



City of Cambridge

Consent Agenda #7

IN CITY COUNCIL

October 4, 1999

- WHEREAS:** The City of Cambridge is the owner of the land at 1493 Cambridge Street as described in a deed recorded at the Middlesex Registry of Deeds in Book 3905, Page 229, and the Cambridge Public Health Commission is the owner of The Cambridge Hospital facility located at 1493 Cambridge Street pursuant to Chapter 147 of the Acts of 1996; and
- WHEREAS:** The Cambridge Electric Light Company has requested the grant of a non-exclusive easement from the City of Cambridge and the Cambridge Public Health Commission to operate and maintain new transformer vaults and other electrical supply facilities located in two below ground rooms at 1493 Cambridge Street near the Line Street loading dock, such electrical vaults and facilities being needed to meet the increased electric needs of The Cambridge Hospital in connection with its ongoing expansion; and
- WHEREAS:** The significance of the disposition of an electric utility maintenance easement at The Cambridge Hospital to the Cambridge Electric Light Company is such that the full disposition process described in chapter 2.110 of the Cambridge Municipal Code would be unduly burdensome; now therefore be it
- ORDERED:** That pursuant to Sec. 2.110.010G of the Cambridge Municipal Code, the City Council hereby orders that the City Council shall utilize a diminished process for the disposition of an electric utility maintenance easement at The Cambridge Hospital to the Cambridge Electric Light Company; and
- ORDERED:** That the City Council hereby approves and authorizes the City Manager to grant, on behalf of the City of Cambridge, a non-exclusive electric utility maintenance easement to the Cambridge Electric Light Company at 1493 Cambridge Street, and to execute and deliver such easement in such form and substance as the City Manager determines is necessary or advisable.

In City Council October 4, 1999.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury, City Clerk

Second, Section 2.110.010 also requires a two-thirds vote of the City Council to authorize the City Manager to grant the easement. I also recommend that the City Council vote to grant the easement and to execute and deliver such easement in form and substance as I determine is necessary or advisable.

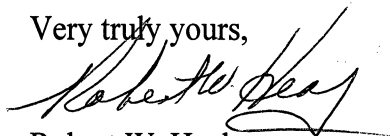
Request for Diminution of Process Stipulated in Chapter 2.110

Chapter 2.110 of the Cambridge Municipal Code on the disposition of city property outlines an extensive process to be applied to the "sale, transfer, lease or rental, or exchange of any city-owned property rights or interests." Paragraph G of section 2.110.010 allows for the diminution of the procedural requirement, by 2/3 vote of the City Council, for property for which the described process would be unduly burdensome. I believe that Paragraph G is appropriate for review of CELCo's request for this easement, and request that a limited review process be approved. This easement would allow CELCo reasonable access to a limited area for maintenance and repairs to a transformer vault that primarily serves the needs of Cambridge Hospital.

The stated purpose of this Chapter of the Municipal Code is "to protect the citizens of Cambridge and to achieve land uses that best serve the City's public purpose." The request for an easement is a request for the conveyance of an interest in land and consequently falls within the purview of this Chapter; however, the purposes of this Chapter and references to the property interests therein, indicate that the detailed and comprehensive process set forth in the Section pertains to property that is of significant value or use to the City or the public, and not necessarily for a limited utility easement such as this.

I appreciate your consideration of this matter, and welcome any questions you may have.

