

Current – 2001 year to date statistics:

The Police Department issued the following number of citations: 1/1/01 YTD

The uniformed Patrol Division and Selective Traffic Enforcement Unit issued a total of 576 citations to commercial vehicles for violation of the "posted truck restrictions".

Additionally the Commercial Truck Enforcement Unit had stopped 553 commercial vehicles. The results of those stops resulted in the following actions:

- 280 CMV's were inspected
- 305 citations were issued
- 1698 violations were found
- 16 drivers were placed out of service
- 71 (25.3%) vehicles were placed out of service
- 115 vehicles were weighed
- 36 (31.3%) were found to be overweight

Action Plan – Regional Truck Study – Enforcement Strategies

Training:

The Traffic and Parking Department has conducted three (3) separate presentations. The first was an overview of the study to all Command Staff Officers. The second presentation was at a Command Staff meeting that included Patrol Command and the Selective Traffic Enforcement Unit Supervisors. And a third in depth review of the **Regional Truck Study** at a recent Quarterly Supervisory Training - where all available patrol supervisors (sergeants, lieutenants), and deputies received the necessary information for enforcement actions. Supervisors who were absent at this training will be provided with review, upon return to duty. The results of the Regional Truck Study, and proposed strategies for implementation were expertly presented.

The CPD In-Service training and especially at roll call training (7-3-6-11) will continue to include instruction to all sworn police patrol officers of the importance of consistent enforcement of the (proposed) "New Nighttime -11:00 P.M. to 6:00 A.M. truck traffic restrictions".

It is important that all designated patrol units be specifically assigned between 11:00 P.M. and 1:00 A.M to designated "gateways" into, through and out of the City that have restrictions posted. Equally important is the assignment of late-night early morning patrol

officers specifically to truck enforcement at the identified "gateways" from 5:00 A.M. to 7:00 A.M.

The instructions include that "All current restrictions" (as posted) will continue to be enforced and will remain in full force and effect.

Improvements of the signs currently posted that restrict trucks will also include new signage that does permit a "hazmat - Massachusetts Turnpike Exit - exception" on Western Avenue and River Street to the Main Street, Binney Street connector truck route.

All state highways (Rt. 2A, 16, 28) that pass through Cambridge will not be restricted. The entire length of Massachusetts Avenue, (2A) from Memorial Drive to the Alewife Brook Parkway, is also exempt from the "Nighttime Truck Restrictions".

The instruction to police officers and the public alike will emphasize that NOT ALL TRUCKS are restricted, and that deliveries are permitted.

The roll call and in-service instruction will include:

- Definition of Commercial vehicle
- Enforcement actions by direction - Continue to enforce current restrictions. Upon adoption and implementation of the Nighttime Truck Restrictions - enforcement will be in three stages.
 - Stage 1 - Two (2) weeks of education and information to drivers. Documentation by location of violators.
 - Stage 2 - Two (2) weeks of written Warnings - citations
 - Stage 3 - Total enforcement of Nighttime Restrictions - citations with penalty.
- Review results of Traffic and Parking Departments Study
- Discussions of commercial vehicle volume at common "gateways" used to enter the City of Cambridge
- Discuss the instructions to commercial vehicles - truck route - regional access alternatives
- Discuss the infrastructure changes (i.e., signs, roadway design)

Below is a list of current and future priority enforcement areas for current and future truck operations on restricted roadways, as the Traffic Department understands it. The number of priority enforcement areas will increase in the future with the implementation of proposed citywide 11pm-6am truck bans on most City streets.

Current priority enforcement areas:

Kirkland St., 11pm-6am (especially at Somerville line)
Third St., 24-hrs, north of Binney
Fulkerson, 24-hrs
Western & River, 7pm-7am (except HAZMATS)
Cameron Ave., 24-hrs

Future priority enforcement areas:

Kirkland St., 11pm-6am (especially at Somerville line and Quincy St.)
Western & River, 7pm-7am (except HAZMATS) 7 days / 365
Cambridge St., 11pm-6am (especially at Peabody St. and in Inman Square)
Broadway, 11pm-6am (especially at Peabody St.)
Inman Square, 11pm-6am
Cardinal Medeiros, 24 hrs
Warren St., 24 hrs
Brookline St., 11pm-6am (especially at BU Bridge)
Huron Ave., 11pm-6am, east of Fresh Pond Pkwy. (Especially at Fresh Pond)
Brattle St., 11pm-6am (especially at Aberdeen and Eliot)
Mt. Auburn, 11pm-6am, west of Eliot (especially at Aberdeen and Eliot)
Blanchard Rd., 11pm-6am (especially at Concord)
Concord Ave., 11pm-6am (especially at Belmont line, Alewife Brook, and Fresh Pond)

Read at all roll calls:

Ensure that the Education component takes place first; and as the Engineering progresses (signs and postings, permitting); followed by a total Police Department commitment for strict Enforcement.

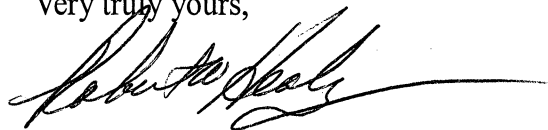
All sworn uniformed officers are directed to participate in this enforcement.

