CITY OF NEWTON

IN BOARD OF ALDERMEN

ZONING & PLANNING COMMITTEE REPORT

BUDGET

MONDAY, MAY 11, 2015

Present: Ald. Johnson (Chairman), Danberg, Leary, Yates and Baker (by phone)

Absent: Ald. Hess-Mahan, Sangiolo and Kalis Also Present: Ald. Laredo, Albright and Crossley

Planning & Development Board Present: Peter Doeringer, Roger Wyner, John Gelcich, James

Freas

City Staff Present: James Freas (Acting Director, Planning & Development), Alice Ingerson (Community Preservation Program Manager), Bob Waddick, Marie Lawlor and Maura O'Keefe (Assistant City Solicitors), Jennifer Steel (Senior Environmental Planner), Karyn Dean (Committee Clerk)

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#375-14(2) HIS HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY16 Municipal/School Operating Budget totaling \$361,997,264 passage of which shall be concurrent with the FY16-FY20 Capital Improvement Program (#375-14). [04/15/15 @ 5:08 PM]

EFFECTIVE DATE OF SUBMISSION 04/21/15; LAST DATE TO PASS THE BUDGET 06/05/15

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#375-14 <u>HIS HONOR THE MAYOR</u> submitting the FY16-FY20 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/15/14 @ 3:01 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#375-14(4) <u>HIS HONOR THE MAYOR</u> submitting the FY 2016 – FY 2020 Supplemental Capital Improvement Plan. [04/15/15 @ 4:57 PM]

BUDGET AND CIP DISCUSSION

CPA ADMINISTRATION

Alice Ingerson, Community Preservation Program Manager, distributed the Combined Annual Reports for FY13-14. They can be found attached to the online version of this report and will be in the Aldermanic Packets on Friday for those not present this evening. She also presented a PowerPoint presentation which is attached to this report. Both of these documents provide very detailed information about the CPA program budget, funding sources, projects and allowed uses.

In a brief summary, Ms. Ingerson explained that the bulk of the money for the Program comes from the Community Preservation Act (CPA) property tax surcharge. Under proposition 2 ½, local funds increase by 2.5%. State funds are divided among all the CPA communities and depend on the revenues collected by Registry of Deeds from fees. Last year, Newton got extra money from the Department of Revenue (DOR), which is reflected in this year's budget. The DOR does not have to confirm state revenue every year until after the Board of Aldermen approve the tax rate, at which point it cannot be added to that current year's budget, so it gets folded into the next year's budget. The City uses the DOR estimate, which was 31% last year, but ended up being almost a 50% match. That difference is noted as extra money for this year. This year DOR is estimating the City will receive 18%.

- The Program is not allowed to spend more than 5% of the budget for program administration and generally 3.5-4% is utilized.
- The only project on which debt service is still being paid is Rogers Street which will end in 2017.
- The program is required to use 10% of new funds each for housing, historic resources, and open space with the rest going into general reserve.

Committee Questions

Dues

It was asked why dues are budgeted at \$8K. Ms. Ingerson explained this was largely for membership in the Community Preservation Coalition which provides technical assistance, runs conferences, provides information and helps new communities join the CPA, among other things. For Newton, the Coalition's main benefit is acting as a legislative liaison on Beacon Hill lobbying for increased state funding whenever possible.

Allowable Uses of CPA Funds

The Committee was particularly interested in how CPA funds can be spent. They can be used to:

- Acquire Community Housing, Historic Resources, Open Space, Recreation Land
- Create Community Housing, Open Space, Recreation Land
- Preserve Community Housing, Historic Resources, Open Space, Recreation Land
- **Support** Community Housing (though this has never been done in Newton as it is undefined in the Community Preservation Act)
- **Rehabilitate/Restore** Community Housing (if acquired or created with CPA funds in the first place), Historic Resources, Open Space (if acquired or created with CPA funds in the first place), *Recreation Land

*Ms. Ingerson noted that Recreation Land used to have the requirement that rehabilitation and restoration could only occur with CPA funds if the land were acquired or created with CPA funds in the first place, but that requirement has been removed. Maintenance is something that has never been allowed in any category and that remains.

