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CJN-321-A  
Professor Lee  
7 December 2018

## **Proposal**

### **Problem and Audience**

A major deficit we find that the client is facing is the visibility of the their platform. 8Centric is an effective platform for the audience they are trying to attract: those who want to volunteer, donate, vote, or all around become more knowledgeable in regards to the AAPI community. Accordingly then, our group's focus is what is the most effective way to make 8Centric a more visible platform to said audience.

The specific audience is the overall AAPI community, because they are going to be the most interested party wanting to engage with the platform; but specifically our group believes the platform should be directly geared to attract people from the ages of eighteen through thirty years old, or more simply: students through graduates. We believe this is the age range, as well as the most interested party, because this audience would be the most likely to seek out a platform like 8Centric as well as assume such a platform already exists. This age range and demographic is extremely interested in utilizing social platforms, thus ultimately they will be most attracted to using a social platform in order to engage with their community because it is *familiar*.

### **Summary of Narrative/Textual Analysis**

Affective narratives all share common traits. Most begin with an abstract, which paints a bigger image for the audience to familiarize themselves with the landscape of the story. Typically following the introduction, next will come the orientation with the time, place, and characters that the audience will become familiar with over the course of the narrative. But the narrative really begins with the complicating action. The complicating action is the clauses that inform the audience what of the dilemma of the story, and subsequently what makes the narrative an important argument (typically) in an attempt to create sympathy. After the narrative becomes

humanized by a complicating actions that is geared towards being understandable, there has to be a resolution for the audience that will be *relatable*. The resolution is really the final piece of the narrative, but the next common element that can follow narratives is an evaluation. An evaluation alerts the audience why the story is worth telling and understanding—it tells the audience what will (hopefully) be taken away from the narrative. However, another way to end a narrative is with a coda, a set of clauses signifying clearly that the narrative is over.

Common components found in the website included words, images, symbols, and hyperlinks. Not all front pages include moving images or videos but they are a component that add anew dimension to the frontpage. Words in a frontpage are vital because they need to be informing the leader and also keeping them invested. Words need to be used strategically so that the audience can learn about the purpose of the frontpage without being overloaded or underwhelmed from the information. Symbols are another component necessary in order to make the frontpage unique, and memorable. Symbols help convey messages in the frontpage such as what a frontpage is about. Images are useful to give a visual representation of what the frontpage is about. They need to be used correctly in order to help the audience see an example of what the frontpage is discussing instead of just reading about it. Hyperlinks are the last component that is necessary in websites because they give the audience more agency. If they want to learn about a specific section they just need to access that tab. If they want to explore the website and what the frontpage is connected to the audience can easily do that. All these component make a website successful if they are used correctly to convey the information in the best way.

### **Evaluation of Existing Products**

The three interviews our group compared were all effective because of the strength of the subjects as storytellers. In the narrative, “An undocumented student journey to Harvard” was effective because of the content and portrayal of the interviewee. The interview made the content and the subject more humanistic and relatable. The subject of the interview helped the audience learn about the DACA program by the way he recounted the story. He is a relatable person and therefore connects effectively to the audience. The “How Michelle Met Barack” interview was successful because it was both intriguing and interesting. Michelle Obama’s interview connects to the audience effectively because she is an eloquent speaker but she is not speaking formally.

This interview was effective in capturing the audience because of the content of the story. The Obama's are shown in a completely different life because it's a love story and a private story. Michelle Obama's emotion and how she talked about her feelings is what kept the story going. The interview "Aunty Amy" was effective at establishing a relationship between the subject and the audience. Amy, the subject of the interview, discusses the tragic deaths of her parents and the years she spent away from her family. Her story is filled with emotion and complicating action which keeps the audience interested. All these documentaries showed emotions and complicating action to make the story worth investing in. They make the audience want to stick until the end.

The front pages were not effective because they were either disorganized, too simple, vague, or very unclear. Some front pages were saturated with information and it all was different types of information that was too disorganized to get a clear message of what the website offers. Other front pages were too simple, they contained very little information which made it difficult to figure out the content of the website. In some of the websites the pictures were images that did not relate to the information that the frontpage was presenting. One effective way one of the front pages connected to the audience was by adding a seal of transparency. Some front pages did not include videos and others included way too many videos. A frontpage needs maximum two video, in which they have to be effective in informing the audience what the point and goals of the websites are. All the websites contained hyperlinks that gave the front pages agency. Yet, components such as words, images, and moving images are not being effective which end up affecting the audiences agency.

## **Themes**

The first theme is, how does the government influence the social experience of Asian Americans in the U.S? A way the government directly influences the social experience, is by attempting to make an equal field of opportunity for everyone in the country. Richard Chu uses the example of the Harvard University case, in which the college is being sued for not allocating an equally amount of opportunity to all who apply because of their use of affirmative action. Richard Chu says, "the ones who are supporting this case against Harvard, many of them are Chinese immigrants. First generation Chinese immigrants who what their children to be able to

go into Harvard...they feel that Harvard's admission policies, because it has affirmative action, discriminates against Asians. But there is also a big group of Asian Americans, many of them second, third generation who support Harvard's affirmative action policies." This is where the issues of equal opportunity for all immigrants, especially the Asian American population, comes into a grey area, and becomes in need of government involvement. In a situation like the Harvard case, the social experience that immigrants are going to have in the field of education (for example) is directly being impacted by government involvement. This is why civic engagement is so crucial. And though the government does play a large hand in influencing the social environment for citizens as well as immigrants, civic engagement is another way in which the public can actively take part in helping to create a balanced social environment.

Education in the United States can also help Asian immigrants and refugees integrate into society by informing and changing mindsets. C.N Le discusses how as an immigrant he felt ashamed of his ethnicity, and as he was growing up, he recounted how everything around him was white. His friends classmates and especially the culture around him, felt one sided. He only began to accept his Vietnamese American identity once he was in college studying sociology and Asian American studies. C.N Le explains, "studying sociology and Asian American studies that I finally saw...the larger history of racism and inequality against people of color and that's when I kind of rediscovered and embraced my identity as a person of color" (5:21-5:43). It required him becoming truly educated about the struggles of the Asian community, and studying what societal issues Asian Americans face in order to begin appreciating his background. Without the aid of education, many immigrants will develop shame over being different. However, with education, many immigrants realize not only can they integrate into a new culture, but they can also bring forward their own original culture as well. A more troubling problem that that Le experienced was discrimination from because of his ethnicity. But again, this is something education could aid in eradicating as a problem. Throughout his life, Le experienced stereotypes that all Asian Americans were the same. No one may have out right attacked him for being Vietnamese, but overall he felt the public around him had erased his Vietnamese identity into just a generic identity. So Le believes education about Asian cultures, and how individually different they all

are, helps to minimize the stereotypes and assumptions made about the Asian American community.

The third theme is, how does the integration of Asian Americans into institutions benefit the community? Simply having people using the experience they have from their professional lives amassed from different pivotal public institutions (such as the medical field, education, and political system) is a highly effective way in which people can help support their community. In an interview with Stephanie Fan, she recounts her time growing up in the Boston area, and her involvement in a variety of organizations within her community. Back when she worked at Tufts Medical Center, the hospital was getting involved in the planning of a community school, which at the time was a new concept in the late 60's early 70's. However, as the project was underway, Stephanie soon wondered why the community school that was being built in, Chinatown, wasn't having anyone from the actual community itself involved. She then used her connections in the medical field to find people who would be willing to help her get the community involved. They not only constructed the school, but were able to get many people from the Asian American community involved by the end of her involvement. She ended up becoming the first employee of the Boston Chinatown Neighborhood Center. This outlook Stephanie utilized in the community school project would become an important cornerstone belief in the future endeavours she pursued. Fan next desired to establish a bilingual program in the Boston Public Schools. Stephanie felt that she had to try to support and help the community from which she was from the only way that she could--by engaging in civic duties where she can make use of her own skill set to better the lives of those around her. Stephanie Fan explains this when she said "We wanted to do all these things and our hearts were really with the community, not with the school department, we felt our loyalty was with the community folks, and because we were trying to create programs that worked for them, not trying to create programs for the city of Boston" (4:44 - 5:01).

By using her education and connections to various institutions in the medical and educational systems, Fan was able to help improve her community by adding programs and institutions that were needed. The only way to recognize when something is needed in a community is by actually being a part of the community in the first place, and so the Asian

American community being able to utilize their respective resources, education, and social positioning as a benefit to their respective community, is one of the only realistic ways to improve the social atmosphere they are living within.

## **Historical Sources**

Looking through our historical documents we can use our sources to help understand our concepts and one of those is about the AAPI community change overtime. This is important because it gives us perspective on the changing of the AAPI community through the years from the overall population to the education and occupations that members of this community have held and now hold today. One of those can be seen through our pictures where we have some from the 1920's, 1930's, and 1940's. The other historical document that shows this change is our census as it has information on nearly everything concerning the AAPI community from the years 2005 to 2017. Looking through the census the numbers rise and fall in certain categories as the population of younger members of the AAPI community are dropping and the numbers of members of the AAPI community going into higher education like college and graduate schools have jumped significantly since the early years of the census.

These sources are very useful at getting helping us see the change throughout the years and definitely helps with our question of helping 8Centric more visible to a greater audience. The census does this since it does split certain categories into age and we could use that information to help narrow down a specific audience in our case the audience we're searching for is young adults or people between the ages of 18-24 which is a category apart of our census.

One of the important concepts that our historical documents had in common was the sense and building of a community over time, and how organizations have played part in this. The Boston Chinatown Immigration Raid of 1903, which was the most famous anti-Chinese incident in Boston during the Exclusion era and happened during a time of anti-Chinese sentiment, brought a sense of community between AAPI people who were just starting to adapt to America. During this event, over 300 men were arrested and deported for not carrying proper immigration documents. Even a decade later the police still raided the Chinatown neighborhood

looking for “suspects”. This historical document proves how racial profiling concerned and still concerns AAPI people in Boston.