The Traffic Department has begun to coordinate with other City departments who also will be responsible for implementing the recommendations. First and foremost, they have met with the Police Department Command Staff on August 20 and September 5 to brief them on the recommendations and discuss enforcement of the new restrictions. Police Department supervisors were briefed about the truck study as well as the Police Department's enforcement plan during the Quarterly Supervisory/Command Staff Training Session on September 26. Meanwhile, Emergency Communications Center supervisors were briefed on August 28 and September 26 regarding how the implementation of new truck bans will affect the call center and dispatching functions. Finally, the Traffic Department has met several times with the MIS department as part of developing truck route and restriction maps for enforcement personnel, truckers, and the general public.

The Traffic Department anticipates receiving final approval from MassHighway in the near future. They estimate that it will take at least three months from their approval to begin full enforcement of the new truck restrictions. During that time period, they will prepare work orders to install signs; procure or produce approximately 100 signs; and install them. I urge the City Council to support continuation of the ongoing work to implement the study recommendations and to continue suspension of enforcement of the Nighttime Through Truck Ordinance for a period of six months.

Also attached is the enforcement plan received from Police Commissioner Ronnie Watson.

Very truly yours,



Robert W. Healy
City Manager

attachment



15

CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager Richard C. Rossi, Deputy City Manager

October 1, 2001

To The Honorable, The City Council

Progress with implementing the recommendations of the Regional Truck Study has been occurring on a number of fronts over the last few months. As you recall, the Committee on Regional Truck Issues ("the Committee") finalized its recommendations in June, and all parties to the Memorandum of Understanding (MOU) that suspended the Nighttime Through Truck Ordinance are pursuing the recommendations in their respective communities. On June 18, the City Council acknowledged that the process of developing and implementing the study recommendations was ongoing, and resolved that the City Manager should proceed with the MOU process and continue suspension of the Nighttime Through Truck Ordinance through September.

The City of Cambridge and other signatories to the MOU have begun to coordinate and implement a number of the recommendations since June. The Committee held the last public meeting regarding the Regional Truck Study on June 26 to present the final recommendations. After comments were received, the recommendations were finalized, and the MOU was extended through September. The City Council's Transportation Committee also met on July 25 to discuss the recommendations. In the meantime, the City of Somerville's Traffic Commission met on July 17 to receive additional public comment.

In order to move as quickly as possible, the Traffic Department has already submitted to MassHighway its requests for the 24-hour and 11pm-6am truck bans that were recommended by the Committee. MassHighway has confirmed that the District 4 office is processing these requests for over 500 streets. The Traffic Department has begun to develop a signing plan to determine the total level of effort, and MassHighway has offered to help produce the necessary signs.

The Committee is meeting again on October 12 to begin finalizing the content of a regional truck map that will be produced by the Central Transportation Planning Staff with funding from MassHighway. Additional informational and educational materials will be discussed at that time, such as brochures and a truck routing website. Once developed, maps and other materials will be distributed to enforcement personnel and trucking companies. Truck route and restriction signing will be posted, and education and enforcement will begin.



Consent Agenda #15

Regional Truck Study
recommendations.

In City Council October 1, 2001

*Referred to Committee
Report #1,*

ORDER ADOPTED

*as amended in
Committee Report*

City of Cambridge

HEALTH AND ENVIRONMENT

Councillor Henrietta Davis, Chair

Councillor Kathleen L. Born

Councillor Jim Braude

In City Council October 1, 2001

The Health and Environment Committee conducted a public meeting on Tuesday, September 25, 2001 at 7:15 p.m. in the Ackermann Room.

The purpose of the meeting was to discuss the potential impact of the Community Preservation Act, specifically as it relates to open space, affordable housing and historical preservation.

Present at the meeting were Councillor Henrietta Davis, Chair of the Committee; Councillor Jim Braude, Councillor Michael Sullivan, Robert W. Healy, City Manager, James Maloney, Assistant City Manager for Fiscal Affairs, Lisa Peterson, Public Works Commissioner, Darcy Jameson, Housing Director, Community Development Department, Sally Zimmerman, Historical Commission, and Donna P. Lopez, Deputy City Clerk.

Councillor Davis opened the meeting. She stated that the Community Preservation Act (CPA) is a new tool for communities to preserve open space, historical sites and affordable housing. The CPA is statewide enabling legislation that allows cities and towns to exercise control over local planning decisions and provides a new funding source for the following areas:

Acquisition and preservation of open space;
Creation and support of affordable housing; and
Acquisition and preservation of historic building and landscapes.

Councillor Davis further stated that there will be a presentation from Mr. Maloney on how the CPA works. City Manager Robert W. Healy will provide information on how the CPA would pertain to open space and other public realms. Councillor Davis asked Mr. Healy to describe how the CPA works.

