



Meeting Notes  
April 2, 2007  
6:00pm-7:45 PM  
Dudley Public Library  
65 Warren Street

**RSMPOC Members Present:** Norman Stenbridge, Joe Cefalo, Daniel Richardson, John Barros, Charlotte Nelson, Beverly Adams, Michael Miles, Senator Dianne Wilkerson, City Councilor Chuck Turner; RNC: Julio Henriquez, Excused: Donovan Walker, Marilyn Lynch, Public: 20 plus

Dan Richardson (OC-Vice-Chair) opened the meeting and welcomed the OC and public. He indicated that Darnell would be late.

#### **Bartlett Yard Update**

Mark Boyle (MBTA) stated that the deadline for proposals was March 28<sup>th</sup> and that the MBTA received one proposal, Bartlett Yard LLC. The main proponents in this proposal are Nuestra CDC, Bank of America CDC, and Windale Development. They are equal partners in this deal and have submitted all the materials that were outlined in the RFP. As a result, this proposal will move on to the PRC phase to determine whether it is responsive to Sections 3 and 4 of the RFP. Following this, the BRA will make a final recommendation to the MBTA Board of Directors. The proposal is a mixed-income scenario.

Joe Cefalo (OC) made the point that this is a different process from city owned land, in that that the final designation comes from the MBTA Board. Have you examined the financial package such that it meets all requirements and the PRC should take it to the next step?

Mark (MBTA) responded that they have submitted their financial qualifications as well as proforma in order to meet the requirements outlined in the RFP. We would not have opened any unresponsive bids, and the final bid amount will not be opened until the PRC has completed its work.

Joe (OC) asked what would happen if the PRC deems them responsive to the RFP, but the final bid does not meet the threshold.

Mark (MBTA) replied that they have submitted an affidavit guaranteeing that they have met the minimum bid price.

Senator Wilkerson (OC) had several questions. She has spoken to the MBTA GM about the RFP process and questioned with only 1 submittal, should the RFP go back out. She also had an issue with the minimum filing fee.

Mark (MBTA) responded by stating that the MBTA typically asks for a 10% deposit, which in this case would have been \$40,000. In this case, they decided to lower that amount to \$25,000. The MBTA does not have a policy to put an RFP back out if they only receive one response. The MBTA did not hear that the deposit was a prohibitive factor and it is refundable. Many people commented that they felt the submission requirements were onerous.

Senator Wilkerson (OC) asked about Parcel 25 and the issue of highest responsible bidder.

Mark (MBTA) responded that the same process as Bartlett would govern Parcel 25 and that the developer with the highest bid that is responsive to the community's development guidelines. The intention of bid deposits is to weed out less serious proposals. Bartlett Yard is a major development and we wanted to ensure the quality of the teams. If you can't put together the deposit, you are probably incapable of going forward with the project.

Senator Wilkerson (OC) felt that with Parcel 25, the controlling factor was the community's interests. There is a difference between the biggest check and the community's interests. I expect in this case that the community's input to be the deciding factor.

Mark (MBTA) fully agreed with the Senators' point that there has been a tremendous community process to create a plan to transform that area. This will be reflected in the RFP. We had a great turnout with the BRA at the community meeting. This is a tricky and delicate balance because we are required to follow the statute.

### **Bartlett Yard PRC**

Hugues Monestime (BRA) stated that the OC Chair had submitted the names of the OC members he had nominated to serve on the Bartlett Yard PRC. We have given the names of abutting residents and interested individuals to the RNC and elected officials. On 4/14, we will get the elected officials and RNC together to finalize a nomination list to submit to the BRA. We have composed a letter to the elected officials asking them to provide a list of names for this nomination list by noon on 4/11.

Dan (OC) asked how many individuals would comprise the PRC.

Hugues (BRA) replied that the RSMP mandates between 9 and 15 individuals are required for the PRC. There will be 5 members from the OC and the rest would be community members, institutions, businesses, etc. in the surrounding area.

Senator Wilkerson (OC) did not want anything further to happen until the PRC was formed. Mark (MBTA) agreed.

