

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into this ___ day of _____ 2019 between the BOARD OF ALDERMEN (“BOA”) and SOMERVILLE REDEVELOPMENT AUTHORITY (“SRA”). Collectively, the BOA and SRA shall be referred to herein as the “parties”.

Whereas, the City of Somerville requires a new public safety facility to replace an aging facility in Union Square which is located on an Acquisition/Disposition Parcel under the Union Square Urban Revitalization Plan, which was adopted and approved by both parties in October 2012 (“USQ Plan”);

Whereas, the City has identified the property known and numbered 90 Washington Street, the site of a derelict strip mall which has been vacant for approximately 4.5 years, as an ideal site for a new public safety facility (“Property”);

Whereas, at 173,748 ±SF, the Property is large enough to site the proposed public safety facility, as well as other uses, such uses to be determined through a public process;

Whereas, the SRA has the authority under G.L. c. 121B, sec. 46(f) to create and implement a demonstration project to prevent and eliminate blight in areas outside of an approved urban renewal plan;

Whereas, 90 Washington Street is located outside the boundaries of the approved USQ Plan and any other active urban renewal plan;

Whereas, the SRA has the authority to take property by eminent domain for redevelopment, including commercial and/or residential redevelopment pursuant to a demonstration project plan;

Whereas, the BOA concurs in the potential of the property for such redevelopment;

Whereas, the SRA and BOA wish to work together to develop a demonstration project plan, acquire the Property, and redevelop the Property in accordance with the needs of the City, as guided by the public;

Now, therefore, the parties agree as follows:

1. Demonstration Project Plan. A Demonstration Project Plan describing the Property, the means by which the SRA intends to eliminate the blight of the Property, the public process for determining the future use(s) of the Property, and the process by which the Property may be redeveloped shall be drafted by the Economic Development Division

(who typically serve as staff to the SRA pursuant to the City-SRA contract) of the Mayor's Office of Strategic Planning and Community Development ("OSPCD"). Such Plan shall be submitted to both the SRA and BOA for review and discussion concurrently with the submittal of this memorandum. The parties may elect to hold a joint meeting to discuss such Plan.

2. Adoption of the Demonstration Project Plan. The Demonstration Project Plan shall require the affirmative vote of a majority of the members of each of the BOA and SRA in order to adopt the plan. No part of the Plan shall be implemented until the Plan has been approved by both parties.
3. Acquisition of 90 Washington Street. Upon adoption of the Demonstration Project Plan as set forth in Paragraph 2 above, or as soon as practicable thereafter:
 - (a) The BOA shall vote upon the appropriation of \$_____ to enable the SRA to pay the owner of the Property the pro tanto amount within sixty (60) days of the date of taking, as required by M.G.L. c. 79.
 - (b) Provided that the BOA has voted favorably to appropriate the pro tanto amount, the SRA shall vote to take the Property by eminent domain.
4. Public Process to Determine Future Use. The Demonstration Project Plan shall set forth a public process for determining the future uses and preferred redevelopment of the Property. The principal future use of the site shall be as a new public safety building. Additional future uses and preferred redevelopment strategies shall be determined through the public process. OSPCD shall complete the public process according to the Plan and make recommendations to the BOA about future uses and an implementation strategy for those uses.
5. Public Hearing. When public hearings are to be held on the Demonstration Project Plan and/or future use of the Property, the parties shall coordinate to hold a joint public hearing.
6. Future Use of the Site. Prior to execution of any use or activity other than the public safety building, the BOA must approve the outcome of the public process, including future uses and redevelopment strategies, taking into account the testimony received at any joint public hearings, as well as community input gathered through the public process set forth in the Demonstration Project Plan, as well as any analyses or recommendations

from the City's Planning Department. Provided that the future use is consistent with the Demonstration Project Plan, the SRA shall ratify the future use endorsed by the BOA.

7. Future Developer Selection. If redevelopment of the Property, or a portion of the Property, by a private developer is determined by the BOA to be the appropriate future use of all or part of the Property, the SRA shall undertake a process, which may include issuance of a Request for Proposals, whereby a developer is selected to implement the future use. If a Request for Proposals process is undertaken, a technical advisory committee shall be formed to review developer submissions. One half of the membership of the technical advisory committee shall be selected by the SRA and the other half shall be selected by the BOA. The technical advisory committee shall make its recommendations on semi-finalists and finalists to the BOA, which may vote to either endorse the recommendations in their entirety, reject the recommendations in their entirety, or change the recommendations; provided, however, that at least two developers are recommended. The recommendations as approved by the BOA shall then be provided to the SRA. The SRA shall vote to select a developer from the recommendations provided from the BOA.
8. Master Land Disposition Agreement. The SRA will negotiate a Master Land Disposition Agreement ("MLDA") with the chosen developer. Such MLDA, as well as any amendments thereto, shall be subject to the review and approval of the BOA.
9. Cooperation. The parties agree to work cooperatively to achieve the goals of the Demonstration Project Plan.
10. Amendment. This MOA may only be amended by mutual agreement of the parties in writing signed by both parties.

Witness our hands and seals on the day and year first above written.

BOARD OF ALDERMEN

**SOMERVILLE REDEVELOPMENT
AUTHORITY**

By: Katjana Ballantyne
Its: President

By: Nancy Busnach
Its: Chair