

**NEW BEDFORD, MASSACHUSETTS**

**MEETING: COMMITTEE ON CITY PROPERTY**  
**DATE: FEBRUARY 19, 2019**  
**TIME: 7:00 P.M.**  
**PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING**

**PRESENT: COUNCILLORS NAOMI CARNEY, CHAIRPERSON; JOSEPH LOPES, VICE CHAIRMAN; IAN ABREU; MARIA GIESTA; BRIAN GOMES; SCOTT LIMA; WILLIAM BRAD MARKEY; LINDA MORAD; DANA REBEIRO**

**ABSENT: COUNCILLORS DEBORA COELHO; HUGH DUNN**

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Councillor Carney called the City Property Committee Meeting to order and took attendance. The Clerk read a Communication from Councillor Dunn explaining his absence from this meeting. This Communication was received and placed on file by Councillor Lopes and seconded by Councillor Rebeiro.

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The Chair announced she is taking items 1, 1a and 2 all up together with no objections. They are as follows:

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell to City Council, submitting a request from PACE, Inc to enter into a long-term lease agreement with the City for 32 Madison Street, the former T.A. Greene School, now the home of PACE's Head Start child care program (Ref'd 2/8/18) (5/14/18-tabled 30 days; send communication to all departments asking if they have any use for municipal purposes for this property and that they respond within 2 weeks) (6/1/18-no response received by any Department Head indicating a need for the property) was removed from the table and received and placed on file by Councillor Rebeiro and seconded by Councillor Abreu. (1)

Notice, City Clerk of reference of a RELATED MOTION, Councillor Rebeiro, requesting that the Administration and the Committee on City Property take any and every action to keep the PACE Head Start Child Care Program at their current location, 32 Madison Street, the former T.A. Greene School, this program serves children throughout New Bedford and is a wonderful asset to have in the area (Ref'd 2/8/18) (5/14/18-tabled 30 days) was removed from the table and received and placed on file by Councillor Rebeiro and seconded by Councillor Abreu. (1a)

Notice, City Clerk of reference of a COMMUNICATION, Mikaela McDermott, City Solicitor, to Council President Linda M. Morad, submitting a draft Request for Proposals and lease-purchase agreement for the former Thomas A. Greene Elementary School (Rec'd 12/14/18) was received and placed on file by Councillor Rebeiro and seconded by Councillor Abreu. (2)

Councillor Rebeiro asked City Solicitor Mikaela McDermott what the assessed value of the building was and she was told \$1,416,500. The building maintenance is done by the building occupant which as of now is PACE. PACE has been paying \$50,000 a year to rent the property since approximately 1993. The current lease they have expires in 2022.

Councillor Markey asked what will happen if another entity is chosen as a result of the RFP process. Solicitor McDermott explained that where the current lease is good until 2022, PACE would stay in the building until then, but would be notified that they would need to move. The RFP language includes a twenty-five year lease at \$57,000 and at the end of the twenty-five years the building may be purchased from the city for \$1.00. There is also language that allows the renter to purchase the building earlier than the twenty-five years, but they would be required to pay the remaining rents along with an agreed purchase price.

Councillor Lima wanted to ask the representative of PACE that was in attendance a question, but Attorney David Gerwatowski advised that a question as it relates to PACE who currently occupies the building should not be asked; that this meeting is to determine if the RFP should be released and asking one entity that may submit a proposal may seem as favoritism. He stressed that it is not appropriate to have PACE come before the Council at this meeting.

Councillor Giesta asked Solicitor McDermott if the lease would be long term with an option to buy. She was told yes. She asked about a specific date and time and was told it would be a twenty-five year lease with an option to purchase the building for \$1.00 after the twenty-five years. She confirmed that renovations during that time would be done by the tenant to the approval and specifications of the city.

Councillor Morad asked for a time line of the RFP it is was to pass tonight. She was told it would be advertised, which means they would need to be received by 3/27/19. The RFP's would then be sent to the Council for consideration.

Councillor Lopes asked Attorney Gerwatowski to confirm that this was a standard Triple Net Lease, standard to the business world, least to buy. He was told it was.

Councillor Morad asked Attorney Gerwatowski if they could add language to the RFP that says the property must be used for the designated purpose for a certain number of years prior to flipping it for a different type of business. She was told that yes the Committee could add such language.

On motion by Councillor Lopes and seconded by Councillor Gomes, the Committee VOTED: To notify Purchasing to move forward with the RFP as presented. This motion passed on a voice vote.

Councillor Rebeiro spoke on the question she said the building as it is used now is a very valuable asset to those who need it. She would like to see the rent language in the RFP reduced from \$57,000 to \$50,000.

Councillor Lopes said he could not support this motion for it gives the appearance that they are trying to lower this rent request to accommodate PACE and that the RFP will be open to the public not just PACE.

Councillor Markey asked to confirm that the criteria in the RFP were for educational purposes and he was told yes.

On motion by Councillor Rebeiro and seconded by Councillor Giesta, the Committee VOTED: To amend the RFP language to reduce the rental price from \$57,000 to \$50,000. This motion FAILED on a Roll Call Vote of Yeas 3, Nays 6, with Councillors Abreu, Gomes, Lima, Lopes, Markey and Morad opposed.

On motion by Councillor Morad and seconded by Councillor Lopes, the Committee VOTED: To amend the RFP to include language that stipulates that the use of the building shall stay the same up to a minimum of ten (10) years on the date the lease is executed. This motion PASSED on a Roll Call Vote of Yeas 9, Nays 0.

On motion by Councillor Lopes and seconded by Councillor Rebeiro, the Committee VOTED: To inform the City Solicitor and the Purchasing Agent that they have permission to release the RFP to the public, once the amended language approved by the Committee is added. This motion passed on a voice vote.

Attorney Gerwatowski informed the Committee that the items will remain in Committee and when the RFP process is complete they will be forwarded to the Committee for consideration.

Councillor Giesta made a motion to adjourn, which was seconded by Councillor Rebeiro.

This meeting adjourned @ 7:30 p.m.

ATTEST:

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Denis Lawrence, Jr.,  
Clerk of Committees