Norman Stembridge (OC) asked about the timetable on this. Hugues (BRA) replied that he hoped it would be completed by the week following the 4/13 meeting.

Audience Member Bette Toney introduced herself as a member of Tommy's Rock and read a prepared statement on behalf of the neighborhood association, asking for changes to be made to the Bartlett Yard RFP. She read the following statement:

*"The residents of the Tommy's Rock Neighborhood Association wish to make the following recommendations for immediate action by the Committee.*

- 1. Amend the current RFP to meet specific goals pertaining to and consistent with "sustainable neighborhood principles and design".*
- 2. The current RFP must state specific objectives that will meet the "Environmental Justice" issues of walkability, a community centered workforce, a housing component that meets planning standards in regard to generational foresight, and businesses that enhance and raise the "quality of life" in Roxbury and ultimately the City of Boston.*
- 3. The current RFP states that a record or evidence of a commitment to Environmental Justice and Sustainable Neighborhood Design projects be mandatory in order for Development Teams to apply and/or submit.*
- 4. Pricing of land take into consideration the high cost of making site environmentally safe for sustainable agriculture, economy, and housing.*
- 5. The Neighborhood Development Proposal for an Urban Farm Center is adopted.*

*\*Addendum*

*6. The Committee holds both the BRA and MBTA accountable to the Memorandum of Agreement, found in appendix D of the Roxbury Strategic Master Plan."*

Dan (OC) replied that he was unsure if this was appropriate in the context of the agenda. He asked her to submit her letter to the OC.

Audience Member Bette Toney responded that these issues are important and need to be raised, especially as there is only one proposal for Bartlett Yard.

Dan (OC) stated that her letter would be submitted to the OC and would be noted. You can take these issues up with the PRC.

Audience Member Bette Toney stated that a number of environmental justice groups are in support of her proposal. Dan (OC) thanked her for her comments and stated that she was out of order.

Charlotte Nelson (OC) felt that these issues were part of the RFP package, but not part of this conversation. Right now we are addressing the Bartlett Yard PRC formation.

Michael Miles (OC) stated that the RFP has been distributed and bid on. There can be no amendments to the document unless the document is re-issued in the future. I believe you

were part of the process to craft the RFP. Amending the RFP right now would be inappropriate.

Audience Member Bette Toney stated that at the time, there were many issues and questions raised, but we were also dealing with P-3 at the time.

Michael (OC) responded that she was bringing up issues that were in the past. The RFP is out and you can bring these issues to the PRC for discussion.

Dan (OC) stated that the document was voted on.

Senator Wilkerson (OC) agreed that we should move on, but this document should not be sent to the PRC. Bette's recommendation spoke to amending the RFP and the PRC cannot do that. I just want that issue made clear and on the record.

Michael (BRA) stated that she could bring her voice to the PRC.

Audience Member Bette Toney responded by confirming that the OC would not deal with her request. She stated that she lived down the street.

Dan (OC) asked for a point of information.

Councilor Chuck Turner (OC) stated that once the RFP is approved, it goes to the issuing body and they focus on this document for their proposal. Developers have paid \$25,000 based on this document. The reality is that once the final draft is approved, it is out of our hands.

### **Parcel P-3 Update**

Hugues (BRA) stated that the Parcel P-3 PRC has been meeting to continue their review of the proposals, and has specifically addressed the financial aspect of these proposals. The meeting was canceled last week because one of the development teams was unable to make the presentation. The interview schedule is now finalized: Heritage Common on 4/5, Tremont Center on 4/12, and Ruggles Place on 4/19. Each team has been presented with a list of questions. They will address these questions and others during their interviews with the PRC. If all goes well, the PRC will be deliberating on 4/19 and 4/26. We are looking forward to these interviews.

Councilor Turner (OC) expressed concern whether the BRA had shared their financial analysis with the PRC. There has been much discussion around the viability of the proposals. Before the PRC votes, the BRA should indicate if each one is viable. Questions should be asked regarding equity, debt and cash flow. It is unfair to have this vote take place without this information.

