



# The Commonwealth of Massachusetts

## 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:*

Notwithstanding any general or special law to the contrary, the City of Cambridge is hereby authorized to provide police, fire and other services and the City of Somerville and the City of Boston are authorized to acquiesce in the delegation of such services to the City of Cambridge relative to the certain identified portions of the City of Somerville and the City of Boston and to take such other actions as are provided for in this Act.

#### **SECTION 1. FINDINGS AND PURPOSE**

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

WHEREAS, the majority of the Development, (approximately 38.77 acres), is situated in the City of Cambridge, with the balance of the land located in the City of Boston, (1.29 acres), and the City of Somerville, (5.28 acres), with the majority

of the buildings constructed or to be constructed (with the exception of one building which is wholly situated in the City of Somerville) to be located in whole or in part in the City of Cambridge (collectively, the “Serviced Parcels”, and each individually, a “Serviced Parcel”); and

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

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

WHEREAS, the Cities of Cambridge, Somerville and Boston each desire to enter into agreements with one another to have the City of Cambridge (i) provide police, fire and other emergency services, including but not limited to, emergency communication and ambulance services (“Emergency Services”), and (ii) offer and provide such other municipal services to the Serviced Parcels as may be reasonably required and/or requested from time to time as a result of the Serviced Parcels being accessible solely from roadways situated in the City of Cambridge and the utilities owned, or to be owned, by the City of Cambridge located therein, including, without limitation, the provision of water, storm sewer

and sanitary sewer (and the ability to charge normal and customary fees associated therewith) and services provided by the fire department (such services, "Other Municipal Services"); and

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

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

THEREFORE, the purposes of this Act are to:

1. authorize the City of Cambridge (a) to provide Emergency Services within the Serviced Parcels as if such parcels were entirely situated within the City of

Cambridge; (b) to make assessments against any Serviced Parcel to reimburse the City of Cambridge for the provision of such services to such Serviced Parcel, against only the portion of such Serviced Parcel situated in the City of Cambridge; (c) to make assessments against the Serviced Parcel situated entirely in the City of Somerville to reimburse the City of Cambridge for the provisions of such services to such Serviced Parcel, against one or more of the CX Open Space Parcels; (d) to collect and enforce, including, without limitation, the rights to pursue takings for non-payment of such assessments allocable to (i) a Serviced Parcel, against the owner of such Serviced Parcel, or (ii) in the event of the Serviced Parcel situated entirely within the City of Somerville, against the owner(s) of the CX Open Space Parcels; and (d) to offer and provide the Other Municipal Services as if the same were situated entirely within the City of Cambridge; and

2. authorize the City of Somerville and the City of Boston to delegate the Emergency Services and Other Municipal Services related to the Serviced Parcels to the City of Cambridge.

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

**SECTION 3.** The City of Cambridge shall have the right to provide such Other Municipal Services as are reasonably necessary to be provided to the Serviced

Parcels and as are otherwise agreed to with any other municipality in which a particular Serviced Parcel may be located.

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

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

**SECTION 6.** The City of Cambridge shall have the right (a) to assess and collect such assessments against each of the Serviced Parcels in such amounts as will be set forth in the agreement identified in Section 5 above, in a manner consistent with the manner in which it assesses real estate taxes in the City of Cambridge under M.G.L. c. 59, and (b) to enforce the collection of such amounts in the same manner in which it is entitled to enforce the collection of real estate tax assessments pursuant to M.G.L. c. 59 and c. 60, including, without limitation,

the rights of the City of Cambridge to pursue takings for any unpaid amounts and foreclose on such takings pursuant to the provisions of M.G.L. c. 60, § 53. The City of Cambridge shall (i) with regard to the Serviced Parcels situated partially in the City of Cambridge, make such assessments against the City of Cambridge tax parcel(s) containing a portion(s) of such Serviced Parcel; and (ii) with regard to the Serviced Parcel situated entirely in the City of Somerville, make assessments against one or more of the City of Cambridge tax parcels containing the CX Open Space Parcels. Any and all such assessments have the force and effect of real estate tax assessments made under the provisions of M.G.L. c. 59 and c. 60.

**SECTION 7.** This act shall take effect upon passage.