The pictures of the Buddhist ceremony on Harrison Avenue in 1909 and both of the pictures taken on Tyler Street in 1925 perfectly depicts the sense of community through practice, not only between the older generations, but between the younger ones as well. The pictures *Modern Chinese Funeral* (1940) and *Buddhist Ceremony in Front of Hong Far Low* (1909) both show young and older AAPI people taking part of a procession rooted in community traditions and origins. The pictures *Tyler Street on the Right, c. 1925* and *Tyler Street on the Left, c. 1925* show how cultural symbols changed over time through the use of words or catchphrases, such as “chop suey,” which was adopted and used by the restaurants in the Boston Chinatown area to appeal non-Chinese customers. All of these documents help better understand and illustrate how organizations and the sense of community have helped shape the AAPI community in Boston up to this day.

One concept all the historical sources had in common was the challenges that Asian immigrants faced in the United States. This is an important concept because one needs to understand all the issues Asian immigrants and refugees have faced in order to become Asian Americans. Throughout the historical documents some recurring issues involve racism and cultural barriers. Other challenges presented are establishing a home and finding work. The documents include censuses of the percentages and places of Asian immigrants that came to Massachusetts, two radio interviews discussing first hand stories of vietnamese immigrants and their life in the United States, one radio interview about Racial profiling Asian Americans and a newspaper clipping involving Chinese immigrants. All these sources answer the very important question: what are issues and challenges the AAPI community faces? It is important for our project to find out these answers because it will give us tools that could be used to fix the problem of getting people to use 8Centric and become active through 8Centric.

The censuses involving what Asian countries, immigrants came from throughout the years is useful. This is because it gives a clear picture on the different asian populations and cultures, that have either grown or decreased throughout the years. The years this census shows are from 2010 until 2017. Throughout the seven years the Asian immigrant population has

increased starting from 240,366 to 313,957. This gives us a picture of how many Asian immigrants have moved to the United States in the last 7 years. Another census focusing on ethnicity and race of population ranging from 2005-2017 shows how many Asians make part of Massachusetts. In 2005, 27.2% of the Massachusetts was Asian making it the largest minority group in Massachusetts. In 2017, the Asian population increased 30.9% but it is now the second largest minority population in Massachusetts. Overall, the census helps to gain a clear idea of the Asian population in Massachusetts and how many Asian immigrants there were.

The radio recording include personal accounts of immigrants getting accustomed to life in America. One of the recordings is the story of Sokhen Mao a Cambodian refugee who moves to Amherst, Massachusetts as a teenager. He discusses the hardships he faces, cultural shock and getting used to the American way. Mao discusses the Cambodian American community and how they helped him acclimate to the United States. He even discusses how he hopes to open a cultural center in Amherst. The other radio interview is the story of Phong, P Nguyen a Vietnamese immigrant. He discusses the shocking differences in the United States in technology and culture. Both of these interviews give real life accounts that immigrants faced when moving to the United States. It was difficult because they had to learn a new culture and a new language in order to have a successful life. The communities they found in Massachusetts helped them find their way. The last recording centers on racial profiling that Asian Americans still face in the United States. They discuss how Asian American communities feel panicked that they might be treated like Arabs if they are too dark, This source discusses racism that Asians faced in the early 2000s. It is beneficial to see how Asian Americans were treated after the attacks of September 11.

The last historical source that discusses challenges Immigrants face is a newspaper clipping talking about Chinese men being arrested. The article discusses how in 1903 Chinese men were rounded up by police during the funeral of a Chinese immigrant. The Chinese community had come together to mourn about the murder. Police used this to their advantage and arrested 300 men for not having proper documentation. They report that over 50 men were arrested. This example documents how Asian Americans have been treated like throughout their



time in Boston and in Massachusetts in general. Overall, all these documents demonstrate the different issues Asian Americans and immigrants/refugees face in Massachusetts.

### **Documentary Concept**

The documentary starts by discussing the challenges the AAPI faces, discussing how personal stories about challenges different Asian American Pacific Islanders have faced in the United States. By showcasing these stories there are two objectives. The first objective is to appeal to the viewer emotionally by seeing the struggles and challenges the AAPI people have overcome. The second objective is to inform the viewer of issues that the AAPI community has to face. Issues such as racism and shame that people experience because of societal pressures. Problems that affect the AAPI community both positively and negatively such as affirmative action. Even issues about how the government lacks in helping Asian American communities. After showcasing how the government influences Asian Americans in the United States the documentary will inform the audience on how the community has changed overtime.

The AAPI community has changed overtime in Boston, Massachusetts. This is when statistics will be shown and discussed. These statistics will come from different sections of the Massachusetts census comparing the change over different years. The community will be shown changing through age, sex, what AAPI countries have the largest population in Boston, and different employment that AAPI has in Boston, Massachusetts. Additionally, it will also show which age ranges have the biggest populations. The changes in Asian communities will also be shown through pictures of Asian communities in Boston through the years. Photographs and statistics will show the change of the AAPI community overtime. It will also show how the integration of Asian Americans into institutions have benefitted Boston.

To end the documentary we will connect it back to 8Centric and suggest it as a tool for those who wish to be civically active. We show how through 8Centric people can get connected to different organizations that are helping and improving the AAPI community in Massachusetts. The documentary will demonstrate the different types of volunteering that can be done to benefit the AAPI community. Volunteering that teach Asian Americans and Asian immigrants English and the tools to find jobs. Volunteering that focuses on helping children and making them proud

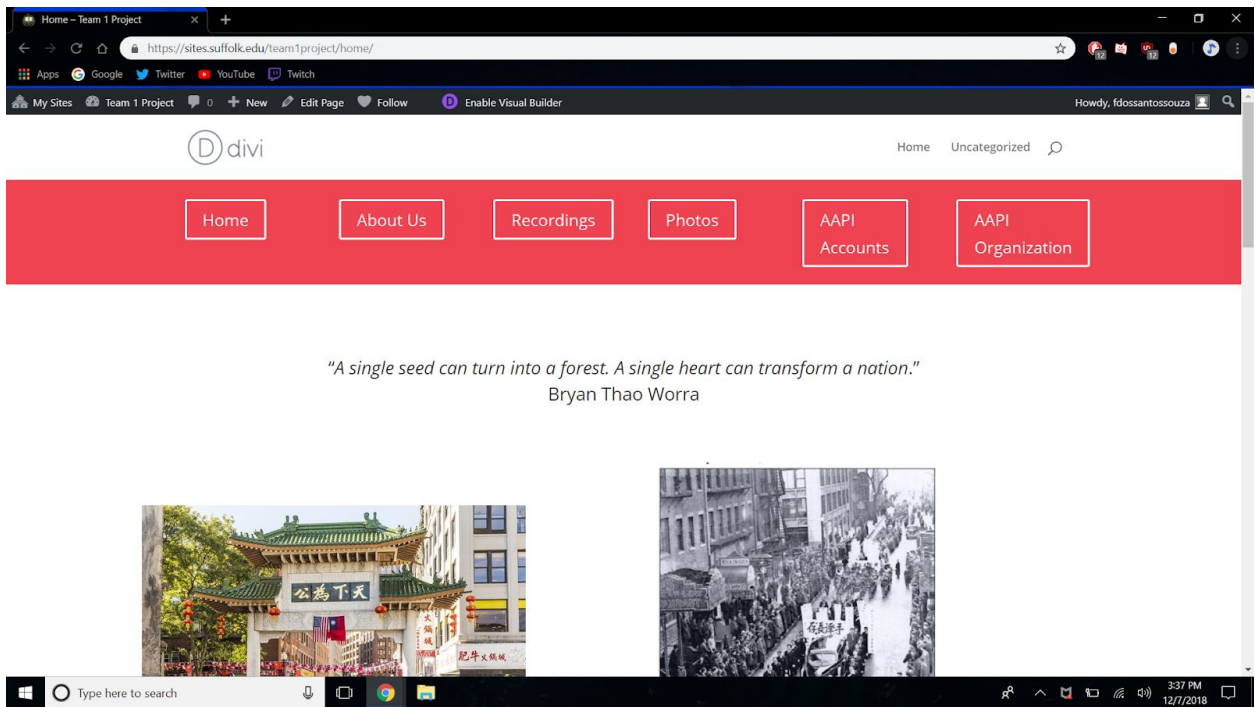
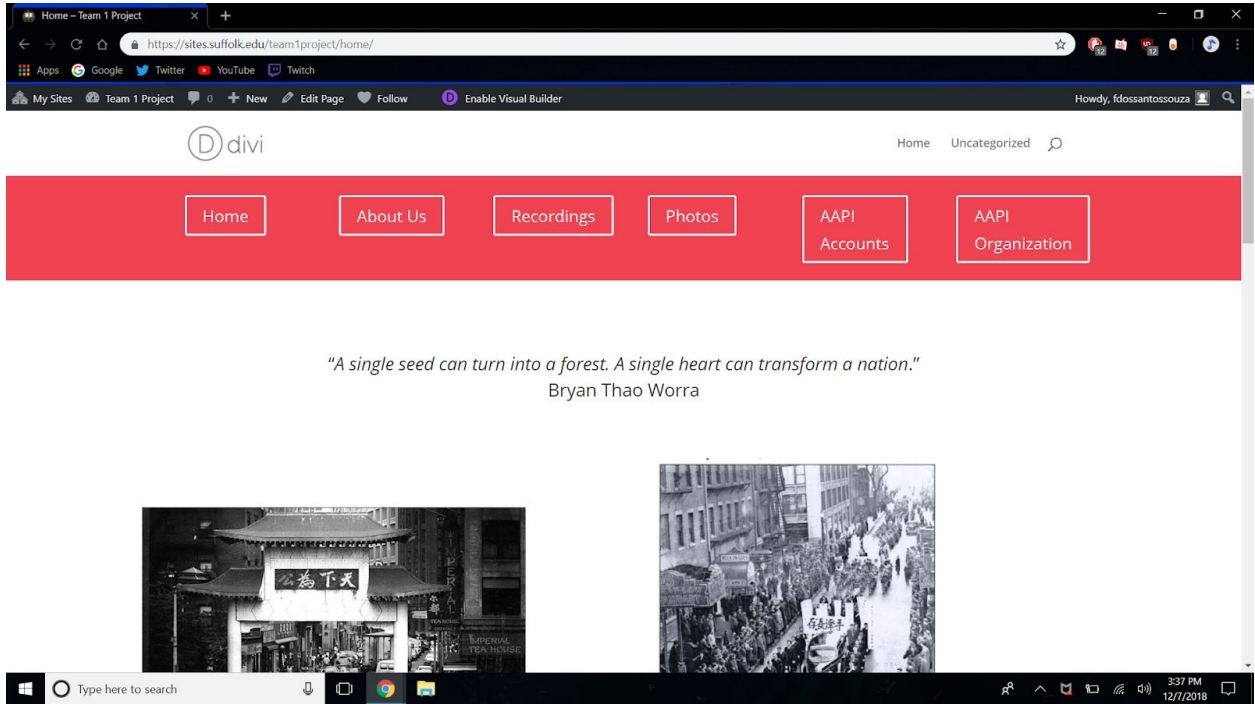
of their different cultures. Organizations that focus on different Asian communities. This will be supported by interviews done in class and also radio interviews from our historical sources. By the end of this interview the viewer will understand the purpose of 8Centric.