Hugues (BRA) responded that the BRA has distributed the full proposals as well as summaries to the PRC. The BRA's CFO presented the financial information to the PRC on 3/22, discussing all those elements as well as strengths and weaknesses of each team. The PRC felt well informed following this meeting. The PRC compiled a list of questions

that was sent to all three responds. The respondents will send their answers to the PRC prior to these interviews.

Councilor Turner (OC) made two points. First, did the BRA say each is financially viable? If chosen, can they move on? Hugues (BRA) responded that each proposal has met the ground lease price. Also, the dollars/square foot construction prices seem viable. The PRC will make the final determination.

Councilor Turner (OC) asked would the BRA commit to designating any of the proposals if voted on by the PRC? Would there be a BRA discussion about viability?

Hugues (BRA) replied that there would be a further discussion down the road. The BRA would provide developers with 90 days to prove that their proposal was viable. The issue of viability was discussed.

Councilor Turner (OC) asked his second question that was whether or not the equity, debt and subsidy issue were discussed. Hugues (BRA) replied that they discussed it all.

Norman Stembridge (OC) stated that as a member of the PRC, the BRA has presented information from the developers and felt confident that they had received all the necessary information. They had enough info to work. The pro's and con's were discussed and the PRC is satisfied at this point.

Julio Henriquez (RNC) stated that since the public cannot ask questions at the PRC meetings, there are issues that need to be raised and discussed. Given these concerns, and in light of the recent Globe editorial, it suggests that there are two processes going on with a proposal for a soccer stadium. The legality of this is concerning. Is there a BRA response to this? The re-submittals had significant changes.

Dan (OC) asked for a BRA response.

Hugues (BRA) replied that the proposals that the BRA was dealing with were the ones presented to the PRC. What is written in the newspapers is beyond our control.

John Dalzell (BRA) addressed the re-submittals. All 3 proposals had an equal opportunity to make financial clarifications and all three made adjustments to make theirs the best possible proposal for Roxbury. Upon internal review, the changes that were made were done so to more adequately meet the RFP. For example, Tremont Center removed housing and Heritage Common changes retail space to commercial. The adjustments seemed appropriate to meet the minimum financial requirements and provide the best possible proposals to the PRC.

Julio (RNC) stated that the response did not answer his question. How can you say Tremont did not change its proposal substantially?

John (BRA) replied that it was still housing, which was not a substantial change.

Dan (OC) asked for confirmation that the BRA was satisfied that proposals had met with lease requirements. John (OC) replied that they were, and that all were sent the same letter to address these issues. The PRC has asked if we accept these re-submittals going forward, and we replied yes.

Senator Wilkerson (OC) expressed concern that this process be conducted with integrity. Three months ago, Councilor Turner and I received phone calls from one of the development teams to meet and discuss substantial changes to their proposal. The BRA had a different notion than the OC. The Ruggles Place proposal, which attended many OC meetings, did not change anything. The BRA has been clear about what the revisions meant to them. This is a mess. What I do think is where can we have this discussion? PRC members wear out and there are not as many abutters involved. The community wants to raise their voice. When the RSMP process began, there were 3-400 people at that meeting. The BRA made this decision, but the people working with the OC and PRC are getting flack when this was not their decision. It was the 9<sup>th</sup> floor of City Hall and this should not be ok with anyone. The financial numbers are difficult to examine and financial viability is still an issue. There were similar issues with Boston City Hospital. What happened to the debriefing process for the OC. The PRC is a huge time commitment, hence the dwindling numbers.

Dan (OC) felt the comments were appropriate. The PRC has almost been working for a year. The reality is that lots of things have gone on. Read the Globe editorial. To inform the audience, there have been PRC meetings, as well as discussions of a possible Soccer Stadium with the Krafts, creating a dual process. It appeared to some of us that they wanted the PRC to break down and throw it back to City Hall. The PRC stayed the course and should be saluted. There have been 4 times when the PRC's leaders' opinions were ignored. It seems that one of the respondents was very involved in the soccer stadium proposal and there is lot's of confusion on this. The BRA staff here was kept in the dark. We need to move on, but the OC and PRC should be saluted for dedication to their work.

