

INTRODUCED BY CITY MANAGER ROBERT W. HEALY

AN ORDER CONCERNING APPROPRIATION FOR THE FISCAL YEAR BEGINNING JULY 1, 1999

ORDERED: That the following sums are hereby appropriated in the Public Investment Fund of the City of Cambridge.

FUNCTION	PROJECT	APPROPRIATIONS	FUNCTION	PROJECT	APPROPRIATIONS
GENERAL GOVERNMENT			COMMUNITY MAINT. & DEV. (cont.)		
	Acquisition of Personal Computers	<u>325 000</u>		Affordable Housing Trust Fund	4 500 000
		325 000		Neighborhood Business Development	275 000
				Comp. Tracking System Licenses/Permits	150 000
PUBLIC SAFETY				Public Art Conservation Fund	35 000
	Fire Vehicles/Equipment	180 000		One Percent for the Arts	<u>25 000</u>
	Police Equipment/Renovations	<u>75 000</u>			15 726 330
		255 000	HUMAN RESOURCE DEVELOPMENT		
COMMUNITY MAINTENANCE & DEV.				Library Renovations	113 000
	Streets/Sidewalks Reconstruction	1 675 000		Park Preventative Maintenance	250 000
	Citywide Tree Pruning/Planning Program	200 000		Parks & Recreation	1 385 090
	Parking Improvements	460 000		Accessibility Improvements	50 000
	Water System Improvements	1 500 000		Open Space Acquisition Fund	<u>2 000 000</u>
	Sewer Reconstruction	3 700 000			3 798 090
	Cambridge Street Improvements	1 150 000	EDUCATION		
	Cambridgeport Roadway Design	75 000		School Equipment/Renovations	<u>508 000</u>
	Historical Restorations	37 000			508 000
	Employment Program Fund	277 500			
	Housing Rehab & Development	1 666 830			
				TOTAL	20 612 420

BE IT FURTHER ORDERED: That the above appropriations are to be financed from the following sources:

FINANCING PLAN CLASSIFICATION	REVENUE	FINANCING PLAN CLASSIFICATIONS	REVENUE
Property Taxes	4 330 000	Program Income	268 385
Free Cash	4 393 000	Chapter 90	2 000 000
Parking Fund	535 000	Street Preservation Offset Fund	450 000
Sewer Service Charge	3 700 000	Sale of City Land	1 350 000
Water Service Charge	1 500 000	Golf Course Fees	<u>40 000</u>
Block Grant	2 046 035		20 612 420

In City Council May 17, 1999.

Adopted by a yea and nay vote:-

Yeas 7; Nays 1; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

XO Margaret Drury

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council May 17, 1999
 PUBLIC INVESTMENT FUND in the amount of \$20,612,420

	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born	✓			
Ms. Henrietta Davis	✓			
V. Mayor Anthony Galluccio	✓			
Mr. Kenneth E. Reeves			✓	
Ms. Sheila T. Russell	✓			
Mr. Michael A. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Ms. Katherine Triantafillou		✓		
Mayor Francis H. Duehay	✓			

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City of Cambridge

Committee Report #3
Amended Order
IN CITY COUNCIL

May 17, 1999

COUNCILLOR SULLIVAN

ORDERED: That the West Cambridge Youth Center, when constructed, shall be known as the "Mayor Sheila Doyle Russell Youth Center."

In City Council May 17, 1999.

Adopted as amended by a ye and nay vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, reading "D. Margaret Drury". The signature is written in a cursive style with a large, looped "D" and a trailing flourish.

D. Margaret Drury.
City Clerk



City of Cambridge

Committee Report #3
Original Order

IN CITY COUNCIL

May 17, 1999

COUNCILLOR SULLIVAN

ORDERED: That the West Cambridge Youth Center, when constructed, shall be known as the "**MAYOR SHEILA T. RUSSELL YOUTH CENTER**".



City of Cambridge

IN CITY COUNCIL

May 17, 1999

COUNCILLOR SULLIVAN

ORDERED: That the West Cambridge Youth Center, when constructed, shall be known as the "**MAYOR SHEILA T. RUSSELL YOUTH CENTER**".



