



ALBANY REVITALIZATION AGENCY

MINUTES

January 19, 2022

5:15 p.m.

Remote

Approved: February 16, 2022

Call to Order

Chair Bessie Johnson called the meeting to order at 5:15 p.m.

Roll Call

Members present: Alex Johnson II, Dick Olsen, Matilda Novak, Stacey Bartholomew, Ray Kopczynski, Bessie Johnson, and Marilyn Smith.

Members absent: None.

Election of Chair and Vice-Chair

5:15 p.m.

Nomination: Member Ray Kopczynski nominated Member Marilyn Smith for the position of Chair. Smith accepted the nomination.

Nomination: Member Smith nominated Member Bessie Johnson for the position of Chair. Johnson accepted the nomination.

Vote: Hearing no further nominations Member Bessie Johnson was elected to the position of Chair 7-0.

Nomination: Member Alex Johnson II nominated Member Smith for the position of Vice-Chair. Smith accepted the nomination.

Vote: Hearing no other nominations, Member Smith was elected to the position of Vice-Chair 7-0.

Approval of Minutes

5:16 p.m.

Members Dick Olsen and Matilda Novak asked that the November 17, 2021, minutes reflect they were the two who voted no on the motion to move forward with the waterfront project. Novak also said she did not recall asking a question about seeing a parking contract

Motion: Member Kopczynski moved to approve the November 17, 2021, minutes with the changes proposed by Novak and Olsen. Member Johnson II seconded the motion, which passed 7-0.

Business from the Public

5:21 p.m.

Lise Grato, Executive Director Albany Downtown Association, spoke from the public about an Oregon Main Street Revitalization Grant opportunity of up to \$200,000 with a 30 percent local match.

Member Ratifications

5:24 p.m.

Motion: Member Olsen moved to approve all three applicants listed in the staff report for the CARA Advisory Board. Member Novak seconded the motion.

Johnson II said he is opposed to the appointment of Camron Settlemier since Settlemier has entered multiple lawsuits against the City.

Withdrawn: Member Olsen withdrew his motion and the second did not contest the withdrawal.

Motion: Member Smith moved to approve the appointments of Russ Allen and David Smith to the CARA Advisory Board. Member Kopczynski seconded the motion, which passed 7-0.

City Manager Peter Troedsson said staff will brief members before the next meeting on the objections raised by Johnson II.

Walker Macy Contract Amendment

5:30 p.m.

Seth Sherry introduced the agenda item and presented the information in the staff memo. Sherry addressed questions he received earlier in the day, speaking about why contracting with Walker Macy, LLC for this work is the logical choice rather than going out for an RFP. Johnson agreed with Sherry, noting the value of continuity.

Staff gave the following responses to questions from Olsen:

- Sherry said the proposed amendment is not for permitting services, but rather construction-oriented engineering services. It includes the cost for getting project bids together, ensuring bids are accurate, and would follow the projects through to construction.
- Sherry spoke about permitting services and the coordination that permitting services entails.
- City Engineer Staci Belcastro said City staff will be participating in the project and providing day-to-day inspection. Belcastro noted that Walker Macy comes with sub-consultants providing services during construction. Belcastro spoke about the similarity to the Fire and Police stations projects.
- Sherry spoke about the membership of the Technical Advisory Committee for this project, noting that it is made up of City staff.
- Sherry said the money included in the contract amendment would be for both Phase 1 and Phase 2 of the project. Sherry confirmed the plan is for Phase 1 to happen in the summer of 2022 and Phase 2 in the summer of 2023.
- Belcastro said there are eight railroad crossings that are going to be improved as a part of the project, but they will not have signals installed. Belcastro said the improvements will be at-grade crossing improvements and that there are three current crossings that will be abandoned as a part of the contract. Belcastro continued, saying abandoning the three crossing will not prevent owners access to property and are being closed for pedestrian safety concerns.

Olsen said he would like to keep CARA money local and noted he has a friend who would like to submit a bid for the work. Olsen said he would be in favor of putting out an RFQ or RFP for the work.

Smith said she believed putting out an RFP would be an unreasonable delay and a setback for the project.

Novak said she believes the funding should be kept local and that an RFP should be put out. Novak asked if it were legal to not go through the RFP process if CARA money is being used. Sherry responded, saying there has been every effort to involve local contractors. Sherry said this element of work was included in the RFP that Walker Macy won and that no local companies applied for that RFP because they did not have the capacity to take on such a large project.

