



Parcel P-3 PRC Meeting Notes
February 28, 2007
6:00pm-8:30 PM
Central Boston Elder Services
2315 Washington Street

PRC Members Present: Donovan Walker, Reginald Jackson, Marilyn Lynch, Pat Flaherty, Rev. Samuel Hogan, Keith McDermott, Bruce Bickerstaff; OC Members Present: Dan Richardson; Public Officials: Senator Dianne Wilkerson

Marilyn Lynch (PRC Co-chair) welcomed the group and turned the meeting over to Reggie Jackson (PRC Co-chair). Reggie reviewed the letter sent on 2/2/07 from the PRC Co-chairs to the PRC members regarding a new set of guidelines for the group. He reiterated that they would like to start meetings at 6:00 PM. Bruce Bickerstaff (PRC) suggested reading the guidelines out loud.

Reggie (PRC) began to review the guidelines. Keith McDermott (PRC) asked about the no secret ballot rule and preferred something more formal than a show of hands.

Donovan Walker (PRC) did not like how the voting was last summer and preferred votes to be out in the open to see how others voted.

Bruce (PRC) stated that some people did not vote and that they should have given a reason why. It is tough to have that happen when others have worked hard to examine this stuff.

Keith (PRC) liked the idea of documented voting. Reggie (PRC) reminded everyone that BRA is taking notes.

Jon Greeley (BRA) interjected that the overall tally of votes is recorded, but a record of how an individual votes is not.

Senator Wilkerson (OC) stated that she felt it was two separate issues, and that in Robert's rules, abstaining was fine. Bruce (PRC) replied that we are charged with voting. Senator Wilkerson (OC) replied that your position could be abstaining and you do not have to explain your rationale.

John Dalzell (BRA) suggested that "votes tallies will be recorded in the minutes" to the guidelines.

Rev. Hogan (PRC) asked if only the PRC would know the votes then? Senator Wilkerson responded that it is a public meeting so people attending will be aware of the specifics of any vote. There seems to be a difference of opinion and she wanted to clarify.

She felt that substituting John's (BRA) suggestion that all final voting tallies will be recorded.

John (BRA) asked the group if they agreed, and they did. Reggie (PRC) resumed reading the guidelines.

On the topic of Thursday meetings, Rev. Hogan (PRC) indicated that he taught class on Thursday nights. Bruce (PRC) asked if he could nominate a proxy. Marilyn (PRC) pointed out that Jose Alicea was not able to assume his spot on the PRC after his leave of absence, and that it would be unfair to allow someone else to assume a similar role at this point.

Rev. Hogan (PRC) asked if any other day could work for the group. He is only 3 weeks into the semester and would have this commitment every Tuesday and Thursday through May. Last summer, there was no conflict because school was not in session.

Keith (PRC) stated that for the record, he is unable to meet on Monday and Wednesday. Reggie (PRC) stated that the group would have to revisit this issue.

Senator Wilkerson (OC) asked how many members were currently on the PRC.

Hugues Monestime (BRA) responded that there are 12 members. Marilyn (PRC) added that the process requires a minimum of 9 members with a maximum of 15 members.

Reggie (PRC) continued with the guidelines. Marilyn (PRC) explained that only the PRC Co-chairs should speak with the media in order to ensure that information is distributed properly.

A discussion ensued over whether neighborhood testimonials were appropriate. The intent is to encourage fruitful discussions.

Senator Wilkerson (OC) asked how this would be enforced. Aren't PRC members here to do just that and speak for their constituents?

Bruce (PRC) asked about what is germane discussion? Reggie (PRC) suggested that with the rule in place, the Sergeant-at-Arms would be able to monitor this.

Senator Wilkerson (OC) felt that for some people, it is important to be able to share those things. Keith (PRC) stated that he wanted to hear those types of things, especially because he does not live in this neighborhood.

Bruce (PRC) felt that it was important to respect the other PRC members considering the limited time window.

Pat (PRC) stated that listening to people speak about their neighborhood helped her frame her opinions and agreed with Keith's point. She did feel that someone keeping time was good. If there is a problem, you can ask people to get back to the agenda.

Senator Wilkerson (OC) felt that the Sergeant-at-Arms role might be difficult to explain to the public.

Bruce (PRC) stated that there needed to be decorum during this process.

Dan (OC) stated that it is important to discourage conversations that disrespect other peoples' time and work. This needs to be understood by all and can be the role of a Sergeant-at-Arms.

The PRC agrees to remove bullets 6 & 7 and inserted that PRC members are encouraged to be mindful the committee's tasks and respect of everybody's time.

Senator Wilkerson (OC) felt that there was a way to do that respectfully and we should try to get to that point.

