

MISSOURI STATE PENITENTIARY REDEVELOPMENT COMMISSION
Final
MEETING MINUTES
Open Session
October 24, 2007

Call to Order: Chairman Dan Carr called the MSP Redevelopment Commission meeting to order at 1:00 p.m.

Roll Call: The Following Commission members were present. Gene Bushmann, Dan Carr, Bob Meyer, Pam Neugebauer, Kathy Peerson, Darrell Roegner, John Sheehan, James Wunderlich. Quorum present. (Six members must be present to constitute a quorum - 1 vacancy.)

The Following Commission members were absent: Michael Berry

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

Under the direction of Chair, Dan Carr, Charlie Brzuchalski provided a PowerPoint presentation to present the meeting agenda items.

- I. Approval of Minutes/Agenda
 - The minutes from the October 3, 2007, (September) Open meeting were approved as presented. No closed meeting from the September meeting.

- II. Status Update on MSP Caretaking / Interim Uses Management
 - Arts in the Park – items being stored at MSP from the Arts in the Park exhibit on the Capitol grounds. Items will be picked up from various groups.
 - Adjustments are being made to the electric at MSP.
 - Training is ongoing by the Missouri State Highway Patrol, Capitol Police, and the Missouri National Guard.
 - Request was made from the National Guard for a training session in April 2008; no details at this time.
 - Gene Bushmann asked about the type of training that is being conducted on the MSP grounds in the chapel and the old school building. Charlie B. stated that there are different types of training going on in the facility such as responding to blind corners, running roadblocks. Entities involved are the Capitol Police, Highway Patrol, and various Sheriff's Departments around the state. A busload of high school students were used in a hostage setting to get the gets off of the bus in a hostage situation. Training will slow down now that we are moving into winter.

- III. Review and Update on MSP Redevelopment Project Status – Federal Courthouse Project
 - Demolition Status – Charlie Brzuchalski

- Charlie B. informed the commissioners that most of the buildings are down on the MSP property and clean-up is currently in process. Photos of the area were shown to the group. The Administration Building is connected to the wall and is in good shape. Currently looking at the existing electrical service in the building to possibly restore power and not expose electric to the weather.
- The main gate is being dismantled. The tower was pointed out in the photo and site plan.
- Gene Bushmann asked about replacing the bollards. Charlie B. stated that the bollards need replacing and the stone tops put back on the bollards.
- Charlie B. pointed out Housing Units 1 and 4 on the photo along with salvage materials including cast iron ornamentation, doors, stone banding and corners. Former Corrections Officers carved initials in the stone of the Administration Building. This was also salvaged.
- Jim Wunderlich asked about the grillwork. Charlie B. stated that the grill was sent to Corrections and put on their site. Some was incorporated into the Master Plan along Lafayette Street. The rest is in storage. The salvage material was moved by the staff at the Jefferson City Correctional Center and the inmates.
- GSA Project Planning:
 - Charlie B. advised that the meeting with the designers was held and revisions were made. A concept review meeting will be held in a few weeks; the date has not yet been announced.
 - Parking discussions have been postponed until October 29. Revisions have been made to the budget which could change the plans for parking. This information will be passed on the Commission when it is known.
 - Dan Carr stated that the site looks good. Dan asked Charlie B. to speak to GSA about holding a meeting in Jefferson City and arrange a tour of the site with the architects and GSA and the judges so they can get a feel for the site.
 - Dan Carr also asked that GSA come in to meet with the Commission when closer to the site plan to make a presentation of their philosophy, etc.
 - John Sheehan asked the status of funding for the Courthouse project. Charlie B. stated that he has not heard anything for over a week, however, things look good. Senator Skelton placed an announcement in the paper in support of the funding to help the item in the House.
 - Gene Bushmann asked when the Commission would be able to see a picture of the building. Charlie B. will ask for the photo to be presented when GSA provides a presentation to the Commission.
 - Gene Bushmann stated that Dave Mosby asked last week what would happen if they like the design and the Commission does not like it. Charlie B. stated Judge Lowry's perspective and

taste compares to that of the Commission and is optimistic that the design will be acceptable to the Commission. Dan Carr stated that the sooner the Commission can see the photo the better.

