



PUBLIC RECORDS
OFFICE OF THE RECORDS ACCESS OFFICER
Martin J. Walsh, Mayor

January 18, 2019

Kristen Hoffman
President, Friends of Cuttillo Park, Inc.
26 Stillman Street, Unit 6-2
Boston, MA 02113
friendsofcutillopark@gmail.com

Re: January 3, 2018 Public Records Request

Dear Kristen:

The City of Boston (City) has received your request for records from the Public Facilities Department. This response applies only to records that exist and are in the custody of the City. See *A Guide to the Massachusetts Public Records Law*, p. 32, n.115. It is expected that a custodian of records must use her superior knowledge of her records with respect to responses to public records requests. 950 CMR 32.04(5). Government records custodians are permitted to redact or withhold portions of public records, so long as a specific exemption to the law is cited. See G. L. c. 4, § 7 (26). Please be advised that a portion of your request references the Boston Planning and Redevelopment Agency; that office is not a department of the City of Boston. Should you seek records from that office you are encouraged to contact that office directly. <http://www.bostonplans.org/about-us/public-records-requests>.

Specifically, in your request you stated:

Under the Massachusetts Public Records Act § 66-10 et seq., we are requesting an opportunity to inspect or obtain copies of all public records that relate to:

(i) with respect to the City of Boston's planning process for a new community center in the North End of Boston, all draft and final reports prepared by Sasaki Associates relating to North End community center studies and/or the Nazzaro Center building, including without limitation those reports required under that certain Study Contract between the City of Boston Public Facilities Department and Sasaki Associates, P.C., dated May 17, 2017, and

There are no "final reports prepared by Sasaki Associates." There is a "draft" report, entitled "North End Community Center Programming and Siting Study," created by Sasaki Associates, Inc. This document is under deliberation by the City; therefore, your request is denied as the document is exempt from disclosure pursuant to the deliberative process exemption to the public records law. G. L. c. 4, § 7 (26) (d). Premature disclosure would taint the deliberative process. The City intends to release this record once the deliberation regarding its contents has concluded. Once the City's deliberation has concluded you are encouraged to request this record.

You also seek copies of:

(ii) all records relating to the potential sale or disposition of the existing Nazzaro Center property, including without limitation, with respect to (i) and (ii) above, all records of the Boston Planning and Development Agency, the City of Boston Public Facilities Department and the City of Boston Centers for Youth and Families.

There is one (1) document responsive to this request, entitled Nazzaro Center Overview, prepared by Colliers International. This record is also withheld under the deliberative process exemption as it is in a draft form and is currently under review. As with the Siting Study, this record will be made available to the public upon the conclusion of the City's deliberation.

This process is still in the early stages, and no final decisions have been made yet. The final report, referenced above, is being informed by all the community comments from meetings and surveys. After the report is finalized and released, and if the City of Boston decides to move forward with designing a new center, community feedback will be crucial to shaping the design process. A document entitled "North End Community Center Study" is available online at https://www.boston.gov/sites/default/files/northendcommunitycenterstudy_meeting3_finalpresentation.pdf. This document was prepared in response to a community meeting held on October 17, 2018.

You may appeal this response to the Supervisor of Records in the Office of the Secretary of the Commonwealth. G. L. c. 66, § 10A (c); G. L. c. 66, § 10(b)(ix); 950 CMR 32.08; 950 CMR 32.08(1)(h) (in petitioning the Supervisor, the requester shall provide a copy of such petition to the records access officer associated with such petition). You may also appeal to the Superior Court. 950 CMR 32.06(3)(c).

Very truly yours,



Shawn A. Williams, Esq.
Director of Public Records
Records Access Officer