

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On April 16, 2020 – remotely via telephone conference –

Pursuant to Governor Lamont's Executive Order No. 7B regarding suspension of In-Person Open Meeting requirements, the State Properties Review Board conducted its Regular Meeting at 9:30AM on April 16, 2020 remotely via telephone conference at (866)-692-4541, passcode 85607781.

Members Present:

Edwin S. Greenberg, Chairman
Bruce Josephy, Vice Chairman
John P. Valengavich, Secretary
Jack Halpert
Jeffrey Berger
William Cianci

Members Absent:

Staff Present:

Dimple Desai
Thomas Jerram

Guests Present

Chairman Greenberg inquired if there were any public participants. None responded.

Chairman Greenberg called the meeting to order.

Mr. Valengavich moved and Mr. Halpert seconded a motion to enter into Open Session. The motion passed unanimously.

OPEN SESSION

1. ACCEPTANCE OF MINUTES

Mr. Valengavich moved and Mr. Berger seconded a motion to approve the minutes of the April 13, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai informed the Board that he had received information regarding a forthcoming Consultant Proposal from DCS with respect to relocation of Trinity building occupants into the newly-renovated State Office Building at 165 Capitol Avenue.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

PRB #	20-058
Transaction/Contract Type:	RE/ MOU
Origin/Client:	DAS/CTMD
Property:	Hartford, Capitol Ave (223)
Project Purpose:	Non-exclusive Parking for 75 Vehicles
Item Purpose:	Memorandum of Understanding

On July 30, 2004, the Department of Administrative Services (“DAS”) and Connecticut Military Department (“CTMD”) entered into a Memorandum of Understanding (“MOU”) for CTMD to utilize up to 75 parking spaces at a gravel lot under the custody and control of DAS at 340 Capitol Avenue,

Hartford. The term of the MOU was on a monthly basis with CTMD incurring all costs of maintenance of the lot including snow and ice removal, groundskeeping, weed control and gravel fill as required. The MOU commenced July 15, 2004 and may be canceled by either party with 30 days' advanced written notice to the other party. This MOU was not reviewed by the State Properties Review Board.

Under this proposal DAS is requesting SPRB approval pursuant to CGS 4b-30 for a MOU between DAS and CTMD. The purpose of the MOU is to provide CTMD with non-exclusive parking for 75 vehicles on DAS-controlled property at 223 Capitol Avenue, relocating CTMD from their existing parking at 340 Capitol Avenue to better align parking in the area and safer access for CTMD employees to the Hartford Armory.

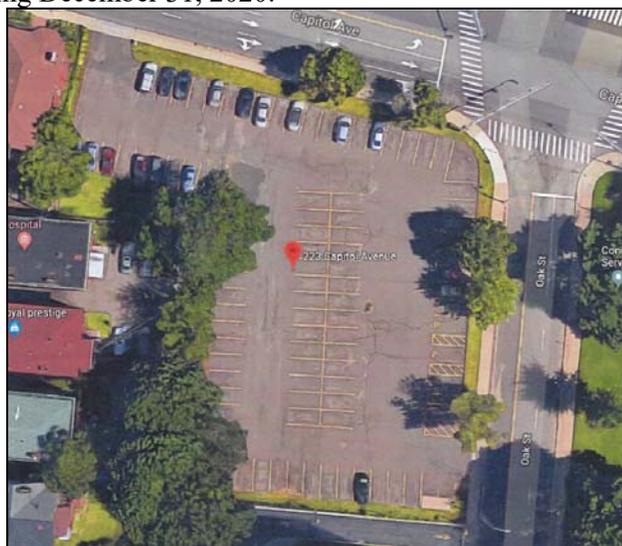
DAS and CTMD have concurred with this agreement to provide this parking at no charge to CTMD and DAS will be responsible for all snow and ice removal, groundskeeping and weed control. The term commences upon SPRB approval and can be terminated with 30-days' advance notice by the non-terminating party.

The MOU has been approved by each party as follows:

- CTMD Major General: January 2, 2020;
- DAS Commissioner: January 14, 2020;
- Office of Policy & Management: February 20, 2020; and
- Submission to SPRB: March 20, 2020.

RECOMMENDATION: Board approval is recommended for the following reasons:

1. The MOU complies with CGS 4b-30;
2. The parking is provided at no cost to CTMD; and
3. The new parking area will provide safer access for CTMD employees to the Hartford Armory.
4. This MOU will not conflict with an existing License Agreement between DAS and Emanuel Lutheran Church permitting parking at the subject lot for parishioners and attendees of church events on Saturdays & Sundays from 8:00 a.m. to 10:00 p.m.; and Monday through Friday from 7:00 p.m. to 10:00 p.m. This License Agreement was approved by SPRB under PRB #15-252 with the term ending December 31, 2020.



PRB #	20-059
Transaction/Contract Type:	RE/ HTA
Origin/Client:	CTMD / DESPP
Property:	Hartford, Broad St (360)

Project Purpose:

Co-Location in 13,043 sq.ft. at Hartford Armory

Item Purpose:

Host Tenant Agreement (a/k/a MOU)

The Connecticut Military Department (“CTMD”) and the Department of Emergency Services and Public Protection (“DESPP”) have entered into a Host Tenant Agreement (“HTA”) for DESPP to use and occupy approximately 13,043 square feet of office and storage space at the Hartford Armory. This HTA has been entered into on an annual basis during DESPP’s occupancy. All prior HTAs were not reviewed by DAS, OPM or the State Properties Review Board. A CTMD Audit determined this agreement was subject to DAS, OPM and SPRB approval pursuant to relevant statutes.