### **Interactive Website**

For the interactive website we decided for the header we would put buttons that would link to other pages for the viewer to go to. The buttons include home, about us, recordings, photos, AAPI accounts, and AAPI organization. The about section would tell you about the website and what it would be there for. Recordings is for the audio recordings and any statistics we found for the historical documents. Photos are for all the photos that we didn't put on the frontpage of the website that we found for historical documents. AAPI accounts would be for any quotes or interview of the AAPI community talking about their experiences they've had throughout their lives. Lastly would be AAPI organizations, it's for any organization that helps the community and for the viewer to look for any organization they would like to help out with.

After the header there is a quote by Bryan Thao Worra that says "*A single seed can turn into a forest. A single heart can transform a nation.*" Which I think goes really well with this whole project because if one person helps out it can create a whole domino effect were more people will want to help. After that there is three different pictures two of which change between each other being the gate of chinatown, one is an older picture it and the other is a more recent picture of it. The third picture is a funeral in 1940 through chinatown for a businessman named Won Tarn Shiew. Below the three pictures are three more buttons that are for events, news, and statistics. Events will show you upcoming events and what you can do to help for that event either by volunteering or donating. News is for mainly anything regarding the AAPI community or important news about Boston. Statistics is for the census and any other numbers related records we found for the historical documents. Next we have the interview to give personal accounts of people in the community to help the viewer feel more inclined to help in any way they can. Then we put the map of Boston because that is the main place where we are focusing on and with it having many colleges and universities the students are who we are mainly targeting being in the age range of eighteen through thirty. After we have pictures of the 8centric logo that links to their own website. Then we have the logo for The Commonwealth of

Massachusetts Asian American Association. Lastly we have a button for any that wants to donate money if they don't have any time to volunteer to any events.



Home - Team 1 Project

https://sites.suffolk.edu/team1project/home/

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Events News Statistics

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Home - Team 1 Project

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Home Uncategorized

One Beacon Street


Home - Team 1 Project

https://sites.suffolk.edu/team1project/home/


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Howdy, fdossantosouza

Home Uncategorized



8centric™



The Commonwealth of Massachusetts  
Asian American Commission

Donate

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Type here to search

3:39 PM 12/7/2018

## Appendices

### Photograph

1. Buddhist Ceremony in Front of Hong Far Low
2. Boston Chinatown Raid, 1935
3. Tyler Street, 1925

### Historical Document

4. Request for governmental aid by Asian-American organization

### Talks

5. Cambodian Americans Aiding Vietnamese Refugees Moving to Massachusetts: [http://credo.library.umass.edu/view/full/murg025\\_h5\\_4-s2018-i002](http://credo.library.umass.edu/view/full/murg025_h5_4-s2018-i002)
6. Challenges Faced by Vietnamese Immigrants and Asian Americans in the United States: [http://credo.library.umass.edu/view/full/murg025\\_h5\\_4-s2018-i004](http://credo.library.umass.edu/view/full/murg025_h5_4-s2018-i004)

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**BUDDHIST CEREMONY IN FRONT OF HONG FAR LOW, c. 1909.** Sons and male descendants of the deceased are responsible for performing most of the funeral rituals. Signage adorns the facades of the buildings with the Hong Far Low restaurant clearly visible. Crowds of people lined Harrison Avenue to watch the ceremony. People can also be seen watching from the second-story windows and balcony of 36 Harrison Avenue. (Courtesy of Bostonian Society.)

**CHINATOWN IMMIGRATION RAID, 1903.** On October 11, 1903, the police in Boston used the opportunity of a funeral for a murder victim in Chinatown to arrest over 300 men for not carrying proper immigration documents. Eventually over 50 men were deported and over 100 fled the area. The press vividly portrayed how the police officers grabbed the escaping Chinese men by their queues and stepped on them during the arrest. It was the most famous anti-Chinese incident in Boston during the Exclusion era. (Courtesy of CHSNE collection.)

**OVER 300 CHINAMEN ARRESTED IN BIG ROUND-UP BY POLICE**

10/12/1903  
Boston Herald

**ROOSEVELT TOO EAGER**  
Long Declares He Was Anxious to Send a Fleet Against Spain Before War Was Declared.

A SENSATION AT THE CAPITAL.

Former Secretary's Comment in Magazine Likely to Be Resented by President It Is Said.

(Special Dispatch to the Boston Herald.)  
WASHINGTON, D. C., Oct. 11, 1903.  
Frank and unrestrained comment on the policies of Theodore Roosevelt as an



ATTEMPTED ESCAPE AND RECAPTURE OF CHINAMEN After the Upsetting of the Wagon on Harrison Avenue.

**TONGS DARED DO NO HARM**

Police from Chinatown to Grave During Funeral Procession of Wong Yak Chung

Immigration Authorities Determined That All Celestials Who Cannot Show Registration Papers Must Leave Country — Denizens of Chinatown in Frenzy of Fear — Mad Rush to Escape — Prisoners Taken to Federal Building.



**BOSTON CHINATOWN RAID, 1935.** Although relations between the government and the Chinese community improved in the decades after the immigration raid, the police still regularly raided the neighborhood for suspects of gambling and crime. These four men were detained in a round-up in 1935. (Courtesy of CHSNE collection.)





**TYLER STREET ON THE LEFT, c. 1925.** By the 1920s, Tyler Street was well developed into a Chinese commercial district. There was an unbroken string of row houses and buildings occupying almost the whole block between Kneeland and Beach Streets. Stores include two restaurants and two grocery stores on the west side of the street. Store owners and restaurant workers can be seen taking a break from work. (Courtesy of International Society.)



**TYLER STREET ON THE RIGHT, c. 1925.** The King Wah Low restaurant at No. 12 Tyler Street and the Joy Hong Low restaurant at No. 8 have signage illuminated with light bulbs. The term *chop suey* became a catchphrase for these and other restaurants to appeal to non-Chinese customers. The street was filled with vehicles along restaurant row. An elevated train track is visible along Beach Street. (Courtesy of International Society.)



**AACA** 華美福利會  
Asian American Civic Association, Inc.

FAX TRANSMISSION

[From: (617) 482-2316]

TO: Cong. Joe Madlley - Asst. Sec. Ryan

FAX NO.: 428-2011

FROM: Ed Crotty

DATE: 3/9/00

PAGES TO FOLLOW COVER: 16 (sixteen)

MESSAGE: Sean -  
I've been speaking with you on the phone. These are the materials I was referring to re CAP "mitigation" commitments to the "impacted communities". The language in the E.I.R. "Appendix" is somewhat general -- but the spirit and intent are pretty clear. The one page CAP "Training Program" description reflects the actual purpose -- unilaterally dropped by the project last June. The rest of the pages are supplemental, although possibly of use to you.  
Many thanks to you - & Joe !!



Best wishes, Ed



Massachusetts Highway Department  
Central Artery/Tunnel

## Central Artery Training Program

### GOALS:

- 1 To provide minorities, women and residents of the communities impacted by the CAT Project with access to job training opportunities associated with the Project.
- \* 2. To implement a training and outreach effort which ensures that minorities, women, and residents of the communities impacted by the Project are given opportunities to qualify for jobs on the CAT Project, as well as outside businesses, following completion of a training position.
- \* 3. To encourage collaboration between Community Based Organizations and Skills Training Providers in the effort to best prepare candidates for employment opportunities on and off the CAT Project.
4. To receive the full value and programmatic quality expected by the Massachusetts Highway Department funding that is provided to the Training Program.

### PRESENT OPERATIONS OF THE CAT TRAINING PROGRAM:

1. Sixty five people working in on-the-job training positions in Design, Administration, and Engineering fields on the CAT Project. Over three hundred people have participated in these opportunities.
2. Fifty five people have entered the various Trade Unions since April 1, 1996. Over three hundred people are affiliated as Apprentices or Journeymen, having successfully graduated from the CAT sponsored Boston Building Trades Apprenticeship Preparedness Program.
3. The CAT Project is contracted with the City of Boston, the City of Cambridge, Boston Building Trades, Women in the Building Trades, Oficina Hispana, and many Community Based Organizations to prepare individuals for on-the-job training and Apprenticeship opportunities. Individuals targeted for inclusion into the CAT Training Programs represent at least 25% females, 25% minorities, and 25% residents of impacted and targeted communities.
4. CAT Training has exceeded all of these goals.
5. A successful High School Intern Program and Summer Intern Program at the CAT adheres to the same standards of eligibility as the Adult Training Program.
6. Ten percent of the individuals participating in the CAT Training Program have successfully moved from Transitional Assistance into good jobs with good futures in 1996.

