



Rail Yards Advisory Board

April 12, 2010, 11:30 AM
Albuquerque/Bernalillo County Government Center
Council Committee Room
9th Floor, Suite 9081

FACILITATED MEETING NOTES

Members Present:

David Campbell for Mayor Berry
Isaac Benton, City Councilor, District 3
Diana Dorn-Jones, South Broadway
Leba Freed, Wheels Museum
Sen. Eric Griego
Jay Rembe, ULI – New Mexico
Ron Romero, Barelás
Janice Convery, South Broadway alternate
Rep. Miguel Garcia (late)

Members Absent:

Commissioner Art de la Cruz
Rep. Gail Chasey
Rep. Rick Miera
Sen. Jerry Ortiz y Pino

Staff Resources:

Tim Karpoff, facilitator
Kara Shair-Rosenfield, Council Services
Marti Luick, Council Services
Diane Dolan, Council Services
Michael Mehling, DFCS
Gilbert Montano, Mayor's office
Will Consuegra, Economic Development Dept.

Others Present:

Javier Benavidez
Daniel Gutierrez
Alan Clarke
Homer Robinson
Julie Ferguson
Abe Lillard
Christopher Frechette

Kara Shair-Rosenfield summarized the changes between Draft 1 and Draft 2 of the RFP.

Tim Karpoff: "We" means Tim Karpoff, Lawrence Kline, Kara Shair-Rosenfield, Diane Dolan, and Petra Morris. Lawrence Kline was the primary writer; Kara Shair-Rosenfield was the primary editor.

The Board discussed and provided directions to staff for revising Draft 2 of the RFP.

Part 1:

1.1

- COUNCILOR BENTON: Be clear in number 5 – WHEELS Museum, not generic transportation museum. Thereafter “Museum.”
- RON ROMERO: Item #8 – have the site described in language that is more positive.
- SEN. GRIEGO: “Address the potential use of large vacant buildings...”
- DIANA DORN-JONES: Purpose of the redevelopment is to... - Need to emphasize job creation. Add a number 10 – “Job Creation.”
- RON ROMERO: That’s in Goals.
- COUNCILOR BENTON: Agree that it should be up front in “Purposes.”
- SEN. GRIEGO: What kinds of jobs? We don’t want low-wage service jobs.
- TIM KARPOFF: Please refer to page 9 – Project Goals – add to new #10 in Project Purposes.
- LEBA FREED: #1,3,4 – seems redundant. Try to put them together into one statement.
- COUNCILOR BENTON: How about combine 1 and 3, but leave 4 on its own. Make #3 part of #1.
- LEBA FREED: Anything about additional land purchase?
- TIM KARPOFF: While context of redevelopment is extremely important, trying to make the RFP encompass more than the 27 acres seemed to make things too complex and ambiguous.
- LEBA FREED: Potential to do something bigger – don’t want to preclude that possibility.
- COUNCILOR BENTON: Mentioned the neighborhoods and proximity to downtown.
- TIM KARPOFF: Tried to address some of Commissioner’s issues about larger context of connectivity.
- SEN. GRIEGO: I’m sympathetic to that issue. Huge investment to the south and to the west. If we’re going to point out that there’s connection to downtown, what about pointing out that the other places in the larger landscape – NHCC, Zoo, etc.
- TIM KARPOFF: Back to matching the purposes with Project Goals. This is kind of covered already in number 16 (red-lined) number, number 15 (clean).
- SEN. GRIEGO: Might want to add some language to #15 in Goals.
- LEBA FREED: What if we put the positive goals at the front? Juice it up at the beginning, on the front-end.

1.2

TIM KARPOFF: Let’s keep going through this. Maybe transpose things after finished with review.

- COUNCILOR BENTON: Feel like we went to other extreme in “Albuquerque” section – too flowery, too much of a sales pitch.
- DIANA DORN-JONES: Agreed.
- DAVID CAMPBELL: I like the promotion of Albuquerque.
- COUNCILOR BENTON: Take out sentence about Wyoming and Kansas.

