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SOMERVILLE
City of Somerville Council meetings
04/09/2026
7:00-10:00pm EST

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[Live Captioner standing by].

>> Audio and video is being recorded and it may be broadcasted on Somerville website. Will you please call the roll.

>> Pursuing to rule 32, this city council salutes the flag of the United States of America. We start the meeting with a moment of silent. Are there any Councilors wishing to say words about members of our community tonight?

[Pause]

>> All right. Seeing none. Would everyone rise as you are able for a moment of silent.

[Pause]

>> Thank you. First item, Madam Clerk.

>> Item 1.3. Proof of the minutes of the regular meeting.

>> No discussion, that item is approved.

>> 2.1, citation from Councilor Clingan.

>> COUNCILOR CLINGAN: Thank you. Through you, as we often do, have the special occasions of Somerville-ian turning 100. This evening I'm proud and excited to honor and recognize Teresa. I'm going to read a bit about Teresa and have her granddaughter Emily come up to accept the citation as she is in assisted living situation.

So...

Okay, so Teresa born April 19, 1926 in Cambridge.

Where they raised their family, where she remained for over 75 years. Devoted mother, grandmother and great grandmother, the proud matriarch of two... as she was familiar with the [clears throat].

She was a familiar present in her Winter Hill -- worked at as a telephone operator. Her son Walter went on to serve the city Councilor for many years, serving in these chambers and continuing the family's long standing connection to community.

Now residing at an assisted living facility for the last three years, Teresa continues to enjoy her time with the family and is the oldest resident in her community. On this occasion of her 100th birthday the city -- I probably recognize Teresa for this remarkable milestone and honor her lifetime of dedication to her family and to her community and yeah, as was mentioned in the text, she lived on Medfort Street. She was was a warm and welcoming person and certainly well-known in the community and as -- was stated, some of you may remember Walter her son. So, Teresa is thriving and doing great. I believe they are watching, hopefully she's watching a stream right now and with that I would like to present the citation. Family if you want to come up to the podium and accept this on behalf of the city of Somerville.

>> Just read it.

>> Known to all that the Somerville city council and the Mayor off the a... who is celebrating occasion of her 100th birthday. Extend their best wishes for good health and much happiness. Offered April 2026, signed by the Councilor and the Mayor. Here you go.

>> Thank you very much. I wanted to say thank you to the entire city council. Appreciate this for my grandmother, who will be thrilled to receive this. She's been in these chambers many times. Appreciate it. If she were here she would tell her that her secret to long life is to enjoy the little things and to have a bowl of ice cream every night. So, thank you. Thank you.

>> MADAM CLERK: 3.1. From existing manhole 14831 to point of pick up at 22 Kent Street, additional conduit from manhole 14832 to an existing manhole 8634.

>> Anyone here to speak on the item?

Chuck Duffy online.

>> I would like to install 25 feet of conduit on Evert Street to 24 Webster avenue.

>> Anyone else to speak on the item? If you're online use the raise hand. All right. The public hearing closed. Any discussions, questions?

Councilor Scott.

>> COUNCILOR SCOTT: Thank you, I hate to have to do it but this is on Kent Street and there is a pole at Somerville and Kent that is leaning at something like 15° angle off the vertical. It's a hazard. It's been reported multiple times and have no objection on it. I believe on tonight's agenda is communication, item 263633 documenting that. I would like to send this one to license and permits so that we can get some answers and some follow-up on that. I believe there's several items on the agenda tonight relating to that matter. So, if we could send this to license and permits.

>> Is the pole related to the location?

>> COUNCILOR SCOTT: Right down the Street.

>> That's a conversation we have had, if we are going to have a larger discussion about poles, that might be something that -- used to be public utility and public works which is now sustainability and infrastructure. License we are supposed to be about the license before us. I want to set up the other items... put them in the best place to be addressed by whom ever may be able to attend the meeting.

>> COUNCILOR SCOTT: Mr. President, you are familiar with my song and dance. I'm attempting to use the little power that we have to bring the state utility to the table to discuss and remedy these problems.

>> Councilor Scott moves to send this item to license -- to a committee. Licenses departments, any objection? Seeing none.

>> Can I discuss with the chair? I read the wrong thing. I read the 14 Webster Avenue. I'm sorry. I didn't read the Kent one. But the Kent one is going to go to licensing, correct?

>> That's correct.

>> Okay, thank you.

>> All right. Thank you. Next item, Madam Clerk?

>> MADAM CLERK: Agenda item 3.2.

Eversource applying for a Grant of Location to install 184 feet of conduit in Broadway, from existing Manhole 1969 to a point of pickup at 382 Broadway.

>> I declare the public hearing to be open. Anyone to speak on the item?

>> Jackie. To provide electric service to 382 Broadway.

>> Anyone one else here to speak on the item? If you're online you can use the raise hand function.

Seeing none, then I'll declare the public hearing closed. Is there any discussion? Any questions?

Seeing none, that item is approved. Next item.

>> MADAM CLERK: Agenda item 3.3.

Eversource applying for a Grant of Location to install 25 feet of conduit in Everett Street, from Utility Pole 118/0 to a point of pickup at 24 Webster Avenue.

>> I'm having déjà vu. Anyone here to speak ton item?