For further information, please contact:

Kathleen E. Caron  
Manager of Training  
Tel: (617) 342-1125  
Fax: (617) 542-1022

(March 1997)

## Move MASSACHUSETTS

294 Washington Street, Suite 628, Boston, MA 02108-4608  
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### FAX TRANSMISSION

Number of pages, including this page:

**TO:** Josh Young, ABCD  
Jose Alicea, Oficina Hispania  
Ed Crotty, Asian American Civic Association  
**CC:** Pat Mikes, Dan Wilson, MM  
**FR:** Lori Prew, Executive Director, MM  
**DATE:** 10/28/99  
**RE:** Job Training Mitigation

Jose, Josh, & Ed -

Pat Mikes, Dan Wilson, & I appreciated the opportunity to meet with you recently to discuss the CA/T Community Training Collaborative.

As a follow-up to our discussion, I asked Environmental Oversight Committee Director Anne Fanton if she was aware of any mitigation commitments associated with the Project. The answer: "Yes and No."

*Very vague* language is contained within the "Summary of Changes to Appendices" in the Environmental Impact Report, Construction Mitigation Appendix, p. 12, Section 2.6.5. I have provided a copy of the language for your review.

If we may provide additional assistance, please let me know.

Regards,  
LP

Central Artery/Tunnel Project

# Appendix CONSTRUCTION MITIGATION

## OVERVIEW

The project Construction Mitigation Program includes measures that have already been identified, approved, and incorporated in the project design; new measures discussed in this document; and others that will be identified, analyzed, and addressed as the project evolves through final design and construction.

A broad spectrum of mitigation measures is proposed which are appropriate responses to the identified temporary disruption that will occur due to construction activities. These measures are being assessed currently, and the most appropriate actions will be adopted and incorporated into legally binding contract specifications and agreements, based on final design and public review and involvement. It is expected that additional measures will be identified and considered as the project evolves, including contingency measures and "quick response" actions that can address unanticipated events during construction.

Pursuant to commitments made following the FEIS/R, a Maintenance of Traffic Plan is being developed as an integral part of the Construction Mitigation Program. This plan, presented in a separate appendix, will include systemwide as well as subarea consideration of the most important traffic and pedestrian circulation issues and appropriate mitigation responses. It will be refined during final design and used as the basis for discussion with public agencies and affected local communities, and for guiding and coordinating maintenance of traffic.

The mitigation process for the Artery/Tunnel Project will benefit greatly from other projects. It draws heavily on experience from other cities, such as Seattle, Los Angeles, San Francisco, Cambridge (MA), and Pittsburgh - cities which have all had major infrastructure construction projects in their downtown areas.

Based on the Department's recent experience on the Southeast Expressway reconstruction project and the Central Artery North Area (CANA) Project, a Mitigation Program Office reporting to the Department Project Director has been established for the Artery/Tunnel Project. The sole responsibility of this office is to ensure that the impacts of construction are mitigated to the maximum extent possible during the final design and construction phases.

## 2 MITIGATION MEASURES

### 2.1 Construction Methods, Equipment, And Procedures

As was discussed in Part I of the SEIS/R, Chapter 20, special measures must be taken to ensure the integrity and operation of affected facilities and structures, and to provide for public safety. These measures include tunnel protection, underpinning overhead and adjacent structures, and a movement monitoring program.

#### 2.1.1 Tunnel Protection

Special measures will be used for Orange Line tunnel protection and I-93 bridge erection in the Area North of Causeway Street. Special protection measures also are proposed for the Green and Orange Lines at Parcel 7, the Blue Line at State Street, the Red Line at South Station, and the Red Line under Dorchester Avenue.

See Page 12 -  
"Section 2.06.5"

placement for area residents in project-related employment opportunities; use of local businesses to supply services required by the Artery/Tunnel Project itself such as pest control, coffee trucks and food services, and photocopy services; and leasing of office and commercial space needed to provide professional support services for the project during construction.

City involvement in the mitigation effort is necessary to provide for the organized operation of the mitigation activities, particularly in areas such as traffic management, signs, and emergency response. In cooperation with the State and the community, the City also can assist in determining appropriate mitigation measures and in pulling together ideas of the many groups within the community. City agencies also will play the leading role in ensuring that major activities on different projects in the same area do not conflict.

Maintenance of traffic circulation is critical for minimizing potential impacts on businesses during construction. The City's traffic enforcement power is a vital part of this effort.

### 2.6.5 Building Opportunity Program

The Department plans to develop a coordinated program of outreach, recruitment, assessment, skills training, and referral intended to expand the local design and construction workforce. The Building Opportunity Program provides training, education, and technical assistance in classroom settings and at jobsite locations. This program increases participation in design and construction-related disciplines to meet labor demands, mitigate the effects of construction on disadvantaged individuals and neighborhoods affected by the project, and meet Federally mandated training and equal opportunity work force goals.

The training program will serve as a construction mitigation measure by providing training positions to disadvantaged residents of impacted communities, and to minorities, women, and others according to specified flexible percentage goals. Direct employment of residents will channel household income back into impacted communities and lead to additional spending and additional indirect employment, multiplying the benefits to affected communities.

In addition to contributing to the fulfillment of Federally mandated training goals for Federal-aid highway projects, a successful Building Opportunity Program would have other positive economic benefits. These include job opportunities to counteract recent increases in unemployment, the direct savings of \$10 to \$12 million in project costs discussed in Chapter 20 of Part I of the SEIS/R as a result of increasing the labor supply. An additional economic benefit with social implications would result from avoiding an increased demand for housing from an influx of new workers from outside the region, thereby containing housing costs at current levels.

### 2.6.6 Homeless

The following measures will be undertaken to mitigate potential impacts and prevent accidents involving the homeless around construction sites:

- o Brightly colored signs will mark pedestrian pathways and dangerous areas.
- o Construction areas and detours will be well-lighted.
- o Physical barriers will be maintained around hazards.

To notify and communicate with the homeless, the Department will establish direct informational links with representatives of the Boston area homeless shelters, possibly through the Emergency Shelter Commission. The Commission currently distributes information to area shelters regarding activities in the City that affect the homeless and would be an appropriate link for information flow between the homeless and the Artery/Tunnel Project. In addition, the Rapid Service Pres building has been used since its acquisition by the Department in 1987 as a formal shelter housing around 300 men. An agreement between the Department and the Pine Street Inn, a nonprofit organization, permitted temporary use of the building as a shelter.

todos trabajando juntos - everyone working together

# Oficina Hispana

de la Comunidad, Inc.

1 of 2

**Roxbury Office:**  
125 Amory Street  
Building A  
Roxbury, MA 02119

voice: (617) 427-0500  
fax: (617) 524-4653

**Board of Directors:**

Richard Colon  
President

Regla Gonzalez  
Vice President

Juan Carlos Morales,  
CPA  
Treasurer

Antonia Jimenez  
Secretary/Clerk

Edwin Cortes  
Manuel Duran  
Giovanna Negretti

Jose A. Alicca, Ed.D.  
Chief Executive Officer

15 September 1999

Rolando Cheek  
Project Manager  
Central Artery Tunnel Project  
Civil Rights Division  
Massachusetts Turnpike Authority  
10 Park Plaza  
Boston, MA 02116

RE: CA/T Contract # 95103 (M025W)  
Inventory Report

Dear Mr. Cheek:

Enclosed, you will find the inventory report that you demanded as part of the termination and closeout of CA/T Contract # 95103 (M025W).

Please release the payments to Oficina Hispana submitted on both the May and June 1999 invoices. As is the nature of this contract, these invoices (totaling nearly \$200,000) are for services previously rendered to the Massachusetts Highway Department by the Community Training Collaborative (CTC) and for costs already realized. Your unreasonable hold on these two final payments to charitable organizations, which have had to withstand the recent termination of a primary contract, is unwarranted and smacks of retaliation.

We, members of the CTC, regret the unforeseen turn of events that has resulted in the unilateral decision by the Massachusetts Turnpike Authority (MTA) to terminate negotiations towards a new contract. We believed that we were negotiating in good faith and

THIS AGENCY  
IS SUPPORTED BY



UNITED WAY  
OF MASSACHUSETTS  
BAY

2 of 2

that both sides would eventually compromise towards a mutually agreeable position. However, the MTA's proposition, which translates to an 80% reduction in services purchased by the MTA and a corresponding reduction of revenues to the CTC, was unworkable. We communicated this to you and to Lorenzo Para, both orally and documented, on many occasions. The MTA made no counter offer, resulting in stalemate.

Over the past nine years, the CTC has provided the Central Artery Tunnel Project with access to the neighborhoods adversely impacted by the massive construction. This access was for the purpose of redress through community mitigation and has resulted in mutual benefits: The CA/T has derived the support of neighborhood and political leaders that goodwill engenders; and neighborhood residents have benefited through expanded opportunities of the CTC job training program. Regrettably, the current impasse has effectively suffocated both. In the aftermath, we now have decreased access to opportunities, and ill feelings of deception and abandonment on the part of the affected communities. Where is the goodwill?

The CTC stands ready and able to re-establish our relationship with the CA/T to mutual benefit. As a matter of fundamental decency and justice, we fully expect support for these essential programs will yet be restored.

Sincerely,



Jose A. Alicea

P.S. By the way, you have been sending letters to the wrong address and misspelling my name. Please check the listing on this letterhead.

cc: James Kerasiotes, Patrick Moynihan,  
• Members of the CTC





## Action for Boston Community Development

178 THF MONT STREET, BOSTON, MASSACHUSETTS 02111-1093  
TELEPHONE: (617) 357-8900 TTY: (617) 423-8215 FAX: (617) 357-8041

July 13, 1999

His Excellency A. Paul Cellucci  
Governor of Massachusetts  
State House, Room 360  
Boston, MA 02133

Dear Governor Cellucci:

As one of the ten community based organizations that comprise the Community Training Collaborative (CTC), I am writing to clarify our understanding of Chairman Kerasiotes' decision regarding our future contractual relationship with the Massachusetts Turnpike Authority (MTA) and the Central Artery Training Project (CAT).

