



Meeting Notes
January 22, 2007
6:00pm-7: 45 PM
Dudley Public Library
65 Warren Street

RSMPOC Members Present: Darnell Williams, Norman Stembridge, Jose Alicea, Joe Cefalo, Daniel Richardson, Marilyn Lynch, Jorge Martinez, Charlotte Nelson, Donovan Walker, Reginald Jackson, Councilor Chuck Turner; Excused: John Barros; RNC: Bob Terrell; Public-15 plus

Welcome: Darnell Williams (OC Chair) welcomed everyone and began the meeting. He announced that he would be leaving the meeting early and as a result, Dan Richardson (OC Vice-Chair) would run the meeting.

Bartlett Yard Update: Mark Boyle (MBTA) began a presentation to update the OC and the public regarding progress on Bartlett Yard. A letter had been presented to the OC from the MBTA. The RFP was put out in early December and posted in a number of papers. Thus far, 50 interested parties have downloaded the RFP from the website. He asked the OC members, as well as the community, to continue to promote the RFP. In February, there will be a pre-bid conference where potential developers will get a chance to ask questions and receive information. Development proposals are due on March 28, 2007. Mark (MBTA) also explained what each of the four envelopes required in the Bartlett RFP contained. The 1st envelope would be used to make sure bidders had the properly signed documents and the deposit. The 2nd envelope would be used to officially qualify each potential bidder. The 3rd envelope will contain information regarding the bid program that will go to the Project Review Committee (PRC) for consideration. The fourth envelope will contain the final proposed bid price by the bidders. The MBTA envisions the PRC using April through June for its work, with a flexible schedule if more time is needed.

John Dalzell (BRA) stated that the PRC formation would be discussed following the MBTA presentation. He referred to two distributed flow charts of the Bartlett Yard disposition process. He then walked through the process as well as the PRC steps.

Joe Cefalo (OC) stated that one of the lessons learned from P-3 is that it was a very political process. As a result, this process should be started soon. Also, once the group is formulated, it will be important to educate the group about the importance of their work with a breakdown of how the RFP was crafted, its overall objectives. A BRA presentation would be a good idea.

Bob Terrell (RNC) stated that both Tommy's Rock and the Highland Park PRC would have nominees for the committee.

Dan (OC) added that elected officials would as well.

Hugues Monestime (BRA) discussed PRC formation process. It will be made up of residents and direct abutters. Recommendations will be made to the BRA who will then make the decisions. Darnell (OC) confirmed that there would be 5 members on the PRC from the OC.

Hugues (BRA) stated that on 2/8/07 there would be an informational meeting regarding the formation of the Bartlett Yard PRC.

Dan (OC) asked about the IAG (Impact Advisory Group) on the Bartlett Yard flow chart. John (BRA) responded that the IAG was part of the Article 80 process. It could be more than a year before the developer formally files paperwork on the project and the BRA wanted to acknowledge that PRC members also serving on the IAG could be as long as a four year commitment.

Dan (OC) asked for a further explanation. John (BRA) replied that Article 80 is the large project review process under the Boston Zoning Code. The IAG makes recommendations to the City regarding community benefits as well as commenting on the project. There are different mechanics for this type of group than a PRC. The BRA views the Bartlett Yard PRC as the likely source of IAG members for this project.

Joe (OC) agreed that the PRC should be the likely candidates for the IAG. His concern would be if the PRC selects and designates a developer for Bartlett Yard, their familiarity with the process would be helpful. This would be good for the community.

John (BRA) agreed and that it was just a matter of recognizing that over such a long period of time, people's roles and circumstances could change.

Audience Member Shirley Kressel asked the OC to listen to what John Dalzell was saying. The IAG is responsible for mitigating community benefits and often, the IAG undermines the work of the PRC. She advised not creating an IAG to trade dollars for benefits.

Hugues (BRA) stated that Shirley's point is well taken. The RSMP calls for overlap between the OC and PRC, trying to prevent this issue.

Dan (OC) stated that if the PRC can serve as the IAG, then good. The OC can recommend this. Darnell (OC) stated that this is in the RSMP.

John (BRA) referred to page 106 of the RSMP. We will correct the language in the flow chart.

Audience Member Julio Henriquez asked if the RSMP was being circumvented. John (BRA) replied that this process is clearly outlined in the RSMP. In regards to Article 80, he was unwilling to play with Boston Zoning law.