>> Jackie Duffy. -- [phone ringing].

Hold on. I have the wrong thing now. 25 feet of conduit to provide electric service on Webster avenue.

>> Okay. Anyone else here to speak on the item?

Anyone online?

Seeing none. I declare the public hearing to be closed. Any discussion, any questions?

No? Then that item is approved.

>> Thank you.

>> All right. We have requested to take a few items out of order this evening. The first is the report on committee on conformation of appointments and personnel matters so we can do some promotions that we have this evening. And then after that we take up items -- 4.2 and then 4.3 and then an executive session. So the council will move into executive session, take up item 7.4 and 7.5.

The executive session is 7.2.

And after that there's another executive session that we have to go into and that will be 7.1 and then after that, we will take up 7.3 out of order and after all that, we'll start the meeting. So the first item will be items 6.A.

>> MADAM CLERK: 6A1.

Report of the Committee on Confirmation of
Appointments and Personnel Matters, meeting on March
30, 2026.

>> It was a brief meeting. Convened on April 30th with all members present and consider several personnel appointments. Will review and recommended approval of 2 police sergeants promotions. Ashley and experienced detective who emphasis community policing, professional development and building trust with residence. The committee recommended approval of James as municipal hearing officer. Extensive experience and commitment in fairness and handling unrepresented residence. Jessica was approved for the public financing committee and finally James were approved to the rank choice voting committee. All great community members. I ask that the committee report accepted as submitted.

>> Any discussion on the committee report?

Seeing none, that item is approved. Councilor Mbah.

>> COUNCILOR MBAH: We can take them both together. So, Ashley and Courtney, if you guys --

>> So folks can step forward. If there's anyone in the room that wants to take pictures, plow right ahead. Come within the horseshoe, tell us to move out of the way. Don't hesitate to get some good shots.

Hold on one second.

If you want pictures, come in anywhere you like to be to get to a good angle. Whatever works.

Then you'll sign.

And then I'm going to sign as the witness to that.

You'll sign next to where your name is printed.

>> We will take a brief recess so we can take some pictures.

[Pause]

>> Calling the meeting back to order. So, the next item that we -- I would like to take out of order unless there's an objection is item 4.2.

>> MADAM CLERK: By Councilor Sait. In support of the Plant Based Treaty.

>> COUNCILOR SAIT: This resolution calls on the Mayor to incorporate plant based solutions into climate forward. Plant based purchasing practices for city events and use municipal communications channels to promote plant based practice. Also calls the city to promote -- highlighting local restaurant

offering plant based options. Copy of the resolution will be forwarded to some of the sister cities and to encourage them to endorse the plant based treaty. Supporting the Plant Based Treaty will build on Somerville's broader goal, help raise awareness on environmental and benefits with plant based diets, educate and encourage individuals to shift to plant based options. Encourage businesses to offer more plant based options and reduce dependence on how emission food sources.

I think it's an important step to help maintain, secure sustainable and accessible food supply for all. I believe that the city has an important role in terms of educating individuals on the benefits of plant based diets, improving health, reducing consumption based emissions. This resolution puts that into action by including a number of ways for some of it to take action in educating the community and promoting more sustainable and equitable systems. The speakers will speak to the work they are doing to get municipalities to support the plant base treaty. I would like to sponsor Veronica, Brandon and Rosa.

>> Would like to sponsor the aforementioned individuals. Any objections? When you start to speak, repeat your name so the clerk can get it on the record.

>> My name is Veronica Potter, as a plant based I wish to express my support for Somerville supporting resolution 260508. Addressing the environmental impacts of our food system, by working towards 3 main goals at the global level. Redirect our animal agriculture base food systems to plant based ones. Relinquish the use of additional land for agriculture and restore -- one strategy we hope is serving plant base food at city events which is shown to increase the up take of plant option, without taking away the freedom to choose animal products. I would like to emphasize, prioritizing policies like breast implant base defaults will not take anything away. Somerville will join a global movement promoting a more equitable and sustainable world through plant based eating. I hope we have your vote to pass resolution 26-0508.

>> Good evening, my name is Brandon Lowal, one Watson Street. A shift to plant base is needed. And has made a driver of deforestation. Somerville's consumption base inventory agrees. The leading contributor is food, with meat and dairy. We can reduce local emissions by making it easy for citizens to switch to plant based foods.

To implement recommendations in Somerville own plan, by providing a Somerville plant base restaurant week which highlights local restaurants with plant base options and by emphasizing plant based foods. I urge you to vote for this resolution for the future of our planet. Thank you.

>> Thank you for the opportunity to speak tonight. I'm encouraged to see Somerville considering the step of becoming the second city in Massachusetts to endorse the plant based treaty. Somerville can lead the way as a practical solution to climate change and lowering food costs and improving public health inclusivity. I would like to share a statement owner of Somerville 100% plant base restaurant: Being plant base business owner is about more than serving food. It's about honoring traditions. Many were built from the land, beans, plant base cooking isn't new. They are nourishing, deeply flavorful and often the most affordable way to feed people well. When we cook this way, we show that good food can be civil, generous and shared by everyone.

Somerville has long been a leader in climate action and it has the opportunity to take decisive steps to succeed and thrive. I urge you to vote to endorse the plant base climate for local businesses and for more inclusive food culture.

