

Proposed First Street Garage Disposition Process: Projected Timetable

Process for the RFP Under G. L. Chapter 30B

- An RFP was advertised on October 18, 2018 pursuant to the provisions of Chapter 30B.
- Any questions from potential bidders are due by November 8, 2018.
- Bids will be opened on November 19, 2018.
- Under the terms of the RFP, an offeror's proposal will remain in effect:
 - for 120 calendar days from the deadline for submission of proposals (i.e. 120 days from November 19, 2018), or
 - until a proposal is formally withdrawn, or
 - a contract (lease or memorandum of agreement) is executed, or
 - the RFP is cancelled,
 - whichever occurs first.
- After the bid is awarded to the successful offeror, a conditional lease or memorandum will be executed between the City and the successful offeror, which will also be subject to the City's compliance with the provisions of the City's disposition ordinance, Chapter 2.110 of the Municipal Code.

Process Under the City's Disposition Ordinance, Chapter 2.110 of the Cambridge Municipal Code

- Under Chapter 2.110 of the Cambridge Municipal Code, the City Manager must hold a community meeting, which will be held on October 30 at the Cambridge Multicultural Arts Center in East Cambridge.
- The City Manager must issue a detailed report regarding the proposed disposition to the City Council, the Planning Board, and the City Clerk for public dissemination. We anticipate that the report will be completed by early 2019 following the completion of the RFP process pursuant to Chapter 30B outlined above.
- The Planning Board must hold a public hearing no sooner than two weeks or more after receiving the report and must submit recommendation to the City Manager for submission to the City Council.
- Thereafter, the City Council must hold a public hearing before the final disposition is approved by the City Council. The disposition requires a two-thirds vote of the City Council.

Chapter 2.110 - CITY-OWNED LAND AND BUILDINGS

Sections:

2.110.010 - Disposition of city property.

This chapter shall apply to the sale, transfer, lease or rental, or exchange of any city-owned property or property rights or interest such as a public easement on private property, collectively called "Disposition of City Property." This chapter shall not apply to the transfer of real estate, or any interest therein, to the Affordable Housing Trust for the purposes of construction of low- and moderate-income housing pursuant to M.G.L. c. 40, s. 15A.

The purpose of this chapter is to protect the citizens of Cambridge and to achieve land uses that best serve the City's public purpose.

In addition, when the public purpose is found to be best served by a disposition of City property for a private purpose, the City's objective will be to receive the fair market value for such property, to protect real estate values, and to dispose of each property without favoritism.

No disposition of City property shall be completed unless the above criteria have been satisfied, all requirements of applicable State law have been met, and the following process has taken place:

- A. The City Manager shall be responsible for engaging in a process that will result in a fair analysis of how the greatest public benefit can be obtained from the City property in question.
- B. The City Manager shall prepare a report. The report shall be based on careful consideration of the issues enumerated below. In the course of preparing the report, at least one community meeting shall be held to discuss the issues and community concerns and they shall be addressed in the report. Advance notice of such meetings shall be given to potentially affected persons describing the proposals under consideration. The report shall include the following information:
 1. A description and analysis of the alternative uses for the City property, including an analysis of public benefits and drawbacks and the financial impact of each alternative;
 2. The use of the City property at the time of the recommended disposition and any actual or projected annual revenues or costs associated with such property;
 3. The existing zoning status of the property and other City, State, and federal laws, codes, ordinances and regulations that apply to it at the time of the recommended disposition and that would apply to the various alternative uses analyzed;
 4. Any attempts to rezone the property or to change existing laws, codes, ordinances

or regulations or uses with regard to the property that have taken place within the previous five years;

5. The development potential of the property;
 6. A full description of development plans proposed for the site, including traffic and parking studies and other appropriate analyses of the impact on the neighboring area and the City as a whole;
 7. A review of the financial arrangements being recommended, including two independently prepared impartial appraisals of such property's worth that contain an independent, good faith estimate of such property's worth to the prospective buyer, transferee, or lessee.
- C. The City Manager shall submit the report to the Planning Board and to the City Council and City Clerk for public dissemination. The Planning Board shall hold a public hearing not sooner than two weeks after receipt of the report, and after study, shall submit its recommendation to the City Manager for submission to the City Council.
 - D. The City Council shall hold a public hearing within six weeks of receipt of the City Manager's recommendation and the Planning Board report.
 - E. At least fourteen days prior to the public hearings by the Planning Board and the City Council, the City Clerk shall post notice of the hearings at various conspicuous locations upon the City property, giving the purpose of the hearing in detail, and shall send this written notice to the owners of property and renters, listed on the annual street list or on the assessor's records, within three hundred feet of the City property.

The City Clerk shall notify civic groups and neighborhood associations who may be affected by or interested in such disposition of City property and shall publish notice of said hearings in newspapers of general circulation within Cambridge at least fourteen days prior to the date of each said hearing.

- F. The disposition of City property shall require a 2/3 vote of the City Council.
- G. For the disposition of city property that is of such little significance that the above described process would be unduly burdensome, the City Manager may request of the City Council a diminution of this process. Approval of such a request shall require a 2/3 vote of the City Council.

(Ord. 1105, 1990)