

EXECUTIVE SESSION

SEPT. 3, 2013

7:55 P.M.

RE: Negotiations with Casino Developers for impact mitigation as a surrounding community.

PRESENT: All City Councillors, Mayor, Maria Luise

Councillor Anderson called the meeting to order and acknowledged the Mayor.

The Mayor said that, since the passage of the gaming statute in 2010, his office had worked to make sure that Malden was represented, sending required letters and documents regarding the city's claim to status as a surrounding community. He said that the city had been approached by the Suffolk Downs developers but the development that really piqued interest was the Everett development. He said that discussions with that developer had gotten to the point where he would like one or two members of the Council to sit with the Mayor's negotiating team. He said that Medford had voted against the Everett casino and Somerville was actually trying to have the law repealed. He said that he thought that Malden should use the opportunity to be designated a surrounding community, as he thought that it would give them the opportunity to get some beneficial things for the city.

Councillor Anderson said that he and the Mayor had spoken about this last week. He said that he had stressed the fact that the Council should be involved on the front end and that the Mayor should not be presenting them with an agreement that had already been negotiated. He said that, even if they did not want the casino in Everett, if it were to come there, there would be impacts to things like traffic and public safety. He said that they would not have a say about where the casino was sited, regardless of the impacts. He said that is why he was in favor of talking with them.

The Mayor said that Wynn was looking for a dance partner and weren't finding that in Medford or Somerville. He said that Wynn wanted Malden in its corner and he would not want to see an agreement plowed under by the City Council. He said that he agreed with people who were expressing reservations about the development, but it might be coming anyway. He said that the Gaming Commission might designate Malden as a surrounding community anyway but they might not, given our location to the north of the development. So, he said, this was the best opportunity to make a deal with the developer.

Councillor Spadafora said that he agreed that the city should be proactive. But, he asked, would a vote tonight encourage Wynn to use Malden? He said that the Gaming Commission was due to rule tomorrow on the dispute between Everett and Boston and Wynn might try to grab headlines on Malden's endorsement of the plan.

The Mayor said that would not happen. He said we were only looking to see if an agreement could be reached. He said that this would just be talk.

Councillor Ultrino asked if there had been any contact with Suffolk Downs.

The Mayor said that the CEO at Suffolk Downs had called, but he thought it was more of a courtesy than anything else.

Councillor Ultrino asked what kind of vote the Mayor was looking for.

The Mayor said that he was just looking for a vote to designate members of the Council to join the negotiations.

Councillor Ultrino asked was he looking for a vote in favor of siting the casino in Everett.

Councillor Anderson said that he was not. He said that the Mayor just wanted Council input up front. He said that he was sure that there were many ideas that would come from the Council, like resident employment, traffic public safety and so on. He said that it was important that those ideas be represented at the table as the negotiations were going on.

Councillor Lucey asked if the city could negotiate with both developers.

The Mayor said that they could but that Suffolk Downs was not as aggressive in their approach to the city because of their relative locations.

Councillor Lucey said that he did not like the idea of the casino being there but, if it was going to happen, the city needed to negotiate.

Councillor Bucci asked why Medford and Somerville were opposed.

The Mayor said that in Medford, it was the Council that opposed it on a close vote. He said that in Somerville, it appeared to be deep-seated philosophical differences. He said that he thought that it would have a detrimental impact on Assembly Row. He said that he was particularly anxious to negotiate because he saw the opportunity to get something we might not get if we just waited. He said that he thought that another vantage point, provided by the Council, would be important.

Councillor Bucci said that she wanted to thank the Mayor for bringing the Council in at this point, rather than later in the game.

The Mayor said that he thought that this was on a tight timeline. He said that they wanted to arrive at an agreement quickly - possibly before the end of the month. He said that they wanted someone to join Everett.

Councillor Bucci said that her sense was that the Suffolk Downs developers were confident that they would be the selected developer.

The Mayor said that might be the case, but that he was just trying to cover all bases. He said that Wynn had a substantial cash reserve, which would benefit them. And, he said, Everett also had an 86% vote in favor of the casino, which would also benefit Wynn. He said that he was not sure how the vote would go in Boston.

Councillor Anderson said that we needed a different approach and strategy.

Councillor Murhy asked if signing on to negotiate with them would give Wynn additional leverage? She said that, if it would not, she was ok with this. But, she said, she would like to

see two Councillors involved and would like periodic updates on the negotiations, particularly if the timeline was as tight as the Mayor was indicating.

Councillor Anderson said that he absolutely agreed - that the appointed Councillors needed to feed information back to their colleagues.

Councillor Kinnon noted that Boston still needed to vote and asked if that was scheduled.

The Mayor said that it was not.

Councillor Kinnon asked when the deadline was.

The Mayor said it was the end of the year.

Councillor Kinnon asked if Wynn was calling a lot.

The Mayor said that they were not, although there had been some contact.