>> Thank you all. Back to you. Anything else?

Okay, Councilor.

>> First, thanks for being this forward and some of the other Councilors who did. Through you I would like to have the speakers come back forward. Just ask questions because I think this is great. The dialogue is important and we are talking about food right now, because there's a lot going on. Thank you. To the podium, if you don't mind, thank you very much for caring.

So my question is, just a couple of days ago, Boston Globe issued an article saying that 40% of Massachusetts households are reporting a food insecurity.

So, how can -- can we share -- do you have thoughts on how we can share information on low cost plant based options? And how -- if you have suggestions, ideas on how we can implement that city wide and um, with food banks and what the thoughts are on that and what products are, um... help address food security with that. With our sponsored speakers.

>> So there's a couple of things you can do. You one of the most affordable foods are plant-based foods.

So something we can do is put together a public campaign of fairs and different um... tools that we can use to spread that knowledge, because not everybody knows that. And so that can be step one.

And we can certainly work with um, food banks to make sure that they have that in stock. Um, Plant Based Treaty has a team in the Boston area of knowledgeable volunteers and of the that can definitely work with the city to implement this.

>> I know that here in Somerville, with our food insecurity and going in the city, I know that we have a lot of diverse pallets, as well as we want to be culturally sensitive to those, who are receiving the food for free box, etc.

So, I just -- the dialogue is important and um, open to hear more, as well. So, thank you very much.

>> Councilor Hardt and Councilor Mbah.

>> COUNCILOR HARDT: Thank you. I had the pleasure of getting to talk to and who were really helpful in answering a lot of my questions on the treaty and I'm happy to support the -- this effort because even though I think that cows and sheep and animal agriculture in the appropriate places and with the right management can be an important part of restoring biodiversity, sequestering carbon and create a healthy food system. The fact is over the past few decades, animal agriculture in the U.S. has been more concentrated and industrialized with the goal of profits. So this combined with the fact that the U.S. is among the top countries in the world of per capita meat consumption means that a key part of what we need to do to transition to greater food security is to consume less industrially farmed meat and eat more plants. So, thank you all. Appreciate it.

>> Thank you. Councilor Mbah.

>> COUNCILOR MBAH: Thank you. It's always hard to follow Councilor Hardt. Thank you for the comments and thank you Councilor Sait for the leadership. I met with one of your colleagues, and the first few minutes I just knew this was a no-brainer for something that I would like to support. Because this resolution recognizes something we can no longer ignore. The climate crisis is no longer an energy problem. It's also a food systems problem.

The sense is clear that what we eat -- what we eat, you know, has a profound impact on greenhouse gas emissions. And what the resources. So, supporting the plant based treat is aligning local actions with global urgency. Somebody else show leadership through the climate forward plant and also a commitment to net 0 emissions. And this is a natural next step, the way I see it, by promoting plant based options we are not asking for perfection, we are creating opportunities for residents, institutions and businesses to make more sustainable choices that collectively have real impact. Just as importantly, this is about equity, health, and community. Expanding access to plant based foods can improve public health outcome, lower food costs over time and the sustainability is something accessible to everyone in the city. Initiatives like the plant base restaurants also celebrate innovation and cultural diversity in food. This resolution is not about limiting choice. It's about expanding it in a way that reflects our values.

Supporting the treaty sends the message that Somerville is ready to leave, to partner with other cities and to make meaningful practical steps towards a more sustainable and just future. Thank you.

>> Thank you. Any further discussion? Councilor back to you.

>> Thank you, where you know last question to our speakers and also... possibly Councilor Sait. I assume we all know, but can you define what plant based foods are?

>> Plant based doesn't mean -- sorry.

Plant based is not -- we are not asking people to forego animal products. We are just saying perhaps highlight plants more and we are stressing that -- those ingredients are most sustainable. So perhaps shifting slightly but not imposing specific restrictions on anyone.

>> Okay. Thank you for answering the questions. Appreciate it.

Seeing no further discussion, that item is approved.

Madam Clerk, next item.

>> MADAM CLERK: 4.3. By Councilor Ewen-Campen, Councilor Link and Councilor Hardt. Proposing an amendment to Section 2-6 of the Code of

Ordinances, the Welcoming Communities Ordinance, to

further enhance civil rights protections in Somerville..

>> COUNCILOR EWEN-CAMPEN: I want to thank my colleagues for working on this, as well as Mayor Wilson's staff who have been helpful over the past few weeks and ACLU and we are joined here by a lawyer from the ACLU whom I'll be sponsoring in a moment. I don't think anyone in Somerville needs to hear that we are living through a completely unprecedented time of federal assault on our constitutional rights. Somerville had a resident abducted off the streets by disguised mask federal agents, far off state away from her family and friends for months for the stated reason that the

president did not like an op-ed that she had written in her college newspaper about Israel. We have seen local and State Government, local universities targeted and punished for exercising their constitutional rights. We are seeing unconscionable attacks for privately seeking medical care for themselves and families and we are just seeing an all-out attempt to terrorize immigrants, sending militarized federal agents across the country. Many residents in Somerville have been doing unbelievable organizing against these efforts in inspiring ways and many people have been reaching out to us in the local government asking whether the city is being bullied or somehow our work is somehow being co-opted into being a tool for these federal efforts to track people, to investigate people.

