ASSET MANAGEMENT BOARD (the "Board")
Division of Capital Asset Management & Maintenance ("DCAMM")
One Ashburton Place
15th Floor, Charles River Conference Room
Boston, MA 02108

Meeting Minutes
January 21, 2025
3:00 p.m.

Members Present:

Adam Baacke (or Chair), *Commissioner of DCAMM and Chair of the Board*
Jeffrey S. Shapiro (or IG), *Inspector General*
Sean Gildea
Margaret Wagner

DCAMM Staff Present:

Steven Catanach, *Senior Associate General Counsel, Office of the General Counsel*
Paul M. Crowley, *Deputy Commissioner, Office of Real Estate Management and Acting AMB Board Secretary*
Laura Donovan, *Program Coordinator, Office of General Counsel*
Bill Holt, *Senior Project Manager, Office of Planning*
Kendra Howes, *Project Manager, Office of Real Estate*
Katie Macedo, *Deputy Director, Leasing, Office of Real Estate Management*
Tayler Morris, *Assistant Project Manager, Development and Asset Management, Office of Real Estate*
Deborah Russell, *Director, Leasing, Office of Real Estate Management* Scott Schilt, *Senior Program Manager, Trial Court, Office of Planning*
Abigail Vladeck, *Director, Development and Asset Management, Office of Real Estate Management*
Brianna Whitney, *General Counsel, Office of the General Counsel*
Peter Woodford, *Senior Project Manager, Office of Real Estate*
Steven Zeller, *Deputy General Counsel, Office of the General Counsel*

Office of the Inspector General:

James Craig, *Senior Counsel, Procurement & Compliance, Office of the Inspector General*
Zack Gregoric, *Associate General Counsel, Office of the Inspector General*
Carrie Kimball, *Communications Officer, Office of the Inspector General*

Other Attendees Present:

Tom Ambrosio*, Trial Court Administrator*
Chris McQuade, *Administrative Attorney, Trial Court*
Jim Millins, *Director of Facilities and Capital Planning, Trial Court*

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Commissioner Baacke (Chair) called the meeting to order at approximately 3:02 p.m.

1. Introduction

Mr. Crowley conducted a roll call of Board members participating:

Commissioner Baacke (Board Chairperson): Present
Inspector General Shapiro: Present
Ms. Wagner: Present, Remote
Mr. Gildea: Not present at Roll Call; joined later

2. Approval of Meeting Minutes: 3 December 2024

Mr. Crowley called for approval of minutes.

Motion to Amend Minutes by IG. IG moved to amend the minutes on page 5 regarding the South Boston Courthouse to indicate that he initiated the discussion regarding previous courthouse relocation issues.

ROLL CALL VOTE: The Board, upon a motion duly make and seconded, voted as follows approving the motion to approve the minutes of the Board meeting of 3 December 2024 as amended:

The Board voted as follows (roll call by Mr. Crowley):

Commissioner Baacke: Yea

Inspector General Shapiro: Yea

Ms. Wagner: Yea

Mr. Gildea: not yet present

3. Housekeeping: Suspension of Rule

Commissioner Baacke discussed a housekeeping matter. Rules indicate that the Chair shall circulate the agenda & packets 48 hours business hours in advance of the meeting. Though the materials were distributed, the MLK Day holiday prevented the rule from being met. Chair asks for a Motion to suspend the rule for this meeting. Mr. Gildea joins the meeting remotely.

IG moves to suspend the 48 hour rule for this meeting. Ms. Wagner seconds.

ROLL CALL VOTE: To suspend the 48 hour rule for Board members to receive materials for this meeting:

The Board voted as follows (roll call by Mr. Crowley):

Commissioner Baacke: Yea

Inspector General Shapiro: Yea

Ms. Wagner: Yea

Mr. Gildea: Yea

4. South Boston Trial Court Final Project Proposal: Massachusetts Trial Court Acquisition of South Boston Municipal Courthouse Facility Lease for Massachusetts Trial Court dated January 21, 2025 by the Massachusetts Trial Court

Ms. Russell presented information on the Project Proposal for acquisition of a long-term lease for the South Boston Municipal Courthouse. Ms. Russel discussed the financial feasibility of the project, the proposed alternative acquisition process, the anticipated milestones, the laws and regulations to be waived and the public notice and participation, including the public comment period and public hearing on the project proposal. The Trial Court seeks authority for a 40 year initial lease term with two 10 year extensions.

There was discussion about the length of the 40 year lease term. Ms. Katie Macedo explained the rationale to make the lease more competitive when receiving proposal and negotiating terms. Inspector General Shapiro expressed his concern about long term leases, generally and the impact on Commonwealth assets. There was discussion of the trail court lease in Woburn.

Inspector General inquired about the renovation cost estimates. Commissioner Baacke clarified the estimated costs cited accounted for the backlog of deferred maintenance and do not consider the subsequent work to modernize the existing facility or soft costs.

Commissioner Baacke calls for a motion to suspend the Board's Rules of Administration requiring a quorum to be physically present.

Ms. Wagner moved to suspend the rule that a quorum be physically present and Inspector General Shapiro seconded the motion

ROLL CALL VOTE: To suspend the rule requiring a quorum to be physically present.

The Board voted as follows (roll call by Mr. Crowley):

Commissioner Baacke: Yea

Inspector General Shapiro: Yea

Ms. Wagner: Yea

Mr. Gildea: Yea

Inspector General Shapiro inquired about whether a shorter initial lease term would benefit the Commonwealth and suggested a 30 year initial lease term. Commissioner Baacke questioned whether the market would react similarly with a 30 year initial lease term as with a 40 year lease

term. Mr. Gildea stated he believes the market would react well to a 20 or 25 year lease. Ms. Wagner agreed and added that the project would benefit from a shorter initial term with the ability to extend.