IV. Pending Items from Previous Meetings

- Master Developer Selection Process – Dan Carr
 - Review revisions to Master Developer RFQ - Dan Carr stated that Charlie B. will be providing the revised document to the Commission via e-mail. The most current copy of the information is included in the meeting packets dated October 22, 2007. The document will be shortened and repetition avoided. Charlie B. stated that this was discussed at the last meeting. Changes have been made to the document to include the statement that more information will be sent if requested. Changes to document were discussed. Introduction and summary will be added to the document along with a project description including location, background information and the Master Plan. Dan Carr advised the Commission to read each item carefully and provide comments.
 - Dan Carr asked John Kuebler if the financials had to be made public. John Kuebler advised that the proceedings are made public. Dan Carr said that when submitting financial statements references are requested and that this provides a level of who they are but not detailed information. Discussion took place on what information is considered discoverable and what has to be available to be in compliance with the State's open records law (Sunshine Law). John Kuebler clarified that the discoverables are completed in the court proceedings. We are discussing media availability. Some 'Sunshine' Law requests become discoverable if the party is in the position to share the information. Dan Carr stated that we need to be more specific and ask for references in the request and explain the reason for making the request.
 - Darrell Roegner asked if bonding was an issue. Dan Carr stated that bonding could be an issue; this will require more specific information for the evaluation criteria and the selection process. Pam Neugebauer asked if there was a specific form that needed to be used. Charlie B. stated that he will get the form and discuss further. Dan Carr asked if there are weighed ranking percentages that the Commission wants to consider in the process and asked the members to think about it. Proposals have to be ranked in some way for the Commission to be able to rank the companies in areas such as financial position, quality of work, etc. Charlie B. stated that he will begin developing forms for each category.
 - John Sheehan asked about the process of sorting out final issues in the review stage. Darrell Roegner stated that the

scope of past projects and level of performance is not known by banks. Charlie B. stated that the Commission must ask these questions in the Master Developer process.

- Gene Bushmann asked the status of the actual document. Charlie B. is replacing the old document with a revised document per the discussions ongoing by the Commission. The most current revision is in the meeting packets dated October 22, 2007. Certain items need to be clarified in the document such as the status of the Wall (whether the walls are coming down or stay up and the State maintaining them), Gas Chamber, museum, etc. The question was asked whether the Commission has to explain its long range stance. Charlie B. stated that the document refers to the Master Plan which states the desire of the Commission and its execution. Question was asked whether a reference to these specific items be placed in the new document. Charlie B. thinks the Commission has already done this by referencing the Master Plan which contains this information. The philosophy is that the project currently has no money and will not have any money when the project ends; the idea is to spend all of the money received on the project.
- Dan Carr stated that the front page is confusing pertaining to the available space for development potential. Clarification needs to added to let potential developers know why half of the land is already developed; Federal Courthouse, Department of Natural Resources, Health Lab, etc. Right of way issues must be clarified for private development. Time frames must be clarified for hotels, etc. Dan Carr clarified that there is no need to get into that much detail on what stays and what goes at this point. These can change as the project moves along. Gene Bushmann stated that eventually the Commission will have to make those decisions.
- Schedule for RFQ / RFP
 - Kathy Peerson stated that the Commission needs to discuss and review options for site tours and visits to the site. Charlie B. stated that multiple sessions of varying times will be scheduled for site tours and visits.
 - Dan Carr asked when the Commission wants to approve the letter and get it sent out. The schedule goes back to January 2006. Does the Commission want to move forward with the RFQ today? Kathy Peerson stated that we need to move forward as long as the document is reviewed and approved by John Kuebler (attorney for the Commission). Dan Carr stated that the Commission needs to see and review the list of potentials recipients of the RFQ assuming that the list is received in the next few days. We can then go ahead and get the letter sent out.
 - Motion was made to approve the RFQ by Darrell Roegner and seconded by John Sheehan. All approved. Motion carried.

- Dan Carr stated that information from the Chamber of Commerce in Jefferson City needs to be added to the letter. Charlie B. stated that the RFP piece includes the Chamber information. Dan Carr asked if the Commission thought this information should be included in the RFQ. Kathy Peerson agreed that the information should be included in the document. Pam Neugebauer thought the information may not be needed initially. Kathy Peerson stated that some type of information needs to be included. Pam Neugebauer suggested including a picture of the area. Gene Bushmann stated that a picture could be beneficial and spark interest but could also be confusing by showing the entire area when only a portion is actually available for development. Clarification to show that some areas are not available for development is needed in the document. Charlie B. will add verbiage in the introduction that of the whole area of 142 acres, 70 acres are on hold for the Department of Natural Resources and 60 acres are available for development and send out the document to the Commissioners via e-mail for review. Darrell Roegner stated that we will be dealing with sophisticated developers.
- The schedule puts interest back prior to Thanksgiving. 21 days for meeting and site inspections and then 14 more days past that date for the receipt of the RFQ response. Dan Carr stated that this timeframe is too long. Responses of interest need to be back before Thanksgiving. Charlie B. stated that the letter of interest should be back in 4 to 5 days, and then the RFQ will be sent those respondents to get the qualification information. Darrell Roegner suggested targeting November 1 to get out the letter of interest which will take 5 days to respond. Charlie B. will work on updating the document with dates. Site visits will be planned for November 21. Qualification information will be due back by December 1. The Commission can then make a decision on the short list 10 days later. John Kuebler advised that 21 days puts us around Thanksgiving. Dates need to be adjusted; Charlie B. will work with the dates and revisit the timeline. Pam Neugebauer stated that the Commission can plan to look at the short list at the December 2007 meeting. The mailing list contains about 200 addresses. Walter Johannpeter suggested putting together some type of brochure to send out that would grab attention. Use of the MSPRC logo can be used, pictures, etc. Charlie B. shared the information that was prepared by the consulting group which was bound. Dan Carr asked that the document be prepared and sent out to the Commission for review including