So, what we are introducing tonight, this is a series of amendments to make it very clear that the city of Somerville does not and is not going to participate in any of these federal attacks. I am very glad whenever I get these questions, from members of the public to be able to say and to be on firm ground to say that the answer to these questions is "no".

Somerville does not do this.

And I'm glad to say that Somerville has a strong record on this topic. Everything we proposing tonight, these are amendments, which president Davis introduced in 2019 and built on a long history of work in Somerville so everyone can seek help from law enforcement without being worried they are going to be untag gaited. What these amendments do is shrine that the city of Somerville is not going to participate in anything with the Federal Government or any other out-of-state agency that we know is going to be used to penalize people for participating in constitutional acts.

And this will apply to any agreements Task Forces, accepting grants from the Federal Government, um, agreements that the city participates in.

It feels insane that an ordinance is even relevant that we are saying we need an ordinance. But this is the times that we are living in and we cannot pretend otherwise. We are joined tonight by Gidian, a lawyer from the ACLU. I would like to sponsor him to address the council.

Seeing no objection. Please step forward. State your name for the record and go ahead.

>> Good evening, my name is Gideon. I'm here to speak in support of the proposed amendments to the Somerville welcoming committee ordinance and I want to thank the council and the sponsors of this resolution for protecting immigrant communities and upholding Somerville residents.

The amendments before the council today strengthen Somerville's commitment, not just in name but in law. And to talk about what the amendments do, they close critical gaps. City employees are explicitly prohibited from assisting federal or out-of-state agencies conducting civil immigration enforcement, except where required by federal law or by a court order.

There's another addition. The amendments prohibit cooperation with anyone federal operation targeting people for first amendment protected activity. Assembly, speech, protest, and this matters now more than ever. Because we see federal agents targeting activist, protesters and organizers including here in Somerville. So our community must be clear that we will not be complicit.

Before any city contract is awarded or renewed, the law department will have to review new agreements for compliance with the welcoming community ordinance. Cities can unknowingly and often do enter data sharing and surveillance agreements with companies that contract with ICE or DHS that

violate the spirit of this ordinance and this provision brings real accountability to procurement and ensures that our values are reflected in vendor acquisition and our relationships with the vendors and these amendments are only as strong as their enforcement mechanisms. The new language gives this ordinance teeth. Meaning that violations constitute a legal injury and residents are able to sync injunctive.

And there are whistle blower protections for any employee. To ensure that people can speak up. These amendments ensure that not only the way we speak about our values but also, city policies meet the moment.

We are living under a shared reality where there's a limited number of things that municipalities can do. And we should be clear, the proposed policy changes before the council this evening are some of the most consequential actions we can take at the local level to protect immigrants and residents civil liberties. So I urge the county to vote in favor of this and thank you for having me this evening.

>> Thank you. Anything further?

So, we will go to Councilor Link and then heard.

>> COUNCILOR LINK: Thank you and through you, thank you to Gideon. I was thrilled to work on this amendment. For me, this helps to make it clear that Somerville will not accept the attacks from our federal bodies on our communities and that we are not going to standby while people's rights are suppressed, protecting free speech in our community for me is one of the most important things. And it's one of the most essential jobs we have here, every day that we come into this room, one of the first things we do is remember that we are here to uphold the constitution.

So I think this was a fantastic team effort and I want to acknowledge that some of what we have in here is some of what the city was already doing and they were already doing -- but this makes it more durable and to put in print which is a huge thing.

And you know, I'm hopeful that this is just one more push and ounce of pressure against hate and antagonism and to push back to keep us from falling into something terrible.

>> During this time, one of the things that gives me a lot of hope and inspiration is the way we have seen neighbors helping one another, looking out for one another and upholding the rule of law. And we see this right here in sum Somerville and the importance of people exercising the rights to free speech, assembly, protest. And I know in Somerville that we are united in wanting to depend democracy and ensure that everyone's civil liabilities are guarded and protected and we want a high degree of trust and safety. And so I think this is another important step that we can take to ensure that that's the case. So, thank you.

>> Thank you. Councilor Scott and then Mbah.

>> COUNCILOR SCOTT: Thank you. I would love to cosponsor this and I wanted to highlight something that is one of my favorite parts in 13B. In addition to all of the directly immigration related things it does prevent the assistance in any out-of-state or federal agency in apprehending or arresting anyone engaged in activities protected such as the provision of food, medicine, shelter, clothing, to anybody who is come to Massachusetts for whatever reason, as long as those activities are fully legal within the Commonwealth. As we not only protect our neighbors. But protect our neighbors across the

country who may be needing some place to go. Thank you for the thoughtful inclusion, and thank you for all the work in making sure we live up to the values that we profess.

>> Councilor Mbah?

>> COUNCILOR MBAH: Also to my colleagues, thank you Councilor Ewen-Campen. I appreciate your leadership. I remember back in January, Councilor Link and I had an hour-long Zoom meeting, you know, with some Councilors in Cambridge. I was surprised when I heard that, Ewen-Campen was a mile a head. And for me, I've read this almost three times and also the things I love is the fact that we just keep building just to put more -- one of the things that I see in this one is it moves beyond again, this symbolic sanctuary city language and establish enforceable rights which is powerful accountability mechanism and reporting requirement. Also that's a big... and receive whistle blower protection. They may take away that -- this is something. [Reading].