Mr. Healy stated that the CPA allows for an increase in the tax levy of not more than 3%. The first \$100,000 of residential property tax would be exempt by a vote of the City Council. Low income housing would also be exempt. The three categories, open space, affordable housing and historical preservation, will receive a minimum 10% allocation. In October, 2002, a distribution of state money will be made which could be as high as \$5.1 million. The ordinance provides for a nine-person Community Preservation Commission which will decide the percentage allocation to each category. It is now up to the electorate to see if they want their money allocated in this manner, he said. The ordinance and ballot question is in place and the outcome of the ballot question will be known after the November election. . As of June, 2001, he said that there were 62

communities that have had this question on the ballot; 31 communities accepted it and 31 communities defeated it.

Councillor Davis asked Mr. Healy if there is any information on how money can be expended on open space and what are the open space needs of the city. Mr. Healy responded that the Community Preservation Commission has a lot to say about expenditure of the money. The statute states that of the nine-member committee there shall be one member from the Planning Board, Housing Authority, Historical and Conservation Commissions and the Public Works Department. Open space has been established as a goal of the City Council. Eastern Cambridge has been identified as an area in the city where open space is needed. Fulkerson Street is being looked at as a possible site for open space. He stated that there is a Comprehensive Open Space Report that outlines the needs. Cambridge, he said, is the seventh most densely populated city in the United States; Somerville is the sixth. The need for open space has been identified by the City Council; however, acquisition is an expensive proposition.

Ms. Peterson stated that the Comprehensive Open Space Report identifies the need for additional athletic fields east of Prospect Street.

Councillor Davis asked if the CPA could be used for improvements to existing open space. Mr. Healy stated that the 10% in the open space category cannot be used for property in recreational use; it is for passive parks.

Councillor Davis stated that information on CPA is available from the Trust for Public Lands. Councillor Braude also gave two web sites where information is available, TPL.org and www.communitypreservation.org.

Councillor Davis stated that the city cannot expend funds to promote or defeat the referendum question.

Councillor Braude stated that all the city can do now is to provide education so that the citizens are informed to vote on this referendum. The city cannot advocate on this matter.

Councillor Davis requested a brief presentation on affordable housing and historic preservation.

Mr. Healy stated that the historic preservation piece is interesting. There is a proposal for an addition to City Hall, a historic building. The capital budget for this year contains \$65,000 for historic preservation. The city has been successful in historic preservation, he said. On the housing piece, he said that the city does not have sites on which it can build affordable housing. An acquisition of land is needed to build more affordable housing. This is a difficult financial exercise, he said.

The three categories are significant and the city continues to maximize housing efforts. The CPA is an opportunity to increase funding capacity for affordable housing.

Councillor Braude stated that in every poll done in this state, if the tax money is being spend on issues of importance to voters, there is overwhelming support.

Councillor Davis asked what is the tax consequence of passage of the referendum.

Mr. Maloney stated that the importance of the acceptance of the CPA is that acceptance would tie future City Councils to a commitment to affordable housing, historic preservation and open space for a minimum of five years to fund these programs. A shift in the funding mechanism would occur and it would provide a built-in escalator. These funds will be exempt from Proposition 2 ½. The first place the City Manager would cut funds if the city was above its levy limit is in one-time programs but these programs would be exempt for five years. Councillor Braude stated that the allocation percentage could be reduced.

Councillor Davis asked what is the impact on property taxpayers. Mr. Maloney stated that there is no impact on residential tax base and little impact on commercial tax base.

Councillor Davis opened the meeting to the public at this time.

Allison Crump, 58 Pleasant Street, asked if the state is obligated to fund the programs for five years. Mr. Maloney stated that the funding pool will fluctuate based on the economy and the Legislature can change the wording. Cities and towns can issue debt under the CPA but it is subject to annual appropriation. Councillor Braude explained as more communities adopt the CPA, the share of the funds might be reduced. Ms. Crump urged early adoption by Cambridge.

David Salomon, 58 Pleasant Street, stated that he was in favor of CPA. The leverage of funding for affordable housing projects is based on city participation.

Scott Cavanaugh, 22 Columbia Street, stated that he was working diligently to get the CPA passed. When the public understands the act, they will accept it.

Michael Feloney, representing the Cambridge Housing Authority, supported the CPA both as an individual and on behalf of the Housing Authority.

James Bohn, 700 Huron Avenue, stated that this act should be revenue neutral. Mr. Maloney stated that additional funding will come from the state. Mr Bohn asked if the city was revenue neutral could the city maintain a 4% tax cut. Mr. Maloney stated not 4%. The City appropriated an amount close to 3% and the City Council did not appropriate this amount subject to acceptance of CPA.

Ethridge King, 34 River Street, stated that for the 3% surcharge to be neutral should be a 3% tax reduction. Mr. Maloney stated that this is a change in the funding mechanism. Councillor Davis stated that this money was put on hold. If the CPA does not pass, the City Council has a commitment to fund affordable housing.

Mr. Bohn stated that the general feeling is uneasy. He is a renter and he acquired an 80% rent increase due to moving to Cambridge. Councillor Braude outlined the City Council priority process to Mr. Bohn. The CPA, he said, implements the desires expressed to the City Council by the citizenry.

