

current use as a VFW hall, according to the City Assessor, are a warehouse, storage or interior warehouse/office space. Consequently, the City Assessor has estimated the market rent for this property at \$5.25 to \$8.50 per square foot.

The \$3,344 per month rent (\$6.00 per square foot) has been agreed upon by the VFW.

Request for Diminution of Process Stipulated in Chapter 2.110

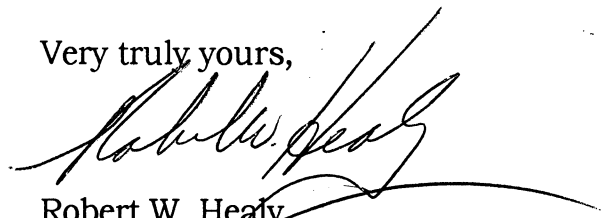
Chapter 2.110 of the Cambridge Municipal Code on the disposition of city property outlines an extensive process to be applied to the "sale, transfer, lease or rental, or exchange of any city-owned property or property rights or interests." Paragraph G of section 2.110.010 allows for the diminution of the procedural requirements, by 2/3 vote of the City Council, for property for which the described process would be unduly burdensome." I believe that Paragraph G is appropriate for review of the VFW's request for this lease, and request that a limited review process be approved.

The stated purpose of this Chapter of the Municipal Code is "to protect the citizens of Cambridge and to achieve land uses that best serve the City's public purpose." When that purpose is best served by a disposition of city-owned property for a private purpose, the City's primary objective is "to receive the fair market value for such property, to protect real estate values, and to dispose of each property without favoritism."

Limiting the scope of review for the requested disposition would be consistent with the expressed objective of the procedure required by the Chapter: to render "a fair analysis of how the greatest public benefit can be obtained from the City property in question." I believe that the information furnished in this letter is sufficient to enable the City Council to make a determination on this matter. Carrying out a more detailed review would require a significant amount of money and staff time. Since the procedure set forth in the Chapter would be costly and the use of this property is one that is consistent with City Council policy, I believe this to be the type of disposition anticipated by subsection (G) which allows for a simpler process.

I appreciate your consideration of this matter, and welcome any questions you may have.

Very truly yours,



Robert W. Healy
City Manager

permanent site in the East Cambridge area for its headquarters.

In October 1983 the City Council passed an Order strongly recommending that approximately 6,000 of commercial space in the East Cambridge Parking Facility be made available to the VFW Post 3273. The Council described Post 3273 as the "type of non-profit civic and humanitarian organization which the City of Cambridge supports and encourages."

In September 1985 the City entered into a lease with VFW Post 3273 for a five year term; because of construction delays of the garage, the lease commencement was amended to October 1986. In 1992, the lease was extended for a second five-year term. During the initial term of the lease, the VFW paid \$4.25 per square foot (\$2,368.67 per month); this was raised to \$5 per square foot (\$2,786.67 per month) in 1992. Currently, the VFW is a Tenant at Sufferance, pursuant to its lease; the monthly rent for space has tripled to \$8,360.01.

Description of the Property

The building in which the VFW leases space is located at 51-63 First Street in the City's East Cambridge Parking Facility. The garage and ancillary retail space was constructed in the mid-1980's, under the authorization of Planning Board Special Permit #29. The site is located in the Business 4/PUD 4 District. VFW Post 3273 has occupied 6,688 square feet of space since 1985.

Description of the lease for VFW Post 3273

The tenant space occupied by the VFW is a total of 6,688 square feet on the ground floor of the building located at 51-69 First Street. The space includes an open meeting area, bar and kitchen, and is used as a function room and members lounge.

I am recommending that the lease be for a five -year term. The VFW has agreed to pay \$3,344 per month to the City the first year; in years 2-5, the rent will increase by \$1,000 per year.

The VFW is responsible for public liability insurance and property damage liability insurance, and pays all water and sewer charges. The VFW is also responsible for all maintenance and repair to the premises. The City is responsible for all major capital and structural repairs.