1.3

- SEN. GRIEGO: Think this section is a little long. History of neighborhood, Rudolfo Anaya – Heart of Aztlan – about the Rail Yards. Interesting story being told in a different way. The story of the people who settled the neighborhood. Might be an interesting way to inject some local culture.
- DAVID CAMPBELL: How about we do it by reference? Alan Clarke can give us other histories of area (Mark Simmons).
- TIM KARPOFF: Handout – Barelvas Community Vision – several addenda to be attached.
- RON ROMERO: Eric’s point about drawing from small rural communities is in the Community Vision.
- DIANA DORN-JONES: South Broadway discussed CPTED concepts. Would like to include something – maybe in addendum. If we want to add references, okay. But I think

it's important for this section to be here because it talks a lot about employment. Don't want to lose that – it's important.

1.4

- LEBA FREED: Don't think this section needs to be in here at all. Very negative. Things on this list were not "real" things – they were dreams. I don't see purpose of having past failures.
- COUNCILOR BENTON: How about just 2 and 3?
- DAVID CAMPBELL: If I put on my lawyer hat, I want as much disclosure as possible about what's happened or was attempted on the site. I agree we want to cast the best light on this, but I don't think we should be selective in what we cite. We need to make sure we don't leave something out.
- SEN. GRIEGO: Some efforts are not included in here. Leinberger was trying to do a modified big box.
- COUNCILOR BENTON: When I see the words "proposals were brought forward" – maybe modify that language. Delete "for various reasons" and change "were brought forward" to something else.
- JAY REMBE: Just say, "some of the proposals were..."
- LEBA FREED: I would be very careful not to put in something that was just a whim.
- SEN. GRIEGO: Of course we want job creation – I think we need to be careful about creating a blank check, though, about creating jobs. Might not want manufacturing. Digital media – wasn't the right use, even though it would have created a lot of jobs. Shouldn't give the potential MD the idea that we want jobs at all costs.
- TIM KARPOFF: In sum, 1.4 purpose was to say there have been some efforts, but now the City really wants to redevelop the site.
- DIANA DORN-JONES: "Includes but is not limited to..." and reword that sentence on page 4.
- SEN. GRIEGO: David, have the Economic Development folks ever considered the site for potential recruitment?
- LEBA FREED: Got a call from John Garcia's office this morning. They are coming around to looking at this site and showing it to prospective companies coming to Albuquerque.
- TIM KARPOFF: We'll redo this section and resubmit to Board.

1.5

- LEBA FREED: ULI Report – will that be provided in full or just parts?
- COUNCILOR BENTON: Available digitally.

1.6

- JAY REMBE: Environmental Remediation – See Appendix? Where is Appendix? Does it say that the City is going to pursue remediation on their own dollar?
- COUNCILOR BENTON: Let's have MM address that. MM briefed us about studies that have been done so far and phasing. Federal Brownfields funds – my understanding is that the City missed the opportunity to apply for those, but that a new developer/owner could still apply for those grant funds, is that correct?
- MICHAEL MEHLING: Yes. Still trying to determine what the costs will be. Haven't said whether the City is or isn't going to pursue remediation.
- COUNCILOR BENTON: Should clarify the thing about the opportunity to apply for grants. MD could apply, and we'd want them to.
- SEN. GRIEGO: Have we been in good contact with the federal delegation about this site? There are ways to get exceptions to find other ways to get grants.

(Rep. Miguel Garcia arrives)

- JAY REMBE: Think it would be nice to have some stronger language that says that City is going to try to do what it can to remediate. I don't think we should put that entirely on the MD.