More detail of allowable uses is provided in pages 9-11 of the PowerPoint presentation which is attached.

City Hall Windows

It was asked which windows have been repaired/replaced in City Hall. Ms. Ingerson said she has not received a list and they only have a pre-proposal from the Building Department which stated a prototype study would be done of each shape and size to try to determine cost.

WPA Mural

A Committee member asked about the WPA mural project. Ms. Ingerson explained that the murals are oil paint on canvas and are currently rolled up and being stored at Newton South High School. They had been in the library of the original Newton High School. The CPC was made aware of the murals in the last 2 years and they have been trying to determine who would be able to execute the project. The murals are an arched triptych and the center piece was put on display in Newton North in the 1970s. It was covered with Plexiglas which was bolted through the canvas. The architect of the new Newton North High School was instructed to incorporate a display area for the center piece only, as they did not know they still had possession of the end pieces.

When the high school was demolished the other two pieces were found, which represent the "working class" with depictions of dockworkers and steelworkers. The murals cannot be unrolled more than one more time or they will be ruined, so next time they are unrolled it must be for restoration. A restoration plan is difficult without being able to assess them first. There is also an issue with finding an appropriate place that is both large enough (the murals are 50 feet long) and with an appropriately conditioned and controlled environment.

A picture of the mural is attached to this report and more information about the artist can be found at:

http://www.vosegalleries.com/artists/maurice-compris

http://www.lirosgallery.com/amer151.html

Ald. Johnson took a straw vote of the Committee in order to recommend approval of the CPA budget and the Committee voted in favor.

Respectfully Submitted,

Marcia T. Johnson, Chairman

City of Newton



Setti D. Warren, Mayor

Community Preservation Program Combined Annual Reports for Fiscal 2013 & 2014







Eddy Street Housing (Fy13)

> new project funding







Adopted 9 April 2015 by the Newton Community Preservation Committee

Acknowledgements

The Community Preservation Committee (CPC) recognizes that the success of Newton's Community Preservation Program depends on the contributions of many groups and individuals, including the Board of Aldermen under the leadership of President Scott Lennon and committee chairs Leonard Gentile (Finance), Marc Laredo (Land Use), Amy Sangiolo (Programs & Services), Deborah Crossley (Public Facilities), and Marcia Johnson (Zoning & Planning); Mayor Setti Warren, his executive staff, and department heads, especially Public Buildings Commissioner Josh Morse, Parks & Recreation Commissioner Bob DeRubeis, Director of Planning & Development Candace Havens, and City Solicitor Donnalyn Kahn; and many City boards, including the Newton Housing Partnership and five that are required by statute to appoint one of their members to serve "double duty" on the CPC itself – the Conservation Commission, Newton Historical Commission, Newton Housing Authority, Parks and Recreation Commission, and Planning & Development Board. Finally, CPC appreciates the continuing, thoughtful participation in the funding process of Newton's citizens and nonprofit organizations, including the League of Women Voters, Newton Conservators, and Historic Newton.

CPA Funding Sources & Allowable Uses

Massachusetts' Community Preservation Act (CPA, Massachusetts General Laws Chapter 44B) allows communities to commit funds from a surcharge on their local property taxes and other sources, and to receive state matching funds from Registry of Deeds fees, for spending on four eligible resources:

ALLOWABLE SPENDING PURPOSES under the Community Preservation Act					
RESOURCES →	COMMUNITY	HISTORIC	OPEN	LAND for	
↓ ACTIVITIES	HOUSING	RESOURCES	SPACE	RECREATIONAL USE	
ACQUIRE	YES	YES	YES	YES	
CREATE	YES	NO	YES	YES	
PRESERVE	YES	YES	YES	YES	
SUPPORT	YES	NO	NO	NO	
REHABILITATE / RESTORE	YES, IF acquired or created with CPA funds	YES	YES, IF acquired or created with CPA funds	YES	

Each CPA community must form a volunteer Community Preservation Committee to recommend projects for funding by the local legislature. Newton's CPA surcharge is 1%, and its legislature is the Board of Aldermen.