Over the last five years, the program has provided prevocational, skills training and job placement to a total of 3,455 individuals, the majority of whom were women between the ages of 18 and 64, undereducated, and unemployed. As a result, participants attained a "good job" with an average hourly salary over \$11.00, career ladders, and benefits. In addition, 873 individuals were referred for further training to the Apprenticeship Preparedness Program (APP) of the Building and Trades Council. Nearly half of the APP graduates then gained employment in the skilled building trades or joined the Skilled Trades Unions' Apprenticeship Program for further skill-specific training.

All assessments of this project, including a favorable Massachusetts Highway Department audit recently completed, point to its success. The CTC and the communities adversely impacted by the "Big Dig" urge you to keep open this pipeline to the economic mainstream by supporting this project. At a cost of \$1,470 for the training and job placement of one participant, the program is a savings compared to continued public assistance. But, more importantly, it provides that individual with the self-sufficiency to acquire more training and education to improve their quality of life.

At a meeting on June 15, 1999, the following information was presented to the CTC by MTA and Massachusetts Highway Department as a limited program available for next year. In attendance were Rolando Cheek, Director of the MTA's Civil Rights Division, Lorenzo Para, Director of the Massachusetts Highway Department's Civil Rights Division, and Katherine Caron of the Massachusetts Highway Department's Training Division.

His Excellency A. Paul Cellucci  
Governor of Massachusetts  
Page 2

In contrast to the former \$1.5 million contract to provide employment and training services, the CA/T proposed to cease support for all prevocational and occupational skills training services and would offer the 10 members of the CTC a \$310,000 contract to provide recruitment and referral services to the Apprenticeship Preparedness Program (APP) of the Greater Boston Building and Trades Council.

In both a June 18, 1999 letter and a June 24, 1999 letter to Chairman Kerasiotes, Urban League President, Joan Wallace-Benjamin, and I requested a meeting to discuss the future of the program. To date we have heard nothing from Chairman Kerasiotes or his staff. Therefore, we are requesting a meeting with you as soon as possible to discuss these points. You or your staff can call me directly at (617) 357-6000 extension 201 or Mark Iseburg, Director of Education, Training and Youth Services, at extension 365.

Thank you for your attention to this matter. I look forward to hearing from you.

Sincerely,



Robert M. Coard  
President/CEO

Cc: Boston Legislative Delegation  
James Kelly, Boston City Council President  
Paul Scapicchio, Chair, Boston City Council Committee on Transportation  
✓ Asian American Civic Association  
East Boston Harborside Community Center  
John F. Kennedy Family Service Center  
North End/West End Service Center  
Oficina Hispana de la Comunidad  
South Boston Neighborhood House  
United South End Settlements  
Urban League of Eastern Massachusetts  
Veterans Benefits Clearinghouse

President  
George A. Russell, Jr.



Chairman  
George A. Russell, Jr.  
Senior Vice President  
Community Affairs  
State Street Corporation

June 24, 1999

Vice Chairman  
Samuel J. Gerson  
Chairman & CEO  
Filene's Basement, Inc.

Mr. James Kerasiotes  
Chairman  
Massachusetts Turnpike Authority  
10 Park Plaza  
Boston, Massachusetts 02116

*Copy to Ed Costly*

Members  
Rev. Gerald E. Bell  
Martha Buchanan-Forte  
Amela D. Everhart, Esq., CPA  
Emil Frei

Dear Mr. Kerasiotes,

Amy A. Geogan  
Ken Granderson  
Edward E. Guillet  
Paula E. Groves  
Lance A. Hartford  
John Henesay  
Harold W. Horton  
Darcy L. Immerman  
Nancy K. Kaufman  
Binyah C. Kesselly  
Richard J. Leslie  
Donna Harris-Lewis  
Vincent G. Loporchio  
Tamara Olsen  
Joseph G. Parham, Jr.  
Jack Rossin  
Jonathan Ruelas  
Adrienne Foster Williams  
Brent Williams  
William Julius Wilson, Ph.D.  
Christine Wood  
Tony Wray  
Edward E. Zuker

Since its inception, the Urban League of Eastern Massachusetts has served as a joint venture partner with Action for Boston Community Development (ABCD), and Oficina Hispana in the Community Training Collaborative. An unprecedented collaborative of then 13 and now 10 community based agencies from around the City of Boston, over the past five years, we have provided top quality and much needed pre-vocational and skills training to 3,445 men and women from every impacted neighborhood in the City. This project has been a multi-ethnic, multi-racial collaborative like no other in the City; and we have worked as partners to put neighborhood people to work on the Artery and into other employment over the years of the program.

Last week a group of representatives from the Collaborative attended a meeting with your staff, Lorenzo Parra, Rolando Cheek, and Kathy Caron. The staff person who attended on behalf of the League was disappointed and offended by the dismissive and off-putting way in which the collaborative partners were treated. The purpose of the meeting was for them to respond to what they understood were the new "conditions" of our involvement with the Mass Turnpike Authority-conditions that were stated to the community less than one month before the entire project funding was to be discontinued by your office.

Urban League Guild  
Beverly Gibson  
President

Chairman Emeritus  
The Honorable  
Joyce London Alexander

As a group of key community providers, we are stunned by the discontinuance of a program impacting the employment, and training opportunities for men and women from across the entire City (neighborhoods impacted by the Central Artery Project), at a time when waiting lists for GED, literacy and ABE services exceed 13,000 people across the State. The expenditure of dollars for the important services provided is an infinitesimal amount compared to the financial resources being spent (and misspent) on the "Big Dig" generally. One would think that the Governor would welcome the chance to use a strong and long-standing group of community based agencies such as these to provide much needed services to his constituents.

THIS AGENCY IS SUPPORTED BY



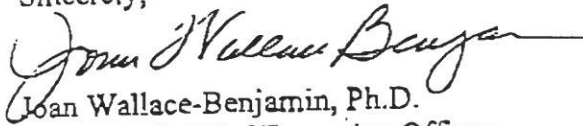
United Way  
Massachusetts Bay

*cc: J. Dew  
M. Vance  
M. [unclear]*

88 Warren Street  
Roxbury, Massachusetts 02119  
PHONE: (617) 442-4519

The leadership of the Collaborative, Robert Coard, Jose Alicea and I would like the opportunity to meet directly with you to discuss the future of the project, and how to continue to serve the citizens of the City about whom we are all concerned and in business to serve. I can be reached at (617) 442-4519. Thank you.

Sincerely,



Joan Wallace-Benjamin, Ph.D.  
President & Chief Executive Officer

cc: Governor Paul Cellucci  
Mayor Thomas M. Menino  
George Russell  
Robert Coard  
Jose Alicea

Member Organizations

- 1000 Friends of Massachusetts
- ASEC Corporation
- Airport Impact Relief, Inc.
- Artery Business Committee
- Asian American Civic Association, Inc.
- Bracon Hill Garden Club
- Bechtel/Parsons Brinckerhoff
- Beta Engineering, Inc.
- Boston Building and Construction Trades Council
- Boston Edison
- Boston Greenspace Alliance
- Boston Harbor Association
- Boston Natural Areas Fund
- Boston Sand and Gravel
- Boston Society of Architects
- Boston Society of Landscape Architects
- Bruce Campbell & Associates
- Hyatt Associates, Inc.
- Cambridge Systematics, Inc.
- Caravan for Commuters
- Chinatown Business Association
- City of Chelsea Planning & Development
- Construction Industries of Massachusetts
- Domenech Hicks & Krockmalnic
- Downtown Crossing Association, Inc.
- Downtown North Association
- Fay, Spofford, and Thayer, Inc.
- Federal Reserve Bank of Boston
- Forest City Development
- Friends of Post Office Square
- Greater Boston Chamber of Commerce
- Greater Boston Real Estate Board
- Hale & Dorr, LLP
- Halvorson Co., Inc.
- Harvard University
- IBEW Local 103
- ICF Kaiser
- IF White Contracting Company
- Jung Brannan Associates
- Keville Enterprises
- MASCO/CTEC
- Maguire Group, Inc.
- Massachusetts Horticultural Society
- Massachusetts Institute of Technology
- Massachusetts Municipal Association
- Massachusetts Port Authority
- Metropolitan Area Planning Council
- Mintz, Levin, Cahn, Ferris, Glassky, & Popeo
- Modern Continental Constellation
- New England Aquarium
- North End/Waterfront Central Artery Commuter
- Oficina Hispana
- Palmer & Dodge
- Peterson Worldwide
- Post Office Square Redevelopment
- Risks Associates, Inc.
- STV Incorporated
- Sasaki Associates, Inc.
- South Boston Neighborhood House
- Steven Honyatski Accounting
- Stull & Lee, Inc.
- Sverdrup Corporation
- TAMS Consulting
- The Fenway Alliance
- Trust for City Hall Plaza
- University of Massachusetts Boston
- Urban League of Massachusetts
- Vannise, Haugen, Brustlin, Inc.
- Veterans Benefits Clearinghouse
- Wallace, Floyd, Associates, Inc.
- Walk Boston
- Women in the Building Trades

# MOVE MASSACHUSETTS

294 Washington Street  
Suite 628  
Boston, Massachusetts 02108-4608  
telephone: 617.695.0644  
fax: 617.695.0746

June 16, 1999

Mr. Patrick Moynihan, Director  
Central Artery/Tunnel Project  
185 Kneeland Street  
Boston, MA 02110

**RE: CA/T Project Skills Training Programs**

Dear Mr. Moynihan: *JAT*

On behalf of the Board of Directors and membership of Move Massachusetts (MM), I would like to offer our unequivocal support for such outstanding programs as the Central Artery Tunnel's Apprenticeship Training Program and the Community Training Collaborative (CTC). The CA/T Project is to be applauded for instituting and maintaining such an impressive array of programs which effectively serve to provide a highly skilled workforce for the largest public infrastructure project in America.

As you know, Move Massachusetts represents a broad-based constituency of over seventy neighborhood, labor, municipal, environmental, business, and professional organizations. We work together to facilitate a cooperative and systematic strategy for effective city-building and responsible land-use based on the timely and successful completion of the region's major transportation infrastructure projects—including the Central Artery/Tunnel Project.