- COUNCILOR BENTON: We're not asking for an actual dollar proposal. I think we need to make it clear that we want to work with the MD, but do we really have to say whose going to do what? We want to be as effective as possible in remediation.
- DAVID CAMPBELL: There are federal laws that govern this; the responsible party (BNSF) might still be responsible, even if ownership has changed.
- TIM KARPOFF: This is really an RFQ dressed up as an RFP. Intent is to ask for qualifications. Details will be ironed out after MD is picked. What do we need to say about remediation here and now in this RFP?
- JAY REMBE: I think the City needs to get a much better idea of what remediation means and what it will cost. It's such a big unknown. If it's a big question mark and there's not a lot of information, certain people may not respond.
- SEN. GRIEGO: I know that for other projects around the state, the state has made a commitment to help address. "To the extent possible, environmental remediation will be address through the public/private partnership. Various funding sources are available and will be pursued."
- MICHAEL MEHLING: "What do we know" document – state the facts as we know them; we didn't want to say anything we didn't know to be fact. We can put language in that we'll explore all options to remediate the property in a timely fashion once we know exactly what's there.
- JAY REMBE: In other projects – Bell Tower and ABQ High – did the City provide a clean property? I would encourage the City to focus on that.
- DAVID CAMPBELL: For the purposes of the RFP, I'm not willing to put the City on the hook – a "statement against interest." Importance of getting this out soon trumps other consideration of fully figuring out remediation/liability. I like language that says "we're exploring..." Keep it moving and don't get ourselves stuck in a box.
- TIM KARPOFF: Add some language about "exploration of options" but without any obligation on part of City.
- DAVID CAMPBELL: We can't pledge anything right now. Need to be careful not to violate anti-donation.
- COUNCILOR BENTON: Most big-time developers are probably already aware of a lot of different sources. ULI said we should clean up the site but not the building. We've asked for people who are experienced with historic structures, brownfields, etc.
- DIANA DORN-JONES: This is not the first RFP for a rail site – could staff look at other RFPs for rail sites and see what they said about remediation?
- COUNCILOR BENTON: Under 1.6.8 – add that 2nd Street is being converted to 2-way.
- RON ROMERO: Under 1.6.9 Zoning – should we list the permissive uses for that zone?
- TIM KARPOFF: We had a long discussion as staff on this issue.
- COUNCILOR BENTON: Provide links to SDPs and COMP PLAN.
- JAY REMBE: 1.6.4 – delete second sentence. First sentence worries me, too.
- COUNCILOR BENTON: LSK did research on this. Maybe he can explain. Maybe just say "site is served by..."
- JAY REMBE: Weird phrasing – please change.

1.7

- SEN. GRIEGO: Give links to some of these. Add #14 – whole slew of State incentives related to jobs development. Solar manufacturing, light renewable manufacturing – will need to get this on radar of State recruiters. Most can be found on State ED and AED websites. "There are several state tax credits that are industry specific – not housing related."
- COUNCILOR BENTON: Which is the fund that was created specifically for outdated rail facilities in the state?
- SEN. GRIEGO: That was specific to a development down south. Don't think we could get one for this site.

1.8

- SEN. GRIEGO: #15 – There’s a corridor between the BioPark/Tingley Beach down to the NHCC along the river; also connecting it to sports facility area. At the very least, add BioPark, Tingley Beach, Bosque/Rio Grande State Park, sports facilities, Sunport.
- TIM KARPOFF: Should this list be on page 1?
- SEN. GRIEGO: Have to leave, but want to add one last thing. 1-9 on page 1 needs to be accompanied by “how you’re going to get there” - I would argue for moving Goals closer to front.
- LEBA FREED: I completely agree. Also put 1.5 – The Opportunity – at the beginning.
- TIM KARPOFF: How does everyone feel about that? Move opportunity to beginning – move history to later.
- LEBA FREED: #15 in Goals – doesn’t mention Albuquerque Museum, Natural History Museum – Old Town is not mentioned as part of this corridor.
- DIANA DORN-JONES: Can’t mention every amenity in the state.
- JAY REMBE: I think it’s a good thing to mention because of the museum connection.
- DIANA DORN-JONES: The idea, purpose was to give them a sense of what they need to connect to, not just everything that’s in the area. I think it’s important to separate purposes and goals. I would support moving Opportunity to beginning, but I think goals should stay at the end.
- COUNCILOR BENTON: #10 – “Be sensitive in scale and transitions to…” rather than “Be compatible…”
- RON ROMERO: I think that works.

Parts 2 and 3:

- DAVID CAMPBELL: A lot of these sections are boiler plate, pretty standard.
- COUNCILOR BENTON: Maybe say “all known contractors” rather than list specifically who will be on their team – 2.1.3 and 2.1.4.
- DAVID CAMPBELL: Would rather maintain flexibility re: Special Project Manager – don’t specify DMD.