Mr. Ambrosino described the importance of this project to the Trial Court and the Courts' commitment to staying in South Boston. He stated that having a long term lease would make it easier to anticipate future costs. Ms. Macedo described the nature of buildout necessary for the court's specific use and that those improvements may be more difficult to reuse/turn over to other tenants at the end of the lease term.

Mr. Gildea moved to approve the Project Proposal with a modified 30 year initial lease term with three 10 year extension options for a maximum total of 60 years. Ms. Wagner seconded.

ROLL CALL VOTE: To approve the Project entitled "Final Project Proposal: Massachusetts Trial Court, Acquisition of South Boston Municipal Courthouse Facility Lease for Massachusetts Trial Court dated January 21, 2025 by the Massachusetts Trial Court" modified (authorizing a 30 year initial term with 3 10-year options)

The Board voted as follows (roll call by Mr. Crowley):

Commissioner Baacke: Yea

Inspector General Shapiro: Yea

Ms. Wagner: Yea

Mr. Gildea: Yea

5. Springfield Trial Court Project: Massachusetts Trial Court Acquisition of Springfield Regional Justice Center Facility Lease for Massachusetts Trial Court, Springfield, Massachusetts, January 21, 2025

Commissioner Baacke introduced the Springfield Trial Court Project and explained role of the Board in the acquisition of long-term leases. Mr. Woodford presented information on the Project Proposal including financial feasibility, the alternative acquisition and competitive selection processes being proposed, anticipated milestone dates, the laws and regulations to be waived and the public participation which has occurred, including a public hearing about the Project. Authorization being sought is for an initial lease term of 40 years with two 10 year extensions.

Mr. Gildea stated that he believes a 40 year lease term in this instance is appropriate due to the specific build to suit and design requirements.

Inspector General Shapiro reiterated his skepticism of long term leases and believes shorter is better for the Commonwealth. He also expressed concern that the open and

competitive selection process could be comprised due to comments and a dynamic created by a local public official's vocal preference for a specific site and a specific development partner. Inspector General Shapiro poses the question of how to level the playing field.

Commissioner Baacke shared in the concern that this appearance of preference has a possible chilling effect on potential proposers. Ms. Russell expressed DCAMM's intent to contract with a real estate transaction advisor to maximize interest in this offering. Commissioner Baacke continued to express the value of a real estate transaction advisor in fostering greater competition and hoped this project will generate national interest, not just regional. He inquired with the board if there were additional recommendations for methods to counter these concerns. Inspector General Shapiro mentioned the possibility of hosting a developer's conference to gauge interest.

Mr. Ambrosino described the Trial Court's preference for remaining downtown and close to public transit. He also emphasized that timing for this procurement is crucial as the courthouse needs to occupy new space as soon as possible due to the condition of the existing facilities. The Courts cannot wait for the capital budget process to fund this endeavor and the AMB authorization allows for a more expedited process. He indicated he preferred no additional steps before an RFP is issued as this could expose TRC to additional employee lawsuits.

Ms. Macedo stated DCAMM typically would have a period before proposals are due for interested parties to submit questions. This would be an opportunity for the development community to voice any questions or concerns about the project. It would be a similar format to that of the Crime Lab RFP, a previously approved project by the Board.

Commissioner Baacke asked the board if they would like to modify and vote on the proposal.

Ms. Wagner offered a motion to approve the final project proposal with the additional requirement that DCAMM hold a developer's conference before proposals are due.

Mr. Gildea seconded motion.

ROLL CALL VOTE: Upon motion, duly made and seconded, to approve the Final Project Proposal entitled "Massachusetts Trial Court Acquisition of Springfield Regional Justice Center Facility Lease for Massachusetts Trial Court, Springfield, Massachusetts, January 21, 2025" as modified requiring a pre-bid developer conference.

The Board voted as follows (roll call by Mr. Crowley):

Commissioner Baacke: Yea

Inspector General Shapiro: Nay

Ms. Wagner: Yea

Mr. Gildea: Yea

6. Lindemann-Hurley Redevelopment Project - Preliminary Project Proposal

Ms. Vladeck presented the Lindemann-Hurley Preliminary Project Proposal. She indicated that the Hurley Redevelopment Project had not been successful and this project would include the Erich Lindemann Mental Health Center. She indicated that the design guidelines would be updated to include the Lindemann building. There would no longer be any requirement of relocating office uses formerly housed in the Hurley building (all of those state agencies have been relocated elsewhere, most to 100 Cambridge Street). However, the successful proposer would be responsible for providing facilities to house all of the Department of Mental Health's current programs that are located at the Lindemann building.

ROLL CALL VOTE: Upon a motion to approve the Lindemann-Hurley Redevelopment Project Preliminary Project Proposal, the Board voted as follows (roll call by Mr. Crowley):

Commissioner Baacke: Yea

Inspector General Shapiro: Yea

Ms. Wagner: Yea

Mr. Gildea: Yea

7. Other Business

Commissioner Baacke asked if there was any other business anyone wished to discuss. Hearing none, he requested a motion to adjourn.

Mr. Crowley entertained a motion from the board to adjourn the meeting.

ROLL CALL VOTE: Upon a motion duly made and seconded to adjourn the meeting, the Board voted as follows (roll call by Mr. Crowley):

Commissioner Baacke: Yea

Inspector General Shapiro: Yea

Ms. Wagner: Yea

Mr. Gildea: Yea

Commissioner Baacke adjourned the meeting at 5:07PM ET.

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Signed: 

Paul M. Crowley
Acting Board Secretary

Attached:

1. South Boston Municipal Courthouse FPP Presentation
2. Springfield Regional Justice Center FPP Presentation
3. Lindemann-Hurley PPP Presentation