That's -- I thought this is something what family sizing.

It affects... only for safety and order during federal operations not enforcement.

And overall you know, the update strengthens trust between immigrant communities in local government, clarify boundaries for city staff and shows that local resources remain focused on seven residents and supporting federal immigration offices.

And one of the things that today when I look at this, I wasn't sure why -- I'm sure when it was drafted at first the reporting requirement says 6 months. I just thought with this heighten, this is me looking at it, with this heighten environment, will it be worth from the legal mind, will it be worth us getting a monthly reporting you know, from -- like, why 6 months? It's just, even if it's a month of activities, if there's nothing, at least we know there's nothing. But we can't wait 6 months to figure out who has been going on. From the legal mind, if it's worth making a friendly amendment to have the reporting every month instead of every 6 months. We will have a lot of time to talk about the details.

Not asking you to talk about the ordinance.

>> We can talk about it. About the merits of the timeframe. Okay, Councilor Sait.

>> COUNCILOR SAIT: Deep gratitude for my colleagues for working with the way to protect our neighbors. As Councilor Hardt said, this is one of the things that makes our communities so special. That we shall work for each other and I'm glad we have something like that, that will protect neighbors as they continue to do that, thank you.

>> I'm excited to see the proposals and the leadership of ACLU on the measures. And the values of Somerville and making sure that our welcoming immigrants is substantial, real and backed up by all of the efforts together. I want to say as someone fairly new to reading and trying to analyze legal changes, there's a lot that is complicated to me as an early reader. I look forward to learning more about this and about the, you know, the questions about the practicality of how it's applied and I'm just reminding myself, those questions are four things that we deeply support, as well as thing we may not. This is something I'm excited about and I look forward to the discussion.

>> Any further discussion? Seeing none. That item is referred to legislative matters.

And that brings us to the first of the executive sessions. So item 7.2, Madam Clerk.

>> MADAM CLERK: Requesting that this Council convene in Executive Session to discuss the purchase, exchange, lease or value of real property located at 122 Assembly Park Drive.

>> Can you confirm if this is -- Attorney Mar, I could hear her say "yes" for those online. All right. Very well. We will go into executive session? Vote?

>> MADAM CLERK: Roll call to enter into executive session.

>> Very well. We will return to open session when we come out of executive session.

[Pause - In Executive Session]

[Live Captioner standing by]

>> I'll call this meeting back to order. There were no votes in executive session other than the vote to executive session. Madam Clerk, next item.... which is 7.3.

I'm sorry, 7.4 and 7.7. Do we want to take those up together? Do we want 7.4 and 7.7 together for discussion? We'll have to do a roll call to come back. Hey, I know, let's do a roll call to come back out of executive session, even though I can see there's 11 of us here. Madam Clerk, would you please do roll call.

>> MADAM CLERK: All Councilors present, we have quorum.

>> We will -- the next two items are 7.4 and 7.7. Those each would require a roll call vote. So we can do that vote separately. But for purposes of discussion, we can talk about those.

>> MADAM CLERK: Requesting authorization to execute a Purchase and Sale Agreement for the acquisition of 122 Assembly Park Drive, Unit 45. 7.7 - Requesting authorization to borrow \$7,000,000 in a bond, and to appropriate the same amount for the purpose of procuring the fire station condominium unit at 122 Assembly Park Drive.

>> Somebody in the administration want to explain to the public what we are talking about?

>> Yes --

>> We although who you are, but --

>> I'm the Executive Director of the office of strategic plan community development. Thank you. This evening we are asking for authorization on \$7 million acquisition, that houses our assembly fire station. We went through a bidding process and were the successful highest bidder and so now we are seeking authorization for two things. To enter in a sale with the intention of acquiring this site and seeking authorization to borrow \$7 million in order to um... to pay for this acquisition. Happy to answer any questions.

>> And for context for folks why don't we currently own the fire station?

>> We rent this fire station and we went through a competitive bidding process back in 2021 and we were seeking opportunities to either acquire or lease a site for a fire station and the successful bidder, the only bidder was... entity owned by BioMed reality. And so, we have moved forward. Back in 2021 and invested somewhere in the neighborhood of \$8-10 million to fit out the condominium unit. And six

months it's been open. And great opportunity opened up as a result of the TransMedics deal. It's leasing an entire build and that spurred that property owner to decide to liquidate the parking garage. So they offered it up for sale. Made us aware of the opportunity and we have been going through the process of positioning ourself to acquire the space we rent. Over the long-term it will save us about a million dollars overall, over the next 28 years. So it seems like a logical and prudent move for the city.

>> Okay. Any questions?

>> I don't have a question. I was going to say why I support it but --

>> Questions?

>> COUNCILOR SCOTT: Thank you, Mr. President. So my understanding is tonight the administration is seeking immediate K and approval of these two items?

All right. Well --

>> Yes?

>> Through the president, the answer is "yes".