Newton's CPA Sources & Uses

Newton, Massachusetts COMMUNITY PRESERVATION PROGRAM

FY13 REVENUE	
Local Surcharge	\$2,510,552
State Matching Funds	\$652,294
Interest & Other Local Revenue	\$24,903
Fund Balance Forwarded from Fy12 **	\$6,335,670
TOTAL REVENUE	\$9,523,419
FY13 EXPENDITURES	
Program Administration	-\$112,767
Debt Service (Kesseler Woods & 20 Rogers Street)	-\$831,125
New Projects	
Angino Farm Barn - Supplemental	-\$180,000
Eddy Street (housing)	-\$255,000
TOTAL EXPENDITURES	-\$1,378,892

KEY		Open Space	or Recreation
Community Housing	Historic / Resources	Acquisition	Rehabilitation

FY14 REVENUE	
Local Surcharge	\$2,707,415
State Matching Funds	\$642,882
State FY14 Funds Confirmed After Budget (Budgeted in Fy15)	\$622,706
Interest & Other Local Revenue	\$24,597
Fund Balance Forwarded from Fy13 **	\$8,140,573
TOTAL REVENUE	\$12,138,173
FY14 EXPENDITURES	
Program Administration	-\$107,779
Debt Service (Kesseler Woods & 20 Rogers Street)	-\$801,750
New Projects	
Curve Street/Myrtle Village (housing)	-\$910,179
Museum Archives - Construction	-\$641,000
Newton Highlands Playground - Design	-\$200,000
Newton Homebuyer Assistance Program	-\$475,000
TOTAL EXPENDITURES	-\$3,135,708

** [Footnote to table on preceding page] CPA funds may be spent either in the year they are received or forwarded for spending in future years. To avoid counting the same unspent funds several times, the forwarded "fund balance" should not be totaled across years.

State funds for each year match a percentage of the funds raised locally the preceding year. Newton received a state match of over 50 percent for its locally raised Fy13 revenue in Fy14, when the state legislature was required to add a supplemental \$25 million to the state fund divided among all CPA communities. This supplemental state funding is allowed but not required in future years. Newton's typical recent state match of 20-30% is likely to decline steadily in the future as more communities adopt the CPA.

Fiscal 2013 Projects Funded

Angino Farm Barn (Supplemental Funding) Combined with previously appropriated \$568,000 to complete structural stabilization and adapt the interior of the 19th-century barn for community-supported agriculture (CSA) operations and farm-to-table educational programs for all ages.

Eddy Street (housing) This grant to CAN-DO (Citizens for Affordable Housing Development in Newton Organization) was used to convert a two-family home built in 1914 into 2 permanently affordable rental units. The 2-bedroom unit will be affordable to households at up to 50% of area median income, and the 3-bedroom unit will be affordable at up to 80% of area median income.

Fiscal 2014 Projects Funded

Curve Street/Myrtle Village (housing) This grant will be used by Myrtle Village, LLC, to renovate and expand two abutting existing homes from ca. 1880 and 1900 to create 7 rental units with a total of 15 bedrooms, including 1 unit that will be fully accessible. These units will be permanently affordable to households with incomes that range from 50% to 85% of the area median.

Museum Archives, Accessibility & Fire Suppression (Construction Funding) Combined with \$101,345 previously appropriated for project design, to add a fully accessible entrance and add appropriate climate control and fire suppression to both the 18th-century wing housing the archives and the 1809 main house at the Jackson Homestead, Newton's city history museum.

Newton Highlands Playground (design) To create updated, biddable specifications based on a CPA-funded 2008 Master Plan for improving the usability, accessibility, and aesthetics of both the playing fields and woodlands in this public open space between Winchester and Dedham Streets.

Newton Homebuyer Assistance Program (third funding phase) Continue this long-established program, which provides down payment assistance in return for permanent affordability restrictions. This phase will assist three households at up to 80% of area median income, who need homes with 1, 2 or 3 bedrooms.

