

ARTICLE 8

EIGHTH ARTICLE

Submitted by: Department of Planning and Community Development

To see if the Town will vote to appropriate and reserve from Community Preservation Fund annual revenues or available CPA reserve funds the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in Fiscal Year 2024, with each item to be considered a separate appropriation as follows:

<u>PURPOSE</u>	<u>RECOMMENDED AMOUNT</u>	<u>CPA FUNDING SOURCE</u> (If other than annual fund revenues)
<b><u>Appropriation</u></b>		
Community Preservation Committee – Administrative Expenses	<b><u>177,500</u></b>	
<b><u>Reserves</u></b>		
Budgeted Reserves	<b><u>1,977,500</u></b>	
Open Space & Recreation	<b><u>465,000</u></b>	
Historic Preservation	<b><u>465,000</u></b>	
Community Housing	<b><u>465,000</u></b>	

Or act on anything thereto.

PETITIONER’S ARTICLE DESCRIPTION

The Community Preservation Committee (CPC) recommends a total budget of \$3,550,000 for FY24.

Under the Community Preservation Act (CPA), Brookline derives revenue from three sources: A one-percent CPA surcharge on the property tax, matching funds from the Massachusetts Community Preservation Trust account distributed yearly to each CPA participating community, and interest earned by the Brookline CPA accounts.

The CPA law requires that Town Meeting appropriate at least ten-percent of Brookline CPA annual revenue to the three allowed purposes under the act: Community housing,

open space & recreation, and historic preservation. Up to five-percent may be appropriated each year for staff and administration.

The CPA law mandates that the Town create and the Select Board appoint a Community Preservation Committee. The committee has been meeting since June, 2022 and continues to meet monthly with subcommittee meetings in between full committee meetings.

The Community Preservation Plan Development and Implementation

June/July 2022	Training for CPC members.
August 2022 – November 2022	<ul style="list-style-type: none"> <li>○ Established the CPC’s organization and structure.</li> <li>○ Developed and issued RFQ for procurement of consultant for assistance in developing CPA plan.</li> </ul>
December 2022 – February 2023	<ul style="list-style-type: none"> <li>○ Reviewed applicant/consultant materials,</li> <li>○ Interviewed and checked references.</li> <li>○ Voted to approve contract with consultant.</li> </ul>
March 2023 – May 2023	<ul style="list-style-type: none"> <li>○ Work with consultant to develop a draft CPA plan with community engagement.</li> <li>○ Integrate relevant existing Town plans into the CPA plan.</li> <li>○ Review of needs with boards/committees in targeted areas, i.e. housing, open space/recreation, and historic preservation.</li> </ul>
June 2023 – September 2023	<ul style="list-style-type: none"> <li>○ Complete draft CPA plan.</li> <li>○ Hold public hearing on draft plan (as required by State law).</li> <li>○ Review and revise draft plan.</li> <li>○ Approve final plan.</li> </ul>
September 2023 – March 2024	<ul style="list-style-type: none"> <li>○ Accept applications for CPA funds.</li> <li>○ Review applications and ensure that CPA regulations are met.</li> <li>○ Make award recommendations.</li> <li>○ Submit Warrant Article recommendations for May, 2024 Town Meeting.</li> </ul>

The CPA plan will provide guidance for Town Departments and others seeking CPA funds: Spelling out goals, objectives, and priorities; providing information about the process for submitting and reviewing proposals; and a schedule geared to the deadline for submitting recommendations in time for the Town Meeting warrant.

A very important point: Town Meeting must ultimately vote the appropriation of CPA funds, but only for eligible projects the Community Preservation Committee has recommended. Town Meeting may reduce or reject a project, but cannot increase funding above the CPC recommendation.

Any additional funds remain unappropriated and available for future appropriation. Unspent funds accumulate year by year.

In Early April, the Department of Revenue will provide CPA eligible communities with an estimated FY 24 distribution from the CPA Trust Fund. The FY 24 distribution is likely to be less than the FY 23 distribution, but this information is currently unavailable. After the CPC receives the Department of Revenue April 2023 estimated distribution, the CPC may, if needed, update the Committee’s recommendation.