Dan (OC) stated that a body like this is all about mutual respect. Marilyn (PRC) announced that Donovan (PRC) would act as the Sergeant-at-Arms for the group.

Reggie (PRC) than asked the group to review the letter sent by the BRA to the respondents outlining the re-submittal request. As a result of this letter, the proposals have changed.

Rev. Hogan (PRC) asked how the revised proposals compared to the originals. Hugues (BRA) replied that the BRA has provided several summary documents to assist the PRC.

Jeong-Jun Ju (BRA) began a PowerPoint presentation highlighting the changes in the revised proposals. Briefly, the Heritage Common now had more office space and has removed the hotel and housing from proposal. The Tremont Center revision no longer contains student housing and has added commercial space as well as a 400-space parking garage on the site. The Ruggles Place proposal remains relatively unchanged. All three groups have indicated they will be able to meet the ground lease requirements.

Donovan (PRC) asked about Heritage's proposed parking garage adjacent to the police station. Jeong-Jun (BRA) replied that is displayed on the map, but it is not included on Parcel P-3 or the financing.

Marilyn (PRC) asked if Heritage Common has eliminated the Jazz Center. Jeong-Jun (BRA) replied that while he was unsure, the revised proposal would seem to indicate that they had.

Pat (PRC) asked about the letter of support that Whittier Street Health Center had provided Heritage Common, but the Ruggles Place proposal is the only one to indicate a financial contribution from them.

Jeong-Jun (BRA) replied that the Bra has compiled the spreadsheet to assist you based on the information provided; as a result it contains limited information.

Bruce (PRC) asked if the changes were more in the program than the design. Jeong-Jun (BRA) replied yes.

Senator Wilkerson (OC) felt that at the last OC meeting, the group determined that the PRC would be dealing with the issues of how different the proposals would be upon re-submittal. She also indicated that she had economic development experience in the past. The RFP process is closely watched because it is highly charged. The same attention needs to be placed with the responses. The re-submittals were supposed to focus on financial issues and these proposals are now drastically changed from their original form. She indicated that this concerned her. There is the possibility that whoever is chosen, the other two groups will sue. This is a touchy subject. What are we doing here?

Keith (PRC) referred to the letter sent on 10/13/06 stating that the proponents were given a chance to revise their proposals. It seems that they have.

Senator Wilkerson (OC) felt that the central question was whether these proposals are acceptable to the RFP and the goals of the master plan.

Rev. Hogan (PRC) stated that the financial changes could have resulted in the proposals needing to be downsized.

Dan (OC) referred to the letter sent by the BRA and PRC looking for more information. Even with this in mind, they are very different proposals.

Keith (PRC) felt that revisions could be something different.

Senator Wilkerson (OC) felt that the first proposals did not meet the goals of the RFP. The PRC is the final arbiter of this process, which seems to be an invitation to litigation.

Keith (PRC) felt that this letter invited these types of re-submittals. You need to examine this and come to a determination.

Donovan (PRC) wondered why initially, no one could meet the lease requirements, but on re-submittal they indicated that they could. The Heritage Common and Tremont Center proposals seem to be entirely new proposals. All Ruggles seemed to do was add members to their team, but you still need to do something with the parcel. One of the groups seems to have responded correctly.

Dan (OC) felt that if we assume the letter does not invite new proposals, then 2 groups should be thrown out or Ruggles should be encouraged to change their proposal as well. Should we go back to the OC and tell them that two groups responded incorrectly? The PRC is still obligated to weigh in on this, but it is outrageous because two seem to be new proposals. One proposal seems to be about a venture capital firm, where 85% of the money will come from elsewhere. Another seems to be a way to launder money for Northeastern.

Donovan (PRC) stated that this parcel set the stage for the other parcels, so it needs to be done right.

Bruce (PRC) felt that in order for the PRC to make an evaluation, he would like a more in depth explanation of how the lease payments came about.

Hugues (BRA) replied that we are beyond that, the RFP indicated \$3/square foot.

Bruce (PRC) felt that they should still be evaluated in terms of economic benefit to the community.

John (BRA) felt that the issue is whether or not the letter called for a revision or a complete change. The BRA is in a legal position and our corporate counsel could review the letter and response, and then issue a response to the PRC. If these proposals stand up legally, then the PRC should evaluate these proposals.

Senator Wilkerson (OC) felt this was a process question that had to be resolved in order to go forward. The vote remains with the PRC and they assume the risk to go forward. She also inquired about the extension request from the developers and on what basis it was granted.

Donovan (PRC) asked about project phasing, and gave Crosstown as an example. Pat (PRC) replied that the Heritage Common proposal was originally to be built in stages.

