

MISSOURI STATE PENITENTIARY REDEVELOPMENT COMMISSION  
Final  
MEETING MINUTES  
Open Session  
June 27, 2007

Call to Order: The MSP Redevelopment Commission meeting was called to order at 1:00 p.m. Vice Chairman Jim Wunderlich presided over the meeting. Chairman Carr was not available for this meeting.

Introductions: Introductions were made around the table for the benefit of the new Commissioners.

Roll Call: The Following Commission members were present. Michael Berry, Gene Bushmann, Robert Meyer, Pam Neugebauer, John Sheehan, James Wunderlich. Quorum present. (Six members must be present to constitute a quorum - 1 vacancy.)

The Following Commission members were absent: Dan Carr, Kathy Peerson, Darrell Roegner.

The Following Facilities Management, Design and Construction staff members were present: Deputy Director Walter Johannpeter, Lisa Cavender, Charlie Brzuchalski, Lynne Angle, Dianne Beasley, and Karen Witt.

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Charlie Brzuchalski provided a PowerPoint presentation to discuss the meeting agenda items.

- I. Approval of Minutes/Agenda
  - Changes were recommended to the minutes from the April 25, 2007, (Open and Closed) meetings. Minutes were posted to the web forum prior to the meeting for review by members. Motion was made to approve the minutes with the changes discussed in the meeting; all in favor. Minutes have been updated and placed in the file. The open meeting minutes have been posted on the MSP Redevelopment Commission website.
  - Gene Bushmann made a motion to approve the April 25 Open Meeting minutes. John Sheehan seconded the motion. All in favor. Motion approved. Michael Berry abstained from voting since he was not present at the meeting. Pam Neugebauer also abstained from voting.
  - Gene Bushmann made a motion to approve the April 25 Closed Meeting minutes as amended via the website. John Sheehan seconded the motion. All in favor. Motion approved. Michael Berry abstained from voting since he was not present at the meeting. Pam Neugebauer also abstained from voting.
  
- II. Status Update on MSP Caretaking / Interim Uses Management – Charlie Brzuchalski
  - Training is ongoing for DNR Haz-mat, MU Fire School, Highway Patrol, and Capitol Police.

- Relocation of Maintenance & Security Staff is underway.
- Carpool Parking is underway; carpool fleet parking should be moved soon.
- MSP is being used for Equipment Storage. The stones that fell from the Wall are being stored at MSP.

III. Review and Update on MSP Redevelopment Project Status – Charlie Brzuchalski

- Federal Courthouse Project – Charlie Brzuchalski
  - The prebid was held. The date for the bid to go out is July 12, 2007. Charlie B. stated that the project looks good and is on schedule. The budget estimate is between 1.2M and 1.4M.
  - Demolition Project Status – the demolition includes all buildings west of Lafayette Street. Towers 1 and 2 will remain.
    - Remediation will cost about \$253,000. This addresses concealed asbestos, window caulking, and lead paint removal.
  - The programmatic agreement has been signed.
  - Artifacts – Gene Bushmann asked the status of retaining artifacts such as the doors, locks, stonework, etc. Charlie B. stated that most of this has been done. Mark Schreiber previously provided a list. These artifacts are stored in the M&M Building on the MSP site. Some of the artifact items are still in place, however, the contractor will turn over these items for storage. Artifacts are included in the demolition contract. Gene Bushmann further asked if someone would be on site to guarantee that this work is done. Charlie B. stated that demolition of one building will take place and then debris removed in order to avoid potential damage to other buildings. Another demo project will follow this one. There will not be someone on site at all times; however, follow-ups will be made depending on staff schedules. Options are to pulverize the material on site unless the contractor comes up with a methodology to remove the material adequately. The preferred method is to keep the material on site and dissolve it in some way vs. removing it.
  - Michael Berry asked to see a slide showing the footprint of the property where GSA is planning the Federal Courthouse. Charlie B. pulled up the slide and pointed out the area. Charlie clarified the street right of ways dedicated to the City of Jefferson and the strip of land for the greenway trail way grant application.
  - John Sheehan asked if digital photos have been taken for the video history of the project. Charlie B. asked if there would be any value to have time delay photographs on the website so that viewers could track the progress. This was done with the Lewis and Clark

State Office Building Project. Charlie will follow-up on this possibility. Charlie will go ahead and have some photos placed on the website.