Charlotte Moore, 9 Rutland Street, stated that the CPA.org web site has combined uses listed. Eighty percent could go to affordable housing, she said. There are other state programs that can be used for the three categories.

Councillor Davis stated that the Community Preservation Trust Fund was created through new fees at the Registry of Deeds and Land Court. There is an estimate of \$25 million per year. The funds raised for community preservation will be divided 80/20 for two grant round distributions. This could represent a maximum amount in Cambridge of \$5 million.

Mr. King stated that he is concerned that if the CPA referendum does not pass, the city will revert to the previous funding mechanism. Councillor Davis stated that the City Council supports affordable housing. There is support for more money for affordable housing if recommended by the City Manager.

Ms. Crump stated that the hardest work is to explain that there is no tax increase for property owners.

Bernard Burke, member of the Marsh Conservation Commission, 34 Bradbury Street, stated that the revenue neutral talk is tricky. The City of Falmouth, he said, has a 1% surcharge. He hopes that the CPA raises the leverage for affordable housing and historical preservation. There are candidates for historical preservation help in Cambridge. He commented that there is no sign that lists the significance of Fort Washington.

William Jones stated that there were signs put up for Fort Washington. He wanted money for shelters for homeless mothers and children.

Councillor Davis submitted a letter from Robert H. Kuehn, Jr. for the record.
(ATTACHMENT A)

In conclusion, Councillor Davis thanked all attendees, city staff and the City Manager. She stated that explaining the CPA to the public will not be easy but it is worth the effort if the city is to receive as much as \$5 million in state matching money..

The meeting adjourned at 8:15 p.m.

For the Committee,

Henrietta Davis
Councillor Henrietta Davis
Chair *eyd*


010925.CommunityPreservationAct

Keen Development Corporation

Two University Road
P.O. Box 2589
Cambridge, MA 02238-2589

Telephone: (617) 661-9100
Facsimile: (617) 547-6201

September 21, 2001



Councillor Henrietta Davis
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Community Preservation Act

Dear Henrietta:

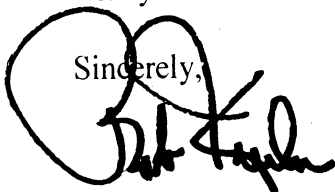
Thank you for the invitation to attend a hearing on September 25th regarding the Community Preservation Act. Unfortunately, I will be out of the country that week so I will not be able to participate. However, I will be pleased to meet with you and other CPA supporters at another mutually convenient time.

As you may know, I served with Chair Bob Durand as Vice Chair of the Community Preservation Coalition which advocated for passage of the legislation. I continue to serve on the Executive Committee of the Coalition to help implement CPA across the state. Thirty-one towns have already adopted this local option and the City of Boston is likely to take action later this fall. I hope that Cambridge also aggressively pursues the CPA which can do a lot of good for "our Fair City".

The enclosed excerpts from the CPA Website (www.communitypreservation.org) suggests that Cambridge could raise about \$9.4 million annually from CPA; using FY2001 rates, this amount increases to over \$10.0 million. Both figures assume the maximum 3% real estate tax surcharge and a 100% state funding match. These estimates will be reduced somewhat if an exemption is granted low and moderate income seniors and/or if a \$100,000 blanket deduction is allowed all residences. The state match also declines once more cities and towns participate in the program.

This dedicated funding for affordable housing, historic preservation, and open space can be creatively applied to local priorities. I look forward to discussing these issues with you in further detail.

Sincerely,



Robert H. Kuehn, Jr.
RHK/jph

Enclosures:

CPA Home Page

CPA Home Page

CPA Opportunities

- o Updated Local Initiatives
- o Calculate the Benefits

CPA Advocacy

- o The Status Quo
- o Talking Points
- o "How To" Handbook
- o Frequent Questions

CPA Implementation

- o Enabling Legislation
- o Sample Ballot Language
- o Deadlines for 2001
- o DOR Guidelines
- o Status of Community Implementation

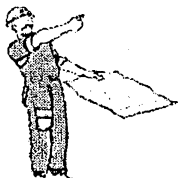
o Potential Uses

Bedford
Nantucket
N. Andover

CPA Forum

- o Ask your Questions
- o Share your Successes

Links



The **Community Preservation Act** is a new tool for communities to preserve open space, historic sites, and affordable housing. This web site has been created to assist individuals and municipalities to understand and implement this legislation.

Over a decade of work has gone into the Community Preservation Act, which was signed by Governor Cellucci and Lieutenant Governor Swift on September 14, 2000. Robert Durand, Secretary of Environmental Affairs, originally sponsored the legislation when a State Senator and championed the law's enactment.

The CPA Website was created by Citizens Housing and Planning Association with support from the **Keen Charitable Foundation**. The webmaster is Eric Segal.

The Act in Brief

The Community Preservation Act is statewide enabling legislation to allow cities and towns to exercise control over local planning decisions. This legislation strengthens and empowers Massachusetts communities:

- All decisions are local.
- Local people must vote by ballot to adopt this.
- Local legislatures must appoint a committee of local people to draw up plans for use of the funds.
- These plans are subject to local comment and approval.
- If they don't feel it is working as they expected, local people can vote it out.

