

MISSOULA REDEVELOPMENT AGENCY

CONDENSED BOARD MEETING MINUTES

September 4, 2013

FINAL

A **Special** 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 12:00 PM. Those in attendance were as follows:

Board: Karl Englund, Daniel Kemmis (phone), Nancy Moe (phone), Rosalie Cates, Ruth Reineking

Staff: Ellen Buchanan, Chris Behan, Tod Gass, Juli Devlin

Public:

CALL TO ORDER

12:00 p.m.

APPROVAL OF MINUTES - None

PUBLIC COMMENTS & ANNOUNCEMENTS - None

ACTION ITEMS

Silver Park – Phase IV Change Order #4 (URD II) – Request for Approval (Behan)

Behan said there are two parts to Change Order # 4 for Silver Park Phase IV. He said one part includes \$8,736 in City Impact Fees that were not anticipated in the design or bidding for the project. He said the staff is appealing at least the portion of Impact Fees associated with the development of the park. Behan said if the appeal is approved the reimbursement amount from those Impact Fees will be approximately \$1,500. In order to move forward with the construction of the pavilion, family shelter, and restroom the contractor paid for those fees. The second part includes \$6,538 for electrical infrastructure to allow Missoula Revitalization Project (MRP), not MRA as written in the memo, to install more aggressive methane removal equipment between the parking lot and the Civic Stadium. Behan said this same area will have irrigation infrastructure and landscaping. He said the conduit for the electrical infrastructure was installed which extends through a concrete slab so it was decided to install the conduit now rather than ripping up the concrete later. This also allows for future lighting among other electrical items. The Change Order also increases the contract time by 19 days. Behan said the contractor (Quality Construction) will utilize those days by completing the soil screening

as well as relocating the large soil piles to a different location on site so that additional work can be done in the park. He said Silver Park Phase IV will most likely be completed by the end of October 2013. Behan said if today's change order request of \$15,274 is approved, then the total of the Change Orders One through Four is about 13% of the original contract price. He said Change Order # Five is expected and will most likely be presented to the Board during the regular September Board meeting. Change Order # Five is a result of several items that weren't part of the original bid.

Kemmis asked what amount of funds were set aside for contingency. Buchanan said there were several hundred thousand dollars in contingency funds as part of the URD II Bond issued for all three projects (Wyoming Street, Silver Park, MRL Trestle). She said MRA still has about \$200,000 left in the contingency fund that hasn't been expended. She said 13% might seem high but the majority of that was from the left over soil work that Missoula College (MC) students weren't able to finish because of timing constraints. Quality Construction was then responsible for the remainder of the soil screening. Buchanan said MRA saved about \$150,000 from the soil work that was completed by MC students.

Kemmis asked about the City Impact Fees and wondered if the City struggled on when to charge Impact Fees. He said it seemed Quality Construction didn't expect these charges. Kemmis asked if the Impact Fees could be expected with future MRA contracts. Buchanan said Silver Park is a pretty unique project and staff will definitely question the Impact Fees. She said for example she believes the Park Impact Fees should be removed. Buchanan said construction of the pavilion, family shelter, and restroom triggered the Impact Fees and in order to move forward the contractor ended up paying for those fees. She said she does not understand how these structures would generate traffic impact. Buchanan said staff will meet with Development Services and discuss the Impact Fees and how they were formulated. Behan added that when developing parks and trails, major buildings or structures are typically not included therefore a building permit is not required.

Moe said she appreciates staff looking into these Impact Fees. She asked if the Board could receive a list of contingency funds along with any change orders at the next regular Board meeting.

Cates asked if it was usual for the City (MRA) to be paying the City for Impact Fees. Buchanan said yes and gave an example of MRA paying the City for building permits and said MRA follows the same guidelines required by the private sector. She said she believes the Silver Park Impact Fees were assessed incorrectly. Buchanan said the assessment is based on square footage and believes the figure was placed in the wrong assessment category. She said the Impact Fees are based on a formula.

Reineking asked if the Board should consider extending the agreement which authorized the MRA Director to approve change orders of up to \$20,000 with the confirmation from the MRA Board Chair. The MRA Director's additional spending authority ended when the Civic Stadium held their first event which was Memorial Day

weekend 2013. Buchanan said the extension was probably not necessary since there will most likely be one more change order with Silver Park. She said Wyoming Street is almost done and the MRL Trestle is complete.

REINEKING: I MOVE TO ACCEPT THE STAFF RECOMMENDATION OF APPROVING CHANGE ORDER # 4 IN THE AMOUNT OF \$15,274 AND INCREASE THE CONTRACT TIME BY 19 DAYS.

Cates seconded the motion. No further discussion. Motion passed unanimously. (5 ayes, 0 nays) Kemmis and Moe on the phone.

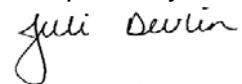
NON-ACTION ITEMS - None

STAFF REPORTS - None

ADJOURNMENT

Meeting adjourned at approximately 12:15 p.m.

Respectfully Submitted,



Juli Devlin