Senator Wilkerson (OC) asked how to fix this, not rehash it. One of the respondents who requested the extension was also studying a soccer stadium. You need to take control of this process or get out. This is the legacy of P-3.

John Barros (OC) asked the Senator for her opinion. Senator Wilkerson (OC) suggested soliciting an independent opinion.

Charlotte (OC) stated that based on the issues that you have outlined, this is exactly why we have requested a consultant to deal with these issues.

Senator Wilkerson (OC) asked about the scope. This is not a full time job and we need help and advice.

Dan (OC) stated that he wished the chair were present to talk about the scope of work. The BRA has indicated that they will fund this. The names of possible consultants should be solicited. To say that we have not done anything is an overstatement. As we move forward with P-3, we know more than in the past.

Julio (RNC) did not want to disrespect the PRC or OC, but that we need consultants to help. This body should also meet without the BRA in the room.

Michael (OC) felt that there was a lot of ambivalence with P-3 regarding the submittals. The process should be restarted and begun again. I am not sure how to fix it and right the wrongs. This is flawed and tainted.

Audience Member James Spears felt that the bad marriage example was a good one. Is it bad or problematic? Can we identify and fix the issues? Has the RFP criteria changed? My guess is that it has not. A soccer stadium will not be built. Are there new criteria to judge the proposals not included in the RFP? If this answer is also no, you have the ability to stay the course. If the RFP is no longer the document to judge the process, then you have a bigger issue.

Councilor Turner (OC) stated that it seems that there is a level of satisfaction with the PRC. Raise the question to the PRC and if the proposals relate to the RFP. If they say yes, then we need to move on. When you read this article and think about Boston politics, we are in a difficult situation with the disposal of our land. The BRA is supposed to be apolitical, answering only to the Mayor and Governor. We all know that a soccer stadium was discussed. Our ability to control this is a question of will and energy. We have no legal rights at all but we do have the RSMP. Consultants would help and we need to begin to show the BRA and Mayor that we control the process. We can do this with the Trust. The lease fees might diminish a bit after final negotiation, but we need to fight for our money and make sure a substantial amount comes to us. In the 1960's, the BRA lease fees enabled them to become independent. If 75% of the P-3 lease fees were to come to us, once we had the structure for the money, we would have the money and power to go toe to toe on issues. It becomes a different legal and political situation.

Bob Terrell (RNC) had an issue around the re-submittal process. The RNC has asked the BRA for a legal opinion on the BRA's actions. We insist that Kevin Morrison (BRA) respond to us in writing. He then read a passage from the 10/12 letter. What was the current proposal this letter referred to? There are serious legal issues for the PRC here.

John (BRA) stated that the 10/12/06 letter went to all three proponents. The letter was written with the assistance of the PRC. There is no legal concern here. I agree with the Senator that this would be an opinion of our own actions.

Joe (OC) spoke to the level of trust. We have this conversation every meeting. The dialogue is not disseminated to the PRC as a body. All members need to hear our frustrations. We need to get the OC and PRC together.

John (OC) made three points. First, he went on record as saying that the BRA has dealt with the OC unfairly. Second, he spoke to Councilor Turner's point around not having the capacity to do our own work. Third, there are some issues that we as a community need to hold the City and Mayor accountable for. We have not dealt with each other regarding how decisions are made. We need to have a conversation about this.

Senator Wilkerson (OC) stated that she would not let this go. Joe is right, we have the same conversation every time, but we never finish it. If the OC takes a position hostile to the City, the community would support us. This is the biggest development process with community control in the city. I do not want people to fear being sued. If we get through this, will we feel comfortable? What do we say to the PRC? We need to figure this out because we still have parcels to go. We should schedule something.

John (OC) asked for dates. Dan (OC) stated that we could work on that. Can we schedule Lenny Durant for next month?

Charlotte (OC) recommended that the Executive Committee work on dates and a conversation on John's points. We will get a notice out to people.

Julio (RNC) asked people to work on an appropriate process.

Meeting Adjourned.