The FY 23 CPA reserve appropriations for the community housing, open space and recreation, and historic preservation reserves did not comply with the 10% requirement. Therefore, the Committee is recommending an additional \$110,000 be added to these reserves, as a true-up:

**FY 24 Revenue**

Estimated FY 24 Local CPA Net Surcharge Revenue	\$2,800,000
Estimated FY 24 CPA Trust Fund Distribution	\$ 750,000
<b>Total FY24 Recommended Appropriation</b>	<b>\$3,550,000</b>

**Required FY 24 Ten Percent Budgeted Reserves Distributions**

Community Housing Reserve	\$355,000
Open Space & Recreation Reserve	\$355,000
Historic Preservation Reserve	\$355,000

	FY 23 True-up	FY 24 Required	FY 23 true-up plus FY 24 Requirement
Community Housing Reserve	110,000	355,000	465,000
Open Space & Recreation Reserve	110,000	355,000	465,000
Historic Preservation Reserve	110,000	355,000	465,000

SELECT BOARD’S RECOMMENDATION

Article 8 is an appropriation article that sets the budget for the spending of Community Preservation Act funds. The CPA law requires that Town Meeting appropriate at least ten-percent of Brookline CPA annual revenue to the three allowed purposes under the act: Community housing, open space & recreation, and historic preservation. Up to five-percent may be appropriated each year for staff and administration. The Community Preservation Committee (CPC) recommends a total budget of \$3,550,000 for FY24. Town Meeting must ultimately vote the appropriation of CPA funds, but only for eligible projects the

Community Preservation Committee has recommended. Town Meeting may reduce or reject a project, but cannot increase funding above the CPC recommendation. The CPC is still in the process of developing a CPA Plan, so the current recommendation provides funding for the reserves and the administrative budget. It is anticipated that there may be project recommendations next year.

The Select Board thanks the CPC for their hard work and looks forward to reviewing their recommended plan. A unanimous Select Board voted FAVORABLE ACTION on the following motion:

MOVED: That Town appropriate and reserve from Community Preservation Fund annual revenues or available CPA reserve funds the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in Fiscal Year 2024, with each item to be considered a separate appropriation as follows:

<u>PURPOSE</u>	<u>RECOMMENDED AMOUNT</u>	<u>CPA FUNDING SOURCE</u> (If other than annual fund revenues)
<b><u>Appropriation</u></b>		
Community Preservation Committee – Administrative Expenses	<b><u>177,500</u></b>	
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ADVISORY COMMITTEE’S RECOMMENDATION

A report and recommendation on Article 8 will be included in the supplement.

**XXX**

ARTICLE 8

ADVISORY COMMITTEE’S SUPPLEMENTAL RECOMMENDATION

**Recommendation:** The Advisory Committee recommends FAVORABLE ACTION on Article 8 as submitted by petitioner, by a vote of 23 in favor, 0 opposed, with 0 abstentions.

The Advisory Committee met on 5/4/23. A recording of the meeting can be found [here](https://brooklinema.zoomgov.com/rec/play/ez3yJTUmGcfn2CyWcYqVaN7naznh606-klXzATHa7pSGLglq_x6Xqt0GkeU8eAGXXWNElBE7v573y97.v3VIC1N-H1tjzW1m?continueMode=true):  
[https://brooklinema.zoomgov.com/rec/play/ez3yJTUmGcfn2CyWcYqVaN7naznh606-klXzATHa7pSGLglq\\_x6Xqt0GkeU8eAGXXWNElBE7v573y97.v3VIC1N-H1tjzW1m?continueMode=true](https://brooklinema.zoomgov.com/rec/play/ez3yJTUmGcfn2CyWcYqVaN7naznh606-klXzATHa7pSGLglq_x6Xqt0GkeU8eAGXXWNElBE7v573y97.v3VIC1N-H1tjzW1m?continueMode=true)