Novak asked staff when the ARA will be presented with completed plans for the project. Sherry noted that design elements for the project have not changed for over a year and have included cost estimates, some tweaks, and occasional technical drawings. Sherry continued, saying the construction

documentation has reached 90 percent review, meaning the plan has not changed but the detail has increased and is almost ready for bidding.

Novak said she would like input concerning the construction documentation from those on the CARA Advisory Board who have technical expertise. Novak spoke about staff's ability to hire consultants and said the council should be able to hear, at no charge to the City, from its experts on advisory groups.

Johnson spoke about the city council and city manager form of government, noting the council's position as policy makers and stating the council needs to trust those they have hired to make these decisions. Troedsson also spoke about the role of the council and trusting staff, noting the council's role as policy makers of a multi-million-dollar organization and stating that councilors need not be familiar or comfortable with every level of detail since that is work that staff will do. Troedsson also said that councilors could individually reach out to trusted individuals with expertise to get their opinions on the project.

Novak said she would like to hear from the city council's experts on advisory groups and said that the process has at times made her uncomfortable and seemed like a lack of transparency.

Smith said she resents assertions that City staff is not accountable or prudent with City funds. Smith said she is unhappy there are repeated assertions the City is not operating transparently, saying the assertions are not true. Smith said the City is transparent, accountable, and well aware they are using public money and stated she does not take the use of such funds lightly, nor does she believe anyone else on the council or staff takes the responsibility lightly.

Olsen said the City is following the letter of the law but called the City's public outreach a sad situation. Olsen suggested the project go before the Planning Commission, saying that ARA and CARA are not part of the City. Olsen said he had never seen plans and that the agency should see plans before approving the project.

Sherry said that the ARA is an agency of the City and offered to provide members with the original incorporation documents. Sherry said the project is following the same permitting process that any private individual would need to and there would be no need for Planning Commission input.

Motion: Member Kopczynski moved to amend the Walker Macy contract as proposed in the staff report. Member Smith seconded the motion.

Novak asked if Walker Macy is going to keep coming back asking for money every few months. Sherry said that Walker Macy did not come back for more money for already contracted services. Sherry continued saying the contract amendment is for new, additional services related to construction and staff is not anticipating additional requests. Belcastro confirmed that it is not uncommon for a request to amend an existing contract for consultant services or construction contracts.

Member Stacey Bartholomew said she appreciated learning about the process and had no questions.

Olsen said he would like staff to provide a drawing for the plan to see the real estate and what the materials will be for the proposed street improvements. Johnson said she remembers seeing many drawings along the way. Johnson requested the schematic be sent back out to the agency.

Sherry said staff will send to agency members the drawings that were included in the September 15, 2021 meeting and noted that members and the public can visit www.albanywaterfront.net to view information about the project.

Kopczynski noted the waterfront website has all of the information that has been requested and Johnson II said he is taken aback by councilors assuming that they should know the nuts-and-bolts level of projects. Responding to a request from Novak, Johnson II said he would include ARA meetings in his list of upcoming meetings at the end of City Council meetings.

Motion: Member Olsen moved to table this until a time uncertain. Member Novak seconded the motion. The motion failed 2-5 with Members Novak and Olsen voting in support.

Novak said she would vote for the motion if there was assurance that Walker Macy would not return asking for more money. Johnson said there was no way to make that assurance.

Vote: The motion to amend the Walker Macy contract as proposed in the staff report passed 5-2 with Members Olsen and Novak voting in opposition.

Staff Updates

6:24 p.m.

Sherry said the Edgewater team had health complications and will instead present in February. Sherry said the presentation will be a review and celebration of work. Sherry also said staff should have a borrowing resolution prepared for the agency's February meeting and announced that the St. Francis and Old City Hall project now has signed contracts from the Lepman team.

Business from the Agency

6:27 p.m.

Olsen said he thinks it is a real shame that projects that would make downtown a wonderful place will not make it.

Smith said Albany will be hosting the December 9, 2022, meeting of the League of Oregon Cities (LOC) board in downtown Albany, bringing about 30 people from the board and LOC staff.

Novak said she would like the CARA Advisory Board to give input on the borrowing resolution. Johnson said she might like the CARA Advisory Board present for the Edgewater presentation and noted CARA is not responsible for financial matters. Sherry spoke about the nature of the borrowing resolution.

Next Meeting Date

The next regularly scheduled meeting is on Wednesday, February 16, 2022.

Adjournment

Hearing no further business, Chair Bessie Johnson adjourned the meeting at 6:33 p.m.

Respectfully submitted,

signature on file

Gabriel Shepherd
Recorder

Reviewed by,

signature on file

Seth Sherry
Economic Development Manager

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. The documents are available by emailing cityclerk@cityofalbany.net.*