

The Charlestown Community Impact Trust Fund

Guidelines and Procedures

PART 1
INTRODUCTION

The Charlestown Community Impact Fund (“the Fund”) is a fund of the City of Boston that is administered by the City’s Collector-Treasurer and that houses payments made by Wynn, MA LLC (“Wynn”) to the City under the terms of a Surrounding Community Agreement entered into by Wynn and the City on January 27, 2016 (“SCA”), for purposes of providing mitigation for impacts caused by Wynn’s development of a luxury hotel and destination resort in Everett, Massachusetts (“the Project”). The SCA is a condition of the Category 1 gaming license granted to Wynn by the Massachusetts Gaming Commission pursuant to the Massachusetts Gaming Act, Chapter 194 of the Acts of 2011 and G.L. c. 23K.

Under the SCA, Wynn agreed to make payments to the City to mitigate both the transportation impacts of the Project, particularly in the Sullivan Square area in Charlestown, as well as the Project’s effect on the City’s provision of municipal services. Mitigation under the SCA consists of a one-time payment of one million dollars (\$1,000,000) and an annual payment in the amount of two million dollars (\$2,000,000) (“Community Impact Fee”). Wynn is obligated to pay the Community Impact Fee for as long as it or any related entity owns, operates or controls a commercial gaming facility on the Project site.

The Fund was created by Order of the Boston City Council on August 31, 2016. The Order directs the City’s Collector-Treasurer to set up the Fund, authorizes expenditures from the Fund for the purposes spelled out in the Order and in the SCA, and authorizes the creation of a managing committee to recommend distributions from the Fund.

Pursuant to the Order and the SCA, the City will make grants from the Fund for purposes including:

- Supporting Charlestown’s non-profits, parks, after-school activities, senior and job training programs, cultural events and related activities that promote Charlestown’s heritage, quality of life, recreational and cultural activities;
- Water transportation and public safety initiatives for use of Boston Harbor in relation to the Project;
- Staffing and public safety initiatives related to increased pedestrian and vehicular traffic in the City related to the Project;
- To address other impacts of the Project, including any transportation infrastructure impacts and the Sullivan Square Infrastructure Project.

Part 3 of these guidelines sets forth in detail the purposes for which the Fund may be used.

Distributions from the Fund are recommended by a managing committee comprised of the City's Collector-Treasurer or his or her designee, the District One Boston City Councilor or his or her designee, the State Senator for the Middlesex and Suffolk District that includes Charlestown and his or her designee, the State Representative for the Second Suffolk District that includes Charlestown or his or her designee, the City's Commissioner of Public Works or his or her designee, the City's Transportation Commissioner or his or her designee, and the City's Chief of Civic Engagement or his or her designee ("the Committee"). Recommendations by the Committee are binding on the Collector-Treasurer unless the Collector-Treasurer requests and receives approval from the Boston City Council and Mayor to make alternative distributions from the Fund.

The City will make grants from the Fund pursuant to the process outlined in these guidelines, which will be applicable to all grant requests submitted to the Fund after **January 20, 2017**.

The Committee and City staff will administer these guidelines, and will use them in the Committee's evaluation of grant proposals submitted to the Fund.

PART 2
THE MANAGING COMMITTEE

Committee Membership

Distributions from the Fund are recommended by a managing committee comprised of the City's Collector-Treasurer or his or her designee, the District One Boston City Councilor or his or her designee, the State Senator for the Middlesex and Suffolk District that includes Charlestown and his or her designee, the State Representative for the Second Suffolk District that includes Charlestown or his or her designee, the City's Commissioner of Public Works or his or her designee, the City's Transportation Commissioner or his or her designee, and the City's Chief of Civic Engagement or his or her designee. Recommendations by the managing committee for are binding on the Collector-Treasurer unless the Collector-Treasurer requests and receives approval from the Boston City Council and Mayor to make alternative distributions from the Fund.

Committee members may designate individuals to represent them at Committee meetings; however, to ensure consistency, they are encouraged to send the same designee to all Committee meetings.

Committee Meetings

The Committee will meet twice a year, as close as possible to the following dates, at a time and place convenient for Committee members.

May 31

October 15

The Committee may also meet at such other times as it deems advisable.

Four members shall constitute a quorum for purposes of voting to approve or deny a grant proposal or to conduct other business of the Committee.

Any Committee member may participate by teleconference, but those members participating by teleconference shall not be permitted to vote and do not count towards the quorum necessary to conduct business of the Committee.

Documents made or received by the Committee shall be subject to the Massachusetts Public Records Law, G.L. c. 66, § 10. The Committee is subject the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25.

The Committee may adopt further guidelines governing its operations as it sees fit.

PART 3
CATEGORIES OF FUNDS

Community Impact Fee

Pursuant to the SCA, Wynn shall make an annual payment in the amount of two million dollars (\$2,000,000) as Community Impact Fee payments for purposes including (i) improvements to the facilities within the City to facilitate water transportation and to fund staffing and other public safety initiatives related to increased use of water transportation in the Boston Harbor related to the Project; (ii) supporting Charlestown's non-profits, parks, after-school activities, senior programs, job training programs, cultural events and related activities that promote Charlestown's heritage, quality of life, recreational and cultural activities; (iii) staffing and other public safety initiatives related to increased pedestrian and vehicular traffic in the City related to the Project following the opening date; and (iv) any other impacts including and transportation infrastructure impacts and the Sullivan Square infrastructure Project (as defined by the SCA).

