

HOUSE No. 3945

The Commonwealth of Massachusetts

PRESENTED BY:

Mike Connolly

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the city of Cambridge to provide police, fire, emergency and other municipal services to certain properties in the city of Somerville and the city of Boston.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/24/2021</i>

HOUSE No. 3945

By Mr. Connolly of Cambridge, a petition (subject to Joint Rule 12) of Mike Connolly (with the approval of the city council) that the city of Cambridge be authorized to provide police, fire, emergency and other municipal services to certain properties in the city of Boston and the city of Somerville. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act authorizing the city of Cambridge to provide police, fire, emergency and other municipal services to certain properties in the city of Somerville and the city of Boston.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. FINDINGS AND PURPOSE

2 WHEREAS, Cambridge Crossing (also known as North Point) is a mixed-use, smart
3 growth master plan development containing 20 separate and distinct building parcels and
4 comprised of approximately 45.37 acres of land, situated in the Cities of Cambridge, Boston and
5 Somerville (the “Development”) or (“Cambridge Crossing”); and

6 WHEREAS, the majority of the Development, (approximately 38.77 acres), is situated in
7 the City of Cambridge, with the balance of the land located in the City of Boston, (1.29 acres),
8 and the City of Somerville, (5.28 acres), with the majority of the buildings constructed or to be
9 constructed (with the exception of one building which is wholly situated in the City of
10 Somerville) to be located in whole or in part in the City of Cambridge (collectively, the

11 “Serviced Parcels”, and each individually, a “Serviced Parcel”); and

12 WHEREAS, emergency access to the Serviced Parcels is only feasible by public ways
13 situated in the City of Cambridge and the City of Cambridge will be providing the water, sewer
14 and other municipal services to the entirety of Cambridge Crossing and neither the City of
15 Boston nor the City of Somerville will be providing those municipal services to Cambridge
16 Crossing; and

17 WHEREAS, pursuant to the terms of a Memorandum of Agreement between the City of
18 Cambridge and the current owner of the Cambridge Crossing, the roadway network and
19 municipal infrastructure being (or to be) constructed therein by the current owner, will be
20 conveyed to the City of Cambridge and become part of the City of Cambridge municipal system;
21 and

22 WHEREAS, the Cities of Cambridge, Somerville and Boston each desire to enter into
23 agreements with one another to have the City of Cambridge (i) provide police, fire and other
24 emergency services, including but not limited to, emergency communication and ambulance
25 services (“Emergency Services”), and (ii) offer and provide such other municipal services to the
26 Serviced Parcels as may be reasonably required and/or requested from time to time as a result of
27 the Serviced Parcels being accessible solely from roadways situated in the City of Cambridge
28 and the utilities owned, or to be owned, by the City of Cambridge located therein, including,
29 without limitation, the provision of water, storm sewer and sanitary sewer (and the ability to
30 charge normal and customary fees associated therewith) and services provided by the fire
31 department (such services, “Other Municipal Services”); and

32

33 WHEREAS, the Cities of Cambridge, Somerville and Boston agree that having
34 Cambridge provide the above services to the entirety of Cambridge Crossing will enable
35 increased efficiency in, and the expeditious delivery of, public safety responses; and

36 WHEREAS, the Cities of Cambridge, Somerville and Boston agree that the City of
37 Cambridge requires the authority to assess any unpaid fees for Emergency Services to a Serviced
38 Parcel. Specifically, the Cities seek authority to allow the City of Cambridge to (a) assess any
39 unpaid fees for these services that are attributable to (i) a Serviced Parcel situated partially in the
40 City of Cambridge to the real estate tax bills of such Serviced Parcel issued by the City of
41 Cambridge and (ii) the Serviced Parcel situated entirely in the City of Somerville against tax
42 parcels located in the City of Cambridge containing only the common open space areas of
43 Cambridge Crossing, but not any tax parcels containing occupiable buildings (collectively, the
44 “CX Open Space Parcels”), and to issue a real estate tax bill to such assessing parcel(s), and (b)
45 make such assessments, pursuant to its assessment and collection authority contained in Chapters
46 59 and 60 of the Massachusetts General Laws.