>> COUNCILOR SCOTT: I apologize, there's been an innovation known as a committee. I hate to drag this out by having to ask a few questions here. But when it comes to the cost of this, this is a 10,000 square foot facility that we are purchasing. Correct?

Like I said, it's cheaper than a condo in union square. Now, we are as part of this condo association, what percentage of the condo association would the city's ownership constitute?

>> Through the president, 5% ownership.

>> COUNCILOR SCOTT: How many footage?

>> It's a commercial parking garage. It has approximately 1,247 spaces in the garage.

>> COUNCILOR SCOTT: Okay, sir. I ask because it's a straightforward calculation and if we have -- I mean, unless this is a 200,000 square foot parking garage, 5% seems a little bit high. Do we know how that was calculated and negotiated?

>> We did not form -- through the president. We did not create the commercial condo minimum. The current owner created it.

>> COUNCILOR SCOTT: So currently we lease this space and that means we are in the unusual position as a city, of having to pay ourself real estate tax. Because while we are renting the facility, it is owned by a private entity and the way triple net leases work is the tenant has to pay the taxes on the space so, are we currently paying 5% of the real estate taxes for that building?

>> Through the president, I don't believe we pay 5%. We pay what that portion of the real estate is valued by our assessors.

>> COUNCILOR SCOTT: So you're saying the assessor makes a separate valuation for the space that we are renting?

>> I'm speaking of out of my league, for sure. That's a question that could be best answered by our assessors or tax collector or chief financial officer. That's a great question.

>> Director, care to field that question?

>> Mr. President, to Councilor Scott, the lease calls for a share of the taxes of the billing. That's a debatable point with BioMed at this point. The assessor, we have a bill that's been given to us. But the lease calls for -- they have an appraiser and the assessor here. So we don't agree with the number that was given to us. So the assessor is not here tonight. We're going to have a discussion with them in terms of the proper allocation of the taxes.

>> COUNCILOR SCOTT: All right. Through you, Mr. President. Generally the equitable share of real estate tax is calculated on a per square foot bases in commercial leases. Are you saying that's not the arrangement we have here?

>> Again, this is a little bit out of my league, too. It's going to be based on valuation. So, and... I'm... this is a question for the assessor really to answer this one.

>> COUNCILOR SCOTT: Part of this I'm trying to understand the all-end costs. In 2021 there were projected costs over the long-term and I want to make sure I understand. For example, there was the core build-out and the core and shell build-out and the interior fit, the tenant improvements. The tenant improvements are complete. The fire station is complete at this point, yes?

>> Yes, sir.

>> COUNCILOR SCOTT: All right and through you, Mr. President, as part of our acquisition acquiring this condo, all of those fixtures would return, they would... retain with the city, we wouldn't have to be purchasing that --

>> That's correct.

>> COUNCILOR SCOTT: Okay, great. Good to know. Just want to check. As part of that original lease, if memory serves, there was \$4.2 million in community benefits money that the BioMed realty had committed to providing to the city of Somerville and we gave back to them as part of that lease agreement we signed.

So, not for nothing, is that money gone or is that baked into our acquisition or do they credit that back?

>> Through the president, we made that \$4.2 million investment to buy down the cost of the lease. And basically, um... cut the lease cost in half. The net result is that that reduced the value of the property. Another way to think about it is that we invested \$4.2 million that is now grown to over \$12 million in benefit. So, actually, that \$4.2 million was gold mine.

>> COUNCILOR SCOTT: Through you, Mr. President, if I'm understanding this, by giving them the out on \$4.2 million that they otherwise would have had to give to the city, that the lease terms were negotiated such that they were lower and acquisition price based on those lease terms, return over 30 years is correspondingly low?

>> Exactly, we were very aggressive in negotiating a lower rate and we did not -- it would be a commercial condo unit that wouldn't be sold to us. But by reducing that least cost, reduced the overall value of this real estate asset and that's benefiting us right now.

>> COUNCILOR SCOTT: Certainly. Third-party purchaser would look at the income and locked in tenant at a low rate. Everybody knows landlords hate tenants that pay low rates. All right. So, I appreciate that. Mr. -- Mr. President, I want to be very clear. I am not critical of this acquisition. Those of us who are old enough to remember that, remember how critical I was of the lease because I felt we should be purchasing and investing the taxpayer money. So I want to applaud the director and Mayor. I do feel a responsibility or the spirit saying that we have to ask these questions, our constituents expect it of us. I want to make sure that I'm clear, when we talk about -- I'm still just a little bit hung up on this condo.

So we will have to pay a condo fee as part of this ownership of a commercial condo yes? Is that established in this documents?

>> Through the chair, the condo has been established and our expectation is that we are going to be - - I don't have it in front of me, but it's be paying --

The yearly condo fee is \$6,444. We anticipate that will go up.

>> COUNCILOR SCOTT: And that condo agreement, because I don't see a purchase and a sale agreement attached to this item. Do we have that before us?

>> We do not, it's being drafted right now.

>> COUNCILOR SCOTT: So this administration is requesting authorization to execute a purchase and sale agreement sight unseen, this evening?

>> We have um, an offer letter that is quite detailed and that's been accepted and that has become the basis of the purchase and sale agreement, which is being worked on by the city attorney and their attorneys:.