Reggie (PRC) reiterated the question about the basis for the extension requests. Hugues (BRA) replied that the decision was the BRA Director's.

Senator Wilkerson (OC) asked of the developer's asked for any additional information. John (BRA) replied that any response to questions from a group would be distributed to all development teams. There were no questions in this case from development entities.

Senator Wilkerson (OC) asked if the extension request was in writing.

Keith (PRC) stated that in the beginning, the BRA knew the proposals did not meet the lease requirements. He would like to avoid spending time on these proposals if they are to be thrown out.

Reggie (PRC) the letter was not written to encourage the proposals to change substantially.

Senator Wilkerson (PRC) understood John's (BRA) point about a legal opinion, but she still viewed the changes as very substantial.

Keith (PRC) stated that two of the respondents felt it was ok to change their proposals. He felt the letter invited this.

Dan (OC) suggested asking the BRA for a legal opinion. He also felt that the BRA has been inconsistent about the lease price issue. The BRA needs to respond to these issues.

Hugues (BRA) stated that the lease price is not a factor here. The PRC should examine the RFP and evaluate these proposals on those goals.

Reggie (PRC) proposed communicating to the OC on this issue.

Marilyn (PRC) felt that the focus of the letter should have been the lease price and concerns of abutters. Hugues (BRA) agreed the abutter issues needed to be addressed.

Donovan (PRC) felt it was troubling that none of the developers would finish their work in less than 6 years. John (BRA) responded that this was not unusual in development of this size, and this is a goods thing.

Donovan (PRC) felt then with phasing, it is going to be 2020 before we are all done and the community needs the lease fees.

Reggie (PRC) stated that the PRC needed to decide something. He felt uncomfortable with the situation and would like to get the OC's opinion.

John (BRA) felt that the PRC was looking for a legal opinion and we can push to have one for Monday's OC discussion.

Pat (PRC) felt that there were two issues. If the BRA determines there is a legal issue, then our work is done. If not, we need to determine the comfort level of the PRC and OC with this. Without more information, I do not want to meet with the developers on 3/8/07.

Hugues (BRA) agreed that the next meeting should be about clarification, not the developers.

Dan (OC) stated that as a member of the OC, he is concerned that anything comes back to the OC. This process could come to a grinding halt as we have spent more than a year on this. The PRC should address the OC on Monday.

Senator Wilkerson (OC) questioned the credibility of the BRA's legal opinion on their own actions. This process has been delayed three times during the course of the past year, all over community objections and without consultation. The BRA has created this confusion. Has the process been followed and are the responses a material change? At some point the PRC needs to act on this. The BRA should also respond and ultimately has the final call on the parcel. This is getting messier and messier. The PRC's role should not be to explain the BRA's actions. I do not need a legal opinion to tell me these are different proposals. Additionally, earlier review focused on the financing, not the substance of the proposals. Now, 2/3 of them are so different.

Pat (PRC) still felt a legal opinion would be helpful.

Senator Wilkerson (OC) felt that the BRA would not rule that they have acted incorrectly.

Dan (OC) stated that the legality of this only helps the BRA, not the PRC or OC. The OC is getting beaten up over P-3.

Donovan (PRC) suggested reviewing all the proposals. If they are throwing out these submissions, how long before the RFP would be re-issued.

Marilyn (PRC) asked what they should tell the public.

Bruce (PRC) made a motion to tell the OC and that no decision should be made until there was clarity on the issue of revision. He then rescinded his motion.

Keith (PRC) asked about the OC decision.

Donovan (PRC) made a motion to review the materials and make a decision next week. Bruce (PRC) seconded the motion.

Pat (PRC) asked of Keith's question could be answered.

Senator Wilkerson (OC) stated that the OC was upset with the idea of revision and that there was a lot of misinformation out there. This process has been compromised and should be abandoned. She did not expect the changes to be so drastic. Let's do this right. People are afraid that this will occur again. This is unprecedented and referred to the Boston City Hospital project.

Bruce (PRC) asked about the precedent.

Marilyn (PRC) reminded the group that the PRC and OC objected to the extensions.

Dan (OC) stated that this process should be cooperation between the BRA and community. This has been a violation of trust. We have come here out of good faith and concern for our community. The BRA needs to clarify and the OC and PRC need to be clear in their statements.

Bruce (PRC) asked if a letter should be written asking for clarity.

Donovan (OC) felt that a decision should be made next Thursday (3/8). He made a motion the PRC review revised proposals and come prepared to make a decision on 3/8/07. Bruce seconded the motion. It passed 5-1-1.

Senator Wilkerson (OC) felt that the PRC should report to the OC at Monday's OC meeting.