

**APPENDIX A**

**To be attached to Committee on Ordinances, Licenses and  
Legal Affairs Committee Report dated 1/20/11**

**Committee Members Present: Lovely, Sosnowski, Sargent, O'Keefe**

**Absent: C. Pelletier (unexcused)**

**Committee of the Whole Members Present: Pinto, McCarthy, Ronan, Prevey**

**The committee discussed the following posted agenda items:**

Lease 120 Washington Street

Claims

Discussion Agenda Items for future meetings

INVITED: City Solicitor, Mayor or designee, Purchasing Agent, Building Inspector

**Council Order #660 Lease 120 Washington Street**

City Solicitor Beth Rennard

Paralegal Joanne Roomey

Purchasing Agent Tom Watkins

Mayor Aid Jason Silva

- |            |  |
|------------|--|
| Beth       | Current lease expired<br>RFP issued and two proposals from RCG and Flomac PC<br>Proposals ranked and RCG chosen<br>Lease agreement reduces annual payment from former lease<br>Five year term with five one year options<br>Now pay over \$382,000/year including taxes<br>Proposal \$340,000/year no additional tax payment<br>Advantageous to maintain current location<br>Decreased rent and no moving costs<br>Negotiated improvements to the building carpets, HVAC, painting |
| C. O'Keefe | Has RCG complied with Section 10 Parking of the expired lease<br>Re: inside parking in basement – No<br>Tom St. Pierre not here probably would know why  |
| C. Prevey  | How much space do we occupy at 120 Washington?<br>How much at 10 Federal St?<br>New lease section 45(a) what is that for?  |

- B. Rennard Additional space for Retirement Board in case they want to move over  
Square footage for this additional space is 600-800 sq ft
- T. Watkins RCG proposal for 20,000 sq ft at 120 Washington  
Flomac proposal for both 20,000 and 25,000 sq ft
- C. Sosnowski Square footage 120 Washington  
Paying for 20,000 but actually getting 17,000?
- B. Rennard Believes that issue is resolved  
Proposal did not include sq footage for halls and bathrooms  
City responsible for heat and utilities  
Will not be responsible for RE taxes going forward
- C. Sosnowski Concerned about access and egress in event of fire  
Especially fourth floor  
Where are second means of egress  
Believes Flomac's proposal includes utilities
- B. Rennard Beth to check on second means of egress at 120 Washington  
120 Washington St \$255/water sewer plus \$150 gas and \$? Electric
- C. Pinto What if only one proposal came in?
- T. Watkins Can take that proposal
- C. Pinto Went to see 10 Federal St with C. Prevey  
All on one floor, very nice  
Did anyone on the review committee go over to 10 Federal St to see it?
- T. Watkins No
- C. Ronan Concerned about length of the lease
- J. Silva Courthouse project to be complete later this year  
Probate Court moving to District Court for 2 years while probate court building  
renovated  
City strongly interested in the space after that  
DCAM recommended 5 years before DC building available
- C. Ronan Thinks the timeframe is off by 2.5 years  
Thinks 5 year lease too long  
Better for 3 year lease and 1 year extensions

Is RCG interested in shorter lease?

Said city should pay current rent and be able to get out early rather than vacate early and be on the hook for renting empty space if we moved out early

C. Lovely

Is DCAM ready to go with probate court renovations at end of year

J. Silva

DCAM says yes

C. McCarthy

Questioned 5 year v. 3 year lease based on state's time frame  
If shorter lease then can/will proposers re-negotiate extra provisions i.e. rugs, etc. i.e. negotiate them out

B. Rennard

Yes that is possible that they will want to re-negotiate

C. Soswnoski

Utilities included?  
Asked about indemnification

B. Rennard

Utilities are not included  
RE taxes are included  
Tenant indemnifies landlord for accidents, injuries, etc.

J. Silva

10 Federal St. tenant responsible for utilities, telephone, etc.  
Utilities are not included in the proposed rent for 10 Federal St.

C. Sargent

Utilities should be separately metered  
Beth will ask Tom St. Pierre about this

B. Rennard

Will check with both proposals about potential shorter lease terms

C. Prevey

Was additional parking a factor committee considered?

B. Rennard

Committee considered parking and proximity to city hall which includes parking garages

C. Prevey

Were moving costs considered?

B. Rennard

No because RCG proposal ranked first

C. Prevey

Renting unit 202A at 120 Washington more \$ or included in annual rent?