>> COUNCILOR SCOTT: All right. But as a city council we have to vote to approve that item. I hate to say it Mr. President, generally I require more than "trust me Bro" material.

And I do trust the director here, but it makes me nervous to vote on something that I can't look at. Um, likewise, the condo, you said the condo was created and I will admit, I had the hard time finding some of this because the original assembly fire station lease was for I believe 5 middle sections and the requests an address of... well, not that. Where is that address? Maybe you can -- oh, 122 assembly park drive.

So the condo agreement under that address?

>> I'm not -- it is registered under the deeds, I don't know under what address. That's the legal name of the condo unit.

>> COUNCILOR SCOTT: All right. Um...

You know, Mr. President, I think I need to go do some research with the mass land records and deeds before I can ask other questions so I would yield the floor to my colleagues and ask to come back.

>> COUNCILOR EWEN-CAMPEN: As I understand it, we rent the fire station. Not a good situation. Now it's being sold, would not have been a good situation for us to be renting from a new unknown random landlord. It will be saving a million dollars, a little over that over 30 years. I wish we had owned it in the beginning. Totally support this.

>> Other discussion?

>> Anybody at home may be saying \$7 million in a time where we are short, that's tricky.

My understanding is that in situations like this and there's one of these items, um, is about taking out a bond. We of borrow the money through a bond and pay that back on you know, at a certain rate. It sounds as though, without having the precise numbers in front of me that the amount that we pay per year is comparable and may be lower than the amount we pay in rent.

>> That is certainly true and we have the details.

Yeah, that's what I believe I heard you say earlier here, but just want to make sure.

>> Mr. President, yes. First I would be looking to borrow this on a short term basis, at least the first year, given budget next year. So, if we borrow short-term at 2.5%, the debt would be first year, \$175,000.

Whereas the rental payment is \$363,699. we will be negative for another three, but for 20 or 25 years -- close to 22 years, we will be in the positive, every year.

>> Thank you.

>> Can I ask maybe Director Galigani or the Mayor or anyone who can answer, how long of our other fire stations that we own, been in use?

>> Longer than 28 years.

>> The answer is "yes".

>> I make the point because we won't have to be paying rent beyond that period. Other discussion?

Councilor Scott, back to you.

>> COUNCILOR SCOTT: Thank you, Mr. President. So just, I apologize. I'm only 12 pages into the 41 page master deed. I'm moving as quick as I can, here. But on a due diligence. This is just the parking garage itself. The two different phase one and phase two parking units are each roughly about 200,000 square feet, which -- 10,000 square feet. But it does make me wonder why our share of the condo fees would be set at 5% when we would only be occupied around 2% of the structure. 2.5% of the structure.

>> Those questions are valid and unfortunately they are irrelevant because they created the association in January and they sold this unit based on their terms.

>> COUNCILOR SCOTT: And that's not something we can modify because we would be the vast minority occupant in there. All right.

Yeah, again, this is... in the large strokes this is, I think, where we should have been all along. I do appreciate that in the long-term, the cost I believe the community saved \$12 million in total with condo

fees and the financing. I'm sorry, I just wants to -- I'm trying to listen out of one ear and read with the other.

>> The debt would be \$12.1 million.

The lease payments is \$13.4.

And condo, 3 hundred 7 thousand 325.

>> COUNCILOR SCOTT: So 12.4... all right.

So, I guess I'm curious, the present value 30 year lease from the presentation given to the Finance Committee on October 26, \$2,021 listed a present value of \$10 million.

>> True.

>> COUNCILOR SCOTT: So, I'm not sure I'm understanding where the discrepancy is.

>> We are buying it for \$7 million. It's \$3 million less... but there's a financing piece.

>> Yeah, think of Puton, invasion of Ukraine drove interest rates up and the value of that cash flow goes down so we probably saved \$2.5 million, as a result of interest rate hikes that have doubled. Right before we -- right after we signed this lease, actually, a couple of months later. That's when everything shot up.

>> COUNCILOR SCOTT: All right. Well, um... you know, trying to do -- trying to do right by our constituents to exercise the financial due diligence. I will say, Mr. President, it does make me very nervous to vote on something that I can't read and that's what the purchase and sale agreement we are being asked to authorize tonight is. But that said, in theory, I approve this and perhaps it's just time for us to take an a leap of faith. I appreciate the efforts not only to negotiate on the city's behalf but to answer my questions this evening. I will say that you know, I under take this in the spirit of just double checking the columns and I probably under take that job a lot less seriously if I hadn't caught once or twice a really good one. So I apologize for the time taken. Appreciate if I colleagues forbearance and I think I'm all set.

>> Thank you, Councilor Scott.

But you had a question in there in your early statement. Did you want to -- pose a question to the city attorney to confirm that the requirement that the counsel approve a document can be given -- that approval can be given if the document that is still under negotiation?

>> COUNCILOR SCOTT: I think that's great question, Mr. President.

>> Would the city attorney please approach and advise us as to what we are allowed to do.

>> Thank you for hearing us. The purchase and sale is --

>> Attorney, this is the first time you're speaking, if you wouldn't mind introducing yourself.