- GSA Project Planning – Charlie B.
  - Charlie B. met with GSA and the design firm. Nine different concepts have been presented for the building for 118,000 square feet, four (4) courtrooms (2 magistrate courts and 2 circuit courts), US Attorney General 's office, US Marshal's office, Probation and Parole office, 100 parking spaces. The design looks much like the courthouse in Hammond, Indiana.
  - Charlie suggested that the Commissioners look at the website to see the building. The visual aspect allows looking through the building to the other side. Three designs will be chosen out of these nine.
  - The costs will be between \$56-57M. Senator Bond indicated a vehicle for funding for FY08 in order to continue with the project. They currently have \$5.3M in hand to begin work.
  - A meeting will take place in July to review the three (3) design concepts in Kansas City. Following this step, the building concept will be shared with the Commissioners to get an idea of what the buildings will look like. GSA is receptive to following the Design Guidelines and Standards for historic preservation.
  - Michael Berry asked for an update on the status of the street work. Charlie B. stated that the street work will become part of the GSA project for sales tax, etc.
  - Parking - FMDC has learned that several agencies have funding for rental spaces. Parking rentals are being discussed to fund and build some kind of parking structure in the vicinity of the new courthouse. This includes short term parking as well as long term parking. Gene Bushmann asked for the total number of spaces. Charlie B. stated that the number is 485 in a structure. Gene Bushmann for the number of spaces requested by GSA originally to meet their needs. Charlie B. stated that this number was estimated at 150 but later changed to 102 actual spaces per the number in the program. Outside of GSA, these spaces will be for parking for the courts, such as for attorneys, jurors, witnesses, etc. The courts will be for bankruptcy as well as criminal proceedings. Gene Bushmann asked for clarification that 102 spaces will belong to GSA and the rest will be for rentals. Charlie B. stated that 20 of these spaces will be needed for the judges, and secure prison transfer; the rest of the spaces will be for staff.

IV. Pending Items from Previous Meetings – Charlie B.

- Master Developer Selection Process
  - Charlie B. stated that there seem to be concerns with the concept and the way it was formulated. Time was spent at the last meeting reviewing how the concepts were derived, and how the space amount in the plan was derived. The economic analysis is several years old at this point. However, the trending is still valid. There is still a demand for 1M sq. ft. of office space in the redevelopment area. A major element in the Master Plan was that the major portion of the funding would come from private developers. Charlie B. asked the Commissioners to review the RFP/RFQ document at the last meeting to make sure that the document reflects the direction that the Commission wants to move forward with. The purpose of the RFQ is to get qualified parties in order to develop a short list for the Commissioners to choose from. The Commission has not made a decision on this. Charlie referred to the slide on the Master Developer solution/selection. Michael Berry stated that he has not had an opportunity to read the document. Jim Wunderlich stated that there is no way that a decision can be made at this meeting since not all of the Commissioners are in attendance.
  - John Sheehan stated that this may be a good time to develop a diagram / decision tree that maps out this complex solution and make a flow chart that the group can follow.
  - Charlie B. stated that over the past couple of years the focus has been on how to move the project forward through the Commission to get financing to make the redevelopment happen. The Commission itself has no funding. The focus has been on finding people to fund the purchase of the parcels or find developers to develop the parcels. Several entities have expressed interest. Charlie will work on developing a diagram/outline of the options. Information will be assembled to allow the Commission to make a decision. Information available will be used to get updated information. Additional resources have been acquired to add to the previous information.
  - Gene Bushmann had a follow-up question. Decisions about alternative approaches were never considered by the Commission as having a true decision as to relative needs or problems with various alternatives. It was mentioned about working toward a single development; no open decision as to different avenues and relative negatives and positives. Commission needs to know as much as possible about potential developers and needs to know about tax credits, etc. The

Commission needs to be educated on what is available to potential developers to make sure the Commission has explored all alternatives. Charlie B. stated that this is a valid point. Look at several options but not a formal decision. Pros and cons need to be reviewed. The historical information needs to be brought before the Commission and get new information to make sure everything is going in the right direction. The project belongs to the Commission; OA is here to assist. This information will be available for the next meeting. Charlie B. asked that the Commission give thought on who is responsible for parking, parking garages, etc. A responsibility matrix will be developed to look at revenue sources, expertise, and who can do it.

- Michael Berry asked how to get to the decision. Some decisions should already be carved in stone, already should have transportation credits, already in process that we can not deviate from a Master Developer and green space. We already know what the Master Plan says and need to take steps to proceed. If we know where the roads will be then get intergovernmental agreements in place, etc. Work with the city parks and state parks to get green space dedicated. Then we need to sell the package to a Master Developer; need to know when roads are in place, etc. Knows about this by working on city convention center project. Developers have to know these things.
- Charlie B. stated that he working with government entities to get these on the radar such as the ½ cent sales tax. Also working with the utility companies; 12 inch water main on Capitol Avenue is already in place.
- Michael Berry stated that if the City of Jefferson and Cole County approached the Commission to do this and have a proposal, who has authority to sign these types of agreements? Who is entering the agreement with them? The Commission does not own the land, but has an agreement with the State. These areas need to be cleaned up since we can not answer these questions. Charlie B. stated that possibly legislation is needed to clarify these issues. Jim Wunderlich stated that the Commission needs help in resolving these issues. Charlie B. will work on this.
- Pam Neugebauer asked if the RFQ was posted on the web forum. The answer is that the RFQ is located on the web forum.
- Michael Berry asked that a master broker be obtained to speak for the Commission or the Commission take on more roles; need to know when the Commission can become the owner of the property. The legislation is not perfectly clear. This needs to be clarified with the Attorney General's Office; Berry asked the opinion of the rest of the Commission members. Gene Bushmann stated that this suggestion was made earlier. Berry