Move Massachusetts has a long history of support for both programs. In 1991, our organization helped to organize the Neighborhood Employment Training Advisory Council (NETAC), a broad-based group representing building trades, community-based organizations, and skills training providers from across the city. As a direct result of NETAC's work, CTC began serving community members in the spring of 1992. Since that time, Move Massachusetts has continued to support the CTC and the Apprenticeship Training Program under the dynamic leadership of CA/T Training Manager Kathleen Caron. A fact sheet describing the scope of the CA/T Project's job training success has been provided for your review.

As you know, the five-year contract for both programs expires on June 30. Move Massachusetts encourages continued support of both programs, and we stand ready to assist you in any way possible in identifying alternative funding sources as CA/T-related funding becomes increasingly scarce.

Thank you again for your work in supporting these vital programs. Do not hesitate to contact me if I may be of service.

Sincerely,

Lori L. Prew  
Executive Director

Enclosure

Post-It® Fax Note	7671	Date	# of pages
To	ED Creamy	From	Lori Prew
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

*THANKS FOR YOUR HELP*



# Action for Boston Community Development

178 TREMONT STREET, BOSTON, MASSACHUSETTS 02111-1093  
TELEPHONE: AREA CODE (617) 357-6000 FAX: (617) 357-6041

March 31, 1999

James Kerasiotes  
Chairman  
Massachusetts Turnpike Authority  
10 Park Plaza  
Boston, MA 02116

**Re: Massachusetts Highway Department Consultant Agreement #9513-M025W:  
The CA/T Training Project**

Dear Mr. Kerasiotes:

I am writing to inform you of the imminent termination in June 1999 of an important community development project that has benefited individuals, families, and neighborhoods throughout our city. The Community Training Collaborative (CTC), of which ABCD is a member, is asking that you support our efforts to extend or renew its contract agreement with Massachusetts Highway Department to provide employment and training services to Boston communities directly affected by the "Big Dig." Other members of the collaborative include, Officina Hispana, the Asian American Civic Association, East Boston Harborside School, J.F. Kennedy Center, South Boston Neighborhood House, United South End Settlements, Urban League, and Veterans Benefits Clearinghouse.

Over the last five years, the program has provided prevocational, skills training and job placement to a total of 3,455 individuals, the majority of whom were women between the ages of 18 and 64, undereducated, and unemployed. As a result, participants attained a "good job" with an average hourly salary over \$11.00, career ladders, and benefits. In addition, 873 individuals were referred for further training to the Apprenticeship Preparedness Program (APP) of the Building and Trades Council. Nearly half of the APP graduates then gained employment in the skilled building trades or joined the Skilled Trades Unions' Apprenticeship Program for further skill-specific training.

As you are aware, all assessments of this project, including a favorable Massachusetts Highway Department audit recently completed, point to its success over the last five years. The CTC and the communities we serve urge you to keep open this pipeline to the economic mainstream by continuing to support this project. At a cost of \$1,470 for the training and job placement of one participant, the program is a savings compared to continued public assistance. But, more importantly, it provides that individual with the self-sufficiency to acquire more training and education to improve their quality of life.

Thank you for your attention to this matter. To further assist you, I have enclosed a brief description and history of this project. If you should have any further questions, please free to call on me or Michael Vance, Director of Community Coordination at (617) 357-6000 extension 230.

Sincerely,

A handwritten signature in cursive script that reads "Bob Coard".

Robert M. Coard  
President/CEO

# Boston Business Journal

August 13-19, 1999 Volume 19, Number 27

## Big Dig training program gets a bum steer

It's easy to take potshots at the Central Artery-Third Harbor Tunnel project. As Leslie Stahl handily displayed on "60 Minutes" two years ago, denouncing the much-maligned, wildly overwrought, obscenely expensive and maddeningly disruptive Big Dig (what did I tell you?) is about as cutting-edge as taking a stand against cannibalism.

True, there's much to dislike—loathe, even—about the largest highway project in American history, which goes through more billions than the sign outside a McDonald's. Ask any driver who deals with hopeless traffic snarls and disappearing thoroughfares—or the thousands of merchants and residents who endure the bone-jarring machinery outside their front doors, the torn streets scarring their neighborhoods.



REPORTER'S  
NOTEBOOK

▼  
CHRIS  
MAHONEY

The \$11 billion construction process is a local eyesore and a national oddity—which makes it all the more baffling that state officials would want to get rid of one of the very few gems associated with it.

Nonetheless, the state's Turnpike Authority—the Big Dig's main oversight agency—recently scrapped an eight-year-old program that provided career enhancement training to residents in the Boston communities directly affected by the highway construction. The authority slashed the annual allocation for the Central Artery Training Project from \$1.4 million to just over \$300,000.

To be sure, officials are well advised to rein in the outrageous costs associated with the Central Artery-Third Harbor Tunnel Project. But decimating the training program—a unique collaboration between state officials and a broad spectrum of community-based organizations—is outrageously shortsighted. State officials should think long and hard about the well-being of residents in the communities hardest hit by the Big Dig, and restore the training project's funding at least to its prior level.

The training project was funded by the Central Artery project and administered by nine community-based organizations, including the Urban League of Massachusetts, Action for Boston Community Development (ABCD) and Oficina Hispana de la Comunidad Inc. It has provided training for over 3,500 residents—mostly people of color, welfare recipients, the unemployed, underemployed and undereducated. The training ranged from high school equivalency to computer-assisted drafting. Aside from the participants, the program benefited area employers—including the Big Dig itself—many of whom have long bemoaned the scarcity of qualified employment candidates.

"It's a good way to develop skills in the community, make people feel they're part of the community," said Robert Coard, president and CEO of ABCD. "They're taking money away from the poorest of the poor."

The community groups are justifiably outraged by the recent turn of events, and by what they perceive as the unwillingness by state officials to offer them a reasonable explanation. Lorenzo Farra, the Turnpike Authority's embattled frontman for this controversy, has said time and again that the project's intent has always been to provide construction-related training to minorities for employment on the Big Dig. Nothing more. Further, the program was never meant to last forever, he has said.

Maybe, but this is cold comfort for residents who for the next five years must endure the torn-up streets and deafening noises associated with the highway improvements—which activists aptly point out are mostly for the benefit of commuters living *outside* Boston. Nor is it much consolation to employers who will lose a plum source of trained workers.

The training project has been notable for another reason: It has brought together a number of disparate community organizations—many of which often find themselves working in a vacuum—to administer a productive, necessary community resource. Such synergy hasn't been seen since the early 1970s, when state officials, led by then governor Francis Sargent, worked with community groups to improve the city's public transportation system.

The state invested hundreds of millions of dollars—originally earmarked for a highway that would have ripped through Roxbury—to revitalize the MBTA. The result is a reconfigured Orange Line and a Red Line that extends to the Cambridge-Arlington Line. Such public-private partnerships too often are few and far between. The city shouldn't have to wait another 20 years for an opportunity to present itself.

The Turnpike Authority promises us that in 2004, greenery will cut a graceful swath through downtown Boston. Instead of a decrepit skyway, swingsets and garden paths will be all that separates the North End from the rest of creation. The third harbor tunnel will make airport traffic flow like water.

Maybe the Central Artery-Third Harbor Tunnel Project is worth the wait. But this is now. The Turnpike Authority needs to do something to repay the burden it's foisting on Boston's neighborhoods. Providing adequate career opportunities is almost the least it can do. If not, the state will only provide the nation with fodder for yet another Big Dig-related potshot.

*Chris Mahoney is the finance reporter for the Boston Business Journal.*



# The Boston Globe

WEDNESDAY, AUGUST 4, 1999

## Unemployed, but ready to work

The state had a great job training program, full of Cinderella success stories. Then in June the money ran out, and the Central Artery-Third Harbor Tunnel Training Project died. Instead of paying final respects, Governor Cellucci should ensure that the project is revived.

The program filled a gap, training people unprepared for community college, veterans, welfare recipients, ex-convicts, senior citizens, and those recovering from substance abuse. The money came from the Central Artery project and was aimed at neighborhoods affected by the Big Dig. Ten community-based organizations ran the program, providing supportive links to work and further education. The 3,500 participants were white, black, Asian, and Hispanic.

Participants did the state proud. People who had never before turned on a computer mastered the machines and their software. One man who climbed from homelessness to develop computer skills is working and taking community college courses in accounting - a field expected to produce 850 new job openings a year, according to the state

Division of Employment and Training. Program participants who have gotten jobs earn an average of \$11 an hour.

Why allow such a strong program to die? Highway Department officials called it "phenomenal," but they say the changing needs of the Central Artery project require that training efforts be scaled back. The department has offered, however, to vouch for the training program and to help community organizations find funding for it.

It is an excellent idea. Somewhere between the state budget and private funds is the \$1.4 million a year it would take to continue the program, putting people in skilled jobs while generating more income and sales tax revenue. The effort would continue to serve as mitigation for the neighborhoods that are "eating all the dust of the Big Dig," in the words of Jose Alicea, head of Oficina Hispana de la Comunidad, one of the community organizations involved.

A high-tech state, Massachusetts needs sophisticated training. Otherwise citizens will be left in the economic dust.

## SAMPAN



Vol. XXVI New England's Only Chinese English Bilingual Newspaper

August 6, 1999

一九九九年八月六日

## LABOR BRIEFS

### Central Artery Training Project Fights For Continued Funding

Community Groups held a press conference August 3, hosted by Action for Boston Community Development (ABCD), to appeal to the Massachusetts Highway Department to continue funding for the Central Artery/Third Harbor Tunnel Training Project, an employment and training program for Boston residents. A unique collaboration was formed for the project, called the Community Training Collaborative (CTC), which consisted of ABCD, Oficina Hispana de la Comunidad, the Urban League of Eastern Mass., Asian American Civic Association, East Boston Harborside Community Center, John F. Kennedy Family Service Center, ABCD North End/West Neighborhood Service Center, South Boston Neighborhood House, United South End Settlements, and Veterans Benefits Clearinghouse. The CTC worked to provide a community-based, comprehensive prevocational skills training and job placement service to Boston residents. The Massachusetts Highway Department has decided not to refund the program due to budget cuts.

