



City of Boston, Massachusetts
Office of the Mayor
MICHELLE WU

March 18, 2024

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval a home rule petition to the General Court entitled "Petition for a Special Law Re: An Act Relative to the Creation of a Branch of the Boston Public Library within an Affordable Housing Development in the Downtown Section of the City of Boston."

Through this special act, the Mayor's Office of Housing (MOH) seeks to ground lease City-owned property at 151 Cambridge Street (the existing West End Library) to a developer selected via a Request for Proposals process who will participate in a redevelopment of the West End Library site, using city and state funds for the development of affordable housing. This project will also create a shell and core space within it that would be conveyed to the Boston Public Library (BPL) at cost, to allow BPL to build out the space as the improved West End branch of the Boston Public Library in Downtown. Creating the branch library within a larger affordable housing development is a way to achieve two much-needed public purposes within one development. This redevelopment necessitates certain exemptions from the Commonwealth's contract procurement and award laws that would permit the level of coordination needed between the private developer and the City needed to accomplish the project. These exemptions will not compromise a fair and transparent process because the City and its selected developer must still adhere to the stringent regulations of any public funding sources.

Although this project is different because it uses City-owned land, several agencies have filed similar special legislation for public/private development projects. Previous special legislation includes projects for the Boston Planning and Development Agency's (BPDA) development project for affordable housing co-located with a branch library space in Chinatown. The Legislature passed that legislation in December 2022. In June 2023, the Legislature also passed special legislation to permit the BPDA and the City to develop a mixed-use project associated with the Upham's Corner branch library. The Boston Housing Authority (BHA) has also filed special legislation for BHA housing located at Whittier Street, Orient Heights, Bromley Heath, Mission Main, Orchard Gardens, Maverick Gardens, West Broadway Homes, and Old Colony, Washington Beech, Franklin Hill, Amory Street, and Lenox-Camden family developments.

I urge your Honorable Body to support this special act so that we can make this redevelopment effort a reality for the West End neighborhood in Downtown Boston and its people who have been in very strong support of a new branch library and affordable housing.

Sincerely,

Michelle Wu
Mayor of Boston



CITY OF BOSTON
IN CITY COUNCIL

WHEREAS, The Mayor's Office of Housing seeks to participate in a mixed-use redevelopment to create affordable housing that includes shell and core space for a branch library in the West End Neighborhood of Downtown Boston. This redevelopment necessitates certain exemptions from the Commonwealth's contract procurement and award laws; and

WHEREAS, Participating in the redevelopment will increase the supply of affordable housing in the neighborhood, as well as provide space for a new and improved branch library, furthering the aims of the Commonwealth's housing and community service initiatives; and

WHEREAS, The exemptions will not contravene the legislative intent behind the affected procurement and public contract laws because the additional regulation and public oversight that accompanies the Boston Public Library's funding sources minimize the risk of unfair competition and misuse of taxpayer funds.

NOW THEREFORE BE IT ORDERED,

That a petition to the General Court, accompanied by a bill for a special law relating to the Mayor's Office of Housing and the Boston Public Library to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

PETITION FOR A SPECIAL LAW RE:

AN ACT RELATIVE TO THE EXPANSION OF A BRANCH OF THE BOSTON PUBLIC LIBRARY WITHIN AN AFFORDABLE HOUSING DEVELOPMENT IN THE WEST END NEIGHBORHOOD OF THE DOWNTOWN SECTION OF THE CITY OF BOSTON

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. Construction and development activity related to redevelopment of a city-owned parcel with an existing library by grant of a ground lease to the developer selected by the Mayor's Office of Housing through a request for proposals for subsidized affordable housing and improved core/shell space for a branch library, or any part thereof, shall not be subject to any general or special law related to the procurement and award of contracts for the planning, design, construction management, construction, reconstruction, installation, demolition, maintenance, or repair of buildings or public works by a public agency, including Chapter 149, Chapter 7C, or Chapter 30, Section 39M of the General Laws, nor shall the acquisition of any interest or disposition of any interest necessary to support the completion of the project be subject to Chapter 30B, Section 16, but it shall be subject to Sections 26 to 27H, inclusive, of Chapter 149 of the General Laws.

SECTION 2. This act shall take effect upon its passage.

**I HEREBY CERTIFY
THE FORGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.**

BY 

**ADAM CEDERBAUM
CORPORATION COUNSEL**

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