The Community Preservation Act provides new funding sources which can be used to address three core community concerns:

- Acquisition and preservation of open space
- Creation and support of affordable housing
- Acquisition and preservation of historic buildings and landscapes

How Much Cambridge Can Raise

If Cambridge chooses a 3% CPA surcharge, opts not to exempt any properties, and is joined by 49 other Massachusetts communities that adopt the act under the same conditions, it can expect to raise **\$4,713,218.** locally and receive **\$3,349,252.** in state match for a total of **\$8,062,470.** in community preservation funds.

****NOTE**:** The above estimates are based on several assumptions and represent very rough approximations. For more detail and analysis of how much you can raise through the CPA under various scenarios, read on.

- How Much Funds Cambridge Can Obtain Through the CPA Surcharge
- How Much Funds A Residential Property Owner Would Pay in CPA Taxes
- How Much Funds The State Can Match

How Much Funding Cambridge Can Obtain Through the CPA Surcharge

Primary funding for the CPA comes from a surcharge of up to 3% on the local real property tax levy. The following table presents current property valuation and tax rates in Cambridge, levies assessed, and the amount of CPA funds that could be raised at various surcharge rates.

	Property Valuation	Property Tax Rate	Property Levy	1% Surcharge	1.5% Surcharge	2% Surcharge	2.5% Surcharge	3% Surcharge
Residential	\$5,882,405,705.	\$9.64%	\$56,706,391.	\$567,064.	\$850,596.	\$1,134,128.	\$1,417,660.	\$1,701,192.
Commercial	\$3,288,050,318.	25.00%	\$82,727,346.	\$827,273.	\$1,240,910.	\$1,654,547.	\$2,068,184.	\$2,481,820.
Industrial	\$702,444,992.	25.00%	\$17,673,516.	\$176,735.	\$265,103.	\$353,470.	\$441,838.	\$530,205.
Open Space				\$.	\$.	\$.	\$.	\$.
Total	\$9,872,901,015.		\$157,107,253.	\$1,571,073.	\$2,356,609.	\$3,142,145.	\$3,927,681.	\$4,713,218.

Based upon spreadsheet model from Gloucester Assessor's Office.

Communities that have a classified tax structure can choose to exempt commercial and/or industrial properties from the CPA surcharge. If your community is considering such exemptions, look at the "residential" row instead of the "total" row.

Communities also may opt for two types of residential exemptions:

- for the first \$100,000 of taxable value of residential real estate, and
- for property owned and occupied by a person who qualifies for low-income housing or low or moderate-income senior housing.

How Much Would A Residential Property Owner Pay in CPA Taxes

At Cambridge's current residential tax rate of \$9.64 , the following table illustrates the CPA tax for different property values and surcharge rates.

	CPA Tax for Residential Property Valued At:				
Surcharge	\$100,000	\$200,000	\$300,000	\$500,000	\$750,000
1%	\$9.64	\$19.28	\$28.92	\$48.20	\$72.30
2%	\$19.28	\$38.56	\$57.84	\$96.40	\$144.60
3%	\$28.92	\$57.84	\$86.76	\$145.	\$216.90

For communities that opt to exempt the first \$100K in residential property value, the following table applies:

	CPA Tax for Residential Property Valued At:				
Surcharge	\$100,000	\$200,000	\$300,000	\$500,000	\$750,000
1%	\$0.00	\$9.64	\$19.28	\$38.56	\$62.66
2%	\$0.00	\$19.28	\$38.56	\$77.12	\$125.32
3%	\$0.00	\$28.92	\$57.84	\$115.68	\$187.98

Based upon spreadsheet model from MA Executive Office of Environmental Affairs.

How Much Can the State Match?

The Commonwealth has created a Community Preservation Trust Fund through new fees at the Registry of Deeds and Land Court. State officials estimate that this pot of money will be at least \$25 million per year. These funds raised for community preservation will be divided 80/20 for two grant round distributions. Total match distribution to a municipality cannot exceed the amount of local CPA property tax surcharge collected in a given year (a 1:1 ratio).

The first-round distribution goes to all communities that have adopted the CPA. The state will take 80% of the amount collected in the trust fund for the year and divide it among all participating communities so that they receive the same percentage match. If less than 10% (35) of Massachusetts communities adopt the CPA, this will be the only grant round and all participants will receive close to a 100% match.

In order to estimate Cambridge's first-round state match, several assumptions must be made. First, if the state raises \$25 million for the trust fund, \$20 million will be available for the first-round match. Assuming that all CPA communities adopt the 3% surcharge, choose no exemptions, and raise an average of \$577,366 through CPA levies (the average for Massachusetts' 351 cities and towns at 3% and no exemptions), Cambridge could expect the following match percentages and amounts:

Number of CPA Communities	Estimated State Percentage Match	Estimated 1st Round State Match for Cambridge
35 or more	100%	\$4,713,218.
50	70%	\$3,299,252.
100	35%	\$1,649,626.
200	17%	\$801,247.
351	10%	\$471,322.

