

Regular Board Meeting
Cambridge Redevelopment Authority

Wednesday, November 17, 2021 at 5:30pm
Due to the COVID-19 pandemic, this meeting was held virtually via Zoom

APPROVED Meeting Minutes

At 5:34 PM, Ellen Shore, CRA Operations Director, said that CRA board meetings are being held remotely in accordance with section 20 of chapter 20 of the Acts of 2021, signed into law on June 16 2021. There will be opportunities for public comment at the start of this meeting and at the discretion of the chair. Ms. Shore explained the steps to take to provide public comment. Board meeting materials can be found on the CRA's next meeting webpage. This meeting is being recorded, including all video audio and QA messages

Call Roll

Chair Kathleen Born called the regular meeting of CRA Board. A roll call of Board members and the Executive Director was taken.

Vice Chair Conrad Crawford - present
Treasurer Christopher Bator – absent, will be arriving late
Asst. Treasurer Barry Zevin - present
Asst. Secretary Margaret Drury - present
Executive Director Tom Evans – present

Because this is a remote meeting, all votes will be taken by roll call and Mr. Evans will repeat the response of each member.

Public Comment

No requests for public comment were offered. Ms. Born said that there will be other opportunities for the public to offer comments.

A motion was made by Ms. Drury to close public comment. A roll call was taken by Mr. Evans and each member's vote was repeated.

**Mr. Bator – absent
Ms. Born – yes
Mr. Crawford – yes
Ms. Drury - yes
Mr. Zevin – unintentionally skipped over
The motion carried.**

Minutes

- 1. Motion: To accept the minutes of the Joint Meeting of the CRA Board and the Planning Board on September 28, 2021**
- 2. Motion: To accept the minutes of the Regular Meeting of the Board on October 20, 2021**
- 3. Motion: To accept the minutes of the Design Review Meeting on October 13, 2021**
- 4. Motion: To accept the minutes of the Design Review Meeting on October 27, 2021**

Mr. Bator joined the meeting at 5:40 PM.

No edits were offered for any of the minutes.

A motion was made, by Mr. Zevin, to place the four sets of minutes on file. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator – yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

Communications

5. MEPA Certificate issued by Secretary of the Environment on November 8, 2021 regarding the Notice of Project Change for the Kendall Square Urban Redevelopment Plan

Mr. Evans said that the MEPA certificate was issued last week. The requirement for MEPA review relates to the amendment of the Kendall Square Urban Redevelopment plan. The CRA had gotten approval from the state for that plan amendment, conditioned on MEPA review. The CRA worked with Boston Properties and VHB to submit an expanded notice of project change (NOP) in September. Comments from the public and state agencies are attached to the certificate. A determination was made that no further analysis was necessary due to the expanded analysis that had been done with the NOP and due to the agreed-upon mitigations, especially related to transportation. This is an unusual EIR because of its history and its complex overlapping nature of review and approval that had already come from the local body. The related Eversource project will likely have its own MEPA review, once the state starts reviewing their permit. The CRA will be receiving additional contributions to the KSTEP fund for transit enhancement, presuming the project moves forward.

Ms. Born congratulated Mr. Evans and staff on this successful submission. She is proud that the CRA is doing the environmentally conscious planning that the State expects.

Mr. Evans added that, although not part of the original plan, Boston Properties has also submitted all energy information related to making the residential tower all-electric. If the design is approved, it will be the largest all electric residential building in New England. In response to Ms. Drury, Mr. Evans said that the building will be 421,000 square feet and 400-feet tall.

6. Written communications received since the publication of this meeting notice.

Mr. Evans said that no additional written communications were received since the publication of this meeting notice

A motion was moved, by Ms. Drury, to accept the MEPA certificate and place it on file. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator – yes

Ms. Born – yes

Mr. Crawford – was having technical difficulties, was not able to vote

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

Reports, Motions, and Discussion Items

7. Monthly Staff Report

Mr. Evans said that Ms. Kailasam, Director of Finance and Operations, was unable to attend this meeting due to a family emergency so he will also report on the financials.

