



2

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX: (617) 349-4269

tty/TDD (617) 492-0235

DONNA P. LOPEZ
CITY CLERK

September 2, 2014

TO: The Honorable, the City Council

FROM: Donna P. Lopez, City Clerk

Attached you will find copies of two Acts of 2014 signed by the Governor for your information as follows:

Chapter 242 *An Act Authorizing the Department of Conservation and Recreation to Lease Certain Parkland in the City of Cambridge; and*

Chapter 265 *An Act Authorizing the Commissioner of Capital Asset Management and Maintenance to Convey a certain parcel of land in the City of Cambridge.*

Chapter 242.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year Two Thousand and Fourteen

AN ACT AUTHORIZING THE DEPARTMENT OF CONSERVATION AND RECREATION TO LEASE CERTAIN PARKLAND IN THE CITY OF CAMBRIDGE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the lease of certain parkland in the city of Cambridge, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The fourth paragraph of section 44 of chapter 85 of the acts of 1994, as most recently amended by section 1 of chapter 67 of the acts of 2011, is hereby further amended by inserting after the words "Mount Greylock State Reservation" the following words:- Powder House, so-called, at Magazine beach in the city of Cambridge.

Preamble adopted, House of Representatives, July 30, 2014. Acting Speaker.

Preamble adopted, In Senate, July 30, 2014. President.

Bill passed to be enacted, House of Representatives, July 31, 2014. Acting Speaker.

Bill passed to be enacted, In Senate, July 31, 2014. President.

6 August, 2014. Approved, at 10 o'clock and 37 minutes, A. M.

Governor

THE COMMONWEALTH OF MASSACHUSETTS

In the Year Two Thousand and Fourteen

AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF CAMBRIDGE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to transfer forthwith a certain parcel of land in the city of Cambridge, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the commissioner of capital asset management and maintenance, on behalf of and in consultation with the commissioner of conservation and recreation and the secretary of transportation, may convey a portion of a certain parcel of land in the city of Cambridge that is currently used by the department of conservation and recreation as a temporary operations and maintenance facility to EF Education First, Inc. The portion to be conveyed is located on a parcel of land owned by the commonwealth and located on the extension of North Point boulevard and is bounded by the John F. Gilmore bridge or Charlestown avenue, an un-named service road and the Prison Point pumping station operated by the Massachusetts Water Resources Authority and is covered, in part, by elevated highway ramps for interstate highway route 93. The exact location and boundaries of the portion of the parcel to be conveyed and the portion of the parcel to be public open space pursuant to section 3 shall be determined by the commissioner of capital asset management and maintenance in consultation with the department of conservation and recreation. The conveyance shall be at a purchase price equal to or greater than the full and fair market value of the fee interest as determined by an independent appraisal.

SECTION 2. As a condition of the conveyance authorized in section 1, the secretary of energy and environmental affairs shall determine that appropriate arrangements have been made for the replacement of the operations and maintenance facility of the department of conservation and recreation now located on the parcel.

SECTION 3. As a further condition of the conveyance authorized in section 1, the commissioner of capital asset management and maintenance shall enter into an easement, deed restriction, covenant or other similar agreement enforceable by the city of Cambridge, dedicating a portion of the parcel as public open space and authorizing the land to be included with the land to be conveyed to EF Education First, Inc. as a single development parcel pursuant

to the zoning ordinances of the city; provided, however, that the portion of the parcel dedicated as open space shall be permanently held and managed for conservation and recreation purposes; and provided further, that to ensure a no-net loss of lands for natural resource and public open space purposes, EF Education First, Inc. shall negotiate a memorandum of understanding with the department of conservation and recreation, conveying land, providing funding or providing public recreational opportunities for conservation and recreation. In determining an appropriate contribution to the commonwealth to address the policy of no-net loss, the department shall take into account the value of any new public green space and park improvements funded and constructed by EF Education First, Inc. on the parcel.

SECTION 4. Notwithstanding any general or special law to the contrary, EF Education First, Inc. may construct a building to be initially used principally for office and educational purposes on a portion of the parcel of which it is conveyed.

SECTION 5. The inspector general shall review and approve the appraisal required pursuant to section 1 and the review and appraisal shall include an examination of the methodology utilized for the appraisal. The inspector general shall prepare a report of the review and approval of the appraisal and file the report with the commissioner of capital asset management and maintenance, the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight.

EF Education First, Inc. shall be responsible for all costs associated with any appraisal, survey or other expense incurred by the commonwealth relating to the conveyance authorized by this act as the costs may be determined by the commissioner of capital asset management and maintenance.

Preamble adopted, *Patricia A. Haskett*, Acting Speaker, House of Representatives, July 31, 2014.

Preamble adopted, *Timothy J. Murray*, President, In Senate, July 31, 2014.

Bill passed to be enacted, *Patricia A. Haskett*, Acting Speaker, House of Representatives, July 31, 2014.

Bill passed to be enacted, *Timothy J. Murray*, President, In Senate, July 31, 2014.

Approved, *8 August*, 2014, at *11* o'clock and *26* minutes, A. M.

[Signature]
Governor