Over the past five years, the ten participating community organizations have assisted 3,455 individuals, the majority of whom were women between the ages of 18 and 64. Nearly all program participants were undereducated and underemployed. The participants attained good jobs, earning good wages (with the average hourly salary over \$11) with career ladders and benefits.

"Without the necessary training, many of the economically disadvantaged and undereducated population of Boston's neighborhoods will not be able to participate in the economic mainstream. The Central Artery Training Project is a mitigation program that works to assist residents in neighborhoods impacted by the Big Dig, with tangible benefits such as training, career ladders and employment opportunities," said Robert M. Coard, President/CEO of ABCD.

"There are individuals who were on waiting lists for this program, from across the city of Boston - from Roxbury and Dorchester to South Boston, Chinatown and Charlestown," added State Senator Stephen Lynch: "We are talking about real individuals here who looked to this program as a real option for improving the quality of their lives."



# AACA 華美福利會

*Sen*

**ASIAN AMERICAN CIVIC ASSOCIATION, INC.**  
(Formerly Chinese American Civic Association, Inc.)

OUR FAX: (617) 482-2316

### FACSIMILE TRANSMISSION

TO: Cong. Joe Moakley / Fred Clark

COMPANY: Office of Cong. J.J. Moakley

FAX NO.: 428-2011

FROM: Ed Crotty *[Signature]*

DATE: 11/2/98

PAGES TO FOLLOW COVER: 2 (two) *(+ 7 pg. Court Memo - G.Y.I.)*

COMMENTS:

Dear Joe (& Fred):

With this I am sending a copy of the letter to Mayor Menino that I just delivered to City Hall. Our own legal effort to enjoin eviction while we pursue our case for the enforcement of the June agreement, for a lease and certain terms, remains the only thing between A.A.C.A. and the street.

Up to this time we have received no assistance, or response, from the City -- either in regard to blocking this egregious bad-faith eviction initiative by the C.C.B.A., or with any offer of help in relocating our programs (which Tom O'Brien had promised if C.C.B.A. proceeded with our removal despite our full cooperation with the B.R.A.'s mediation efforts.)

It is our hope (and ethical expectation) that Mayor Menino will now mobilize the City's own legal resources and prerogatives in this matter in order to avert a catastrophe for our agency, our clients and students, and our community. If Mayor Menino does not act in this matter in the next two days, then the pledge made to you in his office more that a year ago will be stunningly shattered.

The people here at A.A.C.A. deeply appreciate your efforts and advocacy in this struggle. The great pending question is whether the Mayor will honor his commitment to you and to us.

教育中心  
EDUCATION CENTER

綜合服務所  
MULTI-SERVICE CENTER



社區月刊  
SAMPAN

就業輔導組  
NEIGHBORHOOD EMPLOYMENT CENTER

90 TYLER STREET, BOSTON, MA 02111  
TELEPHONE: (617) 426-9492 FAX: (617) 482-2316

*Approved  
J. Hanks,  
Ed Crotty*



# AACA 華美福利會

**ASIAN AMERICAN CIVIC ASSOCIATION, INC.**  
(Formerly Chinese American Civic Association, Inc.)

BY HAND

November 2, 1998

Honorable Thomas Menino  
City of Boston  
Boston City Hall  
One City Hall Plaza  
Boston, MA 02201

Re: Asian American Civic Association

Dear Mayor Menino:

We are member of the Board of Directors of the Asian American Civic Association (AACA), and write to you now because AACA urgently needs your assistance.

We understand you are aware of the difficulties AACA has had in maintaining the space it uses at 90 Tyler Street. The Chinese Consolidated Benevolent Association (CCBA) has owned 90 Tyler Street since 1983, when the City of Boston transferred the building to CCBA for one dollar, in exchange for CCBA's commitment to maintain 90 Tyler Street as a Chinese Community Center. Despite CCBA's commitment to the City regarding the building, CCBA has consistently made life at 90 Tyler Street for AACA very difficult. More critically, however, CCBA now says it will have the Sheriff's office physically remove AACA from the building this Wednesday, despite the fact that CCBA agreed on June 11, 1998 to keep AACA in the building with a series of renewable six-month leases.

It is our understanding that in the spring your office arranged for Thomas O'Brien, the director of the Boston Redevelopment Authority, to help keep AACA at 90 Tyler Street. We have been grateful for the efforts of Mr. O'Brien and his assistant, Paul McCann. We believe that it was largely through their efforts that we reached an agreement with CCBA in June.

Now, however, the BRA does not appear able to convince CCBA to stand by the June 11 agreement, despite the fact that CCBA has not offered any real explanation for its refusal to honor the agreement. As a result AACA was forced last week to bring a lawsuit in Suffolk Superior

教育中心  
EDUCATION CENTER

綜合服務所  
MULTI-SERVICE CENTER



社區月刊  
SAMPAN

職業輔導組  
NEIGHBORHOOD EMPLOYMENT  
CENTER

90 TYLER STREET, BOSTON, MA 02111  
TELEPHONE: (617) 426-9492 FAX: (617) 482-2316

Mayor Menino  
November 2, 1998  
Page 2

Court to enforce the June 11, 1998 Agreement. There is a hearing scheduled for 2 p.m. on November 4, 1998 at Suffolk Superior on our motion to enjoin CCBA from removing AACA from the building. Although we are hopeful that the Court will enjoin CCBA, we believe that without the action of the Court or the City, CCBA will remove AACA from the building on Thursday.

If AACA is removed from the building, we will have to shut down completely. As a result, more than 300 students will no longer have a place to go for vocational education and language education. Further, the many people who come into AACA's multi-service center on a daily basis seeking immigration counseling, fuel assistance, help with welfare and social security, as well as a variety of services, will be turned away.

In conclusion, AACA believes that without your intercession, the vital community services provided by AACA to members of Boston's Asian American community may well be lost by this Thursday. Any help from the City would be very much appreciated including the following:

1. Appear at the hearing on Wednesday afternoon to assist AACA to stay in the building;
2. Seek to revoke the ownership of 90 Tyler Street for breach of the conditions in the deed;
3. Threaten to intervene in the lawsuit; and
4. Do anything else your deem appropriate to resolve the issues between CCBA/AACA at 90 Tyler Street.

We have enclosed for the City's legal department copies of the papers filed last week. Our counsel, Brian Whiteley at Hale and Dorr LLP, is available to discuss the legal issues with the City's law department.

Thank you for your attention to this matter.

Very truly yours,

Mary Chin  
Edmund Crotty  
Paul Yee, Esq.

  
ASIAN AMERICAN CIVIC ASSOCIATION

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT  
DEPARTMENT OF THE TRIAL COURT

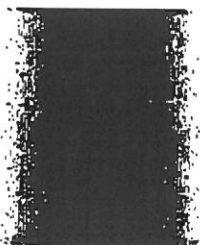
_____	
ASIAN AMERICAN CIVIC ASSOCIATION,	)
	)
Plaintiff	)
v.	)
CHINESE CONSOLIDATED BENEVOLENT	)
SOCIETY OF NEW ENGLAND,	)
	)
Defendant	)
_____	

Civil Action No. \_\_\_\_\_

**MEMORANDUM IN SUPPORT OF PLAINTIFF'S  
MOTION FOR TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY INJUNCTION**

**INTRODUCTION**

The plaintiff Asian American Civic Association, Inc. ("AACA") submits this memorandum in support of its motion for a temporary restraining order and preliminary injunction prohibiting the defendant Chinese Consolidated Benevolent Association ("CCBA") from removing AACA from AACA's 90 Tyler Street headquarters. CCBA's attempted removal of AACA should be enjoined because CCBA's actions are in direct breach of a settlement agreement reached between the parties on June 11, 1998.



Absent immediate relief, AACA faces the irreparable harm of losing the space from which it provides critical services to the Asian American community in and around Boston, Massachusetts.

### FACTS

AACA is a non-profit organization providing critical services to the Asian American community in and around Boston, Massachusetts, including vocational education and the publication of a Chinese American newspaper. AACA provides its services from 90 Tyler Street, a building transferred to CCBA by the City of Boston in 1983 for one dollar. The building was transferred with the proviso that it be used as a Chinese community center. Verified Complaint ¶ \_\_\_\_.

In the fall of 1992, CCBA sought to evict AACA. As a result, AACA and CCBA each brought suit, with AACA alleging that it had an interest in 90 Tyler Street under the deed from the City of Boston. The Superior Court entered summary judgment against AACA on the property law claim. The remainder of the case was tried in December 1993, resulting in a judgment against AACA of approximately \$47,000. AACA appealed. The Appeals Court upheld the judgment and the Supreme Judicial Court denied AACA's Application for Further Appellate Review on October 1, 1997. Verified Complaint ¶ \_\_\_\_.

The parties then sought to negotiate a resolution to the dispute under which AACA would remain at 90 Tyler Street and pay down the judgment which with interest was then over \$80,000. Verified Complaint ¶ \_\_\_\_.

Representatives of the Boston Redevelopment Authority ("BRA") participated in the negotiations in an effort to bring the two sides together. Verified Complaint ¶ \_\_\_\_\_

On June 11, 1998, the parties met at BRA's offices and reached a settlement agreement (the "June 11 Agreement") providing, among other things, for the following: (1) AACA's rental payment for its use of 90 Tyler Street would be increased from \$3500 a month to \$6,000 a month; (2) a \$10,500 payment made previously by AACA to CCBA would be credited against the outstanding judgment; (3) the BRA would seek community-based funds to help pay down the outstanding judgment; (4) CCBA would enter into a lease with AACA for a six-month term; (5) the six-month lease would be automatically renewable for additional six-month periods providing AACA made all of its rental payments and the BRA made good faith efforts to obtain community funding; and (6) the six-month renewals would continue until the judgment was satisfied in full. Verified Complaint ¶ \_\_\_\_\_

The June 11 Agreement obligated CCBA to "prepare a draft of [the] lease and submit [the] draft, with a copy to the BRA, for AACA's review, as promptly as possible." Verified Complaint ¶ \_\_\_\_\_.

