



City of Cambridge

IN CITY COUNCIL

November 8, 1982

WHEREAS:

This City Council has heretofore authorized, by vote dated June 21, 1981, the City Manager in conjunction with the Commissioner of Health and Hospitals to advertise for a request for proposals from developers regarding a lease and lease back of the building now known as the Lee B. Macht Community Health Center at Cambridge Hospital; and

WHEREAS:

Certain questions have arisen regarding the authority of the City to enter into a long-term lease and to enter into a long-term contract for sublease of space in the building;

NOW, THEREFORE, BE IT ORDERED:

That the General Court of the Commonwealth of Massachusetts be and hereby is petitioned to enact a special law relating to the City of Cambridge in the form attached, with such nonmaterial modification from such form as the City Manager shall deem appropriate, if any, after consultation with the City's elected representatives to the General Court.



City of Cambridge

Agenda Item Number 14

IN CITY COUNCIL

November 8, 1982

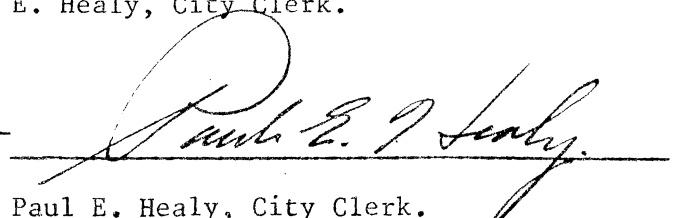
ORDERED:

That this City Council go on record approving the filing of the attached legislation entitled "AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO LEASE LAND AND BUILDINGS FOR TERMS NOT EXCEEDING NINETY-NINE YEARS AND FURTHER AUTHORIZING THE CITY OF CAMBRIDGE TO CONTRACT FOR THE SUBLEASE OF SPACE IN THE BUILDING AT CAMBRIDGE HOSPITAL NOW KNOWN AS THE LEE B. MACHT COMMUNITY HEALTH CENTER FOR A TERM NOT EXCEEDING NINETY-NINE YEARS."

In City Council November 8, 1982.
Adopted by a yea and nay vote:-
Yeas 8; Nays 0; Absent 1.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO LEASE LANDS AND BUILDINGS FOR TERMS NOT EXCEEDING NINETY-NINE YEARS AND FURTHER AUTHORIZING THE CITY OF CAMBRIDGE TO ENTER INTO LEASES OF LANDS AND BUILDINGS FROM OTHERS FOR TERMS NOT EXCEEDING NINETY-NINE YEARS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of Chapter 40, Section 3, of the General Laws or any other general or special law to the contrary, the City of Cambridge is hereby authorized from time to time to lease to other persons lands and buildings and parts thereof for terms not exceeding ninety-nine years on such terms and conditions and with such appurtenant rights as the City shall determine.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, the City of Cambridge is hereby authorized to lease from other persons lands and buildings and parts thereof from time to time for terms not exceeding ninety-nine years on such terms and conditions and with such appurtenant rights as the City shall determine.

SECTION 3. The authority granted by this act shall be exercised by the City Council by a majority vote thereof. The City Council may by such vote authorize and direct the City Manager, or such other official of the City of Cambridge as the City Council may by its vote designate, to execute and deliver such leases and other documents as may be reasonably necessary or appropriate to enter into transactions hereby authorized. The execution and

NOTE. — Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

SECTION 3. (Cont'd.) delivery of any lease or other document by such duly authorized official shall be conclusive evidence that the same was within the authority conferred by this act and by the vote of said City Council and upon such execution and delivery such lease or other document shall be a valid and binding obligation of the City of Cambridge enforceable in accordance with the terms thereof.

SECTION 4. This act shall take effect upon its passage.

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.

The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation AUTHORIZING THE CITY OF
CAMBRIDGE TO LEASE LAND AND BUILDINGS FOR TERMS NOT EXCEEDING NINETY-NINE YEARS AND
FURTHER AUTHORIZING THE CITY OF CAMBRIDGE TO ENTER INTO LEASES OF LANDS AND BUILD-
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Petitioners are requested to sign names and addresses legibly.