Part 4:

- DIANA DORN-JONES: What do we want the Offeror to produce? Will we choose finalists before choosing the MD? Are we going to interview finalists?
- TIM KARPOFF: Need to identify who will be on the committee. First paragraph allows for either path – either make a selection right away or narrow down to finalists.
- RON ROMERO: My vote would be to have this Advisory Board be the Ad Hoc Committee.
- COUNCILOR BENTON: I’ve always like the idea of this board being the committee.
- DAVID CAMPBELL: This board is diverse. I think there’s good reason to make this the Ad Hoc committee.
- TIM KARPOFF: Very tentative proposal – can we defer decision on exact process – whether we have a finalists group, have people come present, whose going to be on the committee – until after we finalize the RFP?
- DIANA DORN-JONES: I think some of the language in here already leans in a certain direction.
- COUNCILOR BENTON: 4.1 says “as the committee deems necessary…” – I think it’s fairly open. I think we should take out the language that says “The Mayor shall name…” since we seem to be in agreement that this Board should be the committee. Also specify that it’s a “Selection” committee.
- DIANA DORN-JONES: Part 3 – SoW – probably need to go back through and make sure that there’s no conflicting or prohibitive language.
- TIM KARPOFF: With time remaining, would like some comments on weighting of evaluation factors.

- COUNCILOR BENTON: I first thought this was going to be hard to weight. Firm and/or Project Team Qualification should be equal to Experience. Almost thing that Past Experience is what we're really driving at and encompasses Qualifications. Could almost take out the "Qualifications" section.
- TIM KARPOFF: In my experience, Qualifications usually implies your length of experience, number of projects, education.
- COUNCILOR BENTON: To me, experience, financial capacity, and approach are the meat of it.
- DIANA DORN-JONES: Qualification is a checklist mostly.
- LEBA FREED: What does "Financial Information" mean?
- COUNCILOR BENTON: See 2.4.
- DIANA DORN-JONES: Need to be clear what we want under Financial Information.
- COUNCILOR BENTON: Should it say "Financial Information and Approach"?
- TIM KARPOFF: Probably under "Approach" we should say something about financial information.
- COUNCILOR BENTON: Could just be a "check off" – did they provide it, yes or no? Need to clarify that we're asking for both the Offerors Financial Information and their Financial Approach.
- DIANA DORN-JONES: Want to see capacity of the team, and we want to know how they'll approach this project.
- TIM KARPOFF: Under "Proposed Approach" – one of the sub-bullets should be "financing"?
- JAY REMBE: Maybe say "viability of the development" financially. Is it 100% public?
- COUNCILOR BENTON: Change to "Implementation and Financing" instead of just "Implementation."
- DIANA DORN-JONES: Change last line to "Financial Capacity."
- Will Consuegra: That's an okay question, but what may happen is that they may form a single-purpose entity (e.g., SunCal, which just went bankrupt in NM, even though SunCal is healthy). Just because there is a healthy parent company doesn't mean they're going to have the capacity in this particular redevelopment project.
- TIM KARPOFF: Under this scoring framework, under Financial Information, this is just straight show us your books for the last five years. Maybe say "Financial Health" instead?
- DIANA DORN-JONES: Don't like "Health."
- TIM KARPOFF: "Financial Information" is pretty straight-forward – they'll know what that means.
- COUNCILOR BENTON: What about assigning points?

TIM KARPOFF: Last thing on agenda – what are next steps? Should we try to plan for a longer meeting in May, since we're planning on issuing this next month? Do you want to extend issuance into June?

COUNCILOR BENTON: Feel like we're pretty close. Final tweaking at next meeting then vote.

DIANA DORN-JONES: Can you propose a ranking process to us? Then we can give you feedback?

JAY REMBE: Does anyone have thoughts on rankings? Had anyone put thought into it?

COUNCILOR BENTON: I thought about it, but might change my mind based on our discussion. I didn't weight anything any more heavily than any other section. Gave pretty equal weights to every section. 40-50% for Experience, 40-50% for Approach, 10-20% for Financial information.

TIM KARPOFF: Proposal to meet again in another month, 11:30-1:00. Try to make a final decision. Will sent it to you way ahead of time.

LEBA FREED: Will we be able to see a list of everyone the RFP is going to be sent to?

TIM KARPOFF: Next meeting is May 10.