The 2020 audit was sent to the City Finance Department for their year-end filing. A management letter was received from the auditor after the Board meeting last month and distributed to board members. There are several procurements underway. A 30B process is being followed to explore the purchase of land for the affordable homeownership requirement, which is part of the letter agreement for the Kendall Square Urban Redevelopment Plan. While this is in process, HR&A as well as Cushman & Wakefield are helping to explore other options. An RFP will be posted in the next week or so to procure landscape property management services for a three-year timeframe, primarily for the Grand Junction Park, but also for Parcel Six. Other procurement work includes insurance / risk management advisory services and an appraisal for the Parcel 6 land. Next month on December 15, the Infill Development Concept Plan will be reviewed. The City Planning Board will be having their hearing on this plan on December 14. Other items for next month are a discussion regarding the amendment to the Development Agreement with Boston Properties, a 2022 budget, and dates for board meetings in 2022.

The staff memo includes an update on the Forward Fund. With respect to 325 Main Street, the public realm is coming together and the sidewalk in front of Main Street is almost done. Progress continues on both the roof garden and the social stairs. The letter of credit with Boston Properties for work on the Adapter project and for the addition of trees at 145 Broadway will be extended for one year due to engineering complications and the time-intensive efforts involved in the substation project. The staff report also includes an update on the 2020 COVID Small Business Zero Interest Loan. Mr. Evans spoke about the new construction detours since Galileo reopened. There are closures along Broadway as well as an unexpected Sixth Street walkway closure. Unfortunately, this will be closed for the next few months. An extensive detour system has been put in place. The outcome will be a more substantial stormwater drainage system flowing through this side of Kendall.

Mr. Bator said the audit and the management letter attributes credit to the CRA staff and the financial management of the agency. The CRA continues to be in good shape and follow best practices. He thanked Mr. Evans and Ms. Kailasam, as well as staff.

Financially speaking, Mr. Evans said that the largest portion of the budget continues to be redevelopment investments, specifically the Bishop Allen reconstruction. Operating expenses are on track. The professional services have not been spent as initially allotted, primarily because the landscape architecture work has not started. The Forward Fund also has unspent funds. There are a few budget adjustments to be discussed later in the agenda.

Mr. Bator said that the financial report reflects a significant loss in investment income in September, which is a reflection of what has occurred in the stock market and the S&P 500. He expects that the October and November investment reports to show a recovery. Even with the September loss, the investment income is significant for the year. The CRA benefits from an investment policy that allows the agency to “ride the market wave” in a conservative but useful way. This income helps fund CRA operations. Mr. Evans agreed and added that there have been no changes to the CRA investment portfolio.

A motion was moved by Ms. Drury to place the staff and quarterly financial report on file. A roll call was taken by Mr. Evans and each member’s vote was repeated.

Mr. Bator - yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

8. Fiscal Year 2021 Budget Amendment

Mr. Evans said that the memo in the Board packet summarizes the proposed budget changes. Looking at the operating expenses, funds were shifted between Personnel (active employees) and Office (retired persons) to align with GIC and Cambridge Retirement obligations. With respect to professional services, \$20,000 is being shifted from Design Architects to Legal. The design architect funds were expected to be used for the Margaret Fuller Neighborhood House project, the status of which will be discussed in more detail later tonight. An amount of \$40,000 is being added to this year’s budget for the Foundry to support the salary of their Executive Director who started in August. This has no effect on the overall commitment to the Foundry Consortium. There is a \$25,000

increase to the KSTEP budget because of unexpected bus shelter underground installation issues, which have been discussed in previous Board meetings. The CRA will be requesting a reimbursement for this project from the KSTEP committee in December. In February, after the Bishop Allen construction project bids were received, the overall project budget was adjusted but the CRA budget hadn't been adjusted. Looking at the amended budget, the line item for Bishop Allen is \$10.6 million. A small portion of this will be encumbered for spending in 2022. The actual project budget hasn't changed and the project is expected to be in alignment, using the contingencies. Mr. Evans noted that investment income is more than what was projected for the year. It is likely that the revenue will be less than projected because tenants will not be in Bishop Allen in October, as originally planned.