The remaining 20% of the state trust fund will go toward a second-round match favoring communities with a lower economic base and/or smaller population. A community must adopt the full 3% property surcharge to be eligible for this "equity distribution" match.

In the equity distribution round, funds will be allocated based on a community's "preservation rank," with communities divided into 10 equal sized decile groups. A community's rank is a function of its property tax valuation per capita and population. Communities with high tax values per capita and large populations will have the lowest ranking and receive the lowest grants, and vice versa. To download an Excel spreadsheet that calculates community preservation rank and deciles for all 351 Massachusetts cities and towns, click [here](#). For a more detailed explanation of the equity distribution formula, see the enacted [legislation](#).

City of Cambridge

HEALTH AND ENVIRONMENT

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Councillor Braude stated that all the city can do now is to provide education so that the citizens are informed to vote on this referendum. The city cannot advocate on this matter.

Councillor Davis requested a brief presentation on affordable housing and historic preservation.

Mr. Healy stated that the historic preservation piece is interesting. There is a proposal for an addition to City Hall, a historic building. The capital budget for this year contains \$65,000 for historic preservation. The city has been successful in historic preservation, he said. On the housing piece, he said that the city does not have sites on which it can build affordable housing. An acquisition of land is needed to build more affordable housing. This is a difficult financial exercise, he said.

The three categories are significant and the city continues to maximize housing efforts. The CPA is an opportunity to increase funding capacity for affordable housing.

Councillor Braude stated that in every poll done in this state, if the tax money is being spend on issues of importance to voters, there is overwhelming support.

Councillor Davis asked what is the tax consequence of passage of the referendum.

Mr. Maloney stated that the importance of the acceptance of the CPA is that acceptance would tie future City Councils to a commitment to affordable housing, historic preservation and open space for a minimum of five years to fund these programs. A shift in the funding mechanism would occur and it would provide a built-in escalator. These funds will be exempt from Proposition 2 ½. The first place the City Manager would cut funds if the city was above its levy limit is in one-time programs but these programs would be exempt for five years. Councillor Braude stated that the allocation percentage could be reduced.

Councillor Davis asked what is the impact on property taxpayers. Mr. Maloney stated that there is no impact on residential tax base and little impact on commercial tax base.

Councillor Davis opened the meeting to the public at this time.

Allison Crump, 58 Pleasant Street, asked if the state is obligated to fund the programs for five years. Mr. Maloney stated that the funding pool will fluctuate based on the economy and the Legislature can change the wording. Cities and towns can issue debt under the CPA but it is subject to annual appropriation. Councillor Braude explained as more communities adopt the CPA, the share of the funds might be reduced. Ms. Crump urged early adoption by Cambridge.

David Salomon, 58 Pleasant Street, stated that he was in favor of CPA. The leverage of funding for affordable housing projects is based on city participation.

Scott Cavanaugh, 22 Columbia Street, stated that he was working diligently to get the CPA passed. When the public understands the act, they will accept it.

Michael Feloney, representing the Cambridge Housing Authority, supported the CPA both as an individual and on behalf of the Housing Authority.

James Bohn, 700 Huron Avenue, stated that this act should be revenue neutral. Mr. Maloney stated that additional funding will come from the state. Mr Bohn asked if the city was revenue neutral could the city maintain a 4% tax cut. Mr. Maloney stated not 4%. The City appropriated an amount close to 3% and the City Council did not appropriate this amount subject to acceptance of CPA.

Ethridge King, 34 River Street, stated that for the 3% surcharge to be neutral should be a 3% tax reduction. Mr. Maloney stated that this is a change in the funding mechanism. Councillor Davis stated that this money was put on hold. If the CPA does not pass, the City Council has a commitment to fund affordable housing.

Mr. Bohn stated that the general feeling is uneasy. He is a renter and he acquired an 80% rent increase due to moving to Cambridge. Councillor Braude outlined the City Council priority process to Mr. Bohn. The CPA, he said, implements the desires expressed to the City Council by the citizenry.

Charlotte Moore, 9 Rutland Street, stated that the CPA.org web site has combined uses listed. Eighty percent could go to affordable housing, she said. There are other state programs that can be used for the three categories.

Councillor Davis stated that the Community Preservation Trust Fund was created through new fees at the Registry of Deeds and Land Court. There is an estimate of \$25 million per year. The funds raised for community preservation will be divided 80/20 for two grant round distributions. This could represent a maximum amount in Cambridge of \$5 million.

Mr. King stated that he is concerned that if the CPA referendum does not pass, the city will revert to the previous funding mechanism. Councillor Davis stated that the City Council supports affordable housing. There is support for more money for affordable housing if recommended by the City Manager.

Ms. Crump stated that the hardest work is to explain that there is no tax increase for property owners.

Bernard Burke, member of the Marsh Conservation Commission, 34 Bradbury Street, stated that the revenue neutral talk is tricky. The City of Falmouth, he said, has a 1% surcharge. He hopes that the CPA raises the leverage for affordable housing and historical preservation. There are candidates for historical preservation help in Cambridge. He commented that there is no sign that lists the significance of Fort Washington.