- stated that if the property changes ownership to the Commission, the relationship with OA changes. Need to know how to handle liability and take responsibility for the funding of the project. If no money, can the Commission continue its relationship with OA? The options are fuzzy, and there is no way to tell which is a good option.
- Michael Berry made a motion to prepare a letter containing the information stated to the Attorney General asking for clarification. A copy was given to Dianne Beasley for the records. Gene Bushmann seconded the motion. Jim Wunderlich asked if there was further discussion. None opposed. Motion approved. A letter will be drafted to send to the Attorney General.
  - John Sheehan commented about the maintenance of the property for liability; are people on site? This motion will help clarify the Commission's position.
  - Gene Bushmann stated that there are other gray areas such as who owns the wall, who owns the museum for Housing Units 1 and 4; who owns the parking garage. These areas need to be kept in mind in moving forward.
  - Charlie B. stated that the Master Plan and development guidelines and standards are to be used as the vehicle to set up an MSP redevelopment foundation as a means to acquire funding. Need to move forward with the RFP to get a developer to address specifics. Gene Bushmann stated that the foundation is an unreasonable concept. Must be a 501-3C to receive charitable contributions. Not reasonable to think in those terms.
  - Charlie B. stated that there is a range of concepts; the foundation is only one option. The St. Louis Museum requires visitor fees and has become an entity with a sizable budget, but it has taken time to grow to this magnitude.
  - Gene Bushmann stated that everyone shares that understanding of complexity and wants to make this work but wants to see results on paper. Charlie B. stated that he is happy to assist in finding a way.
- Missouri Naval Museum Proposal Update
    - Charlie B. drafted a letter for consideration for approval by the Commission. A copy was posted to the web forum as well as a hard copy placed in the folder. Gene Bushmann asked if the Commission was misleading the Naval Museum as to where the site will be on the prison property. Must be careful with negotiations. No specifics are offered about how funded.
    - Gene Bushmann asked who owned the land on the river side of the railroad tracks. Charlie B. stated that he thinks the state owns the land and will transfer to the Commission. Sometimes

the railroad can be difficult to work with. Charlie knows people in the home office.

- Gene Bushmann made a motion that the letter be signed by Jim Wunderlich acting Chair. Mike Berry seconded the motion.
- John Sheehan asked Gene Bushmann, John Kuebler, and Michael Berry if the last paragraph bound the Commission. Gene Bushmann had a similar question in mind. Why asked where the property is located. Charlie B. stated the question is regarding the right of way with the railroad. The railroad has been there since 1857 and is not going away. Charlie pointed out the area on the screen for the benefit of the group. Michael Berry stated that he felt comfortable in reading the last paragraph; it leaves wiggle room. Sheehan thanked Berry for the comment. Motion approved.
- Charlie B. will get the letter on Commission Letterhead and get it sent out.

#### V. Upcoming Agenda Items

- Project Schedule / Timeline Review
  - Charlie will clarify the dates for the GSA Federal Courthouse Project and will add the timeline and get it back to the Commission before the next meeting for review.
- Commercial Banking Provider Selection Process
- Draft Policy for Photo and Video Production usage of MSP Property
  - The Commission will be participating in the profits generalized from photos and video usage of the property.
  - Jim Wunderlich asked if the 'ghost' people came. Charlie B. stated that a meeting is scheduled Friday to discuss this. Additional staff will be required, which requires them to compensate the staff costs.
- Recommendations for MSPRC Staff Position Descriptions
  - Discussion needs to take place on staff positions once the Commission becomes its own entity.
  - Michael Berry stated that funding needs to be available to pay for staff positions.
    - Executive Position
    - Secretary
    - Historian
  - Verbal decisions need to be made and positions discussed to be ready when money is available.
- Election of Officers
  - Michael Berry asked if this will be done at the next meeting. Charlie B. suggested waiting until the Commissioners new each other better. Mark Schreiber was appointed as Historian at the last meeting, however, since that time, he has withdrawn.

- Charlie B. asked if there were any other agenda items that need to be considered for the next meeting. If anyone has any items, please post the items to the web forum.

New Business:

- Pam Neugebauer requested history for the new Commissioners. Charlie B. is putting together a detailed history of the project.
- Jim Wunderlich suggested writing letters of thanks for the Commissioners that have left. Gene Bushmann made a motion to develop a letter for the previous Commissioners. John Sheehan seconded the motion. All approved. Charlie B. will draft the letter for signature by the Chair and put together a proclamation for signature by the Commissioners.
- Michael Berry suggested that a subcommittee system be used within the Commission. He asked the Commission members to think of items that can be broken up for follow-up by subcommittees and discuss at the next meeting.
- Michael Berry also asked how to proceed to get the request to the Attorney General; prepare the draft of the letter and have the Chair sign the letter.

Charlie B. asked if anyone was interested in a tour of the JCCC facility. All Commissioners agreed that it was too hot and opted to schedule a tour at a later date/time.

The minutes will be posted to the MSPRC web forum for review prior to the next meeting.

With no further business, the meeting was adjourned.

**Next Meeting:**        **August 22 (July meeting canceled)** from 1:00 p.m. to 4:00 p.m. at the Truman Building Room 493/494, Jefferson City, Missouri