CCBA, however, did not promptly prepare a draft lease. Instead, on September 25, 1998—more than three months after the June 11 Agreement was reached—CCBA forwarded to AACA's counsel a draft Settlement Agreement and License to Use 90 Tyler Street. (True and accurate copies of the Settlement Agreement and related materials are attached hereto as Exhibit B.) Verified Complaint ¶ \_\_\_\_\_.



Although the License to Use 90 Tyler Street ("License to Use") reflects the substance of the essential terms of the Settlement Agreement, it did not comport with all aspects of the June 11 Agreement in that it proposed a license agreement rather than a License to Use. Verified Complaint ¶ \_\_\_\_.

On October 6, 1998, AACA notified CCBA that AACA did not believe the License to Use was consistent with the June 11 Agreement. AACA therefore provided a draft standard form lease, with modifications tailored to the June 11 Agreement. Verified Complaint ¶ \_\_\_\_.

CCBA informed AACA that it would not execute a lease and initiated these proceedings on October 23, 1998. Verified Complaint ¶ \_\_\_\_.

#### ARGUMENT

##### A. The Standard For A Preliminary Injunction

Consideration of a motion for a preliminary injunction "involves a combination of the moving party's claim of injury and chance of success on the merits." Hull Mun. Lighting Plant v. Massachusetts Mun. Wholesale Elec. Co., 399 Mass. 640, 642 (1987) (citing Packaging Indus. Group, Inc. v. Cheney, 380 Mass. 609, 617 (1980)). If the court is convinced that a failure to issue an injunction will subject the moving party to a substantial risk of irreparable harm, the judge must then balance this risk against any similar risk of irreparable harm which granting the injunction would create for the opposing party." Hull, 399 Mass. at 642-43. Furthermore, in appropriate circumstances, "the risk of harm to the public may be considered." Id. at 648.

~~\*\*\*\*\* THIS DOCUMENT IS A COPY OF A FILED DOCUMENT \*\*\*\*\*~~

All of AACA's community services are provided from the space it now occupies at 90 Tyler Street. If AACA is forced out of that space as this action is pending, AACA will suffer irreparable harm. Lawless-Machinery Motors, Inc. v. Mawhinney, 21 Mass. App. Ct. 738, 744 (1986). ("it is [w]ell within judge's discretion to conclude that the threat of dislocation to the tenant from its traditional place of business exceeded the harm which would befall the landlord").

Here, although AACA has searched for new space, it has been unable to locate affordable space in the Chinatown area. If removed from 90 Tyler Street, AACA will be forced to discontinue its programs, including the vocational education programs now serving — students. Moreover, AACA will be forced to layoff its staff of — members while searching for new space. In addition, AACA will face the near certain termination of funding from a variety of sources, including the United Way.

[confirm]

C. AACA Has A Substantial Likelihood Of Success On The Merits

AACA has a substantial likelihood of success on the merits because AACA and CCBA reached an enforceable agreement on June 11, 1998.

Oral settlement agreements are enforceable in Massachusetts. Correia v. Desimone, 34 Mass. App. Ct. 601 (1993) (oral agreement to settle tort action providing for a cash payment and a choice between two structured payment schedules was enforceable).

Here, on June 11, 1998, the parties reached an oral settlement agreement. The agreement dealt with all issues relating to the parties' outstanding dispute, including AACA's continued occupancy of 90 Tyler Street and the payment of the judgment. The terms of the agreement were reduced to a memorandum by a representative of the BRA on June 12, 1998. Counsel for both the AACA and the CCBA commented on the June 12 draft of that memorandum, which was then revised to reflect the June 11 Agreement and sent to the parties on June 25, 1998. To AACA's knowledge, CCBA did not object to any of the terms outlined in the memorandum, including its agreement to draft a lease for AACA's use of the property and to forebear from removing AACA from the 90 Tyler Street premises.

Moreover, CCBA itself confirmed the essential elements of the June 11 Agreement when it sent the draft Settlement Agreement and License to Use on September 25, 1998. Although AACA has objected to the use of a license rather than a lease, the Settlement Agreement and License to Use unequivocally confirmed the substance of the June 11 Agreement.

AACA has a strong likelihood of success on its claim that CCBA has breached the June 11 Agreement. First, CCBA breached the agreement by failing to provide AACA with a six-month lease for the premises.<sup>1</sup> Second, even if the agreement to

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<sup>1</sup> Although agreements for the use of real property must be in writing to satisfy the statute of frauds, the draft Settlement Agreement and License to Use forwarded by CCBA on September 25 met the requirements of the statute. See Sande v. Arruda, 359 Mass. 591 (1971) (written agreement to lease enforceable). The draft Settlement Agreement and License to Use contains the items necessary to satisfy the Statute of Frauds because it: (i) identifies the location of the property; (ii) identifies the rental amount; (iii) and is accompanied by a cover letter from CCBA's attorney.

execute a lease were unenforceable, the June 11 Agreement at the least obligated CCBA to negotiate with AACA for a lease and to forbear from ousting AACA from 90 Tyler Street during the negotiation. CCBA breached the agreement, however, by failing to negotiate a lease and insisting that AACA accept a license to use the property or immediately vacate the property.

**D. Any Minimal Inconvenience To The CCBA Resulting From A Preliminary Injunction Is Outweighed By The Irreparable Harm To AACA If AACA Is Ejected From 90 Tyler Street**

While a failure to issue an injunction will subject AACA to a substantial risk of irreparable harm, the requested injunction will not irreparably harm CCBA. Rather, the injunction merely requires CCBA to maintain the status quo. AACA has occupied space at 90 Tyler Street for nearly 15 years. AACA will continue to pay rent for the premises. The minimal harm to CCBA is thus far outweighed by the irreparable harm AACA will sustain if ousted from the premises. Mawhinney, 21 Mass. App. Ct. at 744.

**E. Because Service To The Asian American Community Provided By AACA Will Be Disrupted By The Closing, The Public Interest Weighs In Favor Of AACA's Requested Preliminary Injunction**

In considering AACA's motion for a temporary restraining order and a preliminary injunction, the court also may consider the public interest. Hull, 399 Mass. at 648 (public interest served where payments to electricity provider continued pending resolution of case); Brookline v. Goldstein, 388 Mass. 443, 447

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See Schwanbeck v. Federal-Mogul Corp., 412 Mass. 703, 710 (1992); Cousbells v. Alexander 315 Mass. 729, 730 (1944).

(1983) (where private individual had continuously harassed town officials, injunction was proper because "[i]n an appropriate case, the risk of harm to the public interest also may be considered").

Here, the public interest will best be served by issuance of the injunction. If AACA is forced out of the 90 Tyler Street property, hundreds of Asian American residents in the Boston area will lose the services provided by AACA. [add details]

### CONCLUSION

Because CCBA's current attempt to remove AACA from 90 Tyler Street is in breach of the Settlement Agreement reached by the parties on June 11, 1998, CCBA should be enjoined from seeking to remove AACA from the premises.

Respectfully submitted,  
Asian American Civic Association  
By its attorneys,

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William F. Lee (BBO# 291960)  
Brian E. Whiteley (BBO# 555683)  
Hale and Dorr LLP  
60 State Street  
Boston, Massachusetts 02109  
(617) 526-6000

Dated: October 29, 1998



AACA 華美福利會

ASIAN AMERICAN CIVIC ASSOCIATION, INC.  
(Formerly Chinese American Civic Association, Inc.)

Joe

25 Oct. 1998

Dear Joe —

This letter is our latest request  
for assistance (rescue) to the City/  
Mayor/B.C.A.

The C.C.B.A. lawyer has told our  
attorney that she has set eviction for  
Monday, Nov. 2<sup>nd</sup> (Election Day eve!).  
We have no word yet what the City  
will do about this.

Please help!!

Warmest regards,

Ed Brody

教育中心  
EDUCATION CENTER

綜合服務所  
MULTI-SERVICE CENTER



舢舨月刊  
SAMPAN

職業輔導組  
NEIGHBORHOOD EMPLOYMENT  
CENTER

**PAUL M. YEE**  
ATTORNEY AT LAW  
52 TEMPLE PLACE  
BOSTON, MASSACHUSETTS 02111  
(617) 426-4411 October 27, 1998

BY FACSIMILE AND REGULAR MAIL

Thomas N. O'Brien, Director  
Boston Redevelopment Authority  
One City Hall Square  
Boston, MA 02201

RE: ASIAN AMERICAN CIVIC ASSOCIATION/Old Quincy School

Dear Mr. O'Brien:


This letter will confirm my telephonic requests of October 20 and 23, 1998 for a meeting with you concerning the CCBA's breach of the agreement resolving the issues surrounding AACA's occupancy at 90 Tyler Street. I do acknowledge Mr. McCann's and your secretary's telephone call of October 23, 1998.

As you know, the BRA assisted the parties in reaching the agreement of June 11, 1998. The AACA has performed, has paid substantial moneys and submitted a lease pursuant to the agreement. However, the CCBA has stalled and has not performed.

In derogation of the agreement and in bad faith, the CCBA sought and obtained a court order freezing AACA's bank account at Fleet Bank and compelling AACA's lawyers to turn over \$25,000.00 to CCBA agreement to pay down the judgment. This money had been paid and held in escrow as additional rent payments pursuant to CCBA's agreement, since no lease had been presented to AACA by CCBA. I understand the execution has been given to the sheriff for levy and possession. AACA is at a critical juncture.

Please kindly provide AACA a meeting and assistance in resolving this matter as soon as possible. Time is of the essence.

Very truly yours,  
Asian American Civic Association, Inc.

  
Paul M. Yee, Vice President

Cc: AACA  
Hale & Dorr