Members of Newton's Fiscal 2013 & 2014 Community Preservation Committees

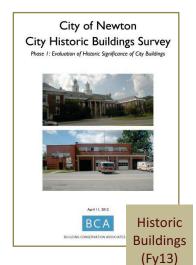
With exceptions as noted, members served in both years.

- Leslie Burg (Chair Fy13, Planning & Development Board)
- Michael Clarke (Mayoral appointee, Wards 5 or 6, open space)
- Joel Feinberg (Vice Chair Fy13, Chair Fy14, Mayoral appointee, Wards 7 or 8, community housing)
- Don Fishman (Parks and Recreation Commission)
- Laura Fitzmaurice (Fy14, Newton Historical Commission)
- Beryl Gilfix (Fy14, Mayoral appointee, Wards 3 or 4, historic resources)
- Dan Green (Fy13, Conservation Commission)
- Nancy Grissom (Fy13, Mayoral appointee, Wards 3 or 4, historic preservation)
- James Robertson (Vice Chair Fy14, Mayoral appointee, Wards 1 or 2, recreation)
- Thomas Turner (Newton Housing Authority)

Additional details about the CPA state statute, the projects featured in this report and Newton's Community Preservation Program are available from the program website, **www.newtonma.gov/cpa**.

Newton, Massachusetts Community Preservation Program

Combined Annual Reports for Fiscal 2013 & 2014

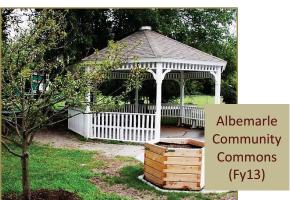




Durant-Kenrick House & Grounds (Fy14)







projects completed



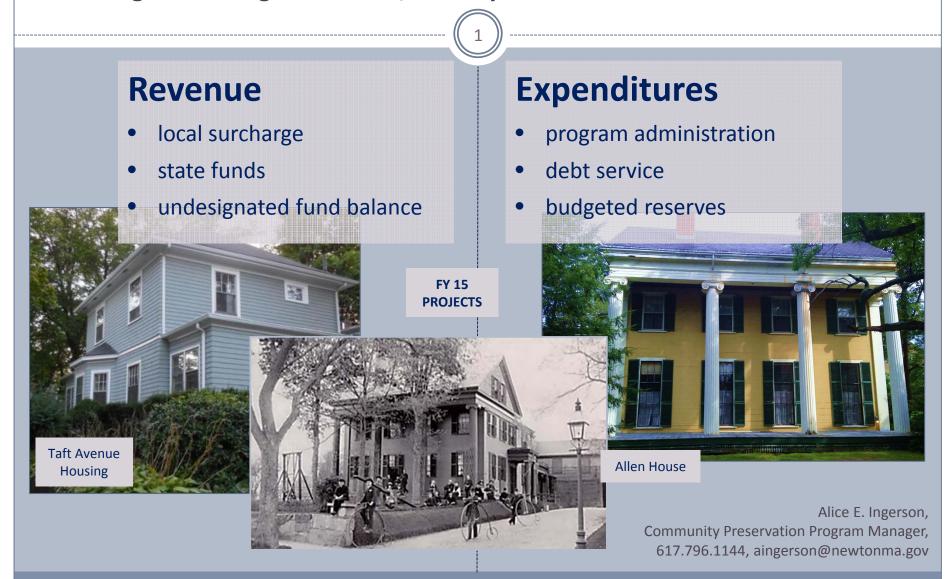


Newton, Massachusetts, Community Preservation Program website:

www.newtonma.gov/cpa

The website includes detailed information about the state Community Preservation Act (CPA) and for Newton's CPA program, including annual & cumulative reports, proposal instructions, and major documents for past projects and current proposals. Printed copies of most documents are available upon request.

for Zoning & Planning Committee, 11 May 2015



Newton, Massachusetts, Community Preservation Program

www.newtonma.gov/cpa

for Zoning & Planning Committee, 11 May 2015

Program Budget	Fiscal 2015	Fiscal 2016	
REVENUE	Fiscal 2015	Fiscal 2016	
fy16 local CPA surcharge	\$2,774,541	\$2,843,904	
fy16 state matching funds	\$622,706	\$499,417	
undesignated fund balance	\$830,824	\$229,184	
TOTAL REVENUE	\$4,228,070	\$3,572,506	





