattern and estimated between 50 and 100 yards of contaminated soil. The cost should not be significantly higher than estimated based on IHI's or the consultant's experience.

Johnson asked if IHI has begun clearing the site. Garver said that the contractor demolished one of the dilapidated buildings and took out of a couple of trees that were nearly falling down. They have not been able to take out any trailers because the current owner wanted to preserve his ability to continue the mobile home park use if the purchase doesn't go through.

Johnson asked about the process of helping residents to relocate. Garver reviewed work done to date, including the development of a list of resources for residents who want to relocate to another mobile home park or apartment. Residents will receive an incentive payment of \$5,000 to help them relocate, and IHI will offer one year of discounted rent for current residents who want to come back after the development is completed.

Collins asked if the fact that IHI created another entity for the project is unique to this agreement. Garver said that IHI creates LLCs to purchase property for every project that it does.

Delapoe said that there is no need for a final decision tonight. Staff will bring the results from IHI's negotiations with the DEQ to a future meeting for further discussion.

Staff Updates and Issues

Sharon Konopa asked when the recommendation from the CARA Advisory Board that the line-of-credit be drawn down for public infrastructure projects will come to the Agency. Porsche said that a resolution will be prepared and brought forward at the next meeting. Collins said that if Agency members have reservations about the Advisory Board's recommendation, they should tell staff at this time. Coburn said that it seems reasonable to direct staff to prepare the resolution with the expectation that the Agency will approve it. Christman said that, based on the Advisory Board vote, it appears there will be plenty of votes to approve the resolution.

Porsche said that the Edgewater Village project has been moving forward. The timeline called for final land use approvals by October 31 and, in discussions about a potential extension, it was noted that the disposition of the railroad parcel in the middle of this development site would need to be known before the site plan can be finalized. The City Attorney has been working to negotiate a deal with the railroad and does not expect that to be done until January. Porsche reviewed the timeline for the balance of the project. She said that staff

suggests extending all timelines in the contract by one year to give time to finalize a deal with the railroad, negotiate a deal for the parcel with the developers, and allow the developers to finalize the site plan. City Attorney Delapoer said this project was always envisioned as including the parcel that belongs to the railroad. Extending the timelines would increase the chance that property could be incorporated in the site plan and create a higher quality development. He noted that the Agency is deeply invested in the success of this project and a delay would be in the Agency's interests if it makes the project more successful.

Collins said that he has no problem with extending the first phase but he is not sure he would want to extend the completion date. Porsche said she thinks staff could work with the applicants to allow more time in the beginning phases but with the existing completion date.

MOTION: Christman moved to allow a one-year extension of all phases of the Edgewater Village project with the exception of the final completion date which will remain the same. Kopczynski seconded the motion, and it **passed** 7-0.

BUSINESS FROM THE AGENCY

None.

NEXT MEETING

The next regular ARA meeting is scheduled for Wednesday, November 14, 2012.

ADJOURNMENT

Hearing no further business, Chair Collins adjourned the meeting at 7:25 p.m.

Respectfully submitted by,

Signature on File

Teresa Nix
Administrative Assistant

Reviewed by,

Signature on File

Kate Porsche
Urban Renewal Manager