William Jones stated that there were signs put up for Fort Washington. He wanted money for shelters for homeless mothers and children.

Councillor Davis submitted a letter from Robert H. Kuehn, Jr. for the record.
(ATTACHMENT A)

In conclusion, Councillor Davis thanked all attendees, city staff and the City Manager. She stated that explaining the CPA to the public will not be easy but it is worth the effort if the city is to receive as much as \$5 million in state matching money..

The meeting adjourned at 8:15 p.m.

For the Committee,

Henrietta Davis
Councillor Henrietta Davis
Chair *HD*


010925.CommunityPreservationAct

Keen Development Corporation

Two University Road
P.O. Box 2589
Cambridge, MA 02238-2589

Telephone: (617) 661-9100
Facsimile: (617) 547-6201

September 21, 2001



Councillor Henrietta Davis
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Community Preservation Act

Dear Henrietta:

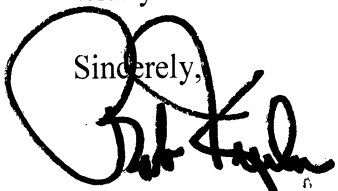
Thank you for the invitation to attend a hearing on September 25th regarding the Community Preservation Act. Unfortunately, I will be out of the country that week so I will not be able to participate. However, I will be pleased to meet with you and other CPA supporters at another mutually convenient time.

As you may know, I served with Chair Bob Durand as Vice Chair of the Community Preservation Coalition which advocated for passage of the legislation. I continue to serve on the Executive Committee of the Coalition to help implement CPA across the state. Thirty-one towns have already adopted this local option and the City of Boston is likely to take action later this fall. I hope that Cambridge also aggressively pursues the CPA which can do a lot of good for "our Fair City".

The enclosed excerpts from the CPA Website (www.communitypreservation.org) suggests that Cambridge could raise about \$9.4 million annually from CPA; using FY2001 rates, this amount increases to over \$10.0 million. Both figures assume the maximum 3% real estate tax surcharge and a 100% state funding match. These estimates will be reduced somewhat if an exemption is granted low and moderate income seniors and/or if a \$100,000 blanket deduction is allowed all residences. The state match also declines once more cities and towns participate in the program.

This dedicated funding for affordable housing, historic preservation, and open space can be creatively applied to local priorities. I look forward to discussing these issues with you in further detail.

Sincerely,



Robert H. Kuehn, Jr.
RHK/jph

Enclosures:

CPA Home Page

CPA Home Page

CPA Opportunities

- o Updated! Local Initiatives
- o Calculate the Benefits

CPA Advocacy

- o The Status Quo
- o Talking Points
- o "How To" Handbook
- o Frequent Questions

CPA Implementation

- o Enabling Legislation
- o Sample Ballot Language
- o Deadlines for 2001
- o DOR Guidelines
- o Status of Community Implementation

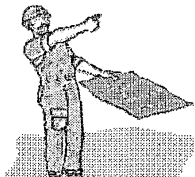
o New! Potential Uses

Bedford
Nantucket
N. Andover

CPA Forum

- o Ask your Questions
- o Share your Successes

Links



The **Community Preservation Act** is a new tool for communities to preserve open space, historic sites, and affordable housing. This web site has been created to assist individuals and municipalities to understand and implement this legislation.

Over a decade of work has gone into the Community Preservation Act, which was signed by Governor Cellucci and Lieutenant Governor Swift on September 14, 2000. Robert Durand, Secretary of Environmental Affairs, originally sponsored the legislation when a State Senator and championed the law's enactment.

The CPA Website was created by Citizens Housing and Planning Association with support from the **Keen Charitable Foundation**. The webmaster is Eric Segal.

The Act in Brief

The Community Preservation Act is statewide enabling legislation to allow cities and towns to exercise control over local planning decisions. This legislation strengthens and empowers Massachusetts communities:

- All decisions are local.
- Local people must vote by ballot to adopt this.
- Local legislatures must appoint a committee of local people to draw up plans for use of the funds.
- These plans are subject to local comment and approval.
- If they don't feel it is working as they expected, local people can vote it out.

The Community Preservation Act provides new funding sources which can be used to address three core community concerns:

- Acquisition and preservation of open space
- Creation and support of affordable housing
- Acquisition and preservation of historic buildings and landscapes

How Much Cambridge Can Raise

If Cambridge chooses a 3% CPA surcharge, opts not to exempt any properties, and is joined by 49 other Massachusetts communities that adopt the act under the same conditions, it can expect to raise **\$4,713,218** locally and receive **\$3,349,252** in state match for a total of **\$8,062,470** in community preservation funds.

****NOTE**:** The above estimates are based on several assumptions and represent very rough approximations. For more detail and analysis of how much you can raise through the CPA under various scenarios, read on.

- How Much Funds Cambridge Can Obtain Through the CPA Surcharge
- How Much Funds A Residential Property Owner Would Pay in CPA Taxes
- How Much Funds The State Can Match

How Much Funding Cambridge Can Obtain Through the CPA Surcharge

Primary funding for the CPA comes from a surcharge of up to 3% on the local real property tax levy. The following table presents current property valuation and tax rates in Cambridge, levies assessed, and the amount of CPA funds that could be raised at various surcharge rates.

