

**IN CITY COUNCIL
EXECUTIVE SESSION
MAYOR'S RECEPTION ROOM
TUESDAY FEBRUARY 3, 2026
TIME 8:50 PM**

Roll Call 11 present (C. Chau, C. Descoteaux, M. Gitschier, C. Juran, C. Liang, C. McDonough, C. Mercier, C. Nuon, C. Robinson, C. Rourke, C. Scott)

M. Gitschier presiding.

Others Present: City Manager Golden, Jr., Austin Ball (Asst. CFO), City Solicitor Corey Williams, Shawn Machado (Asst. City Mgr.), Conor Baldwin (CFO) and Yovani Baez-Rose (DPD).

The purpose of the Executive Session was stated by M. Gitschier in the open session followed by a Roll Call. The public was informed the body would not return to the open session and would adjourn in Executive Session upon completion.

EXECUTIVE SESSION

C. Mercier recused herself from discussion and vote regarding the Senior Center due to her membership on the board. Manager opened discussion regarding Senior Center by providing brief history and that the legal position at this point is that the City does not have ownership of the site. Manager noted possible paths from this point being litigation or negotiation of a new lease regarding the site with agreements to back rents and first refusal for the Walgreens portion as well as ownership at end of the agreement. City Solicitor Williams noted the other side had no interest in selling the property to the City and that they received a demand letter laying out claims previously discussed as well as a claim for triple damages. City Solicitor noted receipt of a Notice to Quit from them held in abeyance until after this session and will be filed with Court the following day if not resolved. City Solicitor outlined responses to that action which would include a request for an injunction. City Solicitor noted it was a difficult to predict outcome of this matter as noble arguments could be made from both sides to support their positions. C. Scott noted the risks to each side and questioned fairness of their offer. Manager noted new agreement resolves all issues and that HUD would cover those costs to the City. C. Scott questioned the funding. Manager noticed recent discussion with HUD and that this type of expenditure would be allowed and was comfortable with that discussion. Ms. Baez-Rose noted if there is no compliance then funds can be recaptured. C. Juran commented on the

litigation option to push back. Manager noted the parameters of HUD funding. City Solicitor noted proposed language regarding defaults. C. Nuon commented on the chance of litigation success in terms of funding and time involved. **Motion** by C. Nuon, seconded by C. Rourke to continue negotiation of lease terms Senior Center, as well as, right of first refusal for Walgreens site. Adopted per Roll Call vote 6 yeas (C. Chau, C. Descoteaux, C. Juran, C. Nuon, C. Rourke, C. Scott), 4 nays (M. Gitschier, C. Liang, C. McDonough, C. Robinson), 1 recusal (C. Mercier). So voted. M. Gitschier noted the vote was playing right into their hands as they get more money and give up less land. City Solicitor commented on right of first refusal procedure. C. Chau spoke of right of first refusal. C. Juran noted that there were still issues to negotiate regarding lease. City Solicitor commented on default language in the lease to protect the City interest. C. Scott commented on public bid process. City Solicitor noted this was exempt due to being in a revitalization area and the unique nature of the property. Mr. Baldwin and the Manager outlined the conversation with HUD and the funding is from CDBG money and not taxpayers. C. Liang noted must move forward with best interest of the City. C. Scott noted possible other sites for the Senior Center; Freshman Academy and new site on Market Street.

Motion to release minutes once finished and approved by M. Gitschier, seconded by C. Rourke. So voted.

Motion to Adjourn by C. Rourke, seconded by C. Nuon. So voted

Adjourned at 9:36 PM.

Michael Q. Geary
City Clerk