dates. Gene Bushmann stated that we are looking about a month and a half to get something sent out, returned, and back to make a decision and asked if this was enough time to get everything done. Dan Carr stated that some companies have 10 to 15 people; some agencies are large and some are small. Darrell Roegner stated that he expects to see some joint proposals. Companies know about the Federal Courthouse project; this will attract interest. However, business is good, but not great at this time.

- Charlie B. will follow-up with updating the timeline for review by the Commission.
- The document was reviewed overall and discussed.
- Dan Carr stated that the discussions at this meeting put the document being put out before the Commission gets back together; is everyone comfortable with this? Gene Bushmann stated that he is comfortable with the changes and approves the discussed changes as long as no additional changes are made.
- John Sheehan asked about the process and if it would make sense to a developer; he has no problem with the RFQ. Dan Carr stated that the group must be comfortable with the document before it goes out. If comfortable, no further meeting to discuss. Currently looking at a December/January timeframe.
- John Sheehan reiterated the schedule as follows: The two –page document goes out seeking interest; then 10 page RFQ document goes out, get responses, hope to have dozens back, then get together to make a short list, then get RFP, then get RFP responses.
- The RFQ needs to be ready when the responses to the letters of interest come back. Charlie B. stated that this information will be taken into consideration when developing the timeline. The next meeting of the Commission is scheduled on November 28. Approval of the document will be discussed at this meeting.
- A meeting needs to be set up with the City of Jefferson and Cole County and the respective Commissioners to discuss plans. These meetings will be held separately. Looking at November 6 or 7 to schedule these meetings. Charlie B. will follow-up to schedule.
- RFP – Dan Carr asked if an RFP would be put into final form by November 6/7. Charlie B. advised that the document would be ready. A special meeting will be held to review the RFP document before it goes out.
- Kathy Peerson asked if the April Meeting could be conducted via conference call. Charlie B. stated that he did not believe that meetings via e-mail are in the bylaws of the Commission. A conference call constitutes an

open meeting if a conference phone is installed in the room with speaker capabilities.

- Pam Neugebauer would like to meet a week prior to Christmas to discuss. Kathy Peerson asked about the timeframe to announce open meetings. John Kuebler advised that open meetings only need to be advertised 24 hours ahead of time.
- Walter Johannpeter stated that the Print Shop will take 3 or 4 days to set up and print the information. The brochures will go to the Print Shop immediately after this meeting. Lynne Angle advised that if we can get the graphic and format portion to them, they could already have this part set up and then import the text, etc.
- Dan Carr expressed his confusion with the process as follows:
 - Submit letter
 - Submit RFQ
 - Submit RFP – Why? Charlie B. stated that this is what is evaluated. Gene Bushmann stated that the RFP is a legal contract. Dan Carr stated that in his business he is used to the RFP being the RFQ. Gene Bushmann stated that we could have 4 or 5 companies competing against each other. Dan Carr stated that we will want these companies to come in and do a presentation for the Commission to find the best candidate. John Kuebler asked if this process would be confusing to interested parties. Dan Carr stated that this process is not normally seen. John Sheehan stated that the specifications are not in the RFQ. Charlie B. stated that the RFQ calls the masses and hopefully will get some responses of interest. Gene Bushmann stated that we are dealing with the State. Can the State issue a non-competitive bid? The question was asked if the consultants were still available to help with the preparation of the documents. Charlie B. said they are available to help. Gene Bushmann stated that the RFP is the essential document that forms the contract; it is the backbone of the process. Jim Wunderlich stated that negotiations will be time consuming. Kathy Peerson asked if the Commission has a contract with Planning Design Studios and Development Strategies. Charlie B. advised that we do have a contract with them but not for additional work. A draft RFQ was developed by them which can be used by the Commission. Dan Carr stated that with the approval of the RFQ, we can then move forward by mid December.

