

HOUSE No. 4580

The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber

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 Somerville Housing Authority to reconstruct the state funded Clarendon Hill public housing project.

PETITION OF:

NAME:

Christine P. Barber

DISTRICT/ADDRESS:

34th Middlesex

HOUSE No. 4580

By Ms. Barber of Somerville, a petition (accompanied by bill, House, No. 4580) of Christine P. Barber (with the approval of the mayor and city council) relative to reconstruction of the state funded Clarendon Hill Public Housing Project by the Somerville Housing Authority in the city of Somerville. Housing. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act authorizing the Somerville Housing Authority to reconstruct the state funded Clarendon Hill public housing project.

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 Construction and development activity related to redevelopment by the
2 Somerville Housing Authority of the state-funded Clarendon Hill public housing project at 34
3 North Street in the City of Somerville, or any part thereof, shall not be subject to any general or
4 special law related to the procurement and award of contracts for the planning, design,
5 construction management, construction, reconstruction, installation, demolition, maintenance or
6 repair of buildings by a public agency. Nothing in this act, however, shall affect the
7 determination of whether the prevailing wage requirements set forth in Section 26 to 27H,
8 inclusive, of chapter 149 of the General Laws apply to any phase of the project or to any
9 construction or development activity on the site. Contracts for the construction, reconstruction,
10 alteration, remodeling, or repair of any publicly-owned public works that service this project and
11 that would otherwise be subject to section 39M of chapter 30 of the General Laws shall be

12 subject to said section 39M of said chapter 30 if the redevelopment of the project is funded, in
13 part, by a state or federal low-income housing tax credit, grant, or loan, or pursuant to the
14 issuance of tax-exempt bonds authorized by law. The redevelopment of the project may be
15 conducted through one or more phases through one or more entities. All phases taken together
16 shall preserve or construct public housing units equal in number to the public housing units
17 located at Clarendon Hill Apartments on the date hereof. Each individual phase will include
18 such portion of the total public housing units as required by the Somerville Housing Authority
19 and the department of housing and community development. Any conveyance of the project
20 and/or any phase thereof by the Somerville Housing Authority shall be subject to chapter 30B of
21 the General Laws to the extent that the project, or any phase thereof, is conveyed to an entity that
22 is not owned, controlled or managed by the Somerville Housing Authority on the date of the
23 conveyance. Subject to compliance with the requirements of chapter 30B, the project and/or any
24 phase thereof, may be conveyed to and may be owned, maintained and operated by an entity that
25 is not owned, controlled or managed by the Somerville Housing Authority provided that such
26 entity enters into a binding legal contract and land use restriction with the Somerville Housing
27 Authority and with the department of housing and community development that requires such
28 entity to preserve and/or construct the required portion of public housing units for that phase, or
29 those phases, and operate such units subject to compliance with chapter 121B of the General
30 Laws and 760 CMR §§ 4.00 et seq., 5.00 et seq. and 6.00 et seq. in the same manner and to the
31 same effect as if such entity were a housing authority, subject to such regulatory waivers given
32 by the department of housing and community development as may be necessary to secure
33 financing.

34 SECTION 2. This act shall take effect upon its passage.