>> I'm Cynthia, the city attorney, the city solicitor. We have been working on this. The terms of the purchase and sale are outlined in detail in the offer that was accepted and the purchase and sale must comply and that's what my office will verify, to the terms of the offer that was accepted. So, you're

authorizing the approval of a purchase and sale according to the terms that you know, subject to our review that there's nothing different or that it can't exceed the cost, because you're only authorizing the appropriation for that amendment of money.

>> Okay, so, if your opinion, if the Councilor were to move forward with approval of the authorization of the purchase of the sale, that would be within our authority to do so?

>> Yes. The authorization for the borrowing and authorizing the purchase for that amount of money is really the required vote to go forward on this project.

>> COUNCILOR SCOTT: So, Mr. -- Mr. President, I guess my concern is just the things that we don't know. Because we haven't read, for example, the offer letter. Or at least I haven't. I'm sorry if it was provided.

>> I wouldn't have done that. The terms have been outlined by the director. It's basically the \$7 million and I believe -- speak to some of the other terms. The time period within which they are going to do our due diligence and -- down payment.

>> Oh, that is true too. We are putting in a deposit of \$350,000 that's in the offer letter.

>> COUNCILOR SCOTT: But are there any other terms or give-backs or forbearances, for example, 4.2 million in community funds? I mean, the parcel next door was just acquired in a transaction. Are any special terms being given towards the building rights? Or exclusion from previously negotiated master land development agreements or any --

I mean, are there any of these terms in the acquisition?

>> No, it's straightforward. The 4.2 million, it turned into 12.2 million for us, and that's locked in because we are buying it for such a low price. That's great. It's straightforward in terms of we are buying it, putting down earnest money.. -- that's four straight weeks of publishing in the central register. That expires in early May. Then we will be ready to sign a sale agreement. We can't do that until the state notification deadline is passed us. Staff is working to finalize the term of what I think is a straightforward purchase and sale agreement. The only -- typical due diligence.

Assuming we get a vote tonight, term we get the appraising, get the focus of capital projects into not only the space. We know our space. We are operating as a fire station. But allow us to go through the parking garage. As anyone knows who has bought a condominium, you need to know the status and long-term future and plan for maintaining that asset so that you're not surprised. You know what you're dealing with. So that process will begin. We have staff that do that on our own assets and this will be different where we are just making sure and babysitting to make sure that the condo association will be operating in a way that makes sense for the city and to protect our interest and again that condo association is formed. It hasn't been organized. There haven't been any meetings. Of course we wouldn't be participating in meetings until we close but that's ahead of us. But we have easily a month to six weeks of necessary due diligence. We in the building, we flow the building, there's a lot of data that we have because we permitted this project and we have access to all the environmental side assessments. We don't think there will be any surprises, especially since we are just buying a concrete box that sits at the base of this parking garage. That is just opened up 6 months ago. And the parking can garage is barely used. They can't be used until there's tenants. It still has the new car smell.

>> COUNCILOR SCOTT: Mr. President, I think it would have a no car smell. Anyway. My apologies for the dad joke. The hour is late.

I would say, the offer letter that was made is something that can be sent to me for review?

>> Absolutely.

>> COUNCILOR SCOTT: Mr. President what I would advise, given this explanation, again, I just like to read the fine print to make sure there's not a sweetener. If I could get that sent to me tonight, I would be happy to vote in favor of this, with the understanding that while there may be a month and a half of due diligence for the city, as a City Council to do our due diligence, we have tonight or 48 hours in which I can move to reconsideration, if I find something in that letter that raises alarm. So I would, with your forbearance, I would go ahead and request that the -- the copy of the letter get sent over and I'm happy to move for approval in these two items.

>> Councilor Scott for approval of these two items. Any discussion? If you have further questions, that's the motion before us so you can still ask them.

>> I just want to point out, we have a tendency to consider the merits of every financial matter that comes in front of us. For something like this, that's about -- we are talking about 3% of our annual budget. Now that would be spread out but we are making a decision now. I appreciate us crossing our t's and dotting our i's.

>> Seeing no further discussion. We need a separate roll call vote on each of these. Madam Clerk, we will start with 7.4.

>> MADAM CLERK: Requesting authorization and purchase, unit 45.

That item is approved.

And the next item.

>> MADAM CLERK: 7.7. Appropriate the same amount for the purpose of procuring the unit at 122 assembly park drive.

That item is approved.

>> Thank you. We have two more items to take out of order. The first is another executive session. So that's item 7.1. If there's no objection. Madam Clerk?

>> MADAM CLERK: Requesting that this Council convene in Executive Session to receive an update on collective bargaining negotiations.

>> Can you confirm this is appropriate for executive session?

I hear the attorney say "yes".

>> COUNCILOR SCOTT: What collective bargaining are we discussing? Can we say what unit we are discussing the collective bargaining with?

>> Looking towards our labor counsel.

I can't hear you, so I'm sure folks at home can't.

>> The police union SPEA.

>> COUNCILOR SCOTT: Only SPEA not SPSOA?

>> Yes.

>> COUNCILOR SCOTT: All right. Thank you, Mr. President.

>> Very good. All right. Roll call to go in executive session.

>> We will return to open session when we exit the executive session.

[Pause - Executive Session]

[Live Captioner standing by]

[Captioner logging off]