One-Time Mitigation Payment

Pursuant to the SCA and the Order, a Wynn shall make a one-time, \$1,000,000 payment that shall be used and applied at the City's sole discretion and determination in the form of grant agreements to support Charlestown's non-profits, parks, after-school activities, senior programs, job-training programs, cultural events and related activities.

Grant Awards from the Funds

The Committee reserves the right to award grants in a lesser amount than that requested in a grant application.

PART 4
APPLICANT ELIGIBILITY

Applicants must be non-profit organizations, public-private partnerships, or public entities interested in fulfilling one or more of the fund purposes above. Applicants must:

- Be either: an established 501(c)(3) non-profit organization with a mission to support one or more of the fund purposes above; a non-profit organization with a mission to support one or more of the fund purposes above that has the legal authority to accept grant funds and the ability to expend and account for grant funds to ensure the proper management and completion of the project; or a department of the City of Boston.
- Demonstrate past success with implementing initiatives or projects of the type proposed to be supported with grant funds, or demonstrate to the satisfaction of the Committee the ability to carry out the initiative or project to be supported with grant funds.
- Demonstrate that the financial condition of the organization is sound, and that any required organizational documentation or reports (for example, corporate filings with the Secretary of the Commonwealth's Office, Form PC filings with the Public Charities Division of the Massachusetts Attorney General's office, or Form 990s required by the IRS) are current.

PART 5
GRANT PROPOSALS
APPLICATION PROCESS

All grant requests shall be made on the Fund's grant application, which is attached hereto and can be found at www.cityofboston.gov/. It is the applicant's responsibility to ensure that applications are complete and present all information necessary for the Committee to fully evaluate and make a decision on each application. The Committee reserves the right not to consider any application that is incomplete. In order to ensure that the Committee considers an application at a particular meeting, the applicant must also ensure that applications are submitted by the applicable deadline and well in advance of when funding is needed.

Applications will be reviewed on a rolling basis. However, in order to ensure that the Committee will review an application at a particular meeting, the following deadlines should be observed:

<u>Committee Meeting:</u>	<u>Application Should Be Submitted By:</u>
May 31	April 15
October 15	September 1

Upon receipt of an application, staff will ensure that each application is complete and that the applicant is an entity eligible to receive funds. Completed applications will be assigned a review date by the Committee according to the date it is received. Applications received after the deadline for a particular meeting will be assigned for review at a future meeting. If an application is received by the deadline for a particular meeting but is incomplete, staff will inform the applicant in writing of the information necessary to complete its application and, upon receipt of the requested information, will assign the application for review at a future meeting.

The Committee will consider an application at its assigned meeting. The Committee reserves the right to request further submissions or presentations from the applicant to aid in its review process. The Committee will vote on the application at the meeting; however, in the event that the Committee desires more information on the application, it can vote to defer a final vote on the application until a future meeting. An applicant will be informed in writing of the Committee's decision on its application.

Questions regarding the application process may be directed to staff at a&f@boston.gov. Please keep in mind that while staff members will do their best to guide applicants in the application process, they will not opine on the likelihood of an application's approval.

The City's Collector-Treasurer may enter into grant agreements with and issue checks to grantees on behalf of the Managing Committee.

PART 6
GUIDELINES FOR RECOMMENDING DISTRIBUTIONS FROM THE FUND

Limitations on Grant Awards

Funds will generally not be awarded for the following purposes:

- Fundraising campaigns, special fundraising events, or programs seeking to retire debt;
- Programs requiring religious or political participation;
- Grants or portions thereof which directly or indirectly benefit a specific individual, group or private business/enterprise which maintains no charitable objective;
- Requests for funding normally within the responsibility of federal, state, or local government

Review Criteria

Grant applications/proposals must:

- Promote the Fund purposes for which funding is sought;
- Demonstrate community support;
- Demonstrate that the project/initiative can be completed in a timely fashion;
- Include a feasible budget. Applicants are strongly encouraged only to request an amount that is consistent with the program's or initiative's actual needs as well as the Fund's limitations.

Application Review Policy

The Committee shall maintain the following policies with respect to reviewing grant applications/proposals:

- Applications shall be evaluated on the basis of need in the community, merit of the application (the extent to which the grant will benefit the proposed program/initiative and the extent to which it fits within the Fund's purposes), and the applicant's ability to carry out the proposed project or initiative;
- The Committee may also consider whether the applicant may obtain funding from other sources to carry out the proposed project/initiative;
- The Committee reserves the right to consider grant applications/proposals for Fund purposes other than those for which the applicant specifically applies.

Grant Awards

Grant agreement forms will be prepared and mailed to awardees. The grant agreement will set forth the obligations of each party and the terms under which a grant may be revoked. Grant agreements must be executed by an awardee before awards from the Fund will be made available.

The grant agreement will also include a reporting requirement that awardees must follow. Awardees will be expected to document expenditures of its Fund dollars and to provide a report to the Committee within a time frame it specifies, detailing how it implemented its program or initiative and the outcomes achieved.

PART 7
AMENDING THESE GUIDELINES

The Committee may amend these guidelines at any time by a 2/3 vote of the quorum (members present and voting).

