

HOUSE No. 4166

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker

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>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/18/2021</i>

HOUSE No. 4166

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 4166) of Marjorie C. Decker (with the approval of the city council of the city of Cambridge) relative to 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. 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. The general court hereby finds and declares that:

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

6 (b) The majority of the Development, (approximately 38.77 acres), is situated in the City
7 of Cambridge, with the balance of the land located in the City of Boston, (1.29 acres), and the
8 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”);

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

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

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

30 (f) The Cities of Cambridge, Somerville and Boston agree that having Cambridge provide
31 the above services to the entirety of Cambridge Crossing will enable increased efficiency in, and
32 the expeditious delivery of, public safety responses;

33 (g) The Cities of Cambridge, Somerville and Boston agree that the City of Cambridge
34 should receive ongoing payments to defray the cost of the services to be provided by the City of
35 Cambridge to the Serviced Parcels. Specifically, the Cities seek authority to allow the City of
36 Cambridge enter into mutual aid agreements with the Cities of Boston and Somerville to receive
37 from the Cities of Boston and Somerville payments for the (a) services provided by Cambridge
38 that are attributable to (i) a Serviced Parcel situated partially in the City of Cambridge and (ii)
39 the Serviced Parcel situated entirely in the City of Somerville; and

40 (h) The purposes of this Act are to: (i) authorize the City of Cambridge: (1) to provide
41 Emergency Services within the Serviced Parcels as if such parcels were entirely situated within
42 the City of Cambridge; (2) through mutual aid agreements with Boston and Somerville, to
43 receive payments from Boston and Somerville to reimburse the City of Cambridge for the
44 provision of such services to such Serviced Parcel, as to the portion of such Serviced Parcel
45 situated in the City of Cambridge; (3) through a mutual aid agreement, to receive payments from
46 Somerville for the Serviced Parcel situated entirely in the City of Somerville to reimburse the
47 City of Cambridge for the provisions of such services to such Serviced Parcel; and (4) to offer
48 and provide the Other Municipal Services as if the same were situated entirely within the City of
49 Cambridge; and (ii) authorize the City of Somerville and the City of Boston to delegate the
50 Emergency Services and Other Municipal Services related to the Serviced Parcels to the City of
51 Cambridge.

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

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

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