City of Cambridge

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Calendar Item #3

IN CITY COUNCIL

~~April 12, 1999~~

April 26, 1999

COUNCILLOR SULLIVAN
COUNCILLOR BORN
COUNCILLOR DAVIS
VICE MAYOR GALLUCCIO
COUNCILLOR REEVES
COUNCILLOR RUSSELL
COUNCILLOR TOOMEY
COUNCILLOR TRIANTAFILLOU

WHEREAS: G.L. c. 44, s. 33 grants the City Council the authority to add to the appropriations when the City Manager fails to transport to the Council a written recommendation for an appropriation not included in the annual budget, which the Council deems necessary; and

WHEREAS: This Council's Finance Committee held two public hearings relative to the acquisition of open space in the eastern end of the City; and

WHEREAS: Said committee upon reviewing a report from the City Manager unanimously recommended that the City Manager forthwith begin to acquire properties on and/or abutting Fulkerson Street and/or properties abutting thereto for the public purpose of creating additional open space for active and passive recreation; and

WHEREAS: The committee report was reported to the City Council which unanimously adopted the Committee's recommendation as to the acquiring of properties for open space on Fulkerson Street; and

WHEREAS: The City Manager's FY 2000 budget document does not include an appropriation for the purchase and/or bonding for this particular purpose, as requested by vote of the City Council; and

WHEREAS: The City Council deems the acquisition of said properties as necessary for the well being of its citizenry and for the proper function of our government; now therefore be it

ORDERED: That the City Manager be and hereby is requested to appropriate \$5 million in the FY 2000 for the purchase and/or bonding of the purchase of properties located on Fulkerson Street as described in his memorandum to the Council's Finance Committee.

In City Council April 26, 1999.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "D. Margaret Drury".

D. Margaret Drury
City Clerk



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307



EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

May 3, 1999

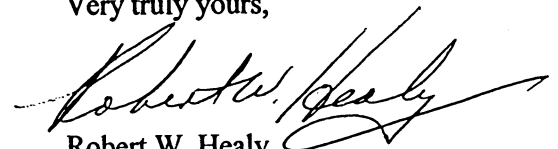
To the Honorable, the City Council:

In response to City Council Order No. 40 of April 12, 1999 and Calendar Item No. 3 of April 26, 1999, please be advised that I have commenced the process necessary to allow the City to be in the proper legal position to proceed with an eminent domain taking of the subject property by having contracted with an appraiser. An opinion of value will be available to me by about May 21, 1999. Including an estimated amount in the submitted FY2000 budget for a pro tanto payment prior to receiving an appraisal could be harmful in defending a land damage claim on these parcels.

In addition, please be advised that the FY2000 budget document does contain recommended appropriations for three million dollars for "the purpose of" acquisition of property. M.G.L. c. 44, §33 provides that "In the case of the failure of the [manager] to transmit a written recommendation for an appropriation for any purpose not included in the annual budget, which is deemed necessary by the council, after having been requested by vote thereof, said council, after the expiration of seven days from such vote, upon its own initiative may make such appropriation by a vote of at least two thirds of its members...." The Supreme Judicial Court has stated, in analyzing §33, that "The context shows that the words 'any purpose,'...mean and can only mean an object other than those already included in the annual and supplementary budgets submitted by the [manager]." *Flood v. Hodges*, 231 Mass. 252. Since the budget document contains a recommended appropriation for the purpose of acquiring land for open space, I believe that any use of §33 to "increase" that amount would contravene the provisions of the municipal finance act.

I recommend that the appraisal process be completed and that any approval of an appropriation for the acquisition of the referenced parcels occur concurrently with an order of taking. To do otherwise might be harmful in any litigation that could ensue from an eminent domain taking.

Very truly yours,


Robert W. Healy
City Manager

City of Cambridge

In City Council May 17, 1999

THE FINANCE COMMITTEE, comprised of the entire membership of the City Council, to which was referred the **PUBLIC INVESTMENT FUND** for the City of Cambridge for Fiscal year 2000 in the amount of \$ 20,612,420 held public hearings on this matter on April 14, 1999 and April 28, 1999 commencing at 11:00 a.m. in the Sullivan Chamber.

THE FINANCE COMMITTEE has referred the **PUBLIC INVESTMENT FUND** for the City of Cambridge for Fiscal Year 1999 to the full City Council for the adoption of the enclosed order in the total amount of \$ 20,612,420 which includes the recommendations of the City Manager.

Attached also is Calendar Item # 3 adopted by the City Council on April 26, 1999 regarding open space, together with a report from the City Manager received on May 3, 1999. Both Items were referred to the City Council meeting of May 17, 1999.

Also attached for adoption by the City Council is an order naming the West Cambridge Youth Center in honor of Councillor and former Mayor Sheila T. Russell.

For the Committee,

Michael
Councillor Michael A. Sullivan,
Chair *by de*

Committee Report #3

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Communication was received from
Councillor Sullivan, Chair of
the Finance Committee, transmitting
the Public Investment Fund Budget
in the amount of \$20,612,640 for
the Fiscal Year 2000.

In City Council May 17, 1999

*Report Accepted and Placed on
file
Order Adopted as Amended
8-0-1.*

*Public Investment Budget
Adopted 7-1-1*