Mr. Zevin noted that the CRA had a huge overrun trying to drive four helical piles into the ground because of bad documentation of existing conditions. There was a discussion of who keeps track of what is found underground. Mr. Evans said it is not the CRA's job and that DPW should have it mapped out. Mr. Evans will follow up to determine how this is being recorded and whether Bond Construction would be providing as-builts for everything that is underneath. He added that Eversource would probably be digging things up again in the future if the project is approved.

A motion was moved by Mr. Bator, to adopt the 2021 Budget Amendment as summarized by the Executive Director. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator - yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

9. Residence Inn Open Space Modification Proposal

Motion: Approving the conceptual design for revisions to the 120 Broadway Open Space area proposed by the Residence Inn, Parcel 3 of the Kendall Square Urban Redevelopment Plan

Ms. Born noted the attendance of Residence Inn (RI) representatives and Melissa Peters from the City Community Development Department.

Fabiola Alikpokou, CRA Planner, summarized the project. As part of a larger reinvestment in its property, which includes a modification to the ground floor of their building, RI has proposed a redesign of its open space at 120 Broadway, which is a third of Danny Lewin Park. Boston Properties (BxP) owns the other two thirds. RI wants to activate their building edge by creating a new patio with outdoor furniture directly connecting their interior seating area to their open space portion of the park. Alcohol service would also be available on the new patio space.

There is currently a covenant on the parcel which is held by the City of Cambridge, requiring the area to be open to the public one hour after sunrise and ending one hour before sunset. A key goal of the space design is to ensure that the patio complies with this open space covenant during the hours it is open and accessible to the public, while also providing point of control necessary for the consumption of alcohol in this space. RI is also requesting, through the City Manager's office, a modification to the covenant rule to close the area to the general public at 5pm each evening in order to create a designated area to serve alcohol. Although this covenant modification is out of the CRA's purview, CRA staff have met with staff from the City Manager's office and CDD. RI has been collaborating with the CRA over the past few months. Their plan was presented to the CRA Design Review Committee on October 13 and they have incorporated some suggestions for making the space feel more open to the public. However, there are still more things to discuss further.

In regards to the portion of the park owned by BxP, staff has heard from the community on activating that space and increasing the porosity of the area. CRA staff is working with landscape architect Mikyoung Kim Design on the redesign of the space so that it feels unified and cohesive.

Barry Simon, RI owner representative, introduced members on his team. Jennifer Pendola, General Manager, said that RI wants their guests to feel that RI is their home away from home; they want them to feel like they are part of the community. RI is not looking to build a restaurant. Alcohol will only be served from the bar inside the hotel.

There will be security measures according to City laws that ensure alcohol is contained. Over the past couple of months and through design review, suggestions and recommendations have been made and incorporated into the design. Mr. Simon said that the plans for this patio area are thoughtful. They are not trying to make the RI the destination, but rather make Danny Lewin Park the destination. The park needs more atmosphere.

Steve Angel, representing the RI ownership group, said that \$16 million has been invested in renovating the hotel and the lobby area to serve the community for years to come. This is an opportunity to beautify the outdoor space and make it usable for hotel guests and the community. The feedback received regarding the planters was incorporated in this plan, providing a welcoming access from both inside the hotel, as well as from the open area of the park.

Heather Link, RI project lead designer, said that the addition of a patio is a great opportunity to enliven the space in this portion of the park. She showed an overall plan of the proposed patio in relation to the rest of the park. She discussed seating, planters and their modified spacing, the fire counter feature and added guards, decorative nighttime lighting, and a fire-pit. Mr. Angel noted that the actual fire feature would only be activated during the private hours. Ms. Link showed pictures of the proposed outdoor furniture, which is all movable.

Eli Tuttle, RI lead architect, gave more technical details. He noted that the fire pit is not wood-burning, although page 4 shows a wood burning fire pit. It will be very controlled with a four-inch maximum gas flame. RI will abide by all the fire marshal's safety requirements. He emphasized a larger opening into the patio area to welcome the public during non-operation hours. RI has engaged a civil team to provide a drainage plan so that no water will spill onto the walkway. The planters will be seasonal. The existing tree in this area will have the proper landscaping around it for root growth. RI will try to take advantage of that in the drainage plan so those trees will maintain growth throughout the year. The memorial tree in the far-righthand side will not be touched.