<b>Executive Summary:</b>	<p>WA08 asks Town Meeting to vote to appropriate and reserve from CPF annual revenues or available CPA reserve funds the amounts recommended by the CPC for committee administrative expenses, debt service, community preservation projects and other expenses in Fiscal Year 2024, with each item to be considered a separate appropriation as follows:</p> <p>\$1,977,500 for Budgeted Reserves          \$450,000 for Community Housing          \$450,000 for Open Space &amp; Recreation          \$450,000 for Historic Preservation          \$177,500 for Administrative Expenses</p> <p>There is a statutory requirement to appropriate 10% of the CPF each year for Community Housing, Open Space &amp; Recreation and Historic Preservation categories and up to 5% can be appropriated for Administrative Expenses. This request complies with the statutory requirements. Approving the appropriation of these funds does not create a spending requirement. Any unspent, uncommitted funds would simply carry forward.</p>
<b>Voting Yes Will:</b>	Appropriate and reserve the amounts set forth for FY24 budget enabling the CPC to consider and potentially recommend Community Preservation Projects for funding in FY24.
<b>Voting No Will:</b>	Not appropriate and reserve the amounts set forth for the FY24 budget. The Town may be unable to fund partially or fully, Community Preservation Projects reviewed and recommended by the CPC in FY24.

<b>Financial Impact:</b>	n/a
<b>Legal Implications:</b>	n/a

## Background

Brookline became the 187<sup>th</sup> community in Massachusetts to adopt the Community Preservation Act (CPA) by voting to approve Ballot Question #2 in the May 2021 election.

The CPA law mandates that the Town create and the Select Board appoint a Community Preservation Committee (CPC). The CPC has been meeting since June, 2022 and continues to meet monthly with subcommittee meetings in between full committee meetings.

The nine members of the CPC as appointed by the Select Board are:

- At Large Members: David Lescohier, Nancy Heller, Mini Koulori,
- Representing the Housing Advisory Board: Jenny Raitt
- Representing the Brookline Housing Authority: Joanne Sullivan
- Representing the Preservation Commission: John Spiers
- Representing the Conservation Commission: Samuel Burrington
- Representing the the Planning Board: Blair Hines
- Representing the Park and Recreation Commission: Clara Batchelor

Under the CPA, Brookline derives revenue from three sources: a 1% CPA surcharge on residential property tax per Ballot Question #2 in the May 2021 election, matching funds from the Massachusetts Community Preservation Trust account distributed yearly to each CPA participating community and interest earned by the Brookline CPA accounts.

The CPA law requires that Town Meeting appropriate at least 10% of Brookline CPA annual revenue to the three allowed purposes under the Act: community housing, open space & recreation, and historic preservation. Up to 5% may be appropriated each year for staff and administration. Budgeted reserves are funds not appropriated and reserved for one of the three allowed purposes or budgeted as administrative expenses and are available for future appropriation and reserve.

Town Meeting vote the appropriation and reserve of CPA funds and vote the appropriation for eligible projects as recommended by the Community Preservation Committee (CPC). Town Meeting may vote to reject an eligible project or may vote to fund an eligible project up to but not exceeding the CPC recommendation. Any funds that remain unappropriated are available for future appropriation. Unspent funds whether in an allowed purpose reserve or budget reserve accumulate year by year.

**FY 24 Budget, Appropriation and Reserve**

The total FY24 revenue to the Community Preservation Fund (CPF) is estimated to be \$3,550,000 sourced as follows:

- Brookline Property Tax Surcharge \$2,800,000
- State CPA Trust Fund Distribution \$ 750,000

The CPC recommends that Town Meeting appropriate and reserve the following for FY24:

- \$1,977,500 for Budgeted Reserves
- \$450,000 for Community Housing
- \$450,000 for Open Space & Recreation
- \$450,000 for Historic Preservation
- \$177,500 for Administrative Expenses

Because FY23 actual revenue from the Massachusetts Community Preservation Trust exceeded estimated amounts, the recommendation to appropriate \$450,000 for each of the three allowed reserves includes a “true up” for FY23 to ensure the 10% appropriation for FY23 is met as required by the Act.

Because the CPC is still in the process of creating the framework and process to apply, there are currently no projects submitted for consideration and the CPC has no projects to recommend to the Town Meeting for FY24. CPC anticipates receiving project proposals, reviewing those and recommending appropriations for projects in FY25.

**Community Preservation Commission Work Plan**

The following is the work plan for the CPC.