Financial Arrangements

Because of the large size of this space in relation to that of other tenants and other retail operations in the immediate area, the City cannot expect to get the high end of rents in this area. Smaller retail spaces historically bring higher per square foot rents. Moreover, the 6,600 + square foot space is a handicap for conventional commercial use because of the lack of windows for potential employees, and lack of exposure to the public for retail use. Alternative uses for this space to its



City of Cambridge

Agenda Item No. 20B

IN CITY COUNCIL

June 16, 1997

ORDERED: That the City Council hereby approves and authorizes the City Manager to grant, on behalf of the City of Cambridge, a 5-year lease to the Veterans of Foreign Wars Post 3273 to occupy 6,688 square feet of space in the city-owned building at 51-69 First Street.

In City Council June 23, 1997.

Adopted by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, which appears to read "D. Margaret Drury". The signature is written in a cursive style.

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council June 23, 1997

Charter Right #2

	YEA	NAY	ABSENT	PRESENT
V.M. Kathleen L. Born	✓			
Ms. Henrietta Davis	✓			
Mr. Francis H. Duehay	✓			
Mr. Anthony Galluccio	✓			
Mr. Kenneth E. Reeves	✓			
Mr. Michael A. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Ms. Katherine Triantafillou	✓			
Mayor Sheila T. Russell	✓			

9 0 0



City of Cambridge

Agenda Item No. 20A

IN CITY COUNCIL

June 16, 1997

ORDERED: Pursuant to Section 2.110.010G of the Cambridge Municipal Code, the City Council hereby orders that the City Council shall utilize a diminished process for the disposition of a lease to the Veterans of Foreign Wars Post 3273 to occupy 6,688 square feet of space in the city-owned building at 51-69 First Street.

In City Council June 23, 1997.

Adopted by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, reading "D. Margaret Drury".

D. Margaret Drury
City Clerk



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307



20.

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 16, 1997

To the Honorable, the City Council:

The Veterans of Foreign Wars (VFW) Post 3273 is requesting the grant of a lease to occupy 6,688 square feet of space in the building at 51-69 First Street, a city-owned building. The VFW has occupied portions of the ground floor of this facility since 1985; its lease has recently expired. It has been the policy of the City Council since at least 1983 to rent to the VFW as "the type of non-profit civic and humanitarian organization which the City of Cambridge supports and encourages." Moreover, State Law (M.G.L. Chapter 40, section 9) allows City's to enter into lease arrangements with veterans' organizations for the purpose of providing suitable headquarters. This proposal requires action by the City Council.

First, the proposal must be considered by the Council pursuant to Chapter 2.110 of the Cambridge Municipal Code which governs the disposition of city-owned property. I believe this disposition may properly be subject to Section 2.110.010 (G) of that ordinance. Section G provides for the disposition of city-owned property where the full process of the ordinance would be unduly burdensome. Under this section, the City Manager may request of the City Council a diminution of the process in the ordinance; approval of this request requires a two-thirds vote of the City Council. I recommend such approval at this time.

Secondly, Section 2.110.010 also requires a two-thirds vote of the City Council to authorize the City Manager to grant the lease to VFW Post 3273. I also recommend that the City Council vote to grant the lease to VFW Post 3273 and to execute and deliver such lease in form and substance as I determine is necessary or advisable.

Background

In the early 1980's, the City developed and implemented plans to construct the East Cambridge Parking facility, that would accommodate approximately 530 cars and 13,000 square feet of commercial rental space on the ground floor level fronting First Street. At this same time, the VFW Post 3273 was seeking a

Consent Agenda #20

Cal. 2

S-417

Relative to the VFW Post 3273 requesting
the grant of a lease to occupy 6,688
square feet of space in the building at
5169 First Street, a city-owned building.

In City Council June 16, 1997.

Charter Right
exercised by
Councilman Montefillon

June 23, 1997

Order Adopted

9-0-0