Ms. Born opened the discussion for comments from the Board. She noted that she and Mr. Zevin have seen an earlier version of this plan.

Mr. Zevin was curious as to why the top of page 3 of the plan shows planters but the renderings on page 7 and 8 show the existing iron fence. He favors leaving the fence, which won't impede the proposed use of the area. He also expressed issues regarding the grading. Although more fire safety protections have been added, he is still very concerned about safety. He noted the fire department website says these are forbidden. He explained why he dislikes the planter design. Lighting could be installed as part of the structure rather than strung. Lastly, he is unconvinced that enough room has been left around the trunks of the two trees closest to the street. He felt that the drawings presented were not correct nor adequate to make a determination. He added that the Mikyoung Kim design of the entire area is probably not a good solution either.

Mr. Evans explained that the Mikyoung Kim design has been a learning process. The design language used for the Ames Place analysis should not have been used for Danny Lewin Park. A less intrusive rearrangement of the park will be discussed that preserves the trees and provides more landscape space. Mr. Zevin said that the nature of the park being a memorial gives weight to it as a stopping place more than simply a throughway to the garage.

Ms. Born asked Ms. Peters if there were any comments from CDD. Ms. Peters said that discussions regarding this project still need to occur with certain City departments, so no decision has been made. Although the City supports businesses and activation, there is some high-level concern about the loss of publicly accessible open space. She stated that 25% of the City's publicly accessible, open space is privately owned. A decrease in the net hours is a concern. The City is also concerned about losing softscape to hardscape, but does recognize the improvements in terms of activation. Conversations will continue to search for something that works for all.

David Connolly, RI attorney, thanked Ms. Levering for the Alta, mechanical, and drainage drawings, which will help the civil engineer. He offered to connect with Ms. Peters and the CRA regarding the requested change in time. Mr. Connolly said that the net difference of public access time is approximately 31 minutes per day.

Ms. Born said that there are several things about this project in this space that are fairly typical of a Cambridge pocket park, although this park is also a memorial park. It is one of the City's smaller public spaces, and it has a potential to be very intensely used, particularly as the area is undergoing new development. She applauds the intensification of the use of the space that the Residence is providing as it will definitely enliven the space.

She said that since the entire Danny Lewin Park design is in the process of being examined with the help of CRA's landscape architect Mikyoung Kim, the RI design is being presented without knowing the overall design. At a past Design Review Committee meeting, it was suggested that the RI have the lightest touch possible to allow for future adaptation to the eventual redesign of the park as a whole. The proposal presented tonight fits that criterion, with one exception - the fire table. This is a very solid, permanent, and predominant structure. She asked RI to rethink the inclusion of that element. The design shows six seats on one side of the fire table. It is functioning as a demising barrier between the larger space of the park and the seating area, which is a harsh look. She would not mind seeing two circular fire pits in the seating area. If this feature remains, the rest of the park design would need to respond to it, which doesn't seem right.

Mr. Angel apologized for the drawing confusions. He guaranteed that seating will be on both sides of the fire table to ensure that it's a social feature, particularly during the open hours. He said that the location was chosen to actually become more integrated within the park, rather than to isolate the patio. He said that this will be a lovely place to sit and look out onto the open park area. Incorporating CRA feedback, the nearby planters were moved to provide a very open element. With regards to future redevelopment of the space, this could be modified if the plans for the entire park made that necessary.

Ms. Born said it is unfortunate that the redesign of the entire park doesn't have the same timeline, making it more difficult to design the area as a whole. She regrets such a strong statement before the vision for the whole park is known. Ms. Born asked for the structure to look less built-in.

Mr. Tuttle said that from a brand standpoint, from a Marriot standpoint, anything with a fire element has to be a permanent, secure structure. The bricks are used to give it more prominence and match the building. It might be possible to make it slimmer.