June/July 2022	Training for CPC members
August 2022 – November 2022	<ul style="list-style-type: none"> <li>o Established the CPC’s organization and structure</li> <li>o Developed and issued RFQ for procurement of consultant for assistance in developing CPA plan.</li> </ul>
December 2022 – February 2023	<ul style="list-style-type: none"> <li>o Reviewed applicant/consultant materials,</li> <li>o Interviewed and checked references.</li> <li>o Voted to approve contract with consultant.</li> </ul>

<p>March 2023 – May 2023</p>	<ul style="list-style-type: none"> <li>o Work with consultant to develop a draft CPA plan with community engagement.</li> <li>o Integrate relevant existing Town plans into the CPA plan.</li> <li>o Review of needs with boards/committees in targeted areas, i.e. housing, open space/recreation, and historic preservation.</li> </ul>
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<p>September 2023 – March 2024</p>	<ul style="list-style-type: none"> <li>o Accept applications for CPA funds.</li> <li>o Review applications and ensure that CPA regulations are met.</li> <li>o Make award recommendations.</li> <li>o Submit Warrant Article recommendations for May, 2024 Town Meeting.</li> </ul>

The CPC has hired a consultant, Jessica Bolton, and is currently gathering input from various communities in Brookline associated with the three allowed purposes - community housing, open space and recreation, historical preservation. The CPC is drafting the Brookline Community Preservation Plan, available on the brooklinema.gov website, to guide the use of CPA funds for FY2024-2028. Once complete, the plan will serve as a guide for the CPC to consider which projects to recommend, to applicants for how to submit projects for consideration and for Town Meeting Members to refer to when considering the recommended appropriations.

**What Sort of Projects Will the CPC Consider?**

The CPC does not initiate projects. The CPC creates the framework for applicants to submit project approvals and anticipates using a two-step process. The first step is a project description to ensure that what is being proposed is eligible for consideration. If it is, the applicant would then prepare and submit a formal proposal for consideration.

Many of the projects that might be submitted could be surfaced by on-going initiatives, such as the Housing Production Plan, the Urban Forest Climate Resiliency Plan, the Open Space and Recreation Strategic Plan, the Athletic Fields Needs Assessment and Master Plan, the Historical Society, etc.

**How Will Funding Decisions be Made?**

The CPC is still considering and drafting the funding decision criteria but intends to include that in the Brookline Community Preservation Plan. The intent is to ensure that relevant Town departments are able to provide input.

**Is the Goal of the Plan to Proportionally Fund the Three Allowed Purposes?**



The CPA law requires that Town Meeting appropriate at least 10% of Brookline CPA annual revenue to the three allowed purposes under the Act: community housing, open space & recreation, and historic preservation. Up to 5% may be appropriated each year for staff and administration. Whether to include in the framework a set proportion that differs from the mandated minimums for each allowed purpose has not as yet been decided. Because the CPC does not initiate projects, it is not as yet known which projects will apply. The strength of the CPA is that it is flexible and allows each community to consider and support projects that are local priorities.

**Recommendation:** The Advisory Committee recommends FAVORABLE ACTION on the following motion under Article 8, by a vote of 23 in favor, 0 opposed, with 0 abstentions.

**VOTED:** To appropriate and reserve from Community Preservation Fund (CPF) annual revenues or available Community Preservation Act (CPA) reserve funds the amounts recommended by the Community Preservation Committee (CPC) for committee administrative expenses, debt service, community preservation projects and other expenses in Fiscal Year 2024, with each item to be considered a separate appropriation.

**ARTICLE 8 ADVISORY COMMITTEE VOTES**

Article Description	Community Preservation Program Budget
<b>AC recommendation (Favorable Action unless indicated)</b>	<b>23-0-0</b>
Ben Birnbaum	Y
Harry Bohrs	Y
Cliff Brown	
Patty Correa	Y
John Doggett	Y
Katherine Florio	Y
Harry Friedman	Y
David-Marc Goldstein	Y
Neil Gordon	Y
Susan Granoff	Y
Kelly Hardebeck	Y
Amy Hummel	
Anita Johnson	
Alisa Jonas	Y
Janice Kahn	Y

Pam Lodish	Y
Joslin Murphy	Y
Donelle O’Neal, Sr.	Y
Linda Olson Pehlke	Y
Markus Penzel	Y
David Pollak	Y
Stephen Reeders	Y
Carlos Ridruejo	Y
Lee Selwyn	Y
Alok Somani	Y
Carolyn Thall	
Christine Westphal	Y
Dennis Doughty *	
* Chairperson does not vote except to break a tie	