Daniel J. Clinton

David E. Sullivan

David A. Wythe

Aug. St. Aubrey



Sandra Graham

Ceped Velasco, Mayor

Robert W. Healy, City Manager

Thomas W. Donohy

31 Rockingham St. Camb.

83 Inman St., Cambridge

925 Massachusetts Ave. Camb.

26 Lowell Street, Cambridge

5 Hawthorn Pl. Cambridge

189 Western Ave. Camb.

42 Porter St. Cambridge

47 Homestead Ave. Lowell

19 Richard Ave. Camb.



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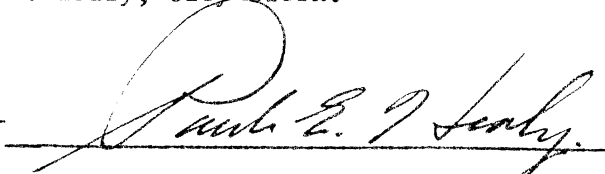
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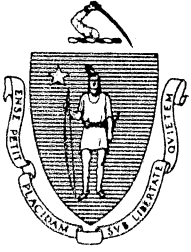
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[Signature]	5 Hawthorn St. Cambridge
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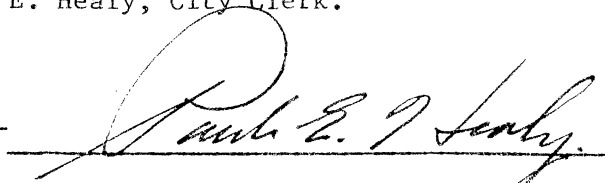
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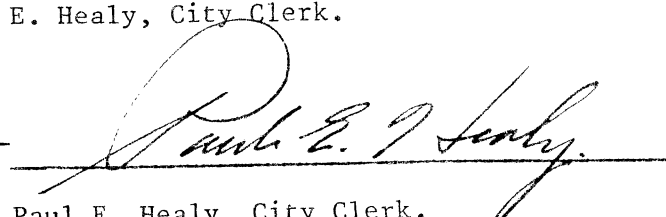
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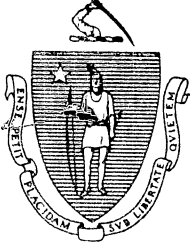
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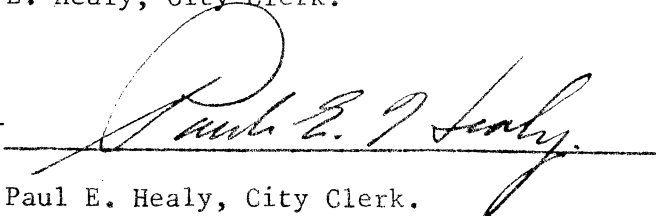
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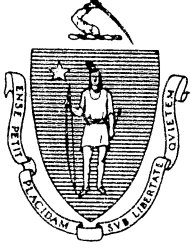
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Cyril Velhuse, Mayor
Robert W. Healy, City Manager
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City of Cambridge

MASSACHUSETTS

In City Council

1982

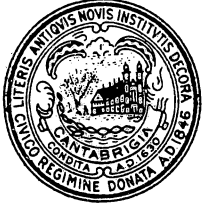
#14 Agenda

Nov 8

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan			✓	
Mr. Wylie	✓			
Mayor Vellucci	✓			

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*CP SR
RF
A*



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

November 8, 1982

To the Honorable, the City Council:

On June 21, 1982, the City Council authorized the City Manager to advertise for requests for proposals from prospective developers for a lease and lease back arrangement regarding the Lee B. Macht Community Health Center (the former Nurses' Residence) at Cambridge Hospital. On July 11, 1982, such a request was issued. Numerous candidates submitted proposals. All proposals contemplate a long-term lease of the building from the City to a developer; redevelopment of the building by the developer; and a lease of a majority, but not all, of the space in the rehabilitated building back to the City for use by the City Hospital for a period co-extensive with the building lease. A minimum building lease term of 15 years is required for any developer participating in the project to obtain the benefits of the investment tax credit under the Internal Revenue Code.

Questions have been raised about the power of the City to lease buildings for a period in excess of 10 years. M.G.L. c.40, §3 authorized a city to let or lease a public building "for not more than ten years".

Questions have also been raised about the power of the City to enter as lessee into an occupancy sublease at the Macht building for a period co-extensive with the building lease.

The second Article of Amendment to the Massachusetts constitution, Section 8, authorized the general court, on petition filed or approved by the legislative body of a city, to enact special laws relating to that city.

Attached is a proposed action petitioning the general court to authorize the City to lease land and buildings for a period of no more than 99 years. This provision will allow the City flexibility in future leasing transactions. The proposed legislation would also authorize the City to sublease space in the Macht building for a period not exceeding 99 years.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Encs. 2

F-304

Re: proposed legislation entitled "AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO LEASE LAND AND BUILDINGS FOR TERMS NOT EXCEEDING NINETY-^{FIVE}~~ONE~~ YEARS AND FURTHER AUTHORIZING THE CITY OF CAMBRIDGE TO CONTRACT FOR THE SUBLEASE OF SPACE IN THE BUILDING AT CAMBRIDGE HOSPITAL NOW KNOWN AS THE LEE B. MACHT COMMUNITY HEALTH CENTER FOR A TERM NOT EXCEEDING NINETY-NINE YEARS".

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11/8/82

Order

Adopted
Roll Call Vote
P-0-1