Mr. Bator asked if there was a recommendation of the Design Review Committee or a recommendation of CRA staff. Mr. Evans explained that the Design Review Committee is used in two ways. One is to provide a platform for project discussions and reiterations before coming to the Board for approval. However, the Board can approve a project conceptionally with provisions that certain things are decided in future design reviews. There was a discussion regarding the process for voting on this motion. Ms. Born explained that the proponents want to move the project forward. The Design Review Committee was unable to reach a concise and clear conclusion to bring a recommendation to the full board, but she felt it was important that the project not get stuck. This also provides an opportunity for the public to hear about the project.

Mr. Bator is reluctant to vote in favor of the proposal since its approval is not coming with a strong recommendation of either the Design Review Committee or of CRA staff.

Ms. Born opened the discussion to the public. Heather Hoffman, said that the proposed design does not feel welcoming to her as a member of the public. Looking at page 8, the combination of the brick wall, the planters arranged in a line, and the fire table with more planters, makes it look like an area that is closed off to everybody who doesn't have business with the RI. There is nothing that implies that this space is part of the entire area. Having identical chairs on both sides of the "invisible" line would be one improvement. She agreed with Ms. Peters. The CRA Board was reconstituted in the middle of huge robbery of privately owned publicly accessible open space in Kendall Square. Anything that contributes to telling the public that they aren't welcome in spaces where they were previously or that specifically takes it away is very concerning. She added that the Science Center at Harvard has a truly welcoming fire pit area.

There was further discussion regarding the options for proceeding. Ms. Born asked Ms. Peters about the timeline for CDD to complete its consideration. Ms. Peters said there are other City departments, including the Law Department and DPW, that still need to weigh in on aspects of this proposal before going to the City Manager with a thorough recommendation. If this were to be approved, there would probably be conditions or mediations to the design to resolve some of the concerns. Ms. Born said that the City's timeline gives the CRA more time for further design review. Ms. Peters agreed that the City and CRA can work together to align the timelines for making the decision on the covenant as well as the design. Ms. Born asked for CDD involvement if the proposal went back to design review.

A motion was moved by Mr. Bator to refer the Residence Inn conceptual design proposal back to the design review committee for further review and perhaps refinement, consistent with the comments made here tonight, and in consultation with the relevant City departments. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator - yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

10. Margaret Fuller Update / Project Owner Project Manager RFQ

Motion: Amending the Cooperation Agreement with the Margaret Fuller Neighborhood House to proceed with schematic designs and negotiations for a potential development agreement for the restoration of the historic house, and the construction of a new community facility at 71 Cherry Street and affordable housing on the rear parking lot.

Motion: Authorizing the Executive Director and Chair to enter into contract negotiations with (TBD) to provide Owner Project Manager (OPM) services to guide the design and expected construction of the Margaret Fuller Neighborhood House Renovation and Development.

Erica Schwarz, Project Director, said that the CRA has had a cooperation agreement with the Margaret Fuller Neighborhood House (MFNH) since spring of 2019. This has gone through a couple of amendments, the most recent one in June 2020. Since then, several things have happened that have impacted how the CRA and MFNH staff view the project. This past year, the MFNH completed a strategic plan, which clarified their programmatic needs going forward. The CRA created an obligation for itself to create 20,000 square feet of affordable homeownership housing in the city. When the MFNH project was originally conceived, market rate housing on the rear of the MFNH parking lot was planned to help pay for the renovation of their facilities. By partnering with the CRA, this housing will now be 100% affordable. There is also more clarity now on the design and project budget.

If this amendment is signed, the CRA would be entering into a schematic design phase with the MFNH. The amendment basically reiterates the original project scope with slightly more detail. It outlines a proposed budget for just the schematic design phase. It continues the partnership and states that the schematic design costs will be split by the two entities. Once the schematic design is complete, with a cost estimate based on that design, an agreement would be signed to proceed with the development. This arrangement protects both entities. The MFNH did not want to commit to a huge development agreement until the budget and design were more certain. The CRA also wants assurance that the ownership housing can be built on the rear of the lot.