FY 15 PROJECTS

for Zoning & Planning Committee, 11 May 2015

	7
2	
J	
	Ì

Program Budget	Fiscal 2015	Fiscal 2016	
REVENUE	Fiscal 2015	Fiscal 2016	
fy16 local CPA surcharge	\$2,774,541	\$2,843,904	
fy16 state matching funds	\$622,706	\$499,417	
undesignated fund balance	\$830,824	\$229,184	
TOTAL REVENUE	\$4,228,070	\$3,572,506	



EXPENDITURES	Fiscal 2015	Fiscal 2016		
PROGRAM ADMINISTRATION & DEBT SERVICE				
Program Administration	-\$152,559.00	-\$150,505.00		
Debt Service: 20 Rogers St. (recreation)	-\$280,500.00	-\$269,343.75		
BUDGETED RESERVES				
Community Housing Reserve (10% of annual new funds)	-\$422,807.03	-\$357,250.56		
Historic Resources Reserve (10% of annual new funds)	-\$422,807.03	-\$357,250.56		
Open Space Reserve (10% of annual new funds)	-\$422,807.03	-\$357,250.56		
General Reserve - all annual new funds not budgeted for debt service, program administration or restricted reserves.	-\$2,526,590.20	-\$2,080,905.15		
TOTAL EXPENDITURES	-\$4,228,070.28	-\$3,572,505.57		

Detail for Program Administration

4

Program Budget	Fiscal 2015	Fiscal 2016	
REVENUE	Fiscal 2015	Fiscal 2016	
fy16 local CPA surcharge	\$2,774,541	\$2,843,904	
fy16 state matching funds	\$622,706	\$499,417	
undesignated fund balance	\$830,824	\$229,184	
TOTAL REVENUE	\$4,228,070	\$3,572,506	

Program Administration	Fiscal 2015	Fiscal 2016	
PERSONNEL			
Program Manager (salary plus benefits)	\$99,509	\$103,905	
Work by Other Depts. (primarily Housing & Engineering)	\$12,400	\$11,700	
SUBTOTAL Personnel	\$111,909	\$115,605	



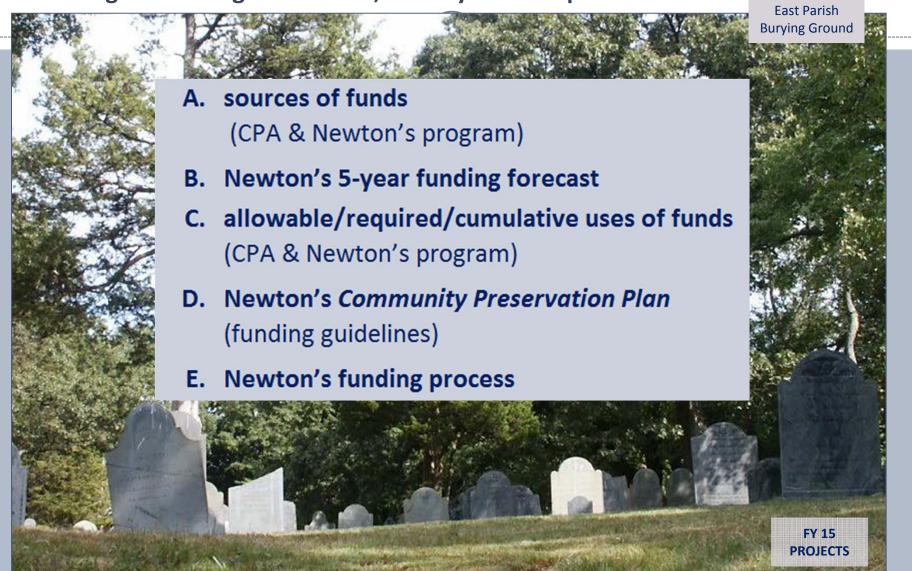
OTHER		
Consultants	\$23,650	\$21,500
Advertising/ Publications	\$500	\$500
Audiovisual Equipment	\$500	\$500
Dues & Subscriptions	\$7,900	\$7,900
Office Supplies & Equipment	\$500	\$500
Postage	\$3,000	\$1,500
Printing	\$2,000	\$1,500
Signs	\$1,250	\$1,000
SUBTOTAL Other Expenses	\$39,300	\$34,900
TOTAL	\$151,209	\$150,505