47 THEREFORE, the purposes of this Act are to:

48 1) Authorize the City of Cambridge (a) to provide Emergency Services within the
49 Serviced Parcels as if such parcels were entirely situated within the City of Cambridge; (b) to
50 make assessments against any Serviced Parcel to reimburse the City of Cambridge for the
51 provision of such services to such Serviced Parcel, against only the portion of such Serviced
52 Parcel situated in the City of Cambridge; (c) to make assessments against the Serviced Parcel
53 situated entirely in the City of Somerville to reimburse the City of Cambridge for the provisions
54 of such services to such Serviced Parcel, against one or more of the CX Open Space Parcels; (d)

55 to collect and enforce, including, without limitation, the rights to pursue takings for non-
56 payment of such assessments allocable to (i) a Serviced Parcel, against the owner of such
57 Serviced Parcel, or (ii) in the event of the Serviced Parcel situated entirely within the City of
58 Somerville, against the owner(s) of the CX Open Space Parcels; and (d) to offer and provide the
59 Other Municipal Services as if the same were situated entirely within the City of Cambridge; and

60 2) Authorize the City of Somerville and the City of Boston to delegate the Emergency
61 Services and Other Municipal Services related to the Serviced Parcels to the City of Cambridge.

62 SECTION 2. The City of Cambridge is hereby authorized to provide the Emergency
63 Services to the Serviced Parcels, specifically including, but not limited to, authorizing
64 Cambridge Police Officers with full arrest powers, as if those parcels were wholly located in the
65 City of Cambridge.

66 SECTION 3. The City of Cambridge shall have the right to provide such Other Municipal
67 Services as are reasonably necessary to be provided to the Serviced Parcels and as are otherwise
68 agreed to with any other municipality in which a particular Serviced Parcel may be located.

69 SECTION 4. The City of Cambridge, the City of Somerville and the City of Boston are
70 each hereby authorized to enter into agreements with one another, to the extent such Cities deem
71 such agreements to be necessary and/or convenient, concerning Cambridge's provision of
72 Emergency Services and, to the extent applicable, Other Municipal Services to the Serviced
73 Parcels, upon such terms and conditions as the Cities may agree. In the event that the Cities fail
74 to or have not entered into an agreement and the provision of Emergency Services or Other
75 Municipal Services are required by a Serviced Parcel, the City of Cambridge shall be permitted
76 to provide the services in connection with specific Serviced Parcels.

77 SECTION 5. The City of Cambridge shall have the authority to charge fees to the owner
78 of a Serviced Parcel relative to the provision of Emergency Services or Other Municipal Services
79 provided and allocable to such Serviced Parcel (“Assessments”).

80 SECTION 6. The City of Cambridge shall have the right (a) to assess and collect such
81 assessments against each of the Serviced Parcels in such amounts as will be set forth in the
82 agreement identified in Section 5 above, in a manner consistent with the manner in which it
83 assesses real estate taxes in the City of Cambridge under M.G.L. c. 59, and (b) to enforce the
84 collection of such amounts in the same manner in which it is entitled to enforce the collection of
85 real estate tax assessments pursuant to M.G.L. c. 59 and c. 60, including, without limitation, the
86 rights of the City of Cambridge to pursue takings for any unpaid amounts and foreclose on such
87 takings pursuant to the provisions of M.G.L. c. 60, § 53. The City of Cambridge shall (i) with
88 regard to the Serviced Parcels situated partially in the City of Cambridge, make such assessments
89 against the City of Cambridge tax parcel(s) containing a portion(s) of such Serviced Parcel; and
90 (ii) with regard to the Serviced Parcel situated entirely in the City of Somerville, make
91 assessments against one or more of the City of Cambridge tax parcels containing the CX Open
92 Space Parcels. Any and all such assessments have the force and effect of real estate tax
93 assessments made under the provisions of M.G.L. c. 59 and c. 60.