Bob (RNC) reminded the group that Article 50 will apply to both Bartlett Yard and P-3. Some abutters disagree with elements of the RFP and will have chance to bring their concerns to the RNC.

John (BRA) stated that the current zoning of the site has been inconsistent with community visioning of the site during the RFP process. Councilor Turner (OC) asked John (BRA) to elaborate.

John (BRA) stated that the current zoning for the site is 3F-4000 as well as a Housing Priority Area where 75% of housing units should be affordable. This vision was not reflected in the zoning. For example, larger sites with different buildings could be built under the RFP. He expected that any proponent would have to seek zoning relief through the Zoning Board of Appeal and Article 50.

Bob (RNC) stated that some residents disagree with the FAR in the RFP. This will be an issue down the road.

Parcel P-3 Update

Marilyn Lynch (OC and PRC Co-chair) discussed the P-3 extensions on 11/15 (30 days) and 12/29 (45 days) granted by the BRA Director. On both occasions, the PRC and OC members consulted objected to the extensions. As a result of the extension, the new due date is 2/16/07. At that point, the process will begin again.

Charlotte Nelson (OC) asked for a revised timeline. Hugues (BRA) responded that once the BRA receives the re-submittals the BRA and PRC Co-chairs would determine this. He hoped this would be a short period of time.

Joe (OC) stated that he was under the impression that re-submissions were intended to meet the minimum financial requirements of the RFP. Will the BRA be screening the proposals to ensure that they have? Hugues (BRA) responded that the BRA would examine the revised proposals to ensure that they have met the minimum asking price to ensure that they are feasible. Once they have done this, then the proposals will go to the PRC.

Bob (RNC) stated that the perception of the ground lease being negotiable contributed to this problem. The RNC has asked the BRA Director for information regarding other Roxbury parcels to confirm if the ground lease value is correct. They have also asked for a copy of the written appraisal on the parcel.

Jose Alicia (OC) asked to be added to the PRC mailing list.

Joe (OC) stated that the information Bob has requested is good. But, if the ground lease price is changed, the whole process becomes flawed and the RFP process would have to be restarted. You cannot shift mid-stream. If no one makes the threshold, then there is something wrong.

Charlotte (OC) asked if the BRA made it clear to the proponents of their bids' shortcomings? Hugues (BRA) responded that each group was asked to meet the

minimum requirements of Sections 3 and 5 of the RFP. Charlotte (OC) asked if this is why there would be a delay. Dan (OC) replied that the second delay was done without OC or PRC approval.

Donovan Walker (OC) stated that when the lease price was discussed, he did not realize it would be on the build out, not just the land. Also, the PRC was not provided the financial information until the end of the process. As a result, the validity of our process should be questioned. The PRC was not given adequate information to make a decision. Also, the PRC had no awareness of the extensions until they had already happened. Going forward, the entire project should be presented to the PRC.

Audience Member Dennis Tourse stated that he worked for one of the P-3 development teams and that he objected to Joe Cefalo's (OC) point about re-opening the process. He stated that the BRA had indicated that the lease price was negotiable. The fact that the three proposals submitted did not meet the RFP price shows this. The rent also escalates as time goes on. There is no foundation to the claim that the process should be redone.

Donovan (OC) mentioned that Bob Terrel asked for the prices of comparative property. Two of the examples were lower.

Bob (RNC) responded that he asked for fair market value of the property at the time it was taken. Dan (OC) asked what the response had been since the request was made to the Director of the BRA.

Bob (RNC) replied that he was awaiting a response.

Audience Member Tom Welch stated that the OC was told that the price was negotiable at a pre-bid conference.

Audience Member Dennis Tourse asked for assurances that 2/17/07 would be the final due date.

Kairos Shen (BRA) stated that previously, the BRA Director's Office exercised the authority to extend the last deadline 45 days. Both Hugues and Kairos were out of town during this decision. He indicated that the Acting Director has stated his intention to keep this schedule.

Audience Member Julio Henriquez asked how the integrity of the process was being protected. Kairos (BRA) responded that the staff at the BRA has tried hard to act with integrity and he felt that the PRC had done the same. One team asked for the extension and he did not think this challenged the integrity of the process. He would like to see as many options presented to the community as possible. This is the goal of the entire process.