Under this proposal DAS is requesting SPRB approval pursuant to CGS 4b-29 for a HTA between CTMD and DESPP. The purpose of the HTA is to provide DESPP with exclusive use of approximately 13,043 square feet of office and storage space, plus reserved parking for 10 vehicles at the Armory.

CTMD will provide this space on an annual basis to DESPP at a cost of \$119,865.17, billed in four quarterly installments of \$29,966.29. In addition to this expense, DESPP is responsible for the following direct expenses:

1. Telephone costs, where separate service is installed;
2. Administrative and training materials, including operational supplies, equipment and minor property for exclusive use by DESPP;
3. Installation, operation, maintenance and repair costs of DESPP owned equipment; and
4. Alteration and rehabilitation of assigned space required for DESPP occupancy and/or use. Such alterations and rehabilitation of assigned facilities shall require the approval of CTMD.

The term of this HTA commenced October 1, 2019 and will terminate on September 30, 2020 and can be terminated with 60-days’ advance notice by the non-terminating party.

The HTA has been approved by each party as follows:

- CTMD Adjutant General: December 3, 2020;
- DESPP Commissioner: December 3, 2020;
- DAS Commissioner: January 14, 2020;
- Office of Policy & Management: March 3, 2020; and
- Submission to SPRB: March 20, 2020.

DAS anticipates a forth coming new Agreement to increase the term to a period of 5 years, with a termination provision (60-day), to mitigate the need for annual renewals.

RECOMMENDATION: Board approval is recommended for the following reasons:

- The relocation complies with CGS 4-67g(f) (OPM statutes);
- The relocation complies with CGS 4b-29 (DAS statutes); and
- The HTA permits CTMD to recapture the pro-rata share of building expenses utilized by DESPP.

Sec. 4b-29. (Formerly Sec. 4-133a). Allocation of facilities to state agencies. The Commissioner of Administrative Services shall, subject to the approval of the State Properties Review Board, order the assignment and removal of state agencies, other than institutions and the Judicial Department, to and from real estate available to the state, through ownership or lease, when he deems it necessary to provide space, facilities and necessary accommodations to meet the needs of any of such agencies and when such assignment or removal will be in the best interests of the state. If any such agency fails to abide by an order of assignment or removal of the commissioner, the Commissioner of Administrative Services shall promptly inform the Governor of the reason for his order and of the failure of the agency to comply therewith. For the purposes of this section, the term “Judicial Department” does not include the courts of probate, the Division of Criminal Justice and the Public Defender Services Commission, except where they share facilities in state-maintained courts.

Sec. 4-67g. State real property: Long-range planning, efficiency and appropriateness of use and inventories. Secretary approval re ownership and use. (a) The Office of Policy and Management shall be responsible for: (1) Long-range planning with regard to the use of all state real property; (2) determining the level of efficiency of each and every state agency's use of any and all real property under its control; (3) maintaining an inventory of state real property; (4) maintaining an inventory of real property leased by state agencies; and (5) determining the appropriate use of state real property.

(b) In creating and maintaining such inventories, the secretary shall make recommendations concerning the reuse or disposition of state real property and identify in such inventories existing buildings that (1) are of historic, architectural or cultural significance, including buildings listed or eligible to be listed in the national register established under the National Historic Preservation Act of 1966, 80 Stat. 915 (1966), 16 USC 470a, and (2) would be suitable, whether or not in need of repair, alteration or addition, to meet the public building needs of the state or to meet the needs of the public in accordance with the provisions of subsection (m) of section 4b-23. At the request of the secretary, the Commissioner of Economic and Community Development shall advise the secretary as to whether such buildings are of historic, architectural or cultural significance.

(c) All state agencies shall provide the secretary, in the manner and form prescribed by the secretary, with any information requested by said secretary for purposes of maintaining the inventories required by this section.

(d) The secretary shall update such inventories not less than annually and shall provide the Commissioner of Administrative Services with a copy of such inventories whenever the inventories are updated.

(e) Not later than July 1, 2016, and annually thereafter, the Secretary of the Office of Policy and Management shall submit a copy of such inventories, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to government administration and appropriations and the budgets of state agencies.

(f) Each state agency shall request and obtain the written approval of the secretary or his or her designee prior to any (1) change in ownership of state real property, (2) change in use of state real property, (3) use of state real property by an entity other than a state agency, or (4) use of state real property by a state agency other than the state agency with custody and control over such state real property. For purposes of this subsection, "state agency" does not include a constituent unit of the state system of higher education, a technical education and career school or an agency in the legislative or judicial branch of state government.

(g) Except as otherwise provided, for the purposes of this section, "state real property" means any improved or unimproved real property owned by a state agency, and "state agency" means any office, department, board, council, commission, institution, constituent unit of the state system of higher education, technical education and career school or other agency in the executive, legislative or judicial branch of state government.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

7. OTHER BUSINESS

Staff brought to the Board's attention that it was possible that the Board may have or may not have formally approved the Minutes and Board Fees/Mileage of the Special Meeting held on March 18, 2020, regarding the Boards site visit to a farm in Goshen under PRB #19-193-A. It was not recorded on the meeting minutes, could have been an oversight. It was suggested that the Board act formally to ensure a proper memorialization of that meeting in meeting minutes.

Mr. Berger moved and Mr. Halpert seconded a motion to approve the Minutes and Board Fees/Mileage of the Special Meeting held on March 18, 2020. The motion passed unanimously.

8. VOTES ON PRB FILE:

PRB FILES #20-058 – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #20-058. The motion passed unanimously.

PRB FILE #20-059 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #20-059. The motion passed unanimously.

9. NEXT MEETING – Monday, April 20, 2020.

The meeting adjourned.

APPROVED: _____ **Date:** _____
John Valengavich, Secretary