



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

OFFICE OF THE CITY CLERK
NEW BEDFORD, MA

2022 MAY 17 PM 3:50

CITY CLERK

May 17, 2022

City Council President Ian Abreu and
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

Dear Council President Abreu and Honorable Members of the City Council:

I am submitting for your approval an ORDER that the sum of **TWO MILLION, ONE HUNDRED THOUSAND, TWO HUNDRED DOLLARS (\$2,100,200)** now standing to the credit of the account from **PROPERTY SALES PROCEEDS RESERVE FUND** be the same is hereby transferred and appropriated to the New Bedford Port Authority.

As you may recall, in 2018, the Port Authority conducted an underwater conditions survey of municipally owned piers. The survey found that three sets of piers in the North Terminal between near Hervey Tichon and Antonio Costa Avenues had deteriorated such that replacement would be necessary. All three properties were owned by the City, and are subject to the jurisdiction of the Port Authority. Two of the properties were leased to Eastern Fisheries, and one to SeaWatch, all for terms of ninety-nine years. Because there was a dispute as to who was responsible for the necessary repair work, the Property Committee, upon the recommendation of my administration and the Port Authority, put up for public sale all three properties. In September 2018, Eastern Fisheries purchased the two properties it leased for a total of \$2,100,200.

As you are aware, under Massachusetts law, the proceeds of the sale of municipally owned property must be set aside in a segregated capital account and may be used only for capital expenses. I am now proposing that the proceeds of the sale of the two Eastern Fisheries properties be used to fund capital projects that support the fishing industry. The Port Authority is in the process now of building capital upgrades to other fishing piers, namely Pier 3, Steamship Wharf and the South Terminal. Nearly all of the funding for this work will come from a grant from the U.S. Economic Development Administration and a matching state grant. Given the rapid escalation in the cost of constructing port facilities, however, the Port Authority believes that the bids on these projects may exceed the project's budget. We likely need more funding, and it makes sense that we use the proceeds from one set of fishing piers be invested in the other. We submit this measure before you beforehand, so that when the bids come in, we can report the likely shortfall to the Council, which can promptly transfer the funds before the award deadline, which is thirty days after the bids are submitted.

We will of course answer any questions you have about these projects. Thank you for your understanding about the need for us to move quickly given our current inflationary environment.

Sincerely,

Jon Mitchell

IN CITY COUNCIL, May 24, 2022

Dennis W. Farias, City Clerk

Referred to the Committee on Finance.

a true copy, attest:

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City Clerk



CITY OF NEW BEDFORD

CITY COUNCIL

AN ORDER PROVIDING FOR THE APPROPRIATION OF PROCEEDS RECEIVED ON ACCOUNT OF THE SALE OF PROPERTY IDENTIFIED AS 14 HERVEY TICHON AVENUE TO RCP REALTY, LLC. AND SHOWN ON ASSESSORS' MAP 66, LOTS 135, 137, 145, 147 AND 148 AND THE SALE OF PROPERTY IDENTIFIED AS 22 ANTONIO L. COSTA BOULEVARD TO NORDIC FISHERIES AND SHOWN ON ASSESSORS' MAP 66, LOTS 128 AND 136 .

BE IT ORDERED, BY THE CITY COUNCIL OF THE CITY OF NEW BEDFORD
AS FOLLOWS:

That the City appropriates \$2,100,200 as a match requirement for waterfront capital improvements by the New Bedford Port Authority including but not limited to the replacement of fendering systems and associated shoreside improvements to the area known as South Terminal including the areas of the fish houses and associated fish piers adjacent to them, and for the payment of all other costs incidental and related thereto; and that to meet this appropriation, \$2,100,200, received by the City of New Bedford from proceeds on account of the sale of parcels shown on Assessors Map 66, Lots 135, 137, 145, 147, 148, 128 and 136 now standing to the credit of the PROPERTY SALES PROCEEDS RESERVE FUND be and the same is hereby transferred to the New Bedford Port Authority to fund capital improvements to piers used by fishing vessels.

Referred to the Committee on Finance.

IN CITY COUNCIL, May 24, 2022

Dennis W. Farias, City Clerk

a true copy, attest:

City Clerk