Audience Member Julio Henriquez reiterated his frustration. When a developer asks for an extension, something is wrong.

Dan (OC) thanked Julio and commented that his point had been made. The BRA needs to know that good public process has been violated and that the OC has been ignored. Why has the public trust been violated and how long will it continue?

Joe (OC) felt that the whole process has been troubling. The final decision-making has been downtown at City Hall. It is a reality, but why bother to involve this group if our views are going to be ignored. Joe raised this issue two years ago. The process does not seem to have been transparent.

Audience Member Shirley Kressel asked who would receive the proceeds from the ground lease.

Councilor Turner (OC) spoke about the group that he had been working with regarding informing the mayor how much of the ground lease proceeds should come directly to Roxbury. They have discussed structures for the money and where it would go and they are ready to make a report. He suggested that the February meeting might be a good time to do this. No figure less than 50% has been proposed.

Audience Member Shirley Kressel suggested 100%. Councilor Turner responded that this has been discussed.

Audience Member Dennis Tourse stated that while public bodies have broad discretion, if there is a process and master plan, then the process has to be followed. It is not correct for the BRA to change the process once it is set forth.

Councilor Turner asked him to clarify. Dennis Tours responded that no one can or should change the process established by the RSMP.

Councilor Turner stated that the reality is the BRA is a political body that acts at the discretion of the mayor. The IAGs become political groups appointed by the mayor. It would be better if the BRA strictly followed the law. The OC legitimately attempts to represent the community, but the reality is the Mayor has a lot of say.

Bob (RNC) pushed for transparency around P-3 and referred to a memo from the RNC to the OC regarding the Transportation plan and how it will be used. Building on this land will affect the whole region. We have put the cart before the horse. Also, how do we go back and deal with new issues that have arisen since the RFP was issued.

Dan (OC) thanked him and stated that the OC will review the memo and discuss it at a later meeting.

Audience Member Dolly Battle stated that the community never had a chance to influence the P-3 RFP. She stated that it was the worst RFP she had ever seen.

Jose (OC) stated that in terms of process, P-3 should be used as a learning tool. We should not be going back, but looking forward. The money and power involved is not in the room and this should be acknowledged.

Donovan (OC) stated that during the creation of the P-3 RFP a lot of effort went into creating the document. He stated that he was tired of hearing that the OC does not care about the community. Maximum effort has been put into this. You are free to criticize but the OC has worked to make sure Roxbury was put first. If you feel left out, please attend meetings and stop criticizing the OC's effort or determination. We care about Roxbury.

Audience Member Julio Henriquez stated that the discussion was moving away from a discussion of process. How is law a framework? It applies to all levels and evens the playing field. How has this gone awry? Developers have invested money to get work done and someone needs to take responsibility for this. The BRA is out of control and uses the OC as a front.

Dan (OC) responded that everyone at this meeting has been talking about process all night. Everyone knows that there are issues with a violation of public trust.

Audience Member Julio Henriquez stated that the OC needed to discuss remedies.

Donovan (OC) suggested that the OC and RNC work together. He suggested that RNC take up the issue and sees the results. The OC has not attacked the RNC at all. The RNC needs to bark at the BRA, not the OC. The OC has nothing to do with this.

Charlotte (OC) called for a point of order and recommended that the discussion focus on the agenda items. The re-submission date is 2/16. It is the OC's duty to monitor this process and if anything should change, please notify the community.

Bob (RNC) stated that the memo he has circulated contained requests made to the BRA and he is trying to inform the OC of this. He agreed with the issues raised by Joe (OC) and that new issues needed to be integrated into the process.

Dan (OC) understood. In regards to the OC and the RNC, unfortunate things have been said causing poor communication between the two groups.

Councilor Turner called for a Point of Order and referred to the RNC memo's call for a reorganization of the P-3 PRC. Since the law defines what an abutter is, what is your definition? Donovan (OC) asked if this should be discussed next meeting.

Jose (OC) called for a vote to discuss it next meeting. The measure failed (2 yes, 3 no, 3 abstaining). Joe (OC) called for a vote to discuss this memo at the March meeting. It passed with 7 yes votes.

Audience Member Dennis Tourse offered that once a developer is designated, there would be ample time to deal with the issues raised by the RNC. Dan (OC) agreed that this was a good point.

Charlotte (OC) requested that the Urban Ring Advisory group make a presentation to the OC.