

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda date: April 21, 2008
Reviewed by: BP

Subject: Waterfront Visioning Process – Contract with Fern Tiger Associates

Report by: Ann Chaney, Community Development Director
Jeff Bond, Planning and Building Manager

WATERFRONT COMMITTEE RECOMMENDATION

That the City Council authorizes the City Administrator to enter into a Professional Services Agreement with Fern Tiger Associates per the Scope of Work and Budget Proposal dated April 9, 2008, for a not to exceed professional fee amount of \$410,713 plus direct expenses estimated at \$182,000.

BACKGROUND

On November 6, 2007, the City Council received the Neuwirth & Associates Preliminary and Final Report, and referred Scenario #3 from the Neuwirth Preliminary Report to the Waterfront Committee for implementation. The Council directed the Waterfront Committee to conduct a consultant solicitation process and make a recommendation to the City Council on the Selection of a consultant, detailed scope of work, and budget.

In early December, the Waterfront Committee circulated a Request for Qualifications seeking firms with appropriate expertise to carry out a community visioning program for the Albany waterfront that is a proactive, community-driven planning process intended to develop a common vision for the future of the waterfront, if and when a the racetrack closes. The RFQ was sent to approximately 25 consultant groups, and on January 25, 2008, the City received submittals from four qualified consultants. These submittals were reviewed by the Waterfront Consultant Selection Subcommittee, which recommended that the Waterfront Committee interview Design, Community and Environment (DC&E), RRM Design Group, and Fern Tiger Associates (FTA). Interviews were held on February 27, 2008 to review the qualifications of invited firms. At the March 5 meeting, the Waterfront Committee voted 5-2 to select Fern Tiger Associates based on their qualifications to work with the Committee to prepare a scope of work and budget to be presented to the City Council.

At their March 31, 2008 meeting, the Waterfront Committee reviewed a draft scope of work and budget drafted by FTA. The Committee recommended a number of revisions, and a final draft was submitted for consideration at the WFC of April 15. At the April 15 meeting, the WFC approved a revised scope of work on a 5-2 vote. Additions to the work program suggested by the Waterfront Committee included:

- More detail on the use of specialized sub-consultants to insure that the process is supported by a solid underpinning of opportunities and constraints associated with the site;
- Periodic updates or written reports to keep the Waterfront Committee, City Council, and the public informed of progress; and
- Clarified that the professional services portion of the budget would be capped at the mid-point of the estimated budget and the direct expenses would be set at the high end of the range, for a total cost of \$592,713.

It should be noted that all WFC meetings involving the waterfront planning process have been cablecast and recorded, and the FTA draft Scope of Work was placed on the City's website in early April.

Background on Fern Tiger Associates

Attached is the statement of qualifications presented by Fern Tiger. The firm has a wide range of experience in public policy, strategic outreach and communications, and civic engagement as well as a diversified professional staff to manage the process.

ANALYSIS

The Project Concept submitted by Fern Tiger Associates (FTA) states that the objective of this process is

“To create and implement a process to engage, and simultaneously inform, and educate -- the broad Albany community (residents, businesses, and community institutions) in discussions, activities, and events that will provide information, ideas, and perspectives related to the creation of a vision for the city's waterfront.”

In summary, Fern Tiger Associates proposes a five-phase process over an eighteen (18) month period:

Phase One - Gathering information and designing an appropriate and effective community engagement process. During this time, FTA would focus on the history of the property and past waterfront planning efforts and other community engagement activities in Albany, gather data related to environmental, social, and economic factors affecting waterfront planning, review best practices regarding waterfront development, and initiate the first of a series of one-on-one interviews with a broad cross section of the community in order to better understand perceptions and misperceptions about the city, city processes, outreach opportunities, successes and failures of previous community efforts on a wide range of issues to help the consultants' thinking about outreach and the plans for participatory processes that would engage a broad range of residents; determine any needed consultants for specific information and data; meet with the landowners; and design the appropriate participatory process and outreach mechanisms to engage the community. Such interviews include the property owner of Golden Gate Fields racetrack. The products from this phase would include a findings report, community outreach plan, design of process, timeline, and

description of tools need for outreach, engagement, public education, etc. At this stage, FTA will have a better sense whether or not a “citywide survey” should be pursued.

