



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

November 14, 2017

City Council President Joseph P. Lopes and
Honorable Members of the City Council
133 William St.
New Bedford, MA 02740

Dear Council President Lopes and Honorable Members:

I respectfully submit for the Council's consideration, the Zeiterion Theatre Inc.'s request to enter into a long-term lease agreement with the City of New Bedford. As the Council's Committee on City Property is the statutorily designated authority for the disposition of City-owned property, the establishment of a long-term lease requires an initial vote of the Committee to issue a Request for Proposals. The rationale for this request, as detailed in the attached letter from the Zeiterion's Co-Directors, is to provide a stable operating arrangement for the theater in the long term, and thereby to facilitate a successful capital campaign for the theater building.

As you are aware, the non-profit corporation Zeiterion Theatre, Inc. has been occupying the city-owned Zeiterion Theatre building for over 30 years. They have done so under the auspices of a series of short-term license agreements which, per Massachusetts General Law, are freely revocable with a short notice period. As you are also aware, the Management Agreement between the Z and the City, which the Council recently voted to renew, is for a three-year term. And while the Management Agreement provides the Zeiterion organization with a measure of fiscal stability, it does not address the organization's need for true operational stability as it pertains to their tenancy in the building. As the attached letter implies, preliminary conversations with potential donors have revealed a reluctance to invest in a municipally owned facility for which there is no formal, legal assurance that it will remain a performing arts center for an extended duration.

The leadership of the Z is well aware of the City's legal obligation under Massachusetts General Law to undertake a competitive procurement process in any long-term disposition or leasing of public property, and understands that such a process does not guarantee their long-term occupancy of the Zeiterion Theatre building.

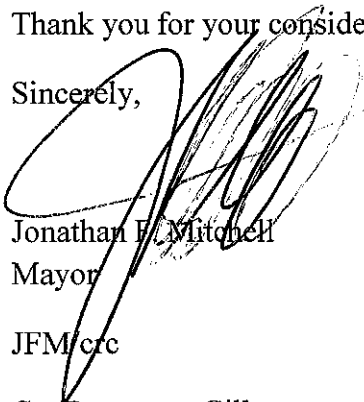
it is in the City's interest to see our beautiful performing arts center preserved and improved, particularly given that the City has invested over \$2 million in local and state resources in the last few years into the facility. For the first time in the organization's history, Zeiterion Theatre, Inc. is willing and able to step up to become a partner in the physical restoration of the building, realizing, as we do, that given our tremendous fiscal constraints, the City cannot do it alone.

I encourage the Council to begin the process of ensuring the long-term viability of the performing arts center by referring this matter to the Committee on City Property for their full consideration. Under M.G.L. Chapter 40, Section 3, the City Council's Committee on Property is responsible for selling and leasing City property, and therefore would be the issuing authority for the Request for Proposals, as required under Chapter 30-B, Section 16, as well as the awarding and negotiating authority for the resulting lease.

As always, my administration is available to provide all the necessary technical and administrative support as the process moves forward.

Thank you for your consideration.

Sincerely,



Jonathan F. Mitchell
Mayor

JFM/crc

Cc: Rosemary Gill
Justin LaCroix



Zeiterion Performing Arts Center
684 Purchase Street
New Bedford, MA 02740
Phone: 508-997-5664 • Fax 508-999-5956
www.zeiterion.org

November 13, 2017

The Honorable Jon Mitchell
City of New Bedford
Mayor's Office – City Hall
133 William Street
New Bedford, MA 02740

Dear Mayor Mitchell,

We are writing today to officially request a formal, 30-year, long-term lease agreement between the City of New Bedford and the Zeiterion Theatre, Inc. (The Z) for the use of the city-owned Zeiterion Theater building.

As you know, The Z has entered the feasibility period of a capital campaign. Funds raised during the campaign will direct more than \$2 million of improvements to the city-owned building that include new and/or improved: state-of-the-art marquee; theater seats; bathrooms; flame-retardant soft goods (curtains;) orchestra pit cover; among other capital improvements.

Through this dedicated fundraising effort, The Z seeks to preserve and update our magnificent, yet aging home of 35 years. Our continued success depends upon our ability to present world-class performing artists, providing the highest quality patron experience, and creating a landmark for this community.

Much of this work is well overdue. The Z is poised to reclaim the beauty of this magnificent theater by preserving what was established over three decades ago, while ushering in new technologies that pave the way for an even brighter future.

To maximize the participation of private donations, it is both prudent and imperative that we secure a 30-year long-term formal lease agreement.

These are exciting times for both The Z and the City of New Bedford. We look forward to partnering with you.

Sincerely,

Rosemary Gill

Rosemary Gill
Executive Director
Programming and Development

Justin T. LaCroix

Justin T. LaCroix
Executive Director
Production and Facilities