Newton, Massachusetts, Community Preservation Program

www.newtonma.gov/cpa

Newton Community Preservation Program Overview

for Zoning & Planning Committee, 11 May 2015 - Optional Slides



A. Sources of Funds

bonds

Debt financing: CPA communities may sell bonds backed by their future local surcharge revenue but may not borrow against their future state matching funds.

other local

(including interest)

Since 2012, communities that adopt at least a 1% surcharge may also adopt a revised version of the CPA to count toward their state match additional local revenue from the following sources. Newton has not done this. \checkmark

- hotel taxes
- linkage & parking finesinclusionary private gifts for CPAzoning payments
- sale of municipal property
 other pre-existing local

 - eligible purposes
- funds for CPA-eligible purposes
 - but not state or federal funds

state

matching funds from fees paid to the Registry of Deeds; maximum 100% match for local funds; Newton's most recent match was 31%.

As of 2013, the state legislature may (but is not required to) add \$25 million from each year's state budget surplus.

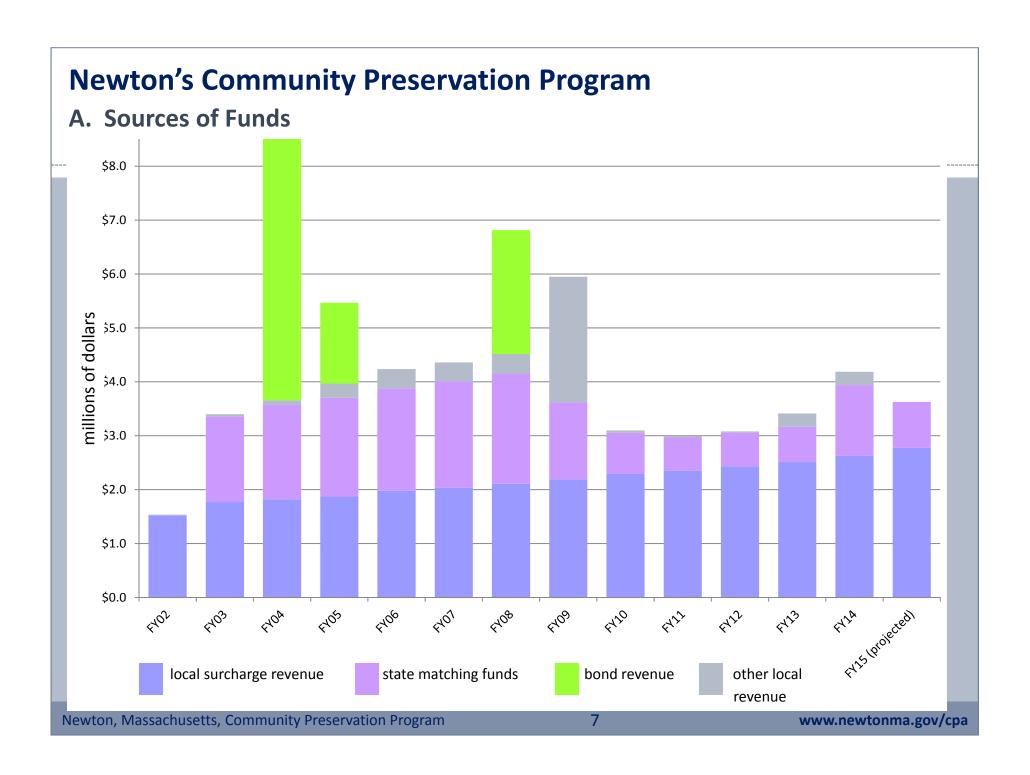
1% communities participate in only the 1st round state match each year; communities that raise more locally participate in the 1st, 2nd and in some cases 3rd rounds.

local

surcharge on local real estate taxes

maximum 3%, minimum 1%; Newton's surcharge is 1%.