Ms. Schwarz shared an updated version of the amendment. She noted that this is still a draft agreement. The MFNH Board will be reviewing this in early December. The timeline might still change, as well as the proposed schematic design budget. The budget attached to the amendment includes an estimate for owner's project manager (OPM) services based on the rates of the OPM for Bishop Allen. If the CRA Board votes to approve a contract with an OPM, there would be a more certain design budget. Ms. Schwarz noted that this updated version has a modification to item #10 allowing the MFNH to pay their share of the schematic design costs using the line of credit that the CRA has extended to them. Currently, this line of credit only allows the MFNH to draw down the line of credit for operating expenses for their organization. If this amendment is signed, they would also be allowed to draw down for expenses specifically related to this project. They have plenty of room in that line of credit to cover the cost that of the expected schematic design. Ms. Schwarz said that the MFNH is doing well financially. They haven't had to draw down on this line of credit to support operations for over a year. They've expanded their after-school program at a satellite location and their food pantry during COVID.

Ms. Schwarz said that there are two motions. One is the amendment to the cooperation agreement. The second is the OPM selection.

In response to Ms. Drury, Ms. Schwarz explained that the MFNH does want to put affordable housing on the parking lot. She added that there are two main components to the project. One is the MFNH's facility upgrade and

the other is the affordable housing that the CRA would build on the rear parking lot. The CRA would make a payment for that land with an investment in the MFNH facility. The CRA would get that land to help meet a portion (10,000 to 12,000 square feet) of the affordable housing obligation which came out of the Eversource project. The CRA will invest money into the MFNH project to help support their facility upgrade. There will be other sources of income that get raised to cover that as well. The CRA would develop that housing.

Ms. Schwarz said that originally, the CRA's goal was to help the MFNH financially to redevelop their site and was planning to that with some affordable housing but mostly market rate housing to help generate funds. Ms. Schwarz added that this is not a straight purchase of the property. The CRA would invest in the MFNH facility. Mr. Evans added that the MFNH redevelopment project was originally a bigger housing proposal, in which the CRA was looking for a way to self-finance with a market-rate or a mixed-income project. Staff is now looking at a 100% affordable project. This will cost the CRA more money to develop but the CRA is obligated to build somewhere. The MFNH is contributing land rather than having the CRA purchase land from someone else in the City. The CRA land costs would go to MFNH but instead of paying cash, the CRA is upgrading their facility.

In response to Ms. Drury, Ms. Schwarz said that the nearby Cherry Street lot is not part of this project.

In response to Ms. Born, Mr. Evans said that the CRA has an obligation to build 20,000 square feet of affordable housing under the Kendall letter agreement, only if the Infill Development Concept plan is approved. He stated several reasons why the scale of the housing expectations at the site were diminished, including negative community feedback on the larger project. In order to meet the obligation, at least one other housing site needs to be found. The building on the MFNH site will most likely be three stories.

In response to Ms. Born, Ms. Schwarz said that the MFNH Board has not discussed the exact language of the cooperation agreement yet but the committee, which includes four Board members, has been supportive of the project. She expects them to approve the agreement at their December meeting.

In response to Mr. Bator, Ms. Schwarz said that she thinks that MFNH was pleased about the change from affordable rentals units to affordable ownership units, especially because that is what the community wants. They weren't comfortable with the percentage of market-rate units that was needed in the old model.

In response to Mr. Bator, Mr. Evans said that this project will cover about 50-60% of the affordable ownership obligation under the Kendall Square agreement. However, he added that the letter agreement with the City is written so that the clock starts once a special permit goes forward and the CRA needs to show City Council progress on at least 10,000 square feet, so this is a significant step.

In response to Mr. Zevin's concern about the community feedback, Ms. Schwarz said that the MFNH seems nearly universally respected, loved, and valued. There is an understanding among a lot of people that a project that will help the MFNH by creating a space that it deserves, that the programs deserve, and that the community deserves. The CRA is adding a modest sized, affordable ownership development. So even if people wouldn't want as much development, or some density where there was a parking lot, people feel that it's worth it for the MFNH. However, there are definitely other people who are concerned about filling in the parking lot with housing, or what it is going to look like. The MFNH and the CRA need to stay in touch with the community and be really sensitive about the design.

Ms. Schwarz then spoke about the motion for an owner's project manager for the project. An RFQ was posted. There was an in-person site visit and a virtual information session. There were five well thought out responses. Two of them didn't quite meet the threshold that was needed regarding the level of experience in the different components of this project, including deep public procurement and knowing how to run a chapter 149 project. Interviews were held with three deeply experienced firms. The ranking is explained in the memo. There wasn't much difference between the first and second ranked firms. If an agreement cannot be reached on price with the top ranked firm, CBI, the committee feels that the project would also be well served with the second ranked firm, CHA. Mr. Evans explained that the procurement law for selecting owner project managers (OPMs) follows the designer review selection process. This means that proposals only include qualifications, not pricing. These are they ranked. With this motion, negotiations will begin with the first ranked firm.

Mr. Zevin was pleased to see that there was a great deal of importance placed on investigating what's already there, which will hopefully prevent the kind of difficulties that arose with the Bishop Allen building. Ms. Schwarz said that one member of the team is a structural engineer which is useful.

A motion was moved by Ms. Drury to amend the Cooperation Agreement with the Margaret Fuller Neighborhood House to proceed with schematic designs and negotiations for a potential development agreement for the restoration of the historic house, and the construction of a new community facility at 71 Cherry Street and affordable housing on the rear parking lot. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator - yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

A motion was moved by Mr. Bator authorizing the Executive Director and Chair to enter into contract negotiations with CBI to provide Owner Project Manager (OPM) services to guide the design and expected construction of the Margaret Fuller Neighborhood House Renovation and Development. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator - yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

11. New CRA Employee Handbook (Shore)*

Motion: Amending the CRA Personnel Policy and adopting a new CRA Employee Handbook.

Ms. Shore said that the personnel policy that is currently in use was approved by the Board on January 15, 2014. At that time, the CRA was using the City logo. This document has been reviewed by consultants, by staff, and by legal representation. Although there is a motion to accept this document tonight, staff fully realizes that there is a lot of material to absorb. If the Board wants more time for review, the motion can be postponed to the December meeting. Many aspects of the 2014 policy were kept but since some sections were added while other sections were edited or reorganized, the decision was made to present a new document rather than present a red-lined version, which would have been hard to read. A summary document is included in the board packet which lists the major changes that were made. Generally speaking, the words "Employee Handbook" were added to the title because this document is a guide on many aspects, while also incorporating human resource policies. The document references the agency as the CRA rather than the "Authority."

In line with the CRA's strategic planning efforts, a discussion of topics regarding discrimination, harassment, ethics, equity, and accommodations was expanded. It highlights that the CRA is an anti-racist organization. The document clearly states who in the CRA organization should be contacted for reporting fraud issues or for reporting discrimination and harassment issues.

Staff has recently been reorganized so there is now a supervisory level that do first line approvals of timesheets, paid-time-off requests, and other personnel related issues, with the Executive Director having final approval.

The world has changed in many ways since 2014, especially from the Covid pandemic. Employee retention and the need for employee work-life balance are important to the CRA. Flexible work hours and remote work have been included, with supervisor approval. There are now core hours during which employees are expected to be available for meetings, although there are times when this might require employee adaptability. Vacation accrual rates have been modified and outlined in the summary memo. There are still 13 official holidays; however the

Juneteenth holiday replaces the Christmas Eve/Floating Holiday. Personal time allowance has been increased and can be taken for non-Federal holidays, voting, or other personal reasons.

To decrease the agency's liability, the cap on earned comp-time was decreased from 75 hours to 37.5 hours and comp-time hours can no longer be rolled-over into a subsequent year.

Regarding employee benefits, the recent Massachusetts Paid Family and Medical Leave Act, a dental plan, and the 457 SMART Retirement plan were added to the handbook. The definition of immediate family members was expanded in the section regarding bereavement time-off. The text was corrected regarding the GIC employee contribution. The T-pass or Green commuting subsidy is now a percentage rather than a fixed rate so that if the MBTA rates increase, this document won't need to change

Ms. Drury was very pleased with the document. Mr. Bator said that this handbook and policies are a reflection of the health of the organization, its growth, and increasing complexity. If necessary, staff can come to the Board with proposed amendments. Mr. Bator said that this is also a marketing device for prospective employees. He congratulated staff. However, the CRA has adopted these. Mr. Crawford was very impressed as also pleased to see this handbook created on behalf of the organization. Mr. Zevin said it was very thorough, clear, and well organized.

In response to Mr. Bator, Mr. Evans said that because of its small size, the CRA is not mandated to adhere to many of the state's policies for parental leave, although the CRA does meet those requirements.

A motion was moved by Ms. Drury to amend the CRA Personnel Policy and adopt a new CRA Employee Handbook. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator - yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

12. 99 Bishop Allen Drive – Construction Update

Motion: Authorizing the Executive Director and Chair to amend the contract with STA for an additional sixty-six thousand and four hundred seventy dollars (\$66,470) for a total amount not to exceed seven hundred sixty-two thousand and eight hundred twenty dollars (\$762,820) to cover additional design work and technical studies undertaken during construction administration and to extend the contract end date to June 1, 2022.

Ms. Schwarz said that as of October 31, the project was 91% complete. The end is near but there's still a lot more work to do. She shared some photos from the past two weeks. The architect and the owners project manager are going to be finalizing a punch list later this week. The temporary lights should be delivered in the next several days and it should take about four to five days for installation. The contractor is required to get a certificate of occupancy by November 30, with liquidated damages owed to the CRA if that doesn't happen. The movers are still scheduled to bring the tenants' belongings back into the building on December 2nd and 3rd. Things look to be on track as long as the temporary lights show up. The CRA will get a temporary certificate of occupancy at that time.

Mr. Evans noted that a retractable wall was installed in the CCF space. Staff worked with CCF to make their large conference room a shareable facility which can be closed and used by other groups. This exemplifies the mission of the building to create a nonprofit center which is shared facility.

Ms. Schwarz said that the motion in this agenda item increases the contract with Silverman Trykowski Associates, (STA), the designer, by \$66,470 to cover additional design time and unexpected costs from several of their subcontractors. There were several unanticipated issues that happened over time, including the oil tank removal, a redesign of the front entryway when it was discovered that the retaining wall under the sidewalk didn't have proper footings, and the elevator installation issues. Rather than change the contract for each of these situations, it was

decided to wait to get them all at one time. It took some time to analyze the total costs and submit a formal contract amendment. The total STA contract value will be \$762,820. This represents around 8% of our total construction budget, which is a typical range for a project of this size and complexity. Staff feels that this is appropriate and reasonable.

Ms. Born said that the added services were about a 10% increase over the initial contract. Mr. Evans said that a significant amount of this is subcontract work. Ms. Schwarz said that investing more money up front for more exploratory work is a lesson learned for the Margaret Fuller Neighborhood House redevelopment project. Ms. Born said that 10% for additional designer services is not an unreasonable amount. Mr. Evans said that throughout the construction phase of the project, he has been pleased with the level of focus and commitment that STA has given to the project in resolving the issues that arose.

A motion was move by Mr. Zevin authorizing the Executive Director and Chair to amend the contract with STA for an additional sixty-six thousand and four hundred seventy dollars (\$66,470) for a total amount not to exceed seven hundred sixty-two thousand and eight hundred twenty dollars (\$762,820) to cover additional design work and technical studies undertaken during construction administration and to extend the contract end date to June 1, 2022. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator - yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

Other Business

At 8:10 PM, Ms. Born said that the Board needs to go into Executive Session. Since it has concluded all of the business set forth on the regular meeting, the Board will not reconvene in open session thereafter.

A motion was moved by Ms. Drury to enter into Executive Session to consider office lease terms for the Foundry at 101 Rogers Street. A roll call was taken by Mr. Evans and each member's vote was repeated.

Mr. Bator - yes

Ms. Born – yes

Mr. Crawford – yes

Ms. Drury - yes

Mr. Zevin – yes

The motion carried.

Ms. Shore will send a unique link to the Board, Mr. Evans and Ms. Schwarz for the Executive Session. The Executive Session will start at 8:20.