Very truly yours,

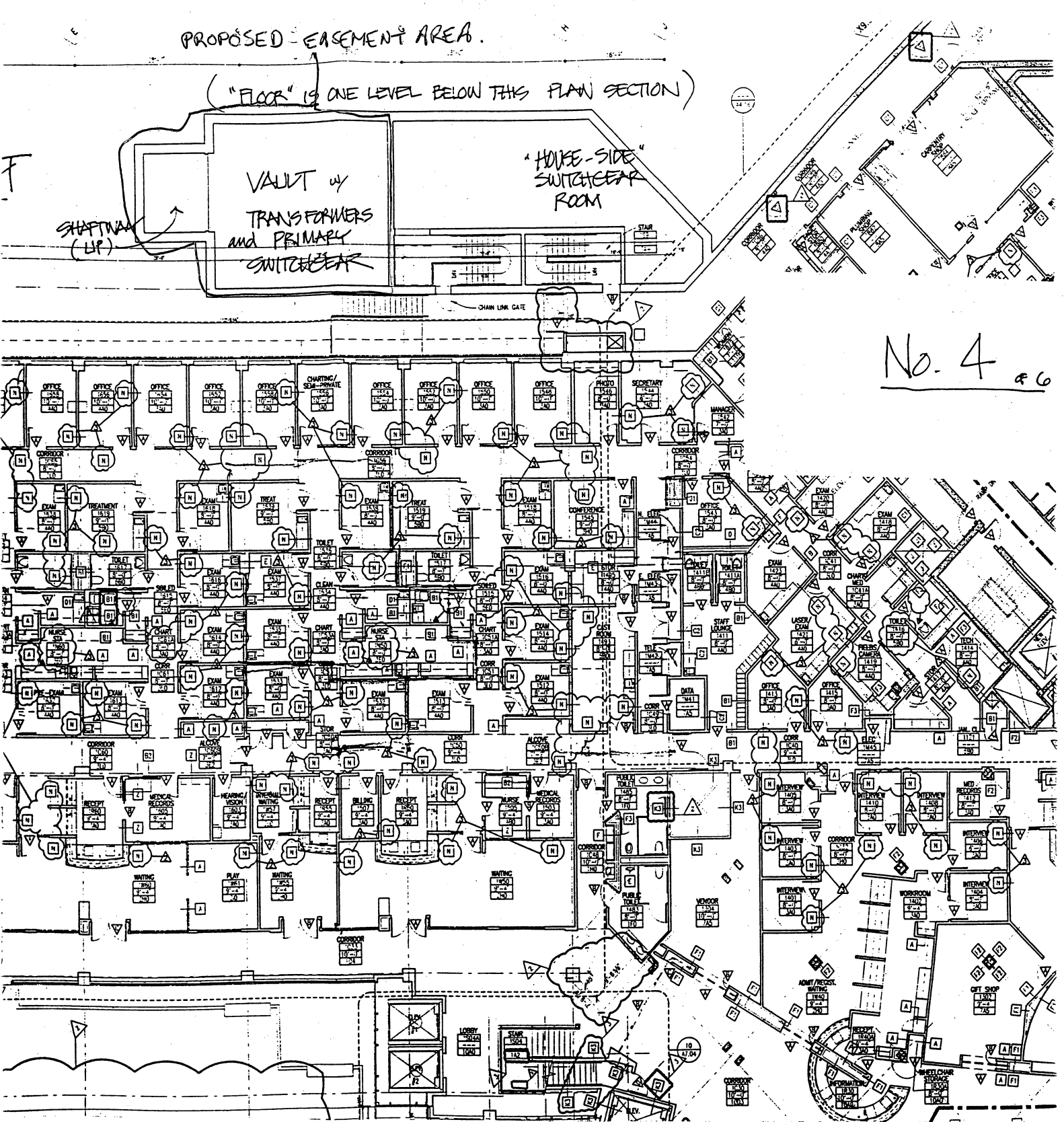


Robert W. Healy
City Manager

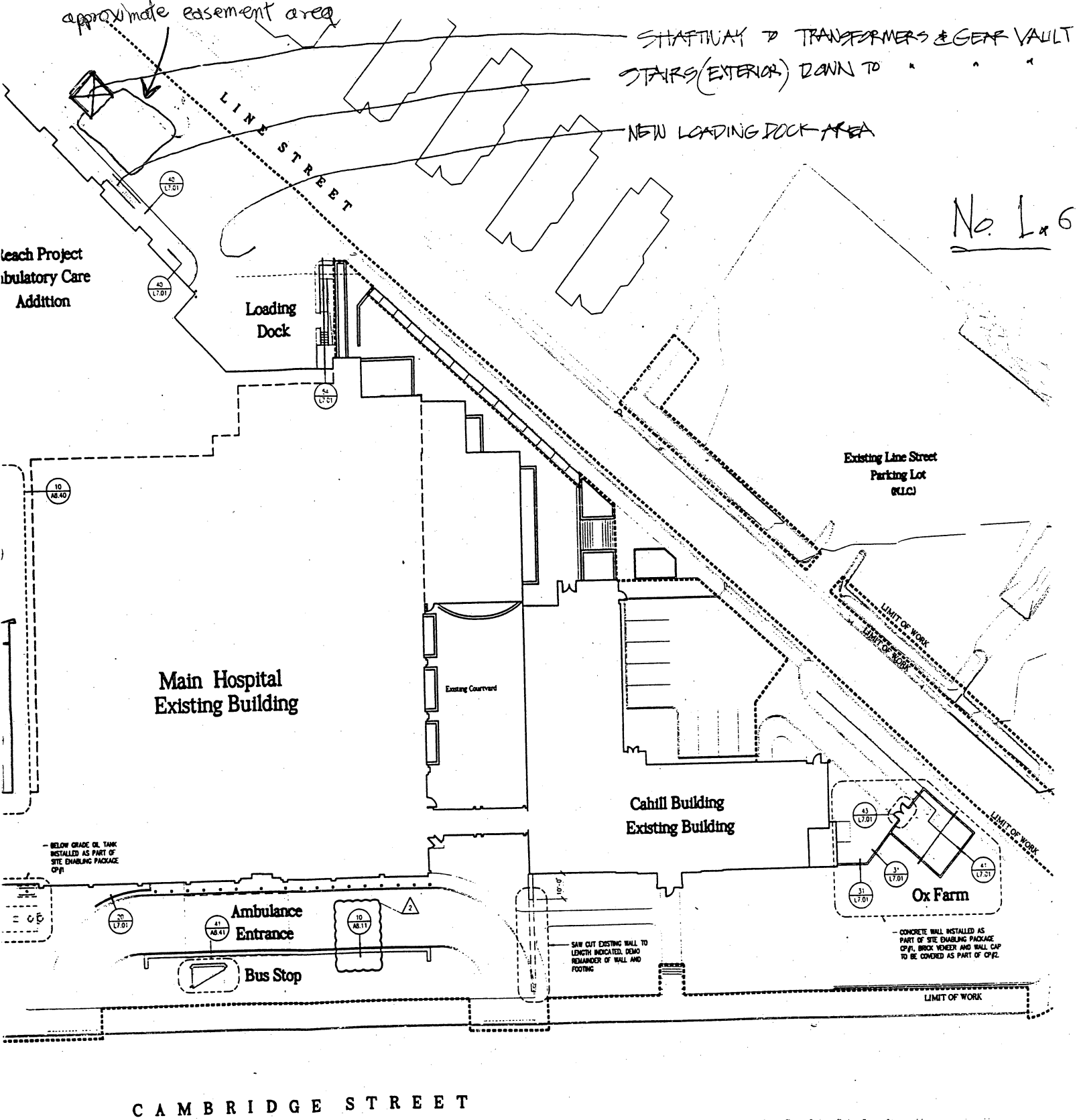
Attachments: Maps of Easement Area

PROPOSED EASEMENT AREA.

("FLOOR" IS ONE LEVEL BELOW THIS PLAN SECTION)



No. 4 96





CITY OF CAMBRIDGE
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

October 4, 1999

To the Honorable, the City Council:

The Cambridge Electric Light Company (CELCo) is requesting the grant of a non-exclusive easement from the City to enter into a room with transformer vaults and other electrical supply equipment located at Cambridge Hospital, 1493 Cambridge Street, for the sole purpose of maintaining and operating electrical equipment used in supplying electricity to the Hospital and others. A similar easement to CELCo was approved by the City Council in June 1998 in connection with the electrical supply facilities at the 119 Windsor Street health clinic and community center.

The easement document from the City is necessary because the City still is the owner of the property upon which the Cambridge Hospital sits. The Cambridge Health Alliance owns the Hospital facility itself. The Alliance, with the City, will jointly grant the easement to CELCo. Access to the City property and to the Hospital facility itself is needed because the electrical facilities are entered via a loading dock stairway to a below grade room in the garage, as shown on the attached plans. The below grade vault room for which this easement would be granted has a gross area including walls of 1152 square feet (30 ft X 32 ft plus 12 ft X 16 ft).

The Hospital needed CELCo to install and connect the new power source at issue here to handle the greater demand of the Hospital's larger facility currently under construction. Because CELCo installed and will maintain the new electrical supply facilities in response to the Hospital's increased needs, no compensation is proposed in exchange for the granting of the easement.

First, the proposal must be considered by the Council pursuant to Chapter 2.110 of the Cambridge Municipal Code which governs the disposition of city-owned property. I believe this disposition may properly be subject to Section 2.110.010(G) of that ordinance. Section G provides for the disposition of city-owned property when the full process of the ordinance would be unduly burdensome. Under this section, the City Manager may request of the City Council a diminution of the process in the ordinance; approval of this diminution request requires a two-thirds vote of the City Council. I recommend such approval at this time.

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Relative to a request from
the Cambridge Electric Light
Company for a grant of a
non-exclusive easement from
the City to enter into a room with
transformer vaults and other
electrical supply equipment
located at the Cambridge Hospital.

In City Council October 4, 1999

7a. On Diminution
Order Adopted 9-0-0.

7b. Vote to Authorize City
manager to Grant
Easement
Order Adopted 9-0-0.