Communities may also adopt a range of exemptions for both residential and commercial/Industrial properties. Newton has no exemptions. 🗸



Newton's Community Preservation Program

B. 5-year Funding Forecast

City of Newton, Massachusetts Community Preservation Fund FUNDING FORECAST, Fy16-20	state i	Fiscal 2017 Assumptions: Loc match declining 3%	per year, from 18	% in fy16 to 6% in j	•	Estimated Totals for Fy16-20
State funds available each year are a percentage of the previous year's local revenue. NEW REVENUE						
local CPA surcharge	\$2,843,904	\$2,915,002	\$2,987,877	\$3,062,574	\$3,139,138	\$14,948,495
state matching funds	\$499,417	\$426,586	\$349,800	\$268,909	\$183,754	\$1,728,467
undesignated fund balance*	\$229,184					\$229,184
TOTAL REVENUE	\$3,572,506	\$3,341,587	\$3,337,677	\$3,331,483	\$3,322,893	\$16,906,146
BUDGETED EXEPENDITURES						
Program Administration & Debt Service						
program administration (fy 15 revised budget; other years as 4.5% of annual new funds; statutory maximum is 5%)	-\$150,505	-\$150,371	-\$150,195	-\$149,917	-\$149,530	-\$750,519
debt service for 20 Rogers St. from general reserve	-\$269,344	-\$259,781	\$0	\$0	\$0	-\$529,125
AVAILABLE FUNDS after program administration + debt service	\$3,152,657	\$2,931,435	\$3,187,482	\$3,181,566	\$3,173,362	\$15,626,502
Budgeted Reserves (min. allocation of available f	unds required un	der the CPA)				
affordable housing (10%)	\$357,251	\$334,159	\$333,768	\$333,148	\$332,289	\$1,690,615
historic resources (10%)	\$357,251	\$334,159	\$333,768	\$333,148	\$332,289	\$1,690,615
open space & recreation (10%)	\$357,251	\$334,159	\$333,768	\$333,148	\$332,289	\$1,690,615
general (total revenue minus 10% budgeted reserves, 4.5% program administration, and scheduled debt service)	\$2,080,905	\$1,928,959	\$2,186,179	\$2,182,121	\$2,176,495	\$10,554,658
Newton, Massachusetts, Community Preserva	tion Program		8		www.new	rtonma.gov/cpa

C. Allowable Uses of Funds

NOT EVERY USE for EVERY RESOURCE	Community Housing	Historic Resources	Open Space	Recreation Land
ACQUIRE A	YES	YES	YES	YES
CREATE	YES	NO	YES	YES B
PRESERVE	YES	YES	YES	YES
SUPPORT	YES c	NO	NO	NO
REHABILITATE/ RESTORE	YES D	YES E	YES D	YES

- A. real property acquired with CPA funds must be owned by the local government
- B. convert land never used for recreation, or not used recreationally for a very long time
- C. including funds for an affordable housing trust
- D. IF the resource was acquired or created with CPA funds in the first place
- E. projects must use National Park Service guidelines

C. Allowable Uses of Funds

NOT EVERY USE for EVERY RESOURCE

Community Housing

Historic Resources Open Space Recreation Land

Real property

- if acquired with CPA funds, must be owned by local government
- the CPA-eligible use must be permanent & protected by a deed restriction

CPA funds "shall not replace existing operating funds, only augment them. "

CPA funds may not be used for

- maintenance: "incidental repairs that keep the property in a condition of fitness, efficiency or readiness"
- artificial turf; land for horse or dog racing; or a stadium, gymnasium or similar structure

CPA funds are for capital improvements, which

- "materially add to or appreciably prolong the useful life of real property"
- "are permanently affixed so that removal would cause material damage"
- "are intended to remain for an indefinite period of time"