Phase Two – Designing graphically interesting and informative materials that support the participatory engagement process. This would include press/media strategies, development of an identity for the process, and plans for public education. Program deliverables include outreach strategies and materials to support engagement sessions. The Committee and FTA discussed the question of whether or not a citywide survey would be needed. Fern Tiger stated that this would not be known until the latter part of Phase One. If a survey is needed, the cost of a survey is estimated to be between \$20,000 and \$40,000, which is incorporated in the contract as a direct expense. The necessity of the survey will be determined by the consultant during phase one.

Phase Three – Implementation of the community-based, interactive process. The goal is to create “a shared understanding of the importance of strategic and creative thinking related to potential opportunities and challenges (issues, tradeoffs, possibilities) for the waterfront (and the city as a whole) and for the evolution of ideas, directions, and conceptual programs for a community-driven plan for the waterfront.” The design of this phase will be done in phase one. Deliverables will include written and visual process documentation, additional materials, as needed, to support city staff and WFC; and a framework for analysis of engagement and education.

Phase Four – Analyze the results of the engagement process, and create a report-style document (in a variety of formats), as well as other print and web-format documents outlining results, next steps, ways to get involved, etc. In addition, develop and implement a dissemination strategy. Deliverables in this phase include: a “Guiding Vision” for the Waterfront; report-style document (graphically-developed) regarding findings, process, context, outcomes, etc.; series of publications; dissemination of vision in variety of formats and venues; materials related to public dissemination.

Phase Five – Ongoing support to city and community as a spokesperson related to waterfront visioning.

CITY ADMINISTRATOR COMMENTS

On July 24, 2006, the City Council adopted Resolution #06-50 endorsing and directing staff to proceed with a City directed waterfront planning process. Since that time, there have been some stops, starts, and redirection, and the purposes, format, and desired outcomes have evolved, but the fundamental concept of the City initiating a planning process has generally remained a priority and direction of the City Council.

To assist the City in developing an approach for a waterfront planning process, the City hired Neuwirth & Associates to prepare recommendations. The approach selected by the City Council in November 2007 was a variation on the Neuwirth recommendation, and included preparing a waterfront vision plan. The estimated cost for a “grounded visioning program” ranged from \$300,000 in the Neuwirth Final Report to \$500,000 in the

Preliminary Report. (One of the cost reductions between the Preliminary Report and the Final Report conducting a design competition.)

The City Council asked the Waterfront Committee for a recommended consultant, scope of work, and budget to implement a grounded visioning program approach - the outcome of which is the report now before the City Council. Staff was not actively involved in the review of consultant candidates and the recommended selection, but concurs that Fern Tiger & Associates is a highly reputable firm that is quite capable of meeting the provisions of the contract and that the hours and costs appear to be reasonable for the tasks and scope of work.

The recommended budget is not unreasonably apart from the \$500,000 estimate for a grounded visioning program in the Neuwirth preliminary report, but it is a very serious commitment for the City to undertake. Because of the long-standing interest on the part of the City Council in having a City initiated waterfront planning process, the significance of the Golden Gate Fields property in the fiscal and environmental condition of the City, the divisive controversy that will continue to stir apart the community until the future of the waterfront is resolved, and the proven ability of the selected consultant in helping communities sort through controversy and reach relevant and effective outcomes, I believe it is important to proceed with waterfront planning using a process that engages and involves all aspects of the community as well as the property owner. However, I also recommend that care be taken in spending funds prudently in the implementation of the proposed contract.

FINANCIAL IMPACT

The budget presented in the attachment indicates a range of costs for professional expenses and for estimated direct costs. The professional services portion of the budget would be capped at the mid-point of the estimated budget and the direct expenses would be set at the high end of the range, for a total cost of \$592,713. Direct expenses include printing, a Citywide survey, technical consultants, and website development and management.

The City Council designated \$350,000 for waterfront planning, of which \$333,000 remains. The remaining funding needed for the contract can be allocated from excess of revenues over expenditures at 2007-08 fiscal year end, if any, and any additional funding needed would be budgeted in the 2008-10 General Fund Budget or allocated from General Fund reserves.

Attachment

A Vision for the Future of Albany's Waterfront, Budget Proposal: April 9, 2008 (Revised)
– submitted by Fern Tiger Associates