- Gene Bushmann made a motion to for the Commission to contact Dan Bockert with Planning Design Studios and Development Strategies to seek assistance in drafting the RFP assuming funds are available. John Sheehan seconded the motion. All in favor; motion carried.
- The RFQ document will be posted on the web forum.

- MSPRC Budget Committee Report
 - Budget Committee Report included in the meeting packet from John Sheehan. Meeting was held on August 22 which was attended by Gene Bushmann, Pam Neugebauer, Dave Mosby, Lisa Cavender, Charlie Brzuchalski, and John Sheehan.
 - Secured financial statements from comparable State agencies as a guide to look at to develop a budget. The Budget Committee hopes to meet again before the regular November 28 Commission meeting to provide an update at the meeting. Need the State to be a partner with the City and the County. More information will be available after the November meetings with the City and County.
 - Kathy Peerson asked about the road improvement tax money that was allocated by the City and if we can ask the County for help. Jim Wunderlich stated that he and Kathy Peerson met with the County to ask for a commitment in writing for the dollars that were agreed upon a year ago. An MOU and statement from their end was requested but has not yet been received. Charlie B. stated that the issue is that a stream of funds are coming in and going out. The allocation was an estimated \$2M and the dollars promised is a percentage of that amount. The timeline is five (5) years. Gene Bushmann asked if MSP gets the surplus. Charlie B. stated that he thought that was the case, however, we have to wait to see how the road allocation goes.
 - John Sheehan stated that there is capital improvement (CI) money in the budget. The Commission is dealing with the prospect of hiring staff. This will be discussed further after the Commission determines the appropriate staff needed to move the project forward to generate dollars.
 - Dan Carr mentioned that the Commission needs to think about the best method to approach the Legislature. Gene Bushmann stated that budget meetings are coming up. The Legislature thinks this is a one party operation and that the State is the only source financing the project. Dan Carr suggested that Gene Bushmann act as a lobbyist to the Legislature on behalf of the Commission. Dave Mosby (FMDC Director) and Michael Keathley (Commissioner of the Office of Administration) both believe this is a good idea. Gene Bushmann stated that he was a lobbyist in the past and is familiar with the process and is

currently listed as a lobbyist with the Ethics Commission. This is a voluntary position.

- Jim Wunderlich made a motion that Gene Bushmann be appointed as the lobbyist for the MSP Redevelopment Commission. Bob Meyer seconded the motion. All in favor. Motion carried.
- City/County Commitments for Financial Support of MSP
 - Kathy Peerson stated that she had contact with the Legislature at a recent appropriations meeting. They are impressed with the level of discussion of the project and the community commitment.
- Environmental Site Assessment Report Update and Budget Estimate
 - Charlie B. stated that early next week expect the proposal from the firm doing the assessment of the property.
 - Need to get a list from Commission for individual buildings.
 - Parcel plan.
- Project Schedule / Timeline Review
 - Dan Carr requested an updated project timeline for the next monthly meeting. He is looking for major milestones in the timeline. The current timeline is too detailed. Charlie B. will provide an updated timeline at the next meeting.
- Status of Request for Attorney General's Question
 - No update.

V. Upcoming Agenda Items

- City and County meeting update – Charlie B.
- “Due Diligence” Web-Forum
 - Set up web forum for disclosable documents for the Missouri Open Records Law (Sunshine).
 - Look at setting up parallel to the current MSP Web Forum. Will be set up with passwords and closed until completed.
- Economic Development Incentives / Opportunities
 - What is available
 - How the program works
 - Chamber is also looking at this. Possibly make this a joint meeting with MSP Commission, Chamber, and DED. Charlie B. will follow-up and schedule a meeting. Look at scheduling in mid January.
- MSP Historic Tours
 - Setting up tours with the Jefferson City Convention and Visitors Bureau is on hold. There are several obstacles they are looking

at to resolve such as restroom facilities, water, liability, logistics, etc. Hoping to have something in place by spring.

- Commercial Banking Provider Selection Process – on hold
- Draft policy for training, photo and video production usage of MSP Property – not yet drafted
 - Two (2) video project inquiries
 - Bio Sonny Listen
 - Bio James Earl Ray
- Recommendations for MSPRC Staff Position Descriptions – next 30 days
- Election of Officers – Bylaws state this needs to be annually. New officers were discussed and selected. Kathy Peerson made a motion to approve the selections as follows. Darrell Roegner seconded the motion. All in favor. Motion carried.
 - New officers are:
 - Chair – Dan Carr
 - Co-Chair – Michael Berry
 - Historian (ex officio) – Mark Schreiber
 - Treasurer – John Sheehan

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. No closed session.

Next Meeting: **November 28 meeting** from 1:00 p.m. to 4:00 p.m. at the Truman Building Room 493/494, Jefferson City, Missouri