C. Required Uses of Funds

program administration

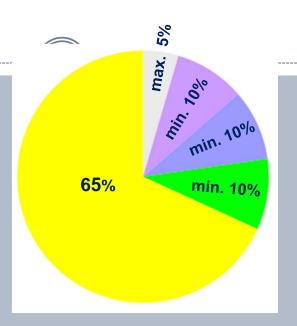
affordable housing

historic resources

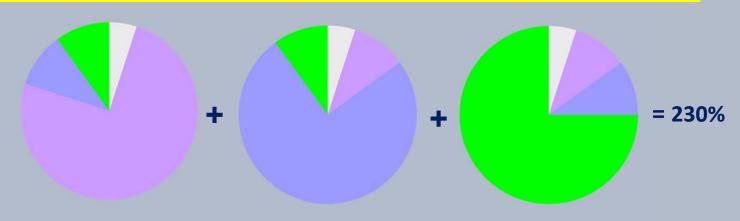
open space

recreation land

general
(any of the above)



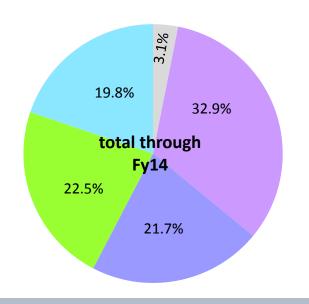
The "general" 65% can be spent on any resource ... but not on every resource!



Newton's Community Preservation Program

C. Cumulative Uses of Funds

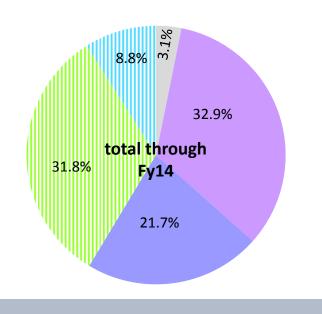




Newton's Community Preservation Program

C. Cumulative Uses of Funds





Allocation Targets: Balancing Funds Among CPA-Eligible Resources	± 5%
affordable housing: development	30
historic resources: all purposes	25
open space & recreation land: acquisition	20
open space & recreation land: rehabilitation / capital improvements	20
total, min max.	75-115%

Newton Community Preservation Plan

D. Funding Guidelines



- 1. Use community-wide plans to guide funding decisions.
- 2. Balance the allocation of funds across all eligible resources & allowable uses.
- 3. Require proven capacity for project management & long-term maintenance.
- 4. Evaluate results to ensure accountability & improve future projects.

Newton Community Preservation Plan

D. Funding Guidelines



CPA Appropriateness

core public services & assets: appropriate for funding from core public revenue (not CPA)

special public or community projects: appropriate for full CPA funding

public-private partnerships: appropriate for partial CPA funding that will leverage other funds

philanthropy: appropriate for entirely private funding (not CPA)

Expected Share of Non-CPA Funding			
projects on public property, with broad or City-wide public benefits	less		
projects on public property, with narrower or mostly single-neighborhood benefits			
projects on private property, with broad public benefits (including affordable housing)	more		
projects on private property, with narrower but still significant public benefits	most		

Allocation Targets: Balancing Funds Among CPA-Eligible Resources	± 5%
affordable housing: development	30
historic resources: all purposes	25
open space & recreation land: acquisition	20
open space & recreation land: rehabilitation / capital improvements	20
total, min max.	75-115%

Newton's Community Preservation Program

E. Funding Process

PRE-PROPOSAL

Advisory discussion with Community Preservation Committee at a public meeting.

FULL PROPOSAL

Community Preservation Committee public hearing, followed by 1 or more working sessions & funding vote at public meetings.

Board of Aldermen: 1 or more **public meetings** of each of 2 or more Aldermanic committees (1 chosen by topic of proposal, plus Finance), followed by full Board vote (public meeting).

FUNDED PROJECT

Procurement requirements, management meetings (especially for projects that involve both City departments & community groups), reporting.

Final release of funds requires written & in-person final report to the CPC.

COMPLETED PROJECT

Public opening or celebration, maintenance, monitoring. CPC considers maintenance record on past projects when reviewing new proposals from the same sponsor.

