

Council members press for clearer diversity goals in Albright-Knox expansion

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Common Council members want greater assurances from the Albright-Knox Art Gallery on how it will meet goals for diversifying the workforce and subcontractors on a \$155 million project to expand its Elmwood Avenue campus.

The gallery has told the city it will "use commercially reasonable efforts" to get the project construction manager and subcontractors to reach minority and women hiring goals on the "AK360" project.

But members of the Common Council on Tuesday said they wanted greater clarification from the gallery on its efforts before it amends a 118-year-old city agreement that allowed the gallery to be built.

"The clause that says 'reasonable commercial effort,' that to me is too broad," Niagara District Council member David A. Rivera said. "I don't know what that means."

Rivera said he supports the Albright-Knox project, but wants more information about how minority and female workforce and contracting goals will be met, including whether the businesses and people hired will be from the City of Buffalo and Erie County.

The gallery's goals include reaching a 25 percent minority workforce and Minority Business Enterprise participation on the "AK360" project, as well reaching a 5 percent female workforce and Women Business Enterprise participation.

The gallery needs the city to amend an agreement dating back to 1900 with the Buffalo Fine Arts Academy, the board that oversees the gallery. The 1900 agreement allowed the construction of the Albright Art Gallery. It was amended in 1959 to allow for the construction of the gallery's new wing designed by Gordon Bunshaft, according to documents filed by the gallery with the city.

Members of the Common Council's Legislation Committee told gallery officials on Tuesday they will have to clarify language in the latest proposed amendment addressing its efforts to reach the minority workforce goals. The wording of the proposed amendment says the gallery "will use commercially reasonable efforts to cause its construction manager and subcontractor to" reach the goals. But committee members on Tuesday said they want clarification as to what the wording means.

James Magavern, an attorney for the "AK360" project, said the clarification will be provided by Tuesday's Common Council meeting.

The gallery's project, designed by Shohei Shigematsu of the architecture firm OMA, features a new building on the northwest side of the Albright-Knox campus along Iroquois Drive.

The amendment to the city agreement would only allow construction of buildings and landscape improvements as part of the "AK360" project. No other buildings could be constructed without coming back to the city to update the pact.

Among other changes, the amendment notes that a planned sculpture garden for above the "AK360" underground parking structure will be open to the public free of charge during daylight hours.

The Academy will also notify the city's Public Works Department of any substantial alterations made to the "AK360" approved landscape.

"That means if we want to cut down a tree for any reason, we will consult with the city first," said Albright-Knox Director Janne Sirén.

Common Council members may also allow the project to proceed as a planned unit development, a unique distinction allowable under Buffalo's new land use rules, known as the Green Code, for projects on parcels of more than two acres.

"It's such a unique project, and it's such a unique parcel of land that it's hard to classify it" under Green Code regulations, said Delaware District Council Member Joel P. Feroletto.

The Green Code states that “a planned unit development allows for a defined area to be developed as a unique and integrated development and is intended to create more flexible or precise development outcomes than would be possible through the strict applications of the standards of” the Green Code.

During a public hearing Tuesday on the planned unit development request, resident Daniel Sack said he wanted the public to be able to see more detail in the designs and site plans.

But Magavern noted that the "AK360" plan still will have to undergo site plan review by the city’s Planning Board, likely in September.

“Some of the details can be addressed at that point,” Magavern said.

The Council’s Legislation Committee on Tuesday voted to forward the planned unit development request to the Common Council without recommendation because an environmental review for the project was not yet ready.