	Property Valuation	Property Tax Rate	Property Levy	1% Surcharge	1.5% Surcharge	2% Surcharge	2.5% Surcharge	3% Surcharge
Residential	\$5,882,405,705.	\$9.64%	\$56,706,391.	\$567,064.	\$850,596.	\$1,134,128.	\$1,417,660.	\$1,701,192.
Commercial	\$3,288,050,318.	25.00%	\$82,727,346.	\$827,273.	\$1,240,910.	\$1,654,547.	\$2,068,184.	\$2,481,820.
Industrial	\$702,444,992.	25.00%	\$17,673,516.	\$176,735.	\$265,103.	\$353,470.	\$441,838.	\$530,205.
Open Space				\$.	\$.	\$.	\$.	\$.
Total	\$9,872,901,015.		\$157,107,253.	\$1,571,073.	\$2,356,609.	\$3,142,145.	\$3,927,681.	\$4,713,218.

Based upon spreadsheet model from Gloucester Assessor's Office.

Communities that have a classified tax structure can choose to exempt commercial and/or industrial properties from the CPA surcharge. If your community is considering such exemptions, look at the "residential" row instead of the "total" row.

Communities also may opt for two types of residential exemptions:

- for the first \$100,000 of taxable value of residential real estate, and
- for property owned and occupied by a person who qualifies for low-income housing or low or moderate-income senior housing.

How Much Would A Residential Property Owner Pay in CPA Taxes

At Cambridge's current residential tax rate of \$9.64 , the following table illustrates the CPA tax for different property values and surcharge rates.

	CPA Tax for Residential Property Valued At:				
Surcharge	\$100,000	\$200,000	\$300,000	\$500,000	\$750,000
1%	\$9.64	\$19.28	\$28.92	\$48.20	\$72.30
2%	\$19.28	\$38.56	\$57.84	\$96.40	\$144.60
3%	\$28.92	\$57.84	\$86.76	\$145.	\$216.90

For communities that opt to exempt the first \$100K in residential property value, the following table applies:

	CPA Tax for Residential Property Valued At:				
Surcharge	\$100,000	\$200,000	\$300,000	\$500,000	\$750,000
1%	\$0.00	\$9.64	\$19.28	\$38.56	\$62.66
2%	\$0.00	\$19.28	\$38.56	\$77.12	\$125.32
3%	\$0.00	\$28.92	\$57.84	\$115.68	\$187.98

Based upon spreadsheet model from MA Executive Office of Environmental Affairs.

How Much Can the State Match?

The Commonwealth has created a Community Preservation Trust Fund through new fees at the Registry of Deeds and Land Court. State officials estimate that this pot of money will be at least \$25 million per year. These funds raised for community preservation will be divided 80/20 for two grant round distributions. Total match distribution to a municipality cannot exceed the amount of local CPA property tax surcharge collected in a given year (a 1:1 ratio).

The first-round distribution goes to all communities that have adopted the CPA. The state will take 80% of the amount collected in the trust fund for the year and divide it among all participating communities so that they receive the same percentage match. If less than 10% (35) of Massachusetts communities adopt the CPA, this will be the only grant round and all participants will receive close to a 100% match.

In order to estimate Cambridge's first-round state match, several assumptions must be made. First, if the state raises \$25 million for the trust fund, \$20 million will be available for the first-round match. Assuming that all CPA communities adopt the 3% surcharge, choose no exemptions, and raise an average of \$577,366 through CPA levies (the average for Massachusetts' 351 cities and towns at 3% and no exemptions), Cambridge could expect the following match percentages and amounts:

Number of CPA Communities	Estimated State Percentage Match	Estimated 1st Round State Match for Cambridge
35 or more	100%	\$4,713,218.
50	70%	\$3,299,252.
100	35%	\$1,649,626.
200	17%	\$801,247.
351	10%	\$471,322.

The remaining 20% of the state trust fund will go toward a second-round match favoring communities with a lower economic base and/or smaller population. A community must adopt the full 3% property surcharge to be eligible for this "equity distribution" match.

In the equity distribution round, funds will be allocated based on a community's "preservation rank," with communities divided into 10 equal sized decile groups. A community's rank is a function of its property tax valuation per capita and population. Communities with high tax values per capita and large populations will have the lowest ranking and receive the lowest grants, and vice versa. To download an Excel spreadsheet that calculates community preservation rank and deciles for all 351 Massachusetts cities and towns, click [here](#). For a more detailed explanation of the equity distribution formula, see the enacted [legislation](#).

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Committee Report #2

Committee Report from Councillor
Henrietta Davis, Chair of the
Health and Environment
Committee, for a meeting held on
September 25, 2001 to discuss the
potential impact of the Community
Preservation Act, specifically as it
relates to open space, affordable
housing and historical preservation.

In City Council October 1, 2001

Report Accepted

PLACED ON FILE