

STATE PROPERTIES COMMITTEE

Tuesday, January 9, 2007

The meeting of the State Properties Committee was called to order at 10:06 a.m. by Chairman Kevin M. Flynn. Other members present were Mr. Robert Griffith representing the Rhode Island Department of Administration, Ms. Genevieve Allaire Johnson representing the Rhode Island Department of Attorney General and Robert W. Kay, Public Member. Also in attendance were Jerome F. Williams, Daniel Clarke, Paul Carcieri and Maureen McMahon from the Rhode Island Department of Transportation; John Ryan from the Rhode Island Department of Administration; Robert C. Bromley from the Rhode Island Senate Fiscal Office; Michael Butler from the Federal Highway Administration; and Katherine Gregg from The Providence Journal Company.

As Jerome F. Williams has been appointed Director of the Department of Transportation, Kevin M. Flynn has been appointed the new State Properties Committee Chairman. Chairman Flynn introduced himself to the State Properties Committee and indicated that Mr. Williams would like to say a few words. Mr. Williams addressed the State Properties Committee members and thanked them for all of their hard work and dedication. Mr. Williams stated that over the past three (3) years that he has served as the State Properties Committee Chairman, the Committee members have had to review a vast amount of material, and make countless decisions. Mr. Williams indicated the

members have done a tremendous job. Mr. Williams stated that the Committee members are a great asset to the State of Rhode Island. Mr. Williams also thanked the Executive Secretary of the State Properties Committee for her hard work and dedication. Lastly, Mr. Williams commended all of the State agencies, which appear before the State Properties Committee for their tremendous effort as well. Mr. Williams stated that serving as the State Properties Committee Chairman has been a pleasure and welcomed Chairman Flynn as the new Chair.

Chairman Flynn noted for the record that the State Properties Committee did have a quorum present.

A motion was made to approve both the general and Executive Session minutes of the State Properties Committee meeting held on Tuesday, December 12, 2006, by Ms. Allaire Johnson and seconded by Mr. Griffith.

Passed Unanimously

A motion was made to approve the minutes of the special meetings of the State Properties Committee held on December 18, 2006, by Ms. Allaire Johnson and seconded by Mr. Griffith.

Passed Unanimously

A motion was made to approve the minutes of the special meeting of the State Properties Committee held on December 27, 2006, by Mr. Kay and seconded by Mr. Griffith.

Passed Unanimously

The next scheduled meeting of the State Properties Committee is scheduled to be held on Tuesday, January 23, 2007, at 10:00 a.m.

ITEM A –Department of Transportation – A request was made for approval of and signatures on a Permanent Loop Detector Easement Agreement between the East Bay Community Development Corporation and the State of Rhode Island/Department of Transportation in conjunction with the requirements for obtaining a physical alteration permit. Ms. McMahon indicated that in order to comply with PAPA requirements, loop detectors will be installed on the applicant’s entrance/exit onto Metacom Avenue (Route 136). Ms. McMahon stated that the conveyance is such that no monetary compensation is required. Mr. Griffith clarified for the record that the applicant will be paying for the installation of the loop detectors. Ms. McMahon stated that the applicant will be paying for the installation of the loop detectors. A motion was made to approve by Mr. Griffith and seconded by Ms. Allaire Johnson.

Passed Unanimously

ITEM B – Department of Revenue/Division of Motor Vehicles – A request was made for permission to occupy office space located at 1237 Main Street, West Warwick on a month to month basis and permission to waive the Request for Proposals process if the office must relocate under emergency circumstances. Mr. Ryan informed the State Properties Committee that Brian Peterson is unable to attend the meeting today. Mr. Ryan explained that on October 10, 2006, the State Properties Committee granted approval for the Division of Motor Vehicles to initiate negotiations in conjunction with

a lease renewal with N & M Properties, LLC for the aforementioned premises. Mr. Ryan indicated that this particular location is one of the busiest branches of the Division of Motor Vehicles. Mr. Ryan explained that the Division of Motor Vehicles relies heavily on municipal parking to support the operation of this branch. Mr. Ryan explained that the branch lost use of a portion of a municipal parking lot to an elderly housing complex project in the Town of West Warwick. The West Warwick Town Council is working with the Division of Motor Vehicles to resolve the parking issues. At the end of December 2006, the Town of West Warwick granted approval for on-street parking, which will provide fifty-nine (59) parking spaces. The Division of Motor Vehicles is attempting to work with Town Officials to obtain additional municipal parking in parking lots near this branch. Mr. Ryan indicated that the landlord has been very cooperative. The Division of Motor Vehicles believes that all issues can be worked out relative to parking. However, The Division of Motor Vehicles is seeking approval from the State Properties Committee to renew its lease with N & M Properties, LLC on a month to month basis until such time as all the issues are resolved. Said approval would give the Division of Motor vehicles from January to June of 2007, to resolve any outstanding issues. In regard to the waiver of the Request for Proposal process, the Division of Motor Vehicles does not believe it will need to exercise said waiver. However, out of an abundance of caution, it would like to have the option available in the event the branch does need to relocate. Mr. Ryan stated that by way of background, the Committee is aware that

the Division of Motor Vehicles' ultimate goal is to consolidate all its branches and relocate to the Pastore Complex within a period of three (3) to four (4) years. However, the General Assembly will have to approve the renovation of the facility at the Pastore Complex. Mr. Griffith stated that he did not have a problem with voting to approve the renewal of the lease on a month to month basis; however, he would like the Division of Motor Vehicles to return to the State Properties Committee with an update regarding the status of the negotiations. Mr. Griffith indicated he is not in favor of month to month open ended authorizations. Mr. Ryan indicated that he will be happy to return to the State Properties Committee in three (3) month to provide an update regarding the status of the negotiations. Mr. Griffith stated that when the Town of West Warwick is informed that approval was granted for a period of three (3) months, it may assist in expediting a resolution of the outstanding issues. Mr. Ryan indicated that he believes the Town of West Warwick is making every effort to resolve the issues. Ms. Genevieve Allaire Johnson asked if Mr. Ryan has a written request from the Director of the Division of Motor Vehicles relative to the request for a waiver of the Request for Proposals procedure. Mr. Ryan indicated he does not have a written request. However; he can return to the State Properties Committee relative to the Request for Proposal issue at a later date, if necessary.