B. Rennard

More \$  
Utilities extra in both spaces  
Tenant maintenance \$350/month extra (same as old lease)

- C. McCarthy      Four years for lease a more realistic number?  
Is there a buyout if we want to leave lease early?  
Negotiate buyout clause?
- C. O'Keefe      Expressed concern about size of meeting rooms – too small  
Concerned about 4 restaurants with open flames on first floor in civil war age building
- C. Sosnowski      Have we considered buying a building close by?
- J. Silva      This is a short term situation to take ownership of District Court building
- C. Ronan      Current building is a dump  
Inadequate parking and meeting room space  
DA Office a palace by comparison  
Ample parking  
Would like to re-issue RFP for 3 year proposal  
Federal Street is a better location  
We haven't had opportunity to negotiate with 10 Federal Street for moving costs
- C. Sosnowski      Several options  
Ownership  
Build to suit  
Build over Almy's lot  
Main concern with 120 Washington is fire hazard and ADA compliance
- J. Silva      This lease addressing short and long term  
Need to make decision by end of February when lease expires
- C. Sosnowski      District Court going to be expensive building to convert
- C. McCarthy      Wants letter from DCAM stating how long before DC building available  
What would a buy-out clause look like if we left early?
- C. O'Keefe      What if no action taken on this lease?
- B. Rennard      Did notify RCG 6 months ago that looking at other options  
City will have to sign 1 year extension at current rate if don't enter into new lease

**MOTION C. O'Keefe matter in remain in committee; Beth to get answers to above questions**  
**SECOND C. Sosnowski**  
**All in favor – None opposed – Approved**

## CLAIMS

- Order #28 C. O'Keefe moved to deny  
Second C. Sosnowski  
All in favor none opposed approved
- Order #534 C. O'Keefe moved to deny  
Second C. Sosnowski  
All in favor none opposed approved
- Order #646 C. O'Keefe moved to deny  
Second C. Sargent  
All in favor none opposed approved
- Order #177 C. O'Keefe moved to deny  
Second C. Sosnowski  
All in favor none opposed approved
- Order #284 C. Sosnowski moved to discharge  
Second C. Sargent  
All in favor none opposed approved
- Order #334 C. O'Keefe moved to deny  
Second C. Sosnowski  
All in favor none opposed approved
- Order # 335 C. O'Keefe moved to deny  
Second C. Sargent  
All in favor none opposed approved
- Order #523 C. O'Keefe moved to deny  
Second C. Sosnowski  
All in favor none opposed approved
- Order #524 C. Sosnowski moved to approve  
Second C. Sargent  
All in favor none opposed approved
- Order #525 C. O'Keefe moved to deny  
Second C. Sargent  
All in favor none opposed approved

Order #527 C. Sosnowski moved to approve  
Second C. Sargent  
All in favor none opposed approved

Order #530 C. Sargent moved to discharge  
Second C. Sosnowski  
All in favor none opposed approved

Order #532 C. Sosnowski moved to deny  
Second C. Sargent  
All in favor none opposed approved

Order #533 C. Sosnowski moved to deny  
Second C. Sargent  
All in favor none opposed approved

Order #555 C. Sargent moved to deny  
Second C. Sosnowski  
All in favor none opposed approved

Order #582 C. Sosnowski moved to deny  
Second C. Sargent  
All in favor none opposed voted

Order #611 Matter to remain in committee

Order #610 Matter to remain in committee

Order #612 Matter to remain in committee

Order #646 Matter to remain in committee

Order #647 Matter to remain in committee

## Discussion Agenda Items for future meetings

### Schedule:

Order #468 Adopt criteria for Home Rule Petitions for additional liquor licenses;  
Order #14 Home Rule Petition to make current seasonal licenses annual licenses;  
Wednesday, January 25, 2011 at 6:00PM

Invite: Mayor or designee, Solicitor, Chamber, Licensing Board

### Schedule:

Order #368 Meet to discuss Ordinance for unregistered vehicles co-posted with Committee of the Whole;

Order #590 Meet to discuss Ordinance Chapter 2, Sec.2-278 Elected Officials waiting 1 yr after resignation or termination for paying position co-posted with the Committee of the Whole;

Order #500 Meet to discuss public guide licenses;

Order #682 Public guide licenses;

Thursday, February 3, 2011 at 6:00PM

Invite: Mayor or designee, City Clerk or designee, Fire Chief or designee, Police Chief or designee

### Schedule:

Order # 660 Five year lease agreement with 5 one year extensions for municipal office space at 120 Washington St co-posted with the Committee of the Whole;

Order #317/493 Amend Ordinance for permitting of outdoor cafes in the Urban Renewal District rescinding the authority given to the SRA co-posted with the Committee of the Whole;

Thursday, February 17, 2011 at 6:00PM

Invite: Mayor or designee, Solicitor, Purchasing Agent, Building Inspector, SRA

### Schedule:

Orders # 158-07, 92-09, 226-09, 608-09 Tinkers Island;

Thursday, March 3, 2011 at 6:00PM

Invite: Solicitor, Tinker's Island Association, Annie Harris, Harry Gundersen, Peter Vallis, Manny Silva

PLEASE NOTE COMMITTEE MEETINGS WILL START AT 6:00PM

**MOTION C. O'Keefe to discharge Order #609 Request for hearing on denial of taxi operator license for Franz Larrieux because he has not shown up to last two meetings as requested.**

**SECOND C. Sosnowski**

**All in favor – None opposed – Approved**

**Motion C. O'Keefe to adjourn.**

**All in favor None opposed Approved**

**Meeting was adjourned at 8:45PM**