Councillor Kinnon asked if, from a negotiating standpoint, the city could get something up front, regardless of what happened.

The Mayor said that he thought that we could.

Councillor Kinnon said that he would like to see the city get something just for talking to the developers.

Councillor Anderson said that was good - it was important for members to feed those ideas and thoughts to the city's negotiators.

Councillor Matheson said that he, too, appreciated Councillor Kinnon's thoughts. He said that he was confused: on the one hand, the Mayor said that Wynn was desperate but, on the other hand, said that they wouldn't use our participation to their advantage. Was that true?

The Mayor said that it was. He said that they had reached a host agreement and were looking to keep the momentum going.

Councillor Matheson asked how they would do that? Would the negotiations be public?

The Mayor said no - not until the city signed an agreement. He said that no other community had reached an agreement as a surrounding community, so their ability to negotiate that would be important.

Councillor Spadafora said that, after reading the definitions of surrounding community, he was convinced that Medford and Somerville would get something, even if they did not negotiate. He said that, if we reached an agreement, it would supercede any later determination made by the Gaming Commission. But, he said, there was only so much money to be made.

The Mayor said that the city was asking for the agreement to include a provision that would give Malden whatever Medford and Somerville got, regardless of having reached a prior agreement. He said that we are not the host community and would not get what Everett was getting but that there was an opportunity right now to maximize our returns. He said that it might be far fetched but was worth a shot.

Councillor Crowe said that there would definitely be impacts on her ward and a lot of her constituents were opposed to it. She asked if there was a way that we could say that we were not supporting the casino.

The Mayor said that we wouldn't be saying that we supported the casino; we were only asking for a surrounding community agreement. He said that the city only cared about the endgame.

Councillor D'Arcangelo said that he felt good about this. He said that we thought that we were ahead of the curve on this. He said that Boston was getting bogged down in the vote. He said that there were deadlines that they would have difficulty making. He said that it was important that Wynn was in a good position because financial viability is a large part of the scoring. He said that Wynn had large cash reserve, where as Suffolk Downs had several investors.

Councillor Matheson asked if they voted against it, would that help to sink the application.

The Mayor said they would not.

Councillor Ultrino asked if the Mayor had reached out to the legislative delegation.

The Mayor said that would not be helpful, as the decision rested solely with the Gaming Commission.

Councillor Lucey made a motion as follows:

ON COUNCILLOR LUCEY'S MOTION TO AUTHORIZE THE MAYOR TO CONTINUE TO NEGOTIATE WITH CASINO DEVELOPERS AND THAT THE COUNCIL PRESIDENT APPOINT TWO COUNCIL MEMBERS TO THE NEGOTIATING TEAM
(11)y-(0)N (SEE ROLL CALL)

Councillor Anderson said that he would appoint David D'Arcangelo, who had been out in front on the casino issue from the start, and Jim Nestor, who had been in the forefront of advocacy for resident employment.

ON COUNCILLOR D'ARCANGELO'S MOTION TO ADJOURN
(11)Y-(0)N (SEE ROLL CALL)

MEETING ADJOURNED

8:35 P.M.

308-24

Order: That the City Council will vote to go into Executive Session with legal counsel for the City, in accordance with Exemption Seven Massachusetts General Laws Chapter 30A Section 21(a)(7), to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, in order to act on the periodic review of those executive session minutes listed herein; council vote is required prior to release of the executive session minutes of the following dates:

September 3, 2013

October 17, 2013

October 22, 2013

February 4, 2014

In so convening in Executive Session, the City Council will act under the Open Meeting Law MGL c. 30A, Sec. 22(g)(2), to determine whether the Executive Session minutes referenced above warrant continued non-disclosure.

And if so allowed by the Body, to admit Maria Luise, Special Assistant to the Mayor.
(Roll Call Required)

Sponsors: Stephen Winslow

During the Executive Session on July 24, 2024, a motion was made by Councillor Sica, seconded by Councillor O'Malley to release minutes from Executive Sessions as stated in Paper 308-24, as it was determined the executive session purpose no longer warrants confidentiality and that one or more of the exemptions under the Public Records Law no longer apply to the minutes.

The motion carried by the following vote:

Yea: Colon Hayes, Condon, Crowe, Linehan, O'Malley, Sica, Taylor, Winslow

Nea: none

Absent: McDonald, Simonelli, Spadafora

The released minutes are now attached to the history of Paper 308-24.

A motion was made by Councillor Sica, seconded by Councillor Crowe, that the Order be adopted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Condon, Crowe, Linehan, O'Malley, Sica, Spadafora, Taylor and Winslow

6. ADJOURNMENT

Council President Winslow announced that the Council will not reconvene after deliberation on Paper 308-24 and instead will directly recess to the call of the President from Executive Session, which concluded at 6:56 PM.

CAROL ANN DESIDERIO, CITY CLERK