Ms. Allaire Johnson indicated that the State Properties Committee requires a written request. Mr. Griffith indicated that the State Properties Committee could vote to approve the request subject to the Division of Motor Vehicles providing a written request to the

Committee. Mr. Ryan indicated that it is not essential that the request to waive the Request for Proposals procedure be granted today. Mr. Williams asked how many parking spaces were on the site at the present time. Mr. Ryan indicated there were only four (4) or five (5) parking spaces on the site. Mr. Ryan clarified that the majority of the parking spaces for this facility were municipal parking spaces. The Town of West Warwick allowed customers of this branch to park in a municipal parking lot near the facility. However, approximately half of those parking spaces are being lost as a result of the elderly housing complex. The West Warwick Town Council recently approved an on-street parking plan, which will provide an additional fifty-nine (59) parking spaces. Mr. Williams clarified that the Town Council approved the parking on a street where parking was previously prohibited. Mr. Ryan indicated that was correct. Mr. Williams expressed concern that very often on-street municipal parking is a considerable distance from the facility. Mr. Williams noted that from a customer service perspective, he is not comfortable with the facility only providing on-street parking as it impacts the customers. Although, the Town of West Warwick is working hard to find a better solution, Mr. Williams' primary concern is customer service. Mr. Williams indicated that the State Properties Committee will not approve a plan that will be detrimental to customer service. Mr. Williams asked if the parking spaces have already been lost. Mr. Ryan indicated the parking spaces are already lost. Mr. Williams agreed that this matter should be kept on a short leash in order to ensure that a resolution is found quickly. If not, the Division of Motor

Vehicles can return to the State Properties Committee for a waiver of the Request for Proposals procedure. Chairman Flynn requested that aerial photographs and/or a map be provided to the Committee, which illustrate the proximity of the current available parking spaces, as well as the proposed parking spaces to the facility. Mr. Ryan indicated he would

bring schematics when he appears to provide the Committee with updated information. Mr. Griffith asked if the facility has sufficient spaces dedicated for disabled parking.

Mr. Ryan indicated that the facility does have a sufficient number of disabled parking spaces. A motion was made to approve the renewal of the lease agreement on a month to month basis for a term of three (3) months and in the interim the Division of Motor Vehicles must return to the State Properties Committee with a progress report by Mr. Griffith and seconded by Mr. Kay.

Passed Unanimously

The Committee moves to go into Executive Session, pursuant to Rhode Island General Law 42-46-4(a)(5) for the specific purpose of discussion or consideration related to the acquisition or lease of real property for public purpose, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

A motion was made to enter into Executive Session by Mr. Griffith

and

seconded by Mr. Kay. A roll call vote was taken and the votes were as follows: Mr.

Griffith voted “Aye”, Mr. Kay voted “Aye”, Ms. Allaire Johnson voted “Aye” and

Chairman Flynn voted “Aye”.

The State Properties Committee came out of Executive Session at 11.00 a.m.

ITEM E1 – Department of Transportation – A request was made for approval

to solicit proposals for the sale of property located adjacent to South Water Street in the City of Providence. After discussion in Executive Session, a motion to approve was made by Mr. Griffith with instruction that because of the sensitive nature of the subject property, its location and the potential for establishing development in that area, when the Department of Transportation receives the qualified bid for the property, it shall return to the State Properties Committee to discuss said bids and the Department of Transportation shall obtain an external appraisal of the subject property for purposes of comparison. The motion to approve was seconded by Mr. Kay.

Passed Unanimously

ITEM E2 – Department of Transportation – A request was made for approval

to transfer 4,568 square feet of land to East Providence Auto Sales. After discussion in Executive Session, a motion to approve was made by Mr. Kay and seconded by Mr. Griffith.

ITEM E3 – Department of Transportation – A request was made for approval to dispose of 30,246 square feet of land and a three (3) story structure located at Franklin Square in the City of Providence to Fifty Seven Associates. After discussion in Executive Session, a motion was made to table this request and the Committee directed the Department of Transportation to return to the State Properties Committee with the results of an analysis for the prompt relocation of employees of the Department of Transportation from the subject property to an alternative facility, and that said analysis be conducted expeditiously while preserving the State of Rhode Island's interest and right to utilize the property for the laydown of materials and equipment and for entry to the construction site on an ongoing basis, as needed, by Mr. Griffith and seconded by Mr. Kay.

Passed Unanimously

Chairman Flynn recommended that Item E3 be placed on the agenda for the State Properties Committee meeting scheduled on January 23, 2007, and be presented and discussed in open session. Mr. Clark indicated the Department of Transportation will use its best efforts to conduct the aforementioned analysis and present the results of said analysis at the next meeting of the State Properties Committee.

There being no further business to come before the State Properties

Committee, the meeting was adjourned at 11:05 a.m. A motion was made to adjourn by Mr. Kay and seconded by Ms. Allaire Johnson.